



AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 1 OCTOBER 2019 at 7.05 pm

**Committee Room 2
Civic Suite
Lewisham Town Hall
London SE6 4RU**

**Enquiries to: Jasmine Kassim
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MEMBERS

Councillor Bill Brown	Chair of Overview & Scrutiny Committee	L
Councillor Sakina Sheikh	Vice Chair of Overview & Scrutiny Committee	Labour Co-op
Councillor Peter Bernards	Chair of Housing Select Committee	L
Councillor Juliet Campbell	Chair of Safer Stronger Communities Select Committee	L
Councillor Patrick Codd	Labour Group Representative	L
Councillor Liam Curran	Chair of Sustainable Development Select Committee	Labour Co-op
Councillor Jim Mallory	Chair of Public Accounts Select Committee	L
Councillor Joan Millbank	Labour Group Representative	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	Labour Co-op
Councillor Luke Sorba	Chair Children and Young People Select Committee	L

Members are summoned to attend this meeting

**Janet Senior
Acting Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Monday, 23 September 2019**



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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.



Lewisham



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Agenda Item 1

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Minutes	
Key Decision		Item No. 1
Ward	All	
Contributors	Acting Chief Executive	
Class	Part 1	Date: 1 July 2019

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 9 July 2019 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 9 July 2019 at 7.05 pm

PRESENT: Councillors Bill Brown, Sakina Sheikh, Peter Bernards, Juliet Campbell, Patrick Codd, Jim Mallory, Joan Millbank, John Muldoon and Luke Sorba

Apologies for absence were received from Councillor Liam Curran

224. Minutes

RESOLVED that the minutes of the open meeting held on 18 June 2019 be confirmed as a correct record.

225. Declarations of Interests

None received.

226. Outstanding Scrutiny Matters

RESOLVED that the report noted.

227. Notification of Late and Urgent Items

RESOLVED that the report noted.

228. Decisions made by Mayor and Cabinet on 26 June 2019

Evening and Night Time Offer – A vision for Lewisham

Councillor Millbank stated this was a welcome vision, but was concerned about the low number of participants in the consultation. The Strategic Community Safety Services Manager responded that the consultation took six weeks on line and officers spoke to various groups including local assemblies, businesses and licensees. It was noted that people felt they needed additional safety at night, especially to and from work.

Councillor Millbank asked what was being done to provide support for young people, community safety, women's safety, and asked about the Women's Charter.

The Strategic Community Safety Services Manager stated that there has been a lot of involvement with Council Members, licensing premises, and officers had worked with colleagues from hospitals to establish how residents get to and from work during the night, and the provision of CCTV in public spaces. Also the Women's Charter would be published on the Council's website.

Councillor Codd said a few Council Members had been involved with this project, and although he would agree that there was not a very good response rate and representation of ethnicity. He said there was involvement from a lot of young people and a good representation from the LGBT group. He added that he felt additional consultation might be necessary.

Councillor Muldoon asked whether quality as opposed to quantity was the target for the data, as he thought the response number was too small. Councillor Millbank said to be successful this vision would need to be linked to other strategies like the Licensing, Planning and Regeneration Strategies. She asked what the next step was.

The Strategic Community Safety Services Manager stated that this was a vision that would be incorporated into all of the Council's strategies, and a timeframe would be difficult to state at this stage. The Chair thanked the officer for the presentation.

RESOLVED that the decision of Mayor and Cabinet noted.

Children and Young People Plan

Councillor Sorba, Chair of Children and Young People Select Committee stated that the Select Committee has seen the plan and Members endorsed it. He said as it would define the Council's vision for the next five years he thought it would be useful to discuss it further.

Councillor Sorba asked officers to describe the challenges they would face in trying to achieve their objectives especially with the budget restraints faced by the Council.

The Executive Director for Children and Young People explained that the implementation of the plan would depend on several factors; the next big budget announcement from the government, the level of demand for services generated by austerity, housing circumstances as families struggle and need extra help from councils. She said local authorities would be looking to see if the government would address these issues, and Lewisham would then know whether they would achieve this. The Executive Director for Children and Young People highlighted that data had shown that child poverty was getting worse, and there were changes in health organisations.

