

AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 4 DECEMBER 2018 at 7.05 pm

Committee Room 1 & 2

Civic Suite

Lewisham Town Hall

London SE6 4RU

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MEMBERS

Councillor Bill Brown	Chair of Overview & Scrutiny Committee	L
Councillor Juliet Campbell	Vice Chair of Overview & Scrutiny Committee	L
Councillor Liam Curran	Chair of Sustainable Development Select Committee	Labour
Councillor Alex Feis-Bryce	Labour Group Representative	Co-op
Councillor Jim Mallory	Chair of Public Accounts Select Committee	L
Councillor Joan Millbank	Labour Group Representative	L
Councillor Pauline Morrison	Chair of Safer Stronger Communities Select Committee	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	Labour
Councillor Luke Sorba	Chair of Children and Young People Select Committee	Co-op
Councillor Susan Wise	Chair of Housing Select Committee	L
		Labour
		Co-op

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

Members are summoned to attend this meeting

Janet Senior

Acting Chief Executive

Lewisham Town Hall

Catford

London SE6 4RU

Date: Monday, 26 November 2018



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			
Report Title	Minutes		
Key Decision			Item No. 1
Ward	All		
Contributors	Chief Executive		
Class	Part 1	Date: 4 December 2018	

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 13 November 2018 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 13 November 2018 at 7.00 pm

PRESENT: Councillors Bill Brown, Juliet Campbell, Alex Feis-Bryce, Jim Mallory, Pauline Morrison and Luke Sorba

Apologies for absence were received from Councillor Joan Millbank, Councillor John Muldoon and Councillor Susan Wise

154. Minutes

RESOLVED that the minutes of the open meeting held on 16 October 2018 be confirmed and signed as a correct record.

155. Declarations of Interests

None received.

156. Outstanding Scrutiny Matters

RESOLVED that the report be noted.

157. Notifications of Late and Urgent Items

RESOLVED that the report be noted.

158. Decisions made by Mayor and Cabinet on 31 October 2018

Joining South London's Regional Adoption Agency

The Executive Director for Children and Young People introduced the report.

The Chair asked officers if the Council would make any savings from the amalgamation and was told costs would remain the same. Councillor Mallory said if there would not be any savings benefit, Members would like assurance that this Partnership would be effective and beneficial, otherwise why would the Council want to do it. Councillor Mallory also asked how many children needed to be adopted, and how many prospective adopters the Council have.

The Executive Director for Children and Young People responded that joining the Regional Agency would make the service more effective and Lewisham would benefit from the economies of scale and wider pool of prospective adopters. She also said that as Lewisham would be part of the Board arrangements we would be in a better position to monitor and influence the service. The Team Manager, Adoption Service said that currently Lewisham has 16 children awaiting adoption, which included a large sibling group. She said the number of prospective adopters

did not match up with the number of children. She said it would be useful to work with neighbouring boroughs instead of competing with them. Panel Members heard that one of the Children Social Care officers, Natalie Bendall had been named Adoption Social Carer of the year. Members sent their congratulations to her.

Councillor Mallory asked whether officers were comfortable with the arrangements, and was told officers were comfortable especially since the Lewisham Team Manager, Adoption Service was involved at the preparation stage. Officers thought this would be good for Lewisham. The Chair asked what the disadvantages were, and was told that officers would be losing their working culture, which worked well, and now they might have to get used to a longer process. Lewisham officers were used to quick turnarounds. They would lose their model of matching which had been successful to date, because both teams work closely to get to know the child and the potential adopter very well, and this facilitated the matching process.

Members were informed that only two Boroughs currently use the Lewisham model and the other eight might not want to change their current model. Councillor Campbell asked whether there were any chance that some of the matching might breakdown if the Lewisham model was not used, and was told that both models would not lead to disruption. Councillor Campbell asked how the Lewisham model's timing in compared to others, and was told about 20-30 days quicker.

Councillor Sorba argued that he would be reluctant to support a move that had no evidence of efficiency and speed especially if there was no benefit of savings. He asked which children Lewisham staff would be supporting, and was told all staff would be supporting all the children from the various Boroughs. He said he was concerned that the host Borough might have an unfair advantage, and was told that this would not be the case as Southwark also had a very good service provision and was the other authority using the same model as Lewisham.

The Executive Director for Children and Young People said that all Local Authorities have to adopt the Regional arrangement sooner or later as this was the plan from central government. She said it would be better for Lewisham to be involved from the start so that we would be able to influence it to ensure it delivers what Lewisham wants. Councillor Sorba asked about the TUPE arrangements for staff. This was responded to by the Executive Director for Children and Young People. Councillor Sorba also asked whether staff had been consulted and was told formal consultation had not yet been done, but there had been discussion with staff and the Trade Union.

Panel Members were told that the governance arrangements had not been done as yet. The Principal Lawyer informed Panel members that officers were keen to ensure the best possible process was adopted, and adopting Lewisham's model could still be achieved as the process was still at inception. Councillor Mallory said he concurred with Councillor Sorba as Lewisham's high achievement should not be compromised. The Executive Director for Children and Young People said it was a positive working with Southwark as Lewisham works well with them, and

Southwark had a high Ofsted rating, and their geographical location was advantageous.

Councillor Feis-Bryce asked if officers had the option whether they would opt out, and was told that because everyone had to be part of it officers had to adapt. The Executive Director for Children and Young People said her thoughts would have been, to continue the status quo as it was working well for Lewisham. Councillor Sorba maintained that Lewisham's Adoption Service would not improve with this Partnership.

Panel Members agreed that although officers had put forward a convincing case, they still have concerns and would like Mayor and Cabinet to ask officers to ensure that careful consideration is given to the draft governance structure, to ensure Lewisham's quality service was maintained, and that the process be monitored.

RESOLVED that:

- i. the decision of Mayor and Cabinet be noted.
- ii. Mayor and Cabinet be requested to ask officers to ensure that careful consideration is given to the draft governance structure, to ensure Lewisham's quality service was maintained.
- iii. Mayor and Cabinet be requested to monitor the process.

159. Decisions made by the Joint Committee of the London Boroughs of Brent, Lewisham and Southwark

This item was not requested for discussion.

160. Overview & Scrutiny Select Committees Programmes 2018-19 Update

The Scrutiny Manager reported that the second round of Select Committee meetings had concluded and a referral outlining the views of scrutiny on the budget cuts proposals would be presented to Mayor and Cabinet on 21 November.

It was noted that the third round of Select Committee meetings would start on 3 December and end on 20 December and those Committees conducting in-depth reviews were holding evidence sessions and going on visits to progress their reviews.

It was also reported that some Scrutiny Members visited Parliament on 31 October and spoke to Clive Betts MP about successful scrutiny methods and techniques following observation of a select committee hearing. Other Members would visit the London Assembly on 28 November. The aim of the visits was to observe and discuss national and regional scrutiny practice.

Two Scrutiny roundtables have been arranged to feed in scrutiny's views to the local democracy review. These would take place on Friday 16 November between 1pm and 3pm and on Wednesday 21 November between 7pm and 9pm.

The Chair of the Public Accounts Select Committee, Councillor Mallory stated that the Select Committee was busy with Regeneration and would only be doing a review on income generation. Councillor Sorba, Chair of Children and Young People Select Committee notified Panel Members that the Select Committee would be doing an in-depth review on School ExclusionS, and would be shown a presentation of the Glasgow model.

The Head of Corporate Resources explained to Panel Members the recent issues surrounding the Lender Option Borrower Option (LOBO) dispute between some London Councils and Barclays Bank. He assured Panel Members that Lewisham was not in the same position as these London Boroughs, and the Council's External Auditors were looking into the situation and would give their advice by the end of the year.

RESOLVED that the report be noted.

161. Exclusion of the Press and Public

This item was not needed as no confidential item was discussed at the meeting.

162. Decisions made by Mayor and Cabinet on 31 October 2018

This item was not requested for discussion.

Meeting ended: 8:00pm

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: 4 December 2018

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 not 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 & SCRUTINY BUSINESS PANEL			
Report Title	Outstanding Scrutiny Matters		
Key Decision	No		Item No. 3
Ward	n/a		
Contributors	Head of Business and Committee		
Class	Part 1		Date: 4 December 2018

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
Response to Safer Stronger Communities – Employee Profile	ED Resources & Regeneration	3 October 2018	12 December 2018	No
Response to Sustainable Development Select Committee- Local Plan	ED Resources & Regeneration	3 October 2018	12 December 2018	No
Response to Public Accounts Select Committee – Children's Social Care Budget	ED Resources & Regen.	3 October 2018	12 December 2018	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 3 October 2018 available from Kevin Flaherty 0208 3149327.

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

Agenda Item 4

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: 4 December 2018	

1. **None submitted.**

Agenda Item 5

Overview and Scrutiny Business Panel		
Title	Draft Corporate Strategy 2018-2022	
Contributor	Interim Chief Executive	Item
Class	Part 1 (open)	4 December 2018

1. Summary

- 1.1. This report provides an overview of the rationale for the introduction of a Corporate Strategy. This report also provides a draft Corporate Strategy for comment before finalisation and recommendation for adoption.

2. Recommendation

- 2.1. The Overview and Scrutiny Business Panel is recommended to:
 - Review the draft Corporate Strategy
 - Provide comments and recommendations to Mayor and Cabinet
- 2.2. Mayor and Cabinet is recommended to:
 - Review the (revised) draft Corporate Strategy
 - Consider the views and recommendations of the Overview and Scrutiny Business Panel
 - Agree the adoption of the Corporate Strategy and that this replace the 2008 Community Strategy
 - Refer the Corporate Strategy to Council for endorsement.
- 2.3. Council is recommended to:
 - Note and endorse that the attached Corporate Strategy replaces the 2008 Community Strategy.

3. Background

- 3.1. "Shaping our Future", Lewisham's Sustainable Community Strategy is dated 2008-2020. It was adopted by Full Council as a primary document in the Council's Budget and Policy Framework. It articulated Lewisham's approach to partnership working at that time, set out the local authority and its partners' vision for the place, and identified principles and priorities intended to realise the enduring vision – "that together, we will make Lewisham the best place in London to live, work and learn".
- 3.2. The development and delivery of the Strategy was led by the Lewisham Local Strategic Partnership ("a partnership of partnerships" led by the Mayor), in line with the statutory requirements for partnership arrangements at that time.
- 3.3. The duty to prepare a Sustainable Community Strategy was abolished in 2010. However delivery of the priorities within the Community Strategy have remained

priorities for the Council, with the enduring 10 Council priorities setting out the Council's role in delivering the Community Strategy priorities.

- 3.4. An evaluation of the 2008-2020 Community Strategy was considered by Mayor & Cabinet in June 2017. It concluded that the election of a new Mayor for Lewisham in May 2018 would clarify the changing local policy direction.
- 3.5. Damien Egan was elected Mayor of Lewisham in May 2018 with an overwhelming majority. 54 Labour Councillors were also elected and together with the Mayor they form the Full Council of Lewisham. Following the election, the Council now needs to agree a new set of priorities to be delivered for Lewisham, building on the progress already made over the last 20 years.

4. Policy Context

- 4.1. The Corporate Strategy is designed to guide future decision making. Once the Corporate Strategy is agreed, future decision making reports will set out how they accord with it.

5. Renewed Priorities for Lewisham

- 5.1. The overwhelming mandate for the elected Mayor's vision, principles and priorities for Lewisham provides a clear basis for the development of all future priorities and plans for action for both the Council and its partners.
- 5.2. The reliance on a set of corporate priorities focused solely on the delivery of a now slightly outdated Community Strategy is at odds with the renewed priorities for the Council set out by the Mayor at the inaugural AGM of the new Council administration in May 2018. The introduction of a Corporate Strategy for the Council would rectify this and swiftly embed the Mayoral priorities into all work of the Council.
- 5.3. It is therefore proposed that the new Corporate Strategy replace the Council's current enduring priorities. Once adopted, the policy commitments enshrined within the Corporate Strategy, will underpin all subsequent strategies and delivery plans the Council produces.
- 5.4. It is proposed that the priorities for the Council are adopted as follows:

1 Open Lewisham - Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us.

2 Tackling the housing crisis - Everyone has a decent home that is secure and affordable.

3 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.

4 Building an inclusive local economy - Everyone can access high quality job opportunities, with decent pay and security in our thriving and inclusive local economy.

5 Delivering & defending: Health, Social Care and Support - Ensuring everyone receives the health, mental health, social care and support services they need.

6 Making Lewisham greener - Everyone enjoys our green spaces and benefits from a healthy environment as we work to protect and improve our local environment.

7 Building safer communities - Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

6. Commitments

- 6.1. As well as introducing new corporate priorities, the draft Corporate Strategy proposed for adoption also clearly outlines the specific commitments the Council is proposing to deliver under each of the priorities over the next 4 years. These will be addressed as part of and alongside the delivery of the full range of Council responsibilities.

7. Partnership

- 7.1. Shaping our service delivery in line with our renewed priorities and delivery commitments as outlined within the Corporate Strategy should become a primary focus for the Council and will in some instances require a continuation of the strong partnership working that has been a hallmark of delivery in Lewisham for so many years.
- 7.2. The absence of the formal overarching partnership mechanism that signed off the creation of the enduring Community Strategy in 2008 does not currently hinder partners in Lewisham working together at every level, with a more up to date and responsive approach to the agreement of collective delivery for the people of Lewisham developed in recent years. There are currently a range of both formal and informal partnership mechanisms within which the Council and partners are working to deliver improved outcomes for people in Lewisham, and these will continue to take account of the priorities of the Council through the representatives of the Council involved.
- 7.3. With the end date of the existing Community Strategy approaching, discussions with partners and communities will soon begin to ascertain how we might like to continue to articulate our shared priorities for the Borough. The Corporate Strategy will form the basis, from the Council's perspective, of all subsequent partnership delivery plans or strategies it may enter into, on which further consultation might also be required.