Councillor Sorba stated that the Strategic Partnership Board oversees delivery of the Plan, but details of its membership were not available on the Lewisham website. He said it would be useful to publish this information on the website. The Executive Director for Children and Young People said she would ensure this is done as soon as possible.

Action >>>>> ED CYP

Councillor Mallory commented that it was not clear in the report what the objectives, and performance indicators were. He asked when would officers know they had achieved their objective. The Executive Director for Children and Young People said it was a three year plan and yearly objectives would be added to the

plans as things progressed, and these would be added to the website as appendices.

Councillor Muldoon suggested that a communication strategy would be needed to inform people. Councillor Mallory said he was concerned there were a lot of plans already within the Council, and a lot of officers time were being spent on them.

Councillor Codd commented that he hoped positive activities would be reflected in the follow-up plan to reduce undiserables e.g. parks and leisure centres. He said he would recommend that this strategy is shared with other departments to ensure everyone was on board to help achieve the Council's objectives. Councillor Codd concluded that it was important to ensure that spaces were designed for young people to make them aware that the world was made for them.

Councillor Millbank stated that Young People should be mindful of the Council's task, and needed to focus on this. It was noted that the Council needed to examine what was not achieved during the last plan and try to tackle them, e.g. child obesity. Councillor Sorba added that although the previous plan was for 2018 it had not stopped, work was still ongoing. The Chair thanked the Executive Director for Children and Young People, for the report.

RESOLVED that the decision made by Mayor and Cabinet be noted.

229. Overview and Scrutiny Select Committees Work Programmes 2019-20 Update

The Scrutiny Manager introduced the report. She informed Panel Members that the third round of Select Committee meetings started on 4 July and in-depth reviews were underway. She said a joint meeting of the Healthier Communities and Children and Young People Select Committees would be held on 17 July 2019, which would consider BAME Mental Health inequalities. This was an important strand of work for the Health and Wellbeing Board and the joint meeting would help scrutiny members understand the remit of the Board's work; assess progress; and consider where the committees might add value through scrutiny.

The Scrutiny Manager said there would also be a Joint Health overview and Scrutiny meeting on the Our Healthier South East London Programme on 22 July 2019, which will consider:

- i. NHS Long Term Plan
- ii. The Commissioning of Pathology and Diagnostic Services
- iii. The extension of CAMHS Services up to age 25
- iv. Residential Care Beds
- v. The Implementation of GP Networks

Cllr Muldoon said that the NHS long term plan was expected to be considered on 22 July, and Labour Members were invited to the Joint meetings at the St Laurence Centre, on 16 July.

RESOLVED that the report be noted.

Agenda Item 2

OVERVIEW AND SCRUTINY BUSINESS PANEL		
Report Title	DECLARATIONS OF INTEREST	
Key Decision		Item No. 2
Ward		
Contributors	Acting Chief Executive	
Class	Part 1	Date: 1 October 2019

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

1 Personal interests

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

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

2 Disclosable pecuniary interests are defined by regulation as:-

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

- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
- (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

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

(3) Other registerable interests

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

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

(4) Non registerable interests

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

(5) Declaration and Impact of interest on members’ participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

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

(7) Exempt categories

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

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

Agenda Item 3

OVERVIEW & 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: 1 October 2019	

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
Overview & Scrutiny Business Panel - Equalities	ED Corp Services.	5 June 2019	10 October 2019	Yes
Comments of Sustainable Development Select Committee – Home Energy Conservation	ED HRE	26 June 2019	10 October 2019	Yes
Comments of Public Accounts Select Committee – Income Generation Review	ED Corp Services.	26 June 2019	10 October 2019	Yes
Comments of Sustainable Development Select Committee – on response to referrals on Pubs	ED HRE	10 July 2019	10 October 2019	No
Comments of Sustainable Development	ED Community	10 July 2019	10 October 2019	No