8. Delivery

- 8.1. Once the Corporate Strategy is adopted we will work with our members, officers, communities and partners to co –produce detailed plans, where appropriate, for how we are going to work together, and what more we all need to do, to address our commitments.
- 8.2. All Council services have reviewed their plans for service delivery in the coming year to ensure they are aligned to delivery of the Mayors priorities as outlined at the AGM and all future Council plans and strategies will be required to set out how they are contributing to the delivery of the Corporate Strategy.
- 8.3. The Mayor, Cabinet, Members and officers will continue to seek new opportunities to hear from, and work alongside the communities and residents they represent and serve.

9. Financial implications

- 9.1. There are no direct financial implications arising from the contents of this report.

10. Legal implications

- 10.1. As set out in the report, there is now no longer a legal requirement for the Council to put in place a Sustainable Community Strategy. However there is clearly a power for the Council to adopt a Corporate Strategy to guide its future decision making.
- 10.2. Whilst the proposed strategy, once agreed, sets out the direction for the Council over the next four years, there will be a need for the Council to make decisions relating to the particular elements of it on the basis of detailed reports containing all relevant considerations, including the legal, financial, corporate and service implications pertaining to the issue. Those decisions must reflect the prevailing circumstances at the time and be taken in accordance with the general principles of administrative law applying to local government decision making.
- 10.3. Implementation of the aspirations and commitments set out in the Corporate Strategy must be consistent with, and subject to, the Council's legal and fiduciary duties and budgetary constraints. The nature of these duties and constraints will vary according to the matter under consideration and may change over time.

Equalities legislation

- 10.4. The Equality Act 2010 (the Act) introduced a public sector equality 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.
- 10.5. 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.
- 10.6. 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 in the paragraph above.
- 10.7. 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 members, bearing in mind the issues of relevance and proportionality. They 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.
- 10.8. 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 & Associated 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>
- 10.9. 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](#)
 - [Engagement and the equality duty: A guide for public authorities](#)
 - [Objectives and the equality duty. A guide for public authorities](#)
 - [Equality Information and the Equality Duty: A Guide for Public Authorities](#)
- 10.10. 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>

Best value

- 10.11. Best Value authorities are under a general duty of best value to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.” Under the duty of best value, therefore, authorities should consider overall value, including economic, environmental and social value, when reviewing service provision.

11. Equalities Implications

- 11.1 The strategy will be a key vehicle for the delivery of the Comprehensive Equalities scheme 2016-2020. The priorities and pledges within this strategy are focused on reducing inequality and tackling discrimination. As detailed delivery plans are developed they will continue to take account of the potential impact on any of the protected characteristics as outlined in the Equality Act 2010.

12. Crime and Disorder

- 12.1. There are no direct crime and disorder implications arising from the contents of this report.

13. Environmental Implications

- 13.1. There are no direct environmental implications arising from the contents of this report.

Appendix A

Draft Corporate Strategy 2018-2022



Corporate Strategy 2018-2022

draft

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Foreword

I am proud to have been elected by our residents to serve as Mayor of Lewisham. I was elected alongside 54 councillors on a bold and radical manifesto of change for our borough.

Lewisham is an exciting place to live – made up of vibrant and distinct communities that stretch from Blackheath to Sydenham and from Deptford to Downham.

The borough is changing too. Over the last decade we have seen considerable investment and growth and we continue to welcome the new families making Lewisham their home. Now is the time to take stock of what has been achieved in Lewisham and build a new vision to meet the challenges our residents face today.

Inequality is growing in society and too many Lewisham residents do not get to share in the wealth and opportunities that London has to offer. Austerity has also meant that all councils have been forced to cut services when residents needs are increasing.

Our new Corporate Strategy sets out how Lewisham Council plans to deliver for our residents over the next four years. How, in the face of austerity, where councils have been forced to cut services, we can still make a difference and change lives. Importantly, it is also about how we protect the individual identities of our neighbourhoods and continue to make Lewisham a place we love to live in.

We are building on Lewisham's historic values - fairness, equality and putting our community at the heart of everything we do - and turning these values into practical, deliverable policies for the next four years.

I look forward to working with you.

Damien Egan, Mayor of Lewisham

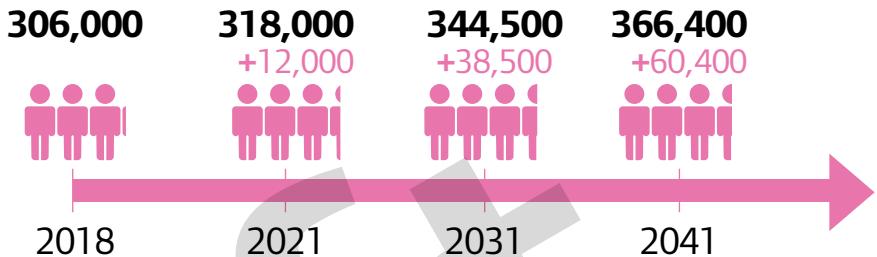
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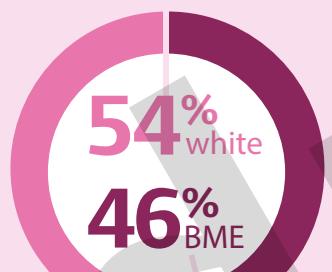
People and place

Lewisham is a fantastic place in inner London and is a diverse and growing borough. We enjoy proximity to the wider employment and cultural opportunities of the rest of London and the South East, as well as revelling in our own unique and vibrant localities which include outstanding urban and green spaces. Our people are passionate, engaging, diverse and our communities take pride in coming together to protect and improve our borough for everyone.

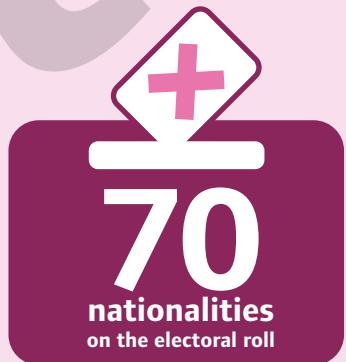
Population



Diversity



76%
of the schools
population is
BME



Inequalities





Lewisham Council

Lewisham Council has a key role in supporting people across the borough. Under the leadership of the Mayor and councillors, our staff deliver a large number of services to all of our residents and businesses, and specialised services to support our most vulnerable residents.

We deliver key statutory services and manage public services and local partnerships to shape prosperity and tackle inequality in the borough.

Across four directorates, our 2,400 members of staff deliver a wide range of services, sometimes in partnership with other public sector partners or the voluntary sector.

Children and Young People

Provides services for children and young people that safeguard welfare and promote life chances and wellbeing, such as:

- children's social care (safeguarding and protecting vulnerable children and young people)
- education standards and inclusion (supporting and challenging schools to raise achievement and attainment)
- targeted services and joint commissioning (organising the delivery of health and care services for children and young people, including those with additional needs).

Resources and Regeneration

Covers our corporate services and functions, such as:

- planning (guiding the future development and use of land across the borough)
- regeneration and place (shaping the physical transformation of the borough)
- strategy (including economy and partnerships and communications)
- policy and governance (developing and delivering organisation-wide priorities and supporting decision-making processes)
- corporate resources (providing assurance that Council services are delivered in a safe, efficient and effective way)
- financial services (responsibility for all the Council's expenditure and income)
- organisational development and human resources (supporting and improving the performance, productivity and wellbeing of staff)
- legal services (ensuring that the Council acts lawfully, including running accurate elections).

Customer Services

Covers key public facing services serving large numbers of people on a daily basis and plays a leading role in all customer interaction, including:

- environment (keeping the borough clean and maintaining our parks and open spaces)
- public services (including the call centre and the administration of council tax, business rates and housing benefit)
- strategic housing (preventing homelessness and ensuring all residents have access to good quality, affordable housing)
- technology and change (managing and improving IT systems for customers and staff).

Community Services

Covers activities and services that support the community in the borough, such as:

- adult social care and joint commissioning (protecting older adults and those with disabilities through assessment of need and arranging appropriate care and support)
- public protection and safety (working with the police to reduce crime and disorder in the community, manage young offenders and ensure businesses are properly regulated)
- cultural and community development (including libraries, arts and events, voluntary sector funding and adult education)
- public health (helping people to stay healthy and protecting them from threats to their health).

Our values

Our values set a benchmark for our behaviour across the organisation:

- We put service to the public first
- We respect all people and all communities
- We invest in employees
- We are open, honest and fair in all we do.

Working with our partners

The importance of working in partnership

The Council and our partners have worked together for many years. We are aware of the challenges that face our citizens locally and of the important role our partners play in addressing them alongside us. We know that it is only through strong and effective partnership working that we will deliver better outcomes for our citizens.



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Our corporate priorities

Since the early 1970s, when the Council was led by Andy Hawkins, we have fostered and developed a proud tradition of working alongside residents and community, voluntary and faith groups in the Borough. We like to call this way of working 'the Lewisham Way', and it's part of what makes Lewisham different.

We want to build on the Council's historic legacy and the benefits the Lewisham Way brings to our borough and its residents. We will continue to work with our vibrant local groups and public services to provide opportunities, support our residents to improve their quality of life and offer them the best chance to overcome any barriers they face.

And as we look ahead, we know that we work best when we're working together. This history and approach is reflected in our corporate priorities. We will seek to deliver all of our commitments for Lewisham, in so far as the law allows and so far as is consistent with the Council's legal and fiduciary duties and budgetary constraints.



1

Open Lewisham

Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us.

2

Tackling the housing crisis

Everyone has a decent home that is secure and affordable.

3

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.

4

Building an 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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CORPORATE PRIORITIES

5

Delivering and defending: health, social care and support

Ensuring everyone receives the health, mental health, social care and support services they need.

6

Making Lewisham greener

Everyone enjoys our green spaces and benefits from a healthy environment as we work to protect and improve our local environment.

7

Building safer communities

Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

Open Lewisham

Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us.



What will success look like?

- ✓ Lewisham will be a place where diversity and cultural heritage is recognised as a strength and is celebrated
- ✓ Hate crime will not be tolerated
- ✓ Lewisham will be a Sanctuary Borough, welcoming those fleeing violence and persecution in their own countries and protecting the rights of all migrants, asylum seekers and refugees

Our commitments

Lewisham will be a place where diversity and cultural heritage is recognised as a strength and is celebrated

- We will establish an Accessibility Commission led by disabled people, which will make public services more accessible and make it easier to get around our borough.
- We will work with groups giving voice to the borough's diverse lesbian, gay, bisexual and transgender (LGBT+) community.
- We will publish a review of the cumulative impact of Council decisions on different groups in our community.
- We will work to understand and mitigate the impact of Brexit in the borough, so we can protect jobs and opportunities for our residents where possible.
- We will strive to make the Council's workforce more representative of our borough's diverse population at all levels.

Hate crime will not be tolerated

- We will actively challenge all forms of discrimination, including tackling unconscious bias and supporting local awareness campaigns.

- We will support events that bring our community together.
- We will work closely with the police so that perpetrators of hate crime are brought to justice.

Lewisham will be a Sanctuary Borough, welcoming those fleeing violence and persecution in their own countries and protecting the rights of all migrants, asylum seekers and refugees

- We will become a recognised Borough of Sanctuary, working with partners to develop a pledge and practical steps we will take to welcome and include refugees in our activities, and to actively seek ways of supporting them wherever we can.
- We will expand Lewisham's refugee resettlement programme, with a target of supporting a further 100 vulnerable families from Syria and other areas of conflict.

Tackling the housing crisis

Everyone has a decent home that is secure and affordable.



What will success look like?

- ✓ More social and genuinely affordable housing
- ✓ More mixed communities through a variety of tenure type in private developments
- ✓ Improved standards across all housing sectors
- ✓ Residents are supported to have a stronger voice

Our commitments

More social and genuinely affordable housing

- We will deliver 1,000 new social homes.
- We will build a new generation of homes for private rent, providing long-term tenancies of up to 10 years with rent controls.

More mixed communities through a variety of tenure type in private developments

- We will set a target of 50% genuinely affordable homes delivered through developer-led projects
- We will build four more innovative housing developments for homeless families like the pop-up PLACE/Ladywell and the new Edward Street scheme, taking more families out of B&B accommodation.
- We will build more housing for adults with learning disabilities.

Improved standards across all housing sectors

- We will implement a full borough-wide landlord licence to crack down on rogue landlords.
- We will not sell strategic council land to private property developers.

Residents are supported to have a stronger voice

- We will support the launch of a Private Renter's Union to give a voice to tenants living in the private rented sector.
- We will introduce ballots on any estate regeneration scheme that includes replacing existing homes.
- We will introduce a Residents' Charter that guarantees all residents impacted by a regeneration scheme the right to remain on their estate, and guarantees an increase in genuinely affordable housing.
- We will publish viability assessments so developers have to account to the public for their proposals around affordable homes.

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.



What will success look like?

- ✓ All of our educational settings will be Good or Outstanding and deliver a broad curriculum
- ✓ Children are protected from abuse and neglect
- ✓ Our provision is inclusive and children and their families can access the support they need to achieve their full potential

Our commitments

All of our educational settings will be Good or Outstanding and deliver a broad curriculum

- We will continue to support our primary schools to maintain their high quality through the support of Lewisham Learning, our school-led school improvement partnership.
- We will work with our secondary schools to ensure that all our schools are rated Good or better by Ofsted, supporting Lewisham Secondary Challenge.
- We will support the adoption of a Lewisham Fair Workload Charter, working with schools and trade unions to attract and retain the best teachers.
- We will recruit more Black, Asian and minority ethnic school governors to better reflect our diverse borough.
- We will support parents in opposing all forms of selection and will provide the knowledge and support to parents, teachers and governors who are fighting academisation.
- We will promote music, drama, visual arts and other artistic expression and activity across all of our schools.
- We will support schools in securing the funds they need by making the case for Lewisham schools to central government.

Children are protected from abuse and neglect

- We will improve our children's social care services, learning from good practice across the country to provide support for families at the earliest opportunity.
- We will ensure that the children in our care are safe and supported to achieve the very best in life.
- We will work tirelessly with our partners to keep Lewisham's children and young people safe from exploitation, violence and serious youth crime.
- We will work with our local communities to ensure that children and young people have early access to support with a strong and ambitious early help offer.
- We will monitor the services we provide for children and young people to ensure they deliver the best outcomes and best value.

Our provision is inclusive and children and their families can access the support they need to achieve their full potential

- We will ensure that children and young people and their families from our BAME communities have equal access to care and support.
- We will work with our partners to ensure that young people transitioning into adulthood achieve the best possible outcomes in relation to education, work, healthy lives and strong community connections.
- We will protect and where possible strengthen the service provided by our Children and Family Centres.
- We will help families access their entitlement to free childcare, and continue to provide high-quality early years education so that parents and children can get the support they need.
- We will improve the timeliness of our Education and Health Care Plans for children with special education needs and disabilities, working positively with their families.
- We will increase the provision for children with special educational needs to meet children's learning needs within the borough.
- We will work with parents and schools to reduce exclusions.
- We will review and improve the strategies to narrow the achievement gaps that affect minority communities and poorer pupils.
- We will support more high-quality mentoring by working with community and voluntary groups and businesses to help our young people increase their resilience and access to employment opportunities.
- We will support our care leavers to stay in education, progress to higher education and take up apprenticeships and other work opportunities.
- We will continue to exempt care leavers from council tax.

Building an inclusive local economy

Everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.



What will success look like?

- ✓ More Living Wage employers
- ✓ Support to access work and to progress
- ✓ High-quality work and reduced inequalities
- ✓ A thriving local economy

Our commitments

More Living Wage employers

- We will double the number of Living Wage employers in Lewisham.
- We will roll out a business rate discount for employers who commit to fair pay.
- We will maintain our commitment to fair pay as a Living Wage employer.

Support to access work and to progress

- We will lead the way in flexible working, including through becoming an accredited Timewise employer.
- We will require large contractors to provide high-quality apprenticeships for local residents where possible.
- We will support an additional 250 people through the Mayor's apprenticeship scheme.
- We will support adults to access high-quality learning.

High-quality work and reduced inequalities

- When we are considering whether to commission services, we will have an assumption that the Council is our preferred provider and in-source our contracts.

- We will work with other employers to reduce the gender and ethnicity pay gaps in Lewisham.
- We will work with local trade unions to tackle exploitation at work, including zero-hour contracts.

A thriving local economy

- We will review public sector procurement to maximise investment in local independent businesses and support local inclusive growth.
- We will create more enterprise hubs.
- We will expand our business growth programme to reach 300 small businesses by 2020 and support more start-up businesses to grow and become sustainable.
- We will develop an Evening and Night-time Strategy. We will focus on our arts and music spaces and enable more cafés and restaurants to stay open in the late evenings to bring our town centres to life.

Delivering and defending: health, social care and support

Ensuring everyone receives the health, mental health, social care and support services they need.



What will success look like?

- ✓ Healthy lifestyles are increasingly a way of life across all of our communities
- ✓ All health and social care services are robust, responsive and working collectively to support communities and individuals
- ✓ Lewisham Hospital continues to provide the range of services our residents need

Our commitments

Healthy lifestyles are increasingly a way of life across all of our communities

- We will continue to promote healthy lifestyles by protecting free swimming and gym access for the over-60s.
- We will support The Daily Mile initiative for all our school children.
- We will get more businesses to sign up to Sugar Smart.
- We will make our sexual health services easier to access, offering choice and quality throughout the borough.
- We will work with schools and other providers to encourage accessible relationship advice and support for our young people.

All health and social care services are robust, responsive and working collectively to support communities and individuals

- We will establish Care at Home: a new publicly owned community-based care service.
- We will sign up to UNISON's Ethical Care Charter to

provide home care workers with the London Living Wage and better working conditions.

- We will work to achieve parity of esteem and fair funding for mental health services.
- We will lead work with our health and wellbeing partners and our communities to ensure that Black, Asian and minority ethnic groups gain appropriate access to mental health services.
- We will continue to do our utmost to defend and deliver health and social care services that protect the most vulnerable in our borough.
- We will continue to develop as a dementia-friendly borough and we will enlist more Dementia Friends.

Lewisham Hospital continues to provide the range of services our residents need

- We will continue to resist any attempts to close or downgrade Lewisham Hospital, its A&E and maternity services.
- We will continue to work closely with commissioners and providers of NHS services.

Making Lewisham greener

Everyone enjoys our green spaces and benefits from a healthy environment as we work to protect and improve our local environment.



What will success look like?

- ✓ Preservation of our award-winning green spaces
- ✓ Increased use of environmentally friendly transport options
- ✓ Better care for our local environment and the planet

Our commitments

Preservation of our award-winning green spaces

- We will establish a new Greening Fund to support the work of local community groups protecting and enhancing our green spaces.

Increased use of environmentally friendly transport options

- We will work with TfL to provide a new segregated cycle route connecting Downham to Deptford.
- We will provide secure cycle storage in every neighbourhood.
- We will promote and support cycling through our own bike-hire scheme and dockless bike hire schemes.
- We will support extending the Ultra-Low Emission Zone so that it covers the borough and the whole of London.
- We will increase the amount of electric vehicle charging points, and develop opportunities for local business owners to access discounted electric vehicles.
- We will work with parents and schools to encourage children to walk, cycle and scoot to school away from main roads.
- We will intervene to protect our most polluted playgrounds, building on our anti-idling programme

to reduce emissions in the vicinity of our schools.

- We will continue to campaign for more low-emission buses throughout our borough.
- We will work with TfL to extend the Bakerloo line.
- We will support local groups fighting to hold private rail companies to account.

Better care for our local environment and the planet

- We will address the barriers that are stopping residents disposing of household waste responsibly.
- We will work with the police to target professional flytippers with prosecution.
- We will maximise opportunities for energy efficiency in all council buildings and new developments.
- We will explore working with publicly owned not-for-profit energy suppliers that do not penalise poorer residents using pre-pay metres.
- We will ban single-use plastics from Council buildings
- We will provide water fountains in parks and public spaces to reduce plastic waste.
- We will consider moving the Council's pension fund away from fossil fuels-linked investments in response to climate change and to protect our investments from volatile energy markets.

Building safer communities

Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.



What will success look like?

- ✓ Less crime and less fear of crime
- ✓ Less young people involved in, or impacted by criminal behaviour
- ✓ Communities and individuals empowered and supported to work in partnership with the Council and the police

Our commitments

Less crime and less fear of crime

- We will focus on combating sexual violence and domestic abuse.
- We will support all survivors who are able, and choose to, flee violence and domestic abuse through our work with the voluntary sector. We will give survivors priority in social housing allocation.

Less young people involved in and impacted by criminal behaviour

- We will develop a public health approach to youth violence and knife crime that looks at tackling the root causes. We will ensure all agencies – social services, schools, police and our NHS – work together while involving parents and local communities.
- We will continue to work with the organisations we supported to gain funding from the Mayor of London's Young Londoners' Fund in their delivery of services to turn children away from crime and provide early interventions.
- We will focus on combating child sexual exploitation and peer-on-peer abuse.
- We will work with local retailers to tackle underage purchasing of knives by supporting more businesses

in Lewisham to sign up to our Responsible Retailers Agreement.

- We will campaign for national legislation to make our Responsible Retailers Agreement compulsory, so there is stricter guidance on the sale of knives.

Communities and individuals empowered and supported to work in partnership with the Council and the police

- We will work with the police to ensure that stop and search is used in a responsible intelligence-led manner.
- We will support the community to scrutinise the use of stop and search to ensure it is genuinely intelligence led, and challenge the police when it is not.
- We will publish an annual modern slavery statement outlining our actions to tackle slavery and forced labour.
- We will work to eliminate modern slavery from our supply chain by requiring all companies who get public funding or contracts from the Council to have a modern slavery statement.
- We will continue to support the Lewisham Safer Neighbourhood Boards, working with partners including the police to focus on the needs of our local communities.

Delivery

We have developed this strategy to ensure the priorities of the people of Lewisham are at the heart of everything the Council does. This strategy sets out what we will deliver over the next four years to improve life for everyone in the borough.

We can only deliver our commitments if we continue to work with residents, communities, partners, local employers and community groups. The Council is one of several key partners in Lewisham and we need to work collectively to address the challenges we seek to tackle.

The Mayor, cabinet, councillors and staff will continue to seek new opportunities to hear from, and work alongside, the communities and residents they represent and serve.

Timeline for delivery

We will now work with our councillors, staff, communities and partners to co-produce detailed plans, where appropriate, to deliver our commitments. All of our teams will shape their plans for service delivery in the coming years to ensure they are working directly to deliver this strategy and all future decisions will be required to show how they are contributing to the delivery of our renewed priorities and this strategy.



Creating an inclusive Lewisham

In Lewisham, we celebrate and welcome diversity. Lewisham is a borough characterised by the diversity of our communities. This is one of our greatest strengths, which makes us the dynamic and vibrant borough that we are.

As part of a global age, the borough and our wider society will continue to grow and evolve. We need to continue to ensure that everyone in Lewisham has equitable access to the support and services they need.

Achieving better outcomes for people

We will continue to work closely with our partners and residents to understand the:

- differing needs of our diverse community
- differing life chances of individuals and families
- barriers to equality and improving opportunities and outcomes for all.

Comprehensive Equality Scheme

Our Comprehensive Equalities Scheme (CES) is the strategic framework for our five quality objectives to:

- tackle victimisation, discrimination and harassment
- improve access to services
- close the gap in outcomes for citizens
- improve mutual understanding and respect, within and between communities
- increase participation and engagement.

The CES makes sure that equalities are embedded in everything we do and that equalities are a fundamental consideration in all of our decisions. The CES sets out how we will continue to address the needs of people with protected characteristics as outlined in the Equality Act 2010.

A diverse workforce

We are proud of the commitment and diversity of our workforce, with our staff broadly reflecting the diversity of the borough's population. 70% of our workforce are women 42% of our staff are BAME, both above the London average. Over 42% of our staff also live in the borough. As the borough's largest single employer, we have a significant role to play in helping achieve economic prosperity and social stability for our residents.

A new strategy for people management and organisational development is currently being produced, building on our proud history of supporting the development of a diverse local workforce, to ensure our staff continue to be equipped with the skills they need to deliver our commitments to our residents.

How the Council is funded

In the current climate of central government austerity and Brexit looming, funding remains our greatest challenge. Our funding has been cut hugely over the last eight years, and further cuts anticipated in this and coming years present us with a huge challenge.

Since 2010, we have responded to austerity by adjusting to reduced funding and growth pressures by making £165 million of cuts in the eight years since 2010/11. Our general fund budget for 2018/19 is £241 million. If we were still funded at 2010/11 levels, it would be £406 million. This represents a reduction of 41%.

Our financial strategy

Legally, we have to set a balanced budget every year. The budget determines how much we expect to spend, and matches this to the available income. Knowing the level of grant, business rates and reserves available for the year helps us calculate the amount of council tax needed. This has to be done in line with requirements of the Local Government Finance Act 1992.

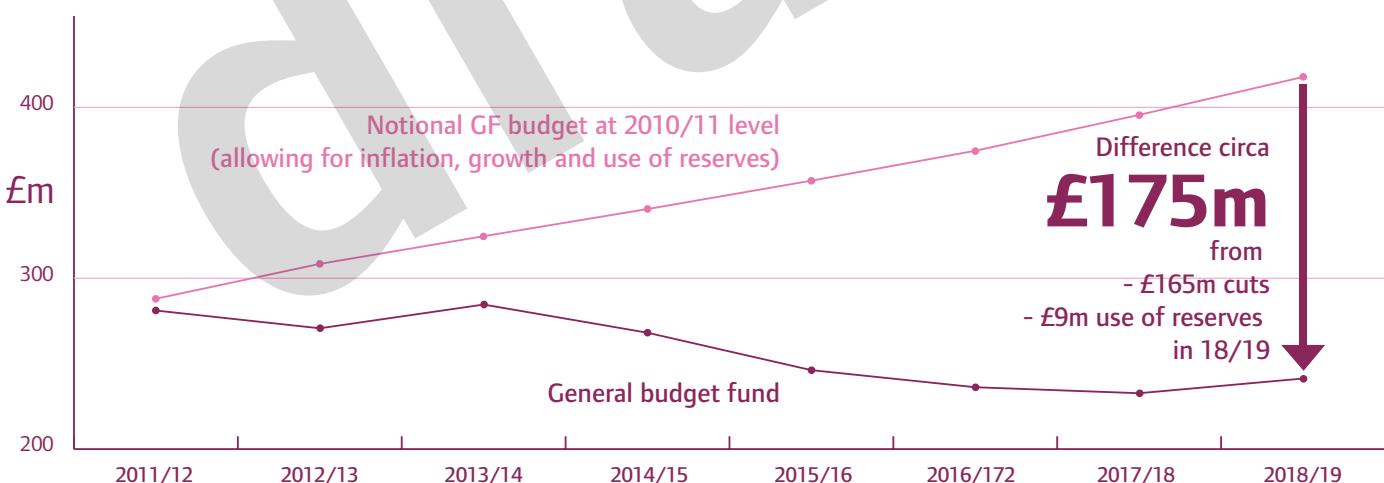
The way we use our financial resources has a major impact on strategic planning and performance improvement. We have a five-year financial strategy that enables us to ensure that budget plans are consistent with our corporate priorities. Our budget is a key contributor to the achievement of our corporate priorities.

The budget is the main mechanism that allows us to plan our activity and work from a stable financial base.

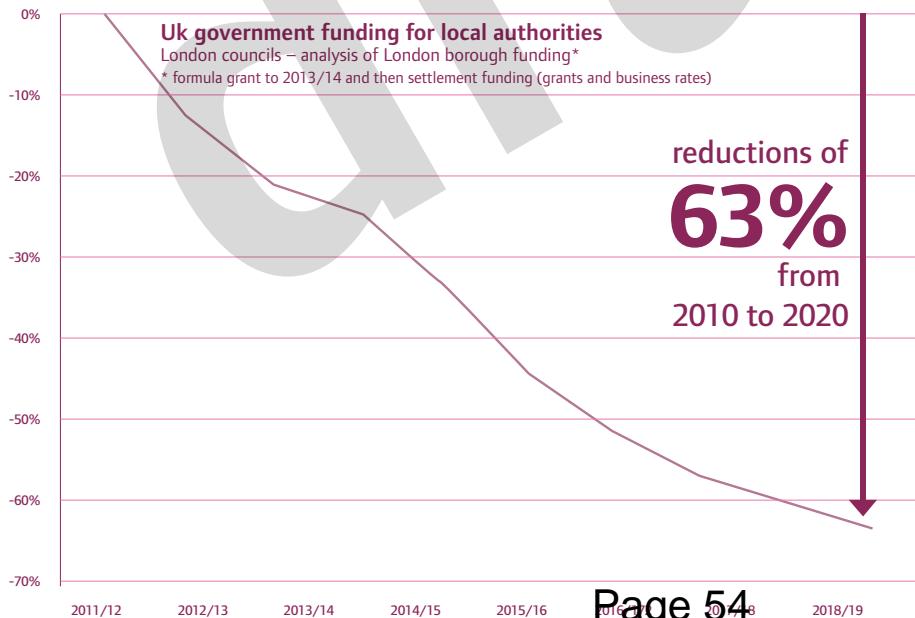
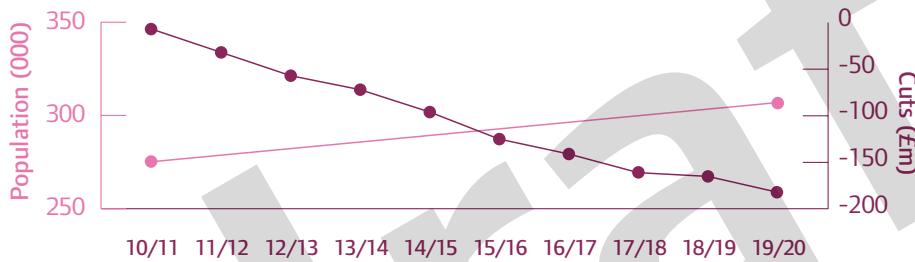
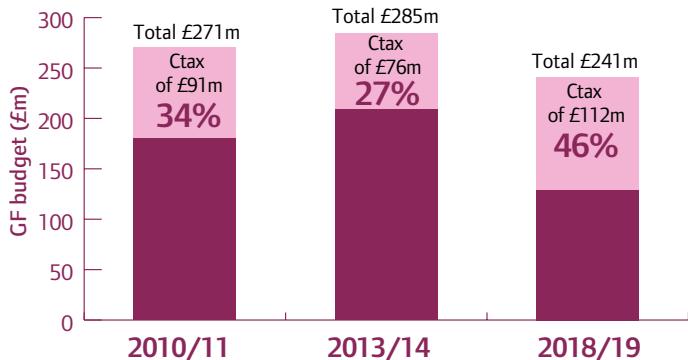
Our estimated level of resources available and the level of expenditure are subject to change, but the key assumptions for the revenue budget for 2018–2022 are as follows:

- The framework to 2019/20 is largely known, but depends on continuation of the London Business Rate pilot and the integrated Better Care Fund arrangements for health and social care funding.
- Beyond 2019/20 depends on national decisions regarding the Fair Funding Review and the Comprehensive Spending Review.

Continued public sector austerity is certain, and this means more cuts. The expected impact over the next four years is an additional £55 million of cuts.



Council tax as a percentage of our general fund budget:



Governance

Strong corporate governance arrangements are crucially important to the management of a modern and successful local authority. The governance arrangements to oversee delivery of the commitments within this Strategy are summarised in this section.

Full Council

All councillors and the Mayor have responsibility for decisions regarding:

- the constitution
- the budget and policy framework
- budget
- appointments to the Overview and Scrutiny committees and other committees.

Mayor and Cabinet:

- The Mayor appoints between two and nine individual councillors to the position of cabinet member and together they form the Executive (otherwise known as Mayor & Cabinet). Cabinet members act as spokespersons for the Council in relation to the area of their portfolio, and the Mayor has decided that all Executive decisions will be taken by the Mayor and Cabinet collectively.
- Mayor and Cabinet set out a programme of major decisions to be taken forward in a forward plan published monthly. All decisions have to evidence how they contribute to delivering the priorities of the Council.

Overview and scrutiny

Our Overview and Scrutiny committee helps the Executive to develop policies and budget. It also holds the Executive to account by:

- scrutinising
- examining
- asking questions of those who make decisions and provide services.

Local Assemblies

Local Assemblies provide a mechanism for local people to come together to discuss challenges and opportunities in their ward and make recommendations about the use of the assembly fund to address these issues. There is a Local Assembly in every ward, each reflecting local circumstances and priorities and using existing engagement structures to bring local residents and groups together.

Local Democracy Review

In everything we do, we will seek to enable and empower our residents. In July 2018, we resolved to carry out a local Democracy Review to consider how we could:

- become more open and transparent
- increase public involvement in decision making
- promote effective decision making.

The review will report its findings and recommendations to the Council's AGM in Spring 2019 and this will inform how we will continue to deliver our priorities in partnership with our communities in the future.

Council

Consists of the mayor and 54 elected councillors – three for each of the 18 wards. They appoint the overview and scrutiny committee, and other committees, and approve the policy framework and budget.

Mayor and Cabinet

The Mayor:

- is elected by the whole borough to lead and speak up for all residents
- chooses up to nine councillors to form the cabinet, each with specific areas of responsibility
- sets out major decisions to be taken in a forward plan, published monthly
- proposes budget and key policy proposals to Council.

The Cabinet

- provides advice to the mayor
- takes decisions jointly with the mayor to implement policy decisions within the agreed policy framework.

Overview and Scrutiny Committee

The Committee:

- meets at least once a year and is ultimately responsible for overview and scrutiny
- delegates work and responsibilities to other scrutiny bodies – six select committees and two business panels – which are formally subcommittees of overview and scrutiny.

The business panel coordinates the work programmes of select committees and calls in decisions of Mayor and Cabinet.

The six select committees draw up work programmes each year to check performance, examine issues in depth and make recommendations for policy development.

Statutory Committees

Standards Committee
Health and wellbeing board

Regulatory Committees

Licensing (x2): These committees are responsible for the discharge of all licensing functions of the Council under the provisions of the Licensing Act 2003, and the Gambling Act 2005

Planning (x4): The planning committees consider planning matters across the whole borough. The Strategic Committee Considers strategic regeneration proposals.

Other committees

Audit Panel
Appointments
Elections
Health and Safety
Pensions Investment

Working Parties

Constitution working party

Business Panel

Reviews decisions of the Mayor and Cabinet and can request the Mayor reconsider.

Ensures a coordinated scrutiny work programme across all of the Select Committees.

Children and Young People Select Committee

Healthier Communities Select Committee

Public Accounts Select Committee

Safer stronger Communities Select Committee

Sustainable Development Select Committee

Housing Select Committee

*Please switch off
your engine.
Cut pollution,
improve your health
and save money.*



Switch off engines
for cleaner air

Performance management

The ability to manage our performance is critical to our success. It allows councillors, staff and the public to assess if we are:

- achieving what we set out to do
- delivering value for money
- making life better for our residents.

In this strategy, we have set out what our priorities are and what residents can expect us to deliver in the coming years. We will robustly monitor our progress in delivering these commitments.

Monitoring, measuring and managing our performance

As part of our commitment to openness and accountability, we will publish a new performance report on our website. This new report will enable residents and services users to monitor how we are performing against our new priorities.

It is a fundamental part of all managers' responsibilities to:

- review the performance of their services
- drive improvements
- achieve the outcomes our residents need.

All services and all staff have clear responsibilities in the delivery of our priorities: all of our teams have aligned their plans with the commitments in this strategy, and the ongoing delivery of this strategy will be embedded into all of our service planning and monitoring mechanisms from now on.

draft



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Agenda Item 6

OVERVIEW AND SCRUTINY BUSINESS PANEL			
Report Title	Community Infrastructure Levy neighbourhood CIL strategy (NCIL strategy)		
Key Decision	Yes		Item No. 6
Ward	All		
Contributors	Executive Director Resource and Regeneration		
Class	Part 1	Date: 4 December 2018	

1. Summary

- 1.1 The Community Infrastructure Levy (CIL) is a levy that local authorities can choose to charge on new development in their area, enacted through the Community Infrastructure Levy Regulations 2010 (as amended) ('the Regs').
- 1.2 The Council adopted its current CIL charging schedule in 2015, and has so far collected each financial year:
 - 2016/17: £4,487,774.86
 - 2015/16: £1,440,463.66
 - 2017/18: £3,359,091.04
- 1.3 R59F of the Regs enables the Council to set aside at least 15% of CIL receipts to spend on priorities that should be agreed with the local community in areas where development is taking place (rising to 25% in areas where a neighbourhood plan has been adopted).
- 1.4 Details of how priorities should be identified and CIL spent are not outlined in the CIL Regs, however planning practice guidance ('the PPG') has been published which accompanies the Regs and provides further guidance on the Government's expectations.
- 1.5 This report provides the Mayor and Cabinet with recommendations on how the neighbourhood CIL ('NCIL') process is proposed to function in Lewisham. In line with the Regs and the PPG it is proposed that the Council uses the structures, processes and capacities that exist within the current local assemblies and Member structure, with a process for identifying local priorities with communities that occurs every four years, a project bank of suitable projects identified every two years, with allocations to individual projects occurring on an annual basis.
- 1.6 In addition it is proposed that the distribution of NCIL funds is based on ward boundaries; with a portion of receipts retained in each ward where they were generated, a portion redistributed across wards, and a portion set

aside for projects across the whole boroughs. It is proposed that the Council allocate 25% of CIL receipts towards the NCIL process regardless of the adoption or not, of a neighbourhood plan.

2. Purpose

- 2.1 To provide the Mayor and Cabinet with the information needed to approve the NCIL process, and to begin the proposed NCIL process across all wards.

3. Recommendations

- 3.1 The Mayor is recommended to:

1. The extent that it is an executive function approve the proposed NCIL Strategy and recommend that the Full Council do the same.
2. To the extent that it is an executive function approve the allocation of 25% of CIL to the NCIL process and recommend that the Full Council do the same.
3. To authorise Acting Chief Executive Officer, to direct officers to develop guidance, a set of criteria, and governance process to support the implementation of the NCIL Strategy.
4. Authorise the Acting Chief Executive Officer to allocate NCIL amounts to projects up to a maximum amount of £500,000 with approval through Regeneration and Capital Delivery Board.

4. Policy context

- 4.1 The contents of this report are consistent with the Council's policy framework.
- 4.2 The NCIL strategy will contribute to the implementation of the Council's ten corporate priorities and will also play an important role in the implementation of the Sustainable Community Strategy ('SCS') (2008-2020) vision 'Together we will make Lewisham the best place to live, work and learn'.
- 4.3 The NCIL strategy will provide funding and a system to help support the implementation of the SCS vision and all of the six strategic priorities, which are:
 - Ambitious and achieving – where people are inspired and supported to fulfil their potential
 - Safer – where people feel safe and live free from crime, antisocial behaviour and abuse
 - Empowered and responsible – where people are actively involved in their local area and contribute to supportive communities

- Clean, green and liveable – where people live in high quality housing and can care for their environment
- Healthy, active and enjoyable – where people can actively participate in maintaining and improving their health and well-being
- Dynamic and prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond

4.4 The NCIL strategy will also contribute to the implementation of the Council's Corporate Priorities including:

- Community leadership and empowerment – developing opportunities for the active participation and engagement of people in the life of the community;
- Young people's achievement and involvement – raising educational attainment and improving facilities for young people through partnership working;
- Clean, green and liveable – improving environmental management, the cleanliness and care for roads and pavements and promoting a sustainable environment
- Safety, security and a viable presence – partnership working with the police and others and using the Council's power to combat anti-social behaviour
- Strengthening the local economy – gaining resources to regenerate key localities strengthen employment skills and promote public transport
- Decent homes for all – investment in social and affordable housing to achieve the decent homes standard, tackle homelessness and supply key worker housing
- Protection of children – better safeguarding and joined up services for children at risk
- Caring for adults and older people – working with health services to support older people and adults in need of care
- Active, healthy citizens – leisure, sporting, learning and creative activities for everyone

5. Background

5.1 CIL is a levy that local authorities can choose to charge on new development in their area. Local authorities must spend the levy on infrastructure needed to support the development of their area, which can include a wide range of infrastructure such as schools, hospitals, roads, open space, and leisure facilities.

CIL Regulation (2010)(as amended)

5.2 R59 of the Regs restricts CIL spending to "*funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area*". S216 of the Town and Country Planning Act 1990 identifies 'infrastructure' by way of broad categories, which as amended excludes affordable housing. The PPG clarifies that

whilst CIL can fund increases to the capacity of existing infrastructure or to repair failing existing infrastructure if that is necessary to support development, it is primarily intended to fund new infrastructure and not to remedy pre-existing deficiencies.

- 5.3 R123 of the Regs provides that a planning obligation may not constitute a reason for granting planning permission for the development to the extent that the obligation provides for the funding or provision of relevant infrastructure. ‘Relevant infrastructure’ means “*a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL*”, or in the case of an absence of such a list, any infrastructure. The Council has a published R123 list, which can be updated at any time. R123 and para 56 of the NPPF also outline limits to the wider use of planning obligations and spending.
- 5.4 R59F of the Regs enables the Council to allocate a portion of CIL receipts to be spent on local priorities, with spending of this portion subject to a wider definition of “*the provision, improvement, replacement, operation or maintenance of infrastructure; or anything else that is concerned with addressing the demands that development places on an area*”. Following the Regs and PPG, the Council will engage with communities on spending:
 - Setting out clearly and transparently an approach to engaging with neighbourhoods using their regular communication tools
 - Using existing community consultation and engagement processes
 - Be proportionate to the level of levy receipts and the scale of the proposed development to which the neighbourhood funding relates
 - Ensure that the use of neighbourhood funds should match priorities expressed by local communities, including priorities set out formally in neighbourhood plans
- 5.5 The neighbourhood portion is set at 15% (capped at £100/council tax dwelling in the area), increasing to 25% (uncapped) where a neighbourhood plan has been adopted (the increase only applies to developments granted after adoption of the relevant plan). The Council is able to allocate greater amounts, however these would not benefit from the wider definition for spending.

Principles Presented to Sustainable Development Select Committee (2016)

- 5.6 Initial recommendations regarding NCIL were made to SDSC in November 2016. The report and minutes of this meeting are in Appendix A. In summary, the following principles were presented:
 - To use existing structures and processes, rather than introduce new decision making processes
 - Neighbourhood for CIL purposes to be defined as wards
 - Process guided by ward assemblies and identified local priorities (and neighbourhood plan if relevant)
 - Where neighbourhood plans exist, forum representatives to participate in the ward assembly

- Process to explore joined up allocation across wards, where agreed by stakeholders
- Process to explore distribution from areas with high levels of funding to those with less
- Look to publish easy to understand decision making and funding process with available CIL amounts to ensure transparency
- Look at improved usage of the Council's website
- Expectation of community and Member involvement in developing local infrastructure priorities
- Explore opportunities to develop schemes more holistically around local priorities
- Explore annually 'project bank' process as means to ensure genuine engagement
- Project bank subject to set criteria; meet legal limitations for CIL spend, Member engagement
- Explore opportunities to incorporate elements of participatory budgeting; community propose schemes and make decisions on what to fund
- Short list put forward for public consultation via the ward assemblies
- Short list published on Council's website; updated if and when funding becomes available
- Need to manage expectations about what is achievable with limited NCIL funding
- Need to increase transparency to enable communities to understand prioritisation and delivery, potentially for communities to assist with making proposals more viable/deliverable
- Further consideration of additional dedicated resource needed to implement NCIL processes
- Pilot proposed in Evelyn ward

Spending of Ward Assembly Funds

- 5.7 Each ward assembly currently has a set of priorities/action plan (updated annually) which is identified by residents, community groups and local businesses. Priorities are developed for the purpose of the ward assembly fund (£12,500), and projects must address these priorities to receive funding. An additional fund (£2,500) known as the council discretionary fund is available for other projects that benefit or enhance the local community, managed by the ward Members (some ward Members decide to combine the two funds). All assemblies have their priorities published on their ward assembly webpage, and many assemblies publish further information on local surveys, charters and plan priorities.
- 5.8 The process is broadly as follows:
- Assemblies review and update their action plans, highlighting what areas they want to focus on in the coming year, with possible projects/ideas
 - The coordinating group reviews the action plan, determining how actions can be delivered, and identify projects that best fit the funding for the year
 - Projects developed further, with the support of Council officers, to include costs, delivery, timescales etc.

- Coordinating group present project ideas back to assembly who agree what to fund
 - Projects are then refined and finalised (including who will deliver projects) by the coordinating group and Council officers, and submitted for formal approval
- 5.9 The annual process is completed by December, allowing allocations within the financial year. Prior to allocating funds, projects must complete a Project Proposal Form. This includes details on: the project, the priorities it meets, the activities proposed, impact on the ward, programme and key dates, location, proposals for joint working, identification of key risks and how to minimise their impact, proposed evaluation methods and success factors, and, detailed budget and funding spreadsheet. An additional risk assessment form must be submitted with the application form. General guidance is provided on the assembly fund, as well as detailed guidance on the risk assessment and project proposal form.

Planning Obligations Spending Pilot – Whitefoot Ward

- 5.10 In 2014 £77k of Section 106 funding became available to be spent on Community Facilities in Whitefoot Ward. It was decided to involve the local community through the assembly in agreeing priorities for spending the Section 106 funds. The Council produced guidance around planning obligations for the Whitefoot ward assembly which included:
- Background information on planning obligations
 - General guidance on S106 spending requirements and restrictions
 - Guidance on the Council's formal allocation process for planning obligations
 - Financial information on available S106
- 5.11 The first community consultation was held at the assembly in July 2014 and resulted in over a dozen potential beneficiaries being identified. Forster Memorial Park and pavilion was ranked as the top priority at the time but there were no delivery partners to oversee project delivery so the assembly agreed to allocate the monies elsewhere with the proviso that when further S106 funds became available they would be directed towards improvements to the park. In the meantime efforts would be made to establish a new Friends of Forster Memorial Park.
- 5.12 In November 2014 the assembly hosted a 'Market Place' event inviting the organisations identified at the July 2014 assembly to set up information stalls detailing how they proposed to spend the S106 funds. A shortlist of projects was subsequently drawn up and in February 2015 a ballot went out to every household within the ward (on the back of the assembly flyer) inviting residents to nominate the top three community facilities they most wanted to see improved. Goldsmiths Community Centre, St Luke's Church and St Barnabas Church Hall were identified as the top three. Draft proposals were then submitted to the council for a viability check and each organisation returned to the assembly to present their worked up proposal

for final assembly approval before full bids were submitted to the council's S106 board.

- 5.13 The assembly coordinating group formed a S106 working party to work with the community organisations to support delivery of the projects. In November 2016 a further £40k of S106 money became available. The Friends of Forster Memorial Park has now been established and in collaboration with the assembly set about seeking views of the local community about improvements to the park. This included consultation at the assembly and an online survey that received over 200 responses. In early 2017 proposals for improvements to the park were presented back to the assembly and improvements were ongoing throughout the year with S106 remaining a standing item on the assembly agenda.

6. Neighbourhood CIL (NCIL) Recommendations

- 6.1 The amount of neighbourhood CIL collected since implementation of the CIL regime in Lewisham in 2015 is £1,348,078.44 (at 15% of total CIL receipts), as reported in the AMR each year. The Council does not perform any projections of future CIL receipts since payment of the levy is made upon commencement of development, and this is not something that is monitored by the Council. However, given the levels of residential growth projected in Lewisham over this coming years, coupled with the proposals to increase the rate of CIL charged, it is likely that there will continue to be a sustained level of CIL receipts over the medium-term.
- 6.2 The Council is able to spend 15% of CIL in the areas in which it was collected, however the Regs allow a greater proportion to be allocated. It is recommended that 25% of CIL be allocated to neighbourhoods in Lewisham. Allocating 25% would allow for greater local involvement in a meaningful manner, as well as providing community with sufficient resources to address the local impacts of development in a more comprehensive manner. It would also make the NCIL allocation process more inclusive in allowing all communities equal access to the same proportion of NCIL funding regardless of the adoption of a neighbourhood plan.
- 6.3 It is recommended that wards be used as the neighbourhoods for the purposes of CIL. This aligns with the government's guidance to use existing community consultation and engagement processes, and enables the Council to build on the existing competencies, local capacities, local assemblies' process, and the political representation that exists through elected Members.
- 6.4 It is recommended that some form of financial redistribution be undertaken, recognising that the impacts of development are not restricted to the administrative boundary of wards, that diverse communities function across ward boundaries, and that to address the local impacts of development it is often necessary to develop more comprehensive projects and programmes at a greater scale. A level of financial redistribution will enable wider

geographies to be used as the basis of proposed interventions, and will promote more comprehensive and ambitious allocations. This will build on the success of a number of cross-ward initiatives already undertaken by the local assemblies through the assembly fund.

- 6.5 It is recommended that a redistributions strategy be implemented (based on a 25% allocation to NCIL) with distribution of: 50% collected in ward retained by the ward, 25% allocated by reference to rankings of wards by the Indices of Multiple Deprivation, and 25% allocated to a borough wide fund. Please note that the IMD rankings may need to be reviewed in more detail before a final allocation is made.
- 6.6 The amounts presented in the tables below represents the amount of neighbourhood CIL collected over the 3 year period of the financial years 2015/16 – 2017/18.

At 25% of CIL for neighbourhoods	Ward (50%)	Ward Top Up (by IMD ranking)(25 %)	Ward Total	All Ward NCIL Pot (25%)
Evelyn	£527,093.23	£45,987.08	£573,080.31	
New Cross	£215,399.48	£55,841.46	£271,240.94	
Blackheath	£60,109.03	£9,854.37	£69,963.41	
Lee Green	£48.43	£3,284.79	£3,333.22	
Grove Park	£-	£29,563.12	£29,563.12	
Lewisham Central	£49,621.94	£39,417.50	£89,039.44	
Rushey Green	£150,204.71	£49,271.87	£199,476.58	
Catford South	£3,431.85	£16,423.96	£19,855.81	
Downham	£4,042.43	£59,126.25	£63,168.68	
Whitefoot	£-	£42,702.29	£42,702.29	
Bellingham	£646.11	£52,556.66	£53,202.77	
Perry Vale	£6,366.21	£22,993.54	£29,359.75	
Brockley	£21,970.28	£32,847.92	£54,818.19	
Crofton Park	£12,628.57	£6,569.58	£19,198.15	
Forest Hill	£3,025.22	£19,708.75	£22,733.97	
Ladywell	£32,728.71	£13,139.17	£45,867.87	
Sydenham	£3,026.65	£36,132.71	£39,159.36	
Telegraph Hill	£33,055.86	£26,278.33	£59,334.19	
				£561,699.35

- 6.7 The process proposes is based on the principles presented to SDSC, the existing successful local assembly process, the Evelyn pilot, and best practice in London, and meets the CIL Regs and guidance outlined in the PPG. It is set to a medium-term financial strategy and 4 year cycle, and considers the financial and legal constraints applied to CIL. Each financial year once CIL receipts are known, the Council would publish updated

figures and send a briefing note to all local assemblies and Members on remaining funds, projects approved, completed, and in progress.

6.8 The proposed process is presented below:

STAGE 1: Priority Setting (four year cycle) Ward priorities ‘themes’ set by community through the local assemblies with Members
<ul style="list-style-type: none">• Organised by ward, using local assembly and Member structure• Council published guidance on NCIL process and expectations• Member and local assembly briefings• Publish background/contextual information for each ward (GIS maps, relevant evidence bases, policies, Council capital programme etc.)• Publish financial information on available NCIL amounts per ward• Priority ‘themes’ for each ward set at workshop with community run by local assembly and Members (with Council support)• Inclusion of Neighbourhood Plan priorities within process (where applicable, including across wards if neighbourhood plans are cross boundary)• Priorities required to be broadly consistent with Local Plan and the corporate priorities
OUTCOME: Ward priorities identified, agreed and published – to cover four year period

STAGE 2: ‘Open call’ for projects (biennial process) ‘Open call’ for projects directly submitted to Council’s website
<ul style="list-style-type: none">• Open call for project proposals• Submissions via online NCIL summary project proposal form:<ul style="list-style-type: none">- Project name- Project description- Project location/address- Estimate of costs- Indicative timetable- Benefit to communities- Conformity to local priorities ‘themes’ and/or Local Plan and/or corporate priorities- Name of project lead- Identify any consultation that has occurred including mandatory Member engagement• Projects submitted direct to Council via online form
OUTCOME: Potential projects identified by communities, local assemblies and Members

STAGE 3: Evaluate projects and publish long-list (biennial process) Council officers assess, filter and group projects from the open call into a long-list
<ul style="list-style-type: none">• Evaluate initial project submissions against published ‘selection criteria’: <ul style="list-style-type: none">- Conformity to CIL Regulation- Grouping of similar projects / align associated projects into holistic schemes- Identify opportunities for NCIL to support existing projects / programmes

- Identify cross-ward opportunities
- Conformity with Local Plan and corporate priorities
- Council to publish long-list of projects

OUTCOME: Long-list published by Council

STAGE 4: Develop ‘project bank’ (biennial process)

Prioritisation of long-list by the community via local assembly with Members

- Prioritisation workshop to allow communities to prioritise long-list projects through the local assembly with Members
- Process to consider projects in light of published priority ‘themes’
- Set of criteria agreed across the borough to guide decisions on priorities
- Council to publish project bank with prioritised project list

OUTCOME: Project bank published by Council with prioritised projects identified

STAGE 5: Allocate and delivery (annual process)

All projects allocated through PID process through Regeneration and Capital Delivery Board (RCDB)

- Allocation process to follow existing PID process for finance and legal audit through RCDB
- Council to assist organisations to develop projects with local assembly and Members as projects and funds are available (CIL funding information updated annually)
- Allocations set through RCDB PID process to either ward fund or borough fund
- Member consultation mandatory for PID submission
- Project delivery to follow existing finance and legal audit process

OUTCOME: PIDs submitted and allocations made aligned to available CIL receipts

STAGE 6: Monitoring, evaluation and reporting (annual)

- Key indicators agreed and published as part of public guidance to ensure transparency and accountability
- Reporting incorporated into existing AMR process
- Project closure and reporting to follow existing PID reporting and audit process

OUTCOME: Yearly monitoring through AMR

Governance Arrangements

- 6.9 It is recommended that the Council use existing governance and financial audit processes that align to the existing PID process; with all PIDs for NCIL passed through Regeneration and Capital Delivery Board. It may be necessary to amend the PID documents to integrate the additional legal and financial requirements associated with CIL spending, however it is recommended that existing audit and control process be applied to the allocation and spending of NCIL. Further work will need to be undertaken with Legal and Finance to finalise a process for NCIL allocation and spending, and this can be progressed once agreement on the broad strategy has been reached.

7. Legal Implications

- 7.1 Regulation 59 of the Community Infrastructure Levy Regulations 2010 requires that a charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. Section 216 of the Town and Country Planning Act 1990 defines infrastructure as including—
- (a) roads and other transport facilities,
 - (b) flood defences,
 - (c) schools and other educational facilities,
 - (d) medical facilities,
 - (e) sporting and recreational facilities, and
 - (f) open spaces
- 7.2 Regulation 59F provides that where all or part of a chargeable development is in an area which is not a parish council then a charging authority, which in this instance is the Council, may use or cause to be used the Cil which would have had to have been passed to a parish council, to support the development of the area by funding:-
- the provision, improvement, replacement, operation or maintenance of infrastructure; or
anything else that is concerned with addressing the demands that development places on an area.
- 7.3 As there is no parish council in Lewisham this applies to its entire area.
- 7.4 The CIL receipts that would have had to be passed to the Council if there was a parish council are as set out in Regulations 59A and 59B. This amounts to 25 per cent of the relevant CIL receipts in England, either where all or part of a chargeable development is within an area that has a neighbourhood development plan in place or where all or part of a chargeable development—
- (a) is not in an area that has a neighbourhood development plan in place; and
 - (b) was granted permission by a neighbourhood development order made under section 61E or 61Q (community right to build orders) of TCPA 1990, and 15 per cent elsewhere.
- 7.5 The relevant CIL receipts are the proportion of CIL received in relation to a development equal to the proportion of the gross internal area of the development that is relevant development in the area, and the total amount of CIL receipts passed shall not exceed an amount equal to £100 per dwelling in the area of the local council multiplied by IA in each financial year

- 7.6 Currently as there are no neighbourhood plans in place the broader power to apply CIL in accordance with the provisions of Reg 59F is limited to 15 per cent of receipts.
- 7.7 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.8 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
 - (c) foster good relations between people who share a protected characteristic and persons who do not share it.
- 7.9 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 7.10 The Equality and Human Rights Commission has recently 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/publication-download/technical-guidance-public-sector-equality-duty-england>
- 7.11 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty

7.12 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>

8. Crime and disorder implications

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

9. Equalities implications

- 9.1 The Council's Comprehensive Equality Scheme for 2016-20 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.
- 9.2 An equalities analysis was undertaken as part of the preparation of the council's existing CIL charging schedule. In accordance with the Equality Act 2010, the analysis considers the potential impacts of the charging schedule on those groups identified within the Act as having protected characteristics.
- 9.3 There are no major concerns regarding equalities. The Council should be mindful however to ensure that the income from CIL is allocated and spent is fair and equal across types of infrastructure and the geography of the borough.
- 9.4 Ultimately, CIL is a mechanism intended to raise money to fund infrastructure that will contribute to sustainable development in the borough. In this sense, the neighbourhood CIL strategy proposed should have an overall positive impact on the various equalities groups.

10. Environmental implications

- 10.1 Environmental issues are at the heart both of the planning process and the delivery of supporting infrastructure. Although the proceeds from neighbourhood CIL do not have to be specifically spent on environmental projects, it is fair to assume that over time environmentally beneficial infrastructure projects will receive funding from NCIL.

11. Financial Implications

- 11.1 This report recommends that the Mayor approves the proposed NCIL process and the allocation of 25% of CIL to that process and recommends that Full Council do the same.

11.2 The Council is enabled to set aside at least 15% of CIL receipts to spend on priorities that should be agreed with the local community (the NCIL process) in areas where development is taking place (rising to 25% in areas where a neighbourhood plan has been adopted). Agreeing to allocate 25% of CIL to the NCIL process (rather than 15%) will mean a significant additional amount of CIL will be allocated to this process, however as outlined in paragraphs 5.2 - 5.5 the additional 10% allocated will still have to be spent in accordance with the Council's R123 list. As the Council does not perform any projections of future CIL receipts since payment of the levy is made upon commencement of development, it is not possible to quantify the value of the additional funding that will flow through the NCIL process.

11.3 This report also recommends that the Mayor authorises the Executive Director, Resources and Regeneration to allocate NCIL amounts to projects up to a maximum amount of £500,000 with approval through the Regeneration and Capital Delivery Board.

12. Conclusion

12.1 The Mayor is recommended to approve the recommendations set out in paragraph 3 of this report:

13. Background documents and originator

If you have any queries on this report, please contact Simon Zelestis, Strategic Planning, telephone 020 8314 8701.

Appendix A: Sustainable Development Select Committee Report and Minutes, November 2016

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MINUTES OF THE SUSTAINABLE DEVELOPMENT SELECT COMMITTEE

Tuesday, 29 November 2016 at 7.00 pm

PRESENT: Councillors Liam Curran (Chair), Suzannah Clarke (Vice-Chair), Amanda De Ryk, James-J Walsh, Mark Ingleby, Pauline Morrison and Paul Upex

APOLOGIES: Councillors Bill Brown and Eva Stamirowski

ALSO PRESENT: Timothy Andrew (Scrutiny Manager), Kevin Chadd (Senior Planning Lawyer), Janet Senior (Executive Director for Resources & Regeneration) and Emma Talbot (Head of Planning)

1. Minutes of the meeting held on 25 October 2016

Resolved: that the minutes of the meeting held on 25 October be agreed as an accurate record.

2. Declarations of interest

- 2.1 Councillor Upex declared a non-prejudicial interest as a member of CAMRA (the campaign for real ale) in relation to item three.
- 2.2 Councillor Curran declared a non-prejudicial interest as a member of CAMRA (the campaign for real ale) in relation to item three.

3. Planning key policies and procedures

- 3.1 Emma Talbot (Head of Planning) introduced the report. The following key points were noted:

- There had been a number of recent changes to planning policy at the national and regional level.
- Officers in Lewisham had started the process of preparing the new overarching Lewisham local plan. The Plan would replace the existing adopted Planning Policy documents – Core Strategy (2011); Site Allocations Local Plan (2013); Development Management Local Plan (2014); and Lewisham Town Centre Local Plan (2014).
- Currently, the proposed timetable for the development of the new local plan was not being met. This was because of the work taking place on other planning documents and the wait for the Governmental guidance on the implementation of the provisions of the Housing and Planning Act. The earliest the new plan would be ready would be in 2018.
- The Housing and Planning Act (2016) could have a significant impact on the planning regime and in particular on housing-led development.
- The Mayor of London was in the process of issuing new guidance on his interpretation of the London Plan (2016).
- It was likely that there would be changes to the provisions in the London Plan relating to affordable housing. The changes would also have an impact on the rules around density of new developments.
- The draft supplementary planning guidance on viability indicated that new developments that committed to delivering 35 per cent affordable housing would not be required to produce a viability assessment.

- The Chancellor's Autumn statement also introduced an element of uncertainty for planning going forward.
- In terms of pubs policy in Lewisham, officers believed that Lewisham's development planning document for pubs had been successful in promoting delivery of new pubs and protecting Lewisham's existing establishments.
- There had been recent planning applications for A4 (drinking establishment) usage and nine pubs were now listed as assets of community value. Adding pubs to the register of community assets removed the permitted rights of owners to change the usage of buildings with pubs in them without applying for planning permission.

3.2 Emma Talbot (Head of Planning) and Janet Senior (Executive Director for Regeneration and Resources) responded to questions from the Committee. The following key points were noted:

- Lewisham's previous plans would be subsumed into the single new local plan.
- Officers would set out the key stages for the development of the Lewisham local plan for councillors. The explanation of the stages would also highlight the points at which councillors could become involved in local consultation and engagement activities. The likely next stage of the development of the Plan would be in summer 2017.
- It was likely there would also be opportunities for councillors to be involved in the consultation on the new London Plan in autumn of 2017.
- Officers would also provide the Committee with information about the key stages for regional planning documents.
- Consultation on the Mayor of London's supplementary planning guidance for viability had just started.
- Planning managers kept a log of issues that arose at planning committees to identify recurring issues and to improve future plan making.
- The only issues that could be considered at planning committees were material planning considerations. Decisions had to be made in accordance with the planning policy framework (including national guidance), the London Plan and the Council's planning policies (unless material planning considerations indicated otherwise).
- The Council was going through a period of substantial and sustained change. Managers recognised that this presented challenges in terms of the capacity of some teams. There was currently a lot of policy work to be carried out and managers were considering the capacity, workload, resourcing and staffing distributions of teams across the Council.
- There was a general shortage of planners in London so recruitment and retention of staff was difficult. The planning department were trying to send out the message that Lewisham was an attractive place to work. The Department had developed a career pathway to ensure that the borough was attractive to planning professionals. Managers also sought to attract planners to join Lewisham who had recently qualified. However, it was recognised that the recruitment of junior staff placed additional pressure on management.
- Despite current challenges, the department consistently met its performance targets – and it had won awards for the quality of its work. The department also had a good level of success at defending appeals.

- Most of the department's savings had been produced by increasing income rather than by reducing numbers of staff. Managers were aware that they needed to ensure that the right capacity was in place in the right teams.
- Officers were considering the implications of new legislation, however, the provisions of the Housing and Planning Act had not been set out in detail.
- The Act included proposals to force authorities to speed up planning permissions for 'brownfield' sites and to grant automatic planning permissions in some circumstances, which might have significant resource implications for the borough.
- The Council had to show that it could deliver a five year housing supply. Without a sufficiently developed plan for delivering housing, the Council might lose the ability to decide where housing should be approved in the borough.
- The Council's strategic land assessment showed that sufficient housing could be delivered in the borough up until 2029 but plans for delivery needed to be set out in detail.
- Planning officers were looking at new opportunity sites across the borough, beyond the current regeneration schemes in Deptford, Lewisham and Catford.
- Officers were also looking closely at the implications of the Government's proposals for business rate retention. Businesses and housing developments both provided a source of income for the Council. Business rate income had to be balanced against council tax income.
- Planning officers looked at applications relating to employment land in terms of job density as well as in terms of square meters. Large areas of employment land (such as that used for storage or distribution) might provide very few jobs.
- The Council had a strong policy against the subdivision of large houses into smaller units. However, there had been a number of decisions that had been appealed and won by developers. Officers were continuing to review the outcome and evidence base to provide a robust defence.
- Unfortunately, there were not any applications being put forward for large homes so once large units were lost, they were gone forever.
- There was currently a reprieve for a year on the monitoring of planning appeals. From next year, appeals would be monitored by Government. Authorities that lost many appeals would be forced into special measures.
- There were no proposals for changes to the rules around development on land designated as open space.
- The planning department was considering new methods of communication and the use of new technology. Changes to the Council's IT would allow a greater level of information sharing between officers.
- Officers believed that the pubs policy was working well and there were examples of new developments that included pubs.
- Removing development rights with article four directions for pubs could be problematic because current guidance meant that there had to be a two year period before the direction could come into force, during which time a developer could exercise their rights to change a building with a pub in it to an alternative usage without applying for permission.
- It might be possible to remove permitted rights for new pub developments when granting planning permission to prevent future change of use.

3.3 In the Committee's discussions, the following key points were noted:

- Members were concerned that there were issues of officer capacity in the planning department.

- There was apprehension about the high level of demand for housing in London and the possible pressure that local authorities might face to build on open spaces, such as parks and playing fields.
- The Committee expressed its support for the retention of pubs in the borough.
- The Committee was concerned about reports of a recent assault on an enforcement officer in the planning service. It was reported that the officer had now recovered and returned to work but that as a result of the attack, policies around safety and lone working had been reviewed.
- The Committee recommended that officers introduce a planning condition for recent and future applications for developments with A4 (drinking establishment) usage in order to remove permitted development rights.

Resolved: that the Committee's views be referred to Mayor and Cabinet, as follows:

- 3.4 The Committee recommends that officers review the effectiveness of the Council's policy on the protection of pubs.
- 3.5 The Committee requests a diagram, which sets out all of the current local and regional planning policy documents. It asks that the key opportunities and dates for engagement with Councillors on the development of these plans be included. The Committee intends to actively participate in consultations and engagement activities for all key planning policies and procedures at a local level and, it wants to ensure that local views are represented in regional consultations as those opportunities arise.

4. Planning enforcement

- 4.1 Emma Talbot (Head of Planning) and Janet Senior (Executive Director for Resources and Regeneration) answered questions from the Committee; the following key points were noted:

- Planning enforcement had not been integrated into the Council's enforcement hub as part of the review of enforcement services across the Council.
- The Council's enforcement activities and the work of the enforcement hub was regularly reviewed. It was recognised that there were some issues with the new hub in terms of the allocation of specialist and generic roles.
- The review of enforcement activities had streamlined the exchange of information between teams inside and outside of the hub, as well as enabling greater levels of joint working.
- An officer had been seconded between teams and joint work had taken place to deliver enforcement action against rogue landlords and brothels.

Councillor Curran temporarily left the room at 20:35 (for approximately five minutes) and Councillor Clarke assumed the Chair.

- There were no proposals to include building control services in the enforcement hub.

- 4.2 In the Committee's discussions, the following key points were noted:

- The Committee was concerned about the absence of an effective customer relations management system, which it thought might enable members of the public to speak to any Council officer and have their case transferred to the correct service.
- The Committee highlighted the problems that some service users experienced when the concerns they wished to report fell between the planning enforcement, building control and other enforcement services.
- Members reiterated their concerns about the IT system being used by the planning department, which it was felt was unstable and unsuitable for users in the Council and for members of the public (this was also the subject of a referral by the Committee to Mayor and Cabinet in September 2016).
- Officers were asked to ensure any future changes to the building control service would be reviewed by the Committee.

Resolved: that the Committee's views be referred to Mayor and Cabinet, as follows:

- 4.3 The Committee recommends that further work be carried out to develop a customer relations management system for the Council's enforcement activities. The Committee is concerned that there is not a clear and collaborative approach, between teams dealing with enforcement activities at the Council, for dealing with reports of activities from residents that may require enforcement action. The Committee believes that a single, universally accessible management system for officers would help to manage the flow of information and complaints as well as improving the reputation of the Council in dealing with residents' concerns.
- 4.4 The Committee believes that further clarity should be provided to residents for those cases in which building control and planning activities overlap. In particular, the Committee recommends that any letters issued to residents by either service include guidance about contacting the Council's other enforcement teams.

5. Planning - use of S106 and CIL

- 5.1 Emma Talbot (Head of Planning) and Janet Senior (Executive Director of Resources and Regeneration) responded to questions from the Committee. The following key points were noted:

- Improvements had been made to the decision making process for the distribution of section 106 and CIL (community infrastructure levy) monies. The intention was to align the process with the Council's capital programme priorities.
- Work was also taking place with neighbourhood groups on the development of their neighbourhood plans. Local assemblies would also be asked for their input, in the interests of transparency and openness.
- There would always be a need to make difficult decisions about spending but the current proposal, to create a single, annual process for the agreement of capital and S106/CIL funds for the following year would ensure the involvement of members and improve transparency with community.

- It was intended that there would be more detail in the budget report about capital funding, which would make the Council's plans for allocation of CIL funding more up-front and transparent.
- There were representatives from different directorates on the regeneration board. However, Mayor and Cabinet took the ultimate decision on major spending proposals. There was delegated authority to the Head of Planning to allocate smaller amounts of funding.
- There were legal tests applied to section 106 funding to ensure it was fair and related to the development providing the funding. CIL funding was not ring-fenced in the same way. There were less restrictions.
- There was a commitment from the planning department to ensure that the Council spent all of the pots of money collected and to move projects along that were not meeting their principal aims.
- Some London Boroughs defined their whole area as a 'local area' for the purposes of distributing CIL funding. In Lewisham, the allocation of spending was proposed to be localised to wards. However, the new system of allocating funding would allow for some joined up allocation of spending between wards, where there was agreement by stakeholders.

5.2 In the Committee's discussions, the following key points were noted:

- The Committee was concerned that neighbourhood forums might not be representative of their local populations. Members asked whether a pro-forma constitution could be provided to groups planning to establish neighbourhood forums in order to ensure that they included councillors in their membership.
- There were also concerns about whether local CIL spend should be decided by ward assemblies. The Committee indicated that it would review the issue again in future.
- There was concern about the sustainability of neighbourhood forums. Members noted the large sums of CIL funding that would be allocated to these groups. The Committee asked whether there were mechanisms in place to return funding to the Council in the case that a neighbourhood forum failed.
- The Committee asked whether a process could be put in place to distribute funding from areas with high levels of funding to those with less.
- The Committee wanted to better understand the decision making process in relation to the allocation of funding. It was not clear whether funding decisions were for the Executive or full Council or whether they were delegated to officers or to Strategic Planning.

Resolved: that the Committee's views be referred to Mayor and Cabinet, as follows:

- 5.3 The Committee is concerned about the sustainability of neighbourhood forums. It is also concerned that neighbourhood forums might not be representative of their local populations.
- 5.4 The Committee recommends that the Council produce guidance for groups establishing neighbourhood forums, to encourage the inclusion of local councillors in their membership.

5.5 The Committee also recommends that conditions be placed on funding allocated to neighbourhood forums to ensure that, should a forum fail, any funding it has been allocated will be returned to the Council for reallocation.

6. Planning - annual monitoring report

Resolved: that the report be noted.

7. Information item: annual parking report

Resolved: that the information item be noted.

8. Select Committee work programme

8.1 Timothy Andrew (Scrutiny Manager) introduced the report. The Committee agreed the following changes to the work programme:

- An update on the animal welfare charter would be added to the agenda of the Committee's January meeting, in order to consider the content before a decision is taken by Mayor and Cabinet.
- The item on sustainable energy; the update on the modern roads review and the update on the high streets review would all be moved to the Committee's meeting in March.

Resolved: that the changes to the agenda for the meeting on 24 January be agreed.

9. Items to be referred to Mayor and Cabinet

9.1 The Committee resolved to advise Mayor and Cabinet of the following:

- The Committee commends the new Head of Planning. The Committee places on record its thanks for the work officers undertake to engage with elected members.

Resolved: that the Committee's views under items three, four and five be referred to Mayor and Cabinet.

The meeting ended at 9.30 pm

Chair:

Date:

Sustainable Development Select Committee		
Title	Update - use of section 106 and CIL	
Contributors	Head of Planning	Item 5
Class	Part 1 (open)	29 November 2016

1. Purpose

- 1.1. This report is prepared to respond to matters raised by the Sustainable Development Select Committee (SDSC) at its meetings on 22nd October 2015, 18th April 2016 and 12th May 2016 which led to the consideration of the emerging processes for allocating Community Infrastructure Levy (CIL) funds and Section 106 (S106). This was presented in a response to the Mayor and Cabinet referral on 25th October 2016. It also updates on progress with the review of viability reports and the operation of S106 review mechanisms.

2. Recommendations

- 2.1. The Select Committee is asked to note the content of the report and direct any questions to officers.

3. Policy context

- 3.1. The contents of this report are consistent with the Council's Sustainable Community Strategy policies 'Empowered and Responsible' and the 'Clean, Green and Liveable' policy. This is through rolling out a pilot scheme that allows communities to have a greater influence in how some S106 /CIL monies could be spent and developing a policy statement for working with neighbourhood forums. The collection of S106 / CIL funds serve to support the Clean, Green and Liveable Sustainable Community Strategy policy.
- 3.2. The 22 October 2015 report to SDSC outlines the legislative and policy context in relation to section 106 and CIL.

4. Background

- 4.1. The Sustainable Development Select Committee held a meeting on 25th October 2016 at which they considered a response to the referral on the use of section 106 and Community Infrastructure Levy funds. In particular, the report highlighted emerging proposals on the allocation of the 'neighborhood proportion' of CIL. This followed reports on 22nd October 2015, 18th April 2016 and 12th May which addressed S106 and CIL spend and collection.

5. Update on the progress with the approach to the allocation of S106 and CIL

- 5.1 Officers have been reviewing the existing approval processes for the allocation of S106 and CIL to ensure that they are fit for purpose and transparent. As a result of this review, changes to the PID templates have been made and a review of the relationship of the S106 Board with the Regeneration Board has taken place. Officers

are currently trialing an approach whereby a single, annual process for the agreement of capital and S106/CIL funds for the following year is introduced. Bids were made over the summer period and are being evaluated by the Regeneration & Capital Programme Delivery Board alongside Finance. It is proposed that these are then ratified by the Regeneration Board before the end of the calendar year and then published as part of the annual budget reported to Mayor & Cabinet.

- 5.2 It is hoped that this process will allow for greater Member involvement as well as certainty of funding and better allocation of limited resources. It will also standardise and streamline governance and approvals and allow for the more strategic use of S106 and CIL funds which will be reported as part of the budget. There will still be a dual role for the existing S106 board for those smaller sums and revenue expenditure not captured by the Regeneration Board but its future role is likely to be more limited.
- 5.3 Alongside the review of processes, it is proposed to publish details of S106 and CIL monies collected annually and set out the funding and decision making process. This move towards greater transparency will require improved usage of the Council's website. Recruitment to an existing vacant post with responsibility for the management of information, customer liaison and the planning web pages has taken place to ensure that this is a core part of the planning function.
- 5.4 The Council is required to have a process for ensuring that neighbourhood areas, where development takes place, directly benefit from infrastructure investment via a proportion of the CIL collected; the local proportion. There is no model proposed by the Government, although guidance does highlight an expectation of community involvement in developing local infrastructure priorities. The Government also encourages Councils to use existing structures and processes, rather than introduce further decision making processes.
- 5.5 As highlighted in the report to the SDSC on 25th October 2016, the Council already operates a process for the allocation of some S106 sums where Ward Assemblies work with designated officers from the council who will liaise with relevant departments to develop deliverable schemes that meet local priorities. However since CIL has less restricted scope than S106 (in that funds are not limited to a specific infrastructure type) there is an opportunity to develop schemes more holistically around local priorities.
- 5.6 The options for consulting with the community and ensuring greater Member involvement have been considered. It is proposed that the CIL local proportion be allocated on the basis of wards and guided by ward assemblies and their identified local priorities (and/or neighbourhood plan if relevant). In those areas with a neighbourhood plan, a greater proportion of CIL would be allocated for spend in accordance with the CIL Regulations. Officers do not consider that a separate process should be undertaken for those areas with a neighbourhood plan which, to be adopted, would be subject to a local referendum. It is therefore proposed that neighbourhood forum representatives take part in the ward assembly process.
- 5.7 Opportunities for a 'project bank' continue to be explored and officers currently consider that this could be an effective way to ensure genuine engagement. This would allow for elements of a participatory budgeting approach whereby the community are able to propose schemes and make decisions on what to fund using the CIL local proportion. This process would require additional dedicated resource to set up and manage and further consideration therefore needs to be given to the detail

of the process so that it can be appropriately implemented and managed. It is envisaged that potential schemes are submitted annually for their consideration for inclusion on the 'project bank' list. Inclusion will need to be subject to set criteria to ensure that the legal limitations for CIL spend are taken into account and it is anticipated that there would be a process established for Member engagement at this stage. The resultant short list would then be put forward for public consultation via the ward assemblies. The list would be published on the Council's website, including updates on if and when funding becomes available.

- 5.8 It is inevitable that 'project bank' will identify projects that meet the criteria but that may still not have funding available to bring them forward. It will therefore be important to seek to manage expectations about what is achievable but it is hoped that this increased transparency would enable local communities to understand why certain schemes are not taken forward, and potentially for local communities to assist with making such proposals more viable/deliverable.
- 5.9 Officers continue to work towards having the new processes in place and had initially hoped to consult on the process in Autumn 2016, trialling the approach in Evelyn ward. Due to the postponement of the ward assembly, it is now proposed to take this forward in the new year and a specific S106 and CIL ward assembly meeting has been arranged for mid January. This will not delay beginning implementation of the new approach for the new financial year.

Update of review of viability mechanisms

- 5.10 Officers were asked to undertake a review of viability review mechanisms following a referral at 22nd October 2015 SDSC to determine whether the system is working as Members understand it. It was recognised in the officer response that this was a significant piece of work and that it would require external consultant support. This work is well underway and is due to complete by January 2017. The following schemes are being reviewed:

10 Sept 2009 Renaissance, Loampit Vale
11 Feb 2010 Heathside & Lethbridge
4 Nov 2010 Marine Wharf West, Plough Way (revised 7 January 2015)
2 Dec 2010 Neptune Works, Grinstead Road
23 June 2011 Cannon Wharf, Plough Way (revised 29 March 2012)
13 Oct 2011 Surrey Canal/New Bermondsey
8 Mar 2012 The Deptford Project, Deptford Station
18 Apr 2013 Lewisham Gateway (second phase 11 December 2014)
2 May 2013 Faircharm, Creekside
8 January 2014 Catford Greyhound Stadium
3 April 2014 Marine Wharf East, Plough Way (revised 9 June 2015)
30 April 2015 Kent Wharf, Creekside
29 October 2015 Deptford Wharves, Evelyn Street

- 5.11 Where the evidence can be established the report is looking at: the sum paid for the site; the sales values achieved compared to the estimates; where there is a review mechanism whether this has been triggered and the outcome and what if any additional levels of contribution have been achieved, including additional affordable housing and/or affordable housing payments. The report will also advise how each of the schemes has progressed.

6. Financial implications

6.1 There are no specific financial implications arising from this report per se.

7. Legal implications

7.1 There are no legal implications arising from this report.

8. Equalities implications

8.1 Lewisham's Comprehensive Equalities Scheme (CES) 2012-16 describes the Council's commitment to equality for citizens, service users and employees. The CES is underpinned by a set of high level strategic objectives which incorporate the requirements of the Equality Act 2010 and the Public Sector Equality Duty:

- tackle victimisation, harassment and discrimination
- to improve access to services
- to close the gap in outcomes for citizens
- to increase understanding and mutual respect between communities
- to increase participation and engagement

9. Environmental implications

9.1 There are no specific environmental implications arising from this report

10. Conclusion

10.1 An update setting out progress since the response to the 1st June SDSC referral is provided in section 5 of this report.

Background documents

Report to Sustainable Development Select Committee 22nd October 2015.

<http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=136&MId=3906>

Report to Mayor and Cabinet 13 January 2016.

<http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=139&MId=3864>

Report to Sustainable Development Select Committee 12th May 2016.

http://councilmeetings.lewisham.gov.uk/documents/s43532/4_SDSC_UseS106a ndCILreport12052016.pdf

Agenda Item 7

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Decisions made by Mayor and Cabinet at the on 21 November 2018	
Key Decision		Item No. 7
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 4 December 2018

1. Recommendation

To consider key decisions made by the Mayor and Cabinet on 21 November 2018 which will come in to force on 5 December 2018.

2. Background

- 2.1 The Mayor and Cabinet considered the following key decisions on 21 November 2018.
 - i. Revenue Budget Cuts 2019-20
 - ii. Main Grants Programme 2019-23
 - iii. Capital Letters– Collaborative Pan London Accommodation Procurement Initiative
 - iv. Proposed Lewisham Park Conservation Area Designation, Appraisal and Article 4 Direction (SPD)
 - v. Financial Forecasts
 - vi. Treasury Mid-Year Review 2018-19
 - vii. ‘Care at Home’: The arrangements for integrating health and care services that support people at home
 - viii. Besson Street Joint Venture Board Appointment
- 2.2 The notice of the decisions made in respect of the report is 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 this report is not called in they will come into force on 5 December 2018



NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor and Cabinet made the following decisions on 21 November 2018. These decisions will become effective on 5 December 2018 unless called in by the Overview & Scrutiny Business Panel on 4 December 2018.

1. Revenue Budget Cuts 2019-20

Having considered an officer report and presentations by the Cabinet Member for Finance, Skills and Jobs, Councillor Amanda De Ryk, the Chair of the Public Accounts Select Committee, Councillor Jim Mallory, the Chair of the Audit Panel, Councillor Alan Hall and three members of the public, the Mayor and Cabinet agreed that:

- (1) the progress with identifying budget cuts, the £7.6m shortfall against the target for 2019/20, and the implications for the use of reserves, be noted
- (2) following review and having taken into account the written views of the Select Committees and the representations made at the meeting the following decisions be made on the new cuts proposals presented in Section 9 and Appendices 1 to 4, which initially totalled £20.9m:

CYP1, CYP2 and CYP3 – approved, noting the comments of the select committee and officers asked to report back to the select committee on progress with their delivery.

CYP4 – approved

CYP5 – approved noting the comments of the select committee and officers to report back to the select committee on progress with their delivery.

CYP6 – the comments from the select committee were noted and officers progress with consultation on this proposal and decision delegated to the relevant Executive Director to take the decision on receipt of a full report at the earliest opportunity.

CYP7 – the comments of the select committee were noted. As this is a Year 2 cut, the cut was noted in principle, and ask officers to undertake a review and bring back options to Mayor & Cabinet as part of the 2020-2021 budget.

COM1 and COM 2 – note the comments of the select committee on these cuts, and delegate to the relevant Executive Director to take the decision on receipt of a full report at the earliest opportunity.

COM3, COM4, COM5, COM6 and COM7 – delegate these cuts to the relevant Executive Director to take the decisions on receipt of a full report at the earliest opportunity.

COM8 – approved

COM9 - I note the comments of the select committee on this cut and propose that we delegate to the relevant Executive Director to take the decision on receipt of a full report at the earliest opportunity.

COM10 – officers to progress with consultation on this proposal, and a full report be brought back to Mayor & Cabinet for decision at the earliest opportunity. Comments of the select committee on this cut noted and officers asked to introduce an online form to enable residents to report noise nuisance in a more effective way.

COM11 – This cut is withdrawn and officers asked to undertake a feasibility study of redeveloping Lewisham Library to be brought back to Mayor & Cabinet as part of the 2020-2021 budget.

COM12, COM14 and COM17 – note these cuts in principle and ask officers to progress with consultations on these proposals, bringing a full report be brought back to Mayor & Cabinet for decision in early 2019 before a final determination on the amount of funding to be allocated.

COM13 – to vary this cut as follows: That People's Day takes place every 2 years and that funding for Blackheath Fireworks be maintained to enable us to seek alternative funding streams, including talking to neighbouring boroughs.

COM15 – approved

COM16 - officers should progress with consultation on this cut and delegate to the relevant Executive Director to take the decision on receipt of a full report at the earliest opportunity.

CUS1 - approved

CUS2 – approved, noting the comments of the select committee and officers be asked to report back to the select committee on progress with delivery.

CUS3 – note the comments of the select committee on this cut. and officers be asked to progress with consultation on this proposal, and a full report be brought back to Mayor & Cabinet for decision at the earliest opportunity and that this include an update on plans for the events as they evolve to meet the ambitious targets.

CUS4, CUS5 and CUS6 - approved, noting the comments of the select committee and officers be asked to report back to the select committee on progress with their delivery.

CUS7 - note the comments of the select committee on this cut. As this is a Year 2 cut, the cut be noted in principle, and officers be asked to undertake a pilot to investigate the impact and come back to Mayor & Cabinet with options as part of the 2020-2021 budget.

CUS8 - officers be asked to progress with consultation on this proposal, and a full report, including information on alternative toilet provision, particularly at evenings and weekends be brought back to Mayor & Cabinet for decision at the earliest opportunity.

CUS9 and CUS10 -approved

CUS11 - officers should progress with consultation on this cut and the relevant Executive Director be delegated to take the decision on receipt of a full report at the earliest opportunity.

CUS12, CUS13 and CUS14 - approved

RES1 – officers should progress with consultation on this cut and the relevant Executive Director be delegated to take the decision on receipt of a full report at the earliest opportunity.

RES2 – approved

RES3 and RES4 - officers should progress with consultation on these cuts and the relevant Executive Director be delegated to take the decision on receipt of a full report at the earliest opportunity.

RES5 - approved

RES6 - officers should progress with consultation on this cut and the relevant Executive Director be delegated to take the decision on receipt of a full report at the earliest opportunity.

RES7, RES8, RES9, RES10, RES11, RES12, RES13, RES14 and RES15 - approved

RES16 – officers be asked to progress this cut and that a full report be brought back to Mayor & Cabinet for decision at the earliest opportunity.

RES17 – approved and officers asked to monitor plans for the events as they evolve.

RES18 – approved and officers asked to work with councillors to identify the most appropriate locations for the electric vehicle charging points

RES19 – the referral from the select committee on this cut be noted. As this is a Year 2 cut, officers asked to undertake a full review of the school crossing service and bring back options to Mayor & Cabinet as part of the 2020-2021 budget that consider child safety, air quality implications and the opportunity for capital investment.

(3) the comments of the Public Accounts Select Committee of the 7 November 2018, which incorporated the views of the respective select committees, be noted

(4) officers be authorised to carry out consultations where staff consultation is necessary in relation to the proposal and delegate the decision to the relevant Executive Director for the service concerned;

(5) officers be authorised to carry out consultations where public consultation is necessary in relation to the proposal and ask officers to report back to the Mayor with the outcome, for a decision to be made;

(6) Where no consultation is required:

- agree the cut proposal, or
- return for decision with full report, or
- delegate the decision to the relevant Executive Director for the service concerned; and

(7) Or, request officers to complete further work to clarify the proposal and that officers then re-submit the proposal at the earliest opportunity for a decision.

2. Main Grants Programme 2019-22

Having considered an officer report, and a presentation by the Cabinet Member for the Community Sector, Councillor Jonathan Slater, the Mayor and Cabinet agreed that:

(1) the outcome of the consultation on the main grants programme be noted;

- (2) the recommended approach to the programme for 2019-2022 as set out be approved;
- (3) the application form and guidance be approved;
- (4) the timetable for letting the 2019-2022 programme be approved;
- (5) the funding of 60 voluntary and community sector groups, be extended as outlined, for April-July 2019;
- (6) the contribution to London Councils of a maximum of £229,056 for financial year 2019-20 be approved.

3. Capital Letters – Collaborative Pan London Accommodation Procurement Initiative

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

- (1) the agreed year 1 (2018/19) and 2 (2019/20) funding for Capital Letters from MHCLG and the proposed total funding across 3 years of £38 million from MHCLG the Capital Letters pan-London collaboration on the procurement of accommodation for homeless households be approved;
- (2) the Council joins Capital Letters Limited as an “A” member;
- (3) authority be delegated to the Executive Director for Resources & Regeneration, in consultation with the Executive Director for Customer Services and the Head of Law, to agree the final terms of and enter into the Members’ Agreement, Service Level Agreement and all other documentation required for the Council’s membership of Capital Letters Limited;
- (4) authority be delegated to the Executive Director for Customer Services, in consultation with the Executive Director for Resources & Regeneration, to agree the first Annual Business Plan for Capital Letters Limited and each subsequent Annual Business Plan;
- (5) authority be delegated to the Executive Director for Customer Services to make all other decisions required in relation to the Council’s participation in Capital Letters Limited from time to time;
- (6) the Head of Housing and Refugee Services be appointed to act as the Council’s Representative on the Board of Capital Letters Limited and to provide an indemnity for that officer on the terms set out; and

(7) the Officers Mandate and Governance Guide and the proposed arrangements for reporting back to Mayor & Cabinet and Housing Select Committee be approved.

4. Proposed Lewisham Park Conservation Area Designation, Appraisal and Article 4 direction (SPD)

Having considered an officer report, and a presentation by the Mayor, the Mayor and Cabinet agreed that:

- (1) the proposed designation of a new Conservation Area and the making of an Article 4 direction be noted;
- (2) the content of the draft Conservation Area Appraisal and Article 4 direction schedule be noted, and
- (3) a 6 week period of public consultation on the designation of a conservation area, the draft Appraisal document, and the making of an Article 4 Direction, be approved.

5. Financial Forecasts 2018/19

Having considered an officer report and presentations by the Cabinet Member for Finance, Skills and Jobs, Councillor Amanda De Ryk, and a member of the public, the Mayor and Cabinet agreed that the current financial forecasts for the year ending 31 March 2019 and the action being taken by the Executive Directors to manage down the forecasted year-end overspend be noted;

6. Treasury Management Mid-year Review 2018/19

Having considered an officer report and a presentation by the Cabinet Member for Finance, Skills and Jobs, Councillor Amanda De Ryk, the Mayor and Cabinet agreed that the report be noted, in particular the macroeconomic context, performance of investments to date, updates on capital expenditure and borrowing in line with CIPFA requirements and compliance with the Council's Treasury Management Strategy.

7. Care at Home': The arrangements for integrating health and care services that support people at home

Having considered an officer report and a presentation by the Deputy Mayor, Councillor Chris Best, the Mayor and Cabinet agreed that:

- (1) the proposal to formally integrate a number of social care and health services that support adults in their own homes be approved;
- (2) the Council enters into a Section 75 agreement with Lewisham and Greenwich NHS Trust ("LGT") and, in relation to Phase 2, South

London and Maudsley NHS Foundation Trust (SLaM) for the integrated provision of services for adults in their own homes;

(3) responsibility for reshaping existing arrangements for joint working, which include a Section 75 agreement and necessary associated documents, be delegated to the Executive Director for Community Services on the advice for the Executive Director for Resources and Regeneration and the Head of Law.

(4) a contribution of £40,000 be made towards the development of the integrated service;

(5) a 'Care at Home Partnership Board' be established within the existing Provider Alliance Development Board as set out;

(6) the recommendations be subject to approval from Lewisham and Greenwich NHS Trust, South London and Maudsley NHS Foundation Trust and Lewisham CCG as the commissioner of community health services.

8. Besson Street: Joint Venture Board Appointments

Having considered an officer report, and a presentation by the Cabinet Member for Housing, Councillor Paul Bell, the Mayor and Cabinet agreed that the Assistant Director of Housing Services, Madeleine Jeffery, be appointed to act as one of the Council's two LLP Representatives on the Joint Venture Operational Board and one of the Council's two Directors in the wholly owned dormant member company;

**Janet Senior
Acting Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU
22 November 2018**

Agenda Item 8

Overview and Scrutiny Business Panel		
Title	Overview and Scrutiny Select Committees - Update	
Contributor	Overview and Scrutiny Manager	
Class	Part 1 (open)	4 December 2018

1. Update

- 1.1 Some Scrutiny Members visited Parliament on 31 October and the London Assembly on 28 November to observe and discuss national and regional scrutiny practice.
- 1.2 Scrutiny Members have also been involved in roundtable discussions aimed at collecting ideas for a scrutiny submission to the Council's Democracy Review, which is looking at how residents, community groups and businesses can have a stronger say in local decision-making to make the council even more democratic, open and transparent. It is important that the views of those involved in scrutiny in Lewisham are fed into the review, both in terms of the operation of overview and scrutiny, a vital part of open democracy, and also on the wider question of improving democratic participation in the borough. A submission based on the discussions held will be prepared.
- 1.3 Those Committees conducting in-depth reviews this year are currently holding evidence sessions to progress their review, going on visits and observing relevant services.
- 1.4 Select Committee chairs may wish to provide an oral update on how their work programmes are progressing.

If you have any questions about this report – please contact Charlotte Dale (Overview and Scrutiny Manager) 02083148286

Agenda Item 9

OVERVIEW & SCRUTINY BUSINESS PANEL					
Report Title	Exclusion of the Press and Public				
Key Decision		Item No. 9			
Ward					
Contributors	Chief Executive				
Class	Part 1	Date: 4 December 2018			

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:-

10. Decisions made by Mayor and Cabinet on 21 November 2018.
11. Decision made by an Executive Director Under Delegated Authority – Request for Procurement of Services to Deliver the Festival of Creative Ageing by Single Tender Action

Agenda Item 10

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

Document is Restricted

Agenda Item 11

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

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