Select Committee – on response to referrals on Fire Safety				
Children & Young People Select Committee – Review on Exclusions	ED CYP	10 July 2019	10 October 2019	No
Comments of Sustainable Developemnt Select Committee on Catford Regeneration	ED HRE	10 July 2019	10 October 2019	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 5 and 26 June, 10 July 2019 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: 1 October 2019

1. Purpose of Report

Report Title	Author	Reasons Stated for Urgency	Responsible Committee and Date
Achilles Street Landlord Offer for an Estate Regeneration Ballot	ED Housing Regeneration & Environment	<p>This report is late owing to the need to finalise the proposed Landlord Offer and to ensure that Mayor & Cabinet are provided with the most up to date information possible.</p> <p>The report is urgent and cannot wait until the next meeting of the Mayor & Cabinet meeting as this would cause significant delay to the publishing of Landlord Offer which in turn would delay the holding of a resident ballot for estate regeneration.</p>	Mayor & Cabinet September 18 2019

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Decisions made by Mayor and Cabinet at the on 18 September 2019	
Key Decision		Item No. 5
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 1 October 2019

1. Recommendation

To consider key decisions made by the Mayor and Cabinet on 18 September 2019 which will come in to force on 2 October 2019.

2. Background

2.1 The Mayor and Cabinet considered the following key decisions on 18 September 2019.

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 15 October 2019

- i. Article 4 Direction for Lewisham's southern wards of Bellingham, Downham, Whitefoot and Grove Park to withdraw permitted development rights for the change of use from dwelling house (Use Class C3) to small HMO's (Use Class C4)
- ii. Enforcement against idling vehicles to bring local air quality improvement
- iii. Achilles Street Landlord Offer for an Estate Regeneration Ballot
- iv. Additions to Lewisham's Local List
- v. Disposal of Downham Business Enterprise Centre, 157-159 Boundfield Road, London



NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor and Cabinet made the following decisions on 18 September 2019. These decisions will become effective on 2 October 2019 unless called in by the Overview & Scrutiny Business Panel on 1 October 2019.

1. Article 4 Direction for Lewisham's southern wards of Bellingham, Downham, Whitefoot and Grove Park to withdraw permitted development rights for the change of use from dwelling house (Use Class C3) to small HMO's (Use Class C4)

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

- (1) the responses to the consultation be noted;
- (2) the Director of Law be authorised to approve the confirmation of the non-immediate Article 4 Direction, which removes permitted development rights from C3 Dwelling houses to C4 Houses in Multiple Occupation (HMO) for 3 to 6 unrelated people in Lewisham southern wards of Bellingham, Downham, Whitefoot and Grove Park; and
- (3) the legal and financial implications as set out be noted.

2. Enforcement against idling vehicles to bring local air quality improvement

Having considered an officer report, and a presentation by the jobshare Cabinet Member for Safer Communities, Councillor Joani Reid, the Mayor and Cabinet agreed that

- (1) a Traffic Management Order be made applicable to roads in the borough to allow for Penalty Charge Notices to be issued in contravention of the order under the provisions of the Road Traffic Regulation Act 1984 (as amended by section 87 of the Environment Act 1995), throughout the borough;

(2) the Head of Parking Operations, be authorised, acting in his name and on his behalf, to authorise traffic marshals to exercise the powers; and

(3) officers should, where appropriate, utilise the powers to allow for Penalty Charge Notices to be issued in contravention of the order under the provisions of the Road Traffic Regulation Act 1984 (as amended by section 87 of the Environment Act 1995).

3. Achilles Street Landlord Offer for an Estate Regeneration Ballot

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

(1) the Equality Analysis Assessment attached as Appendix B be received;

(2) the text of the Achilles Landlord Offer attached as Appendix A, should form the Council's offer to residents on the Achilles Street Estate;

(3) a resident ballot for estate regeneration should be held on the Achilles Street Estate as set out in section 6;

(4) authority be delegated to the Executive Director of Housing, Regeneration & Environment to agree any minor amendments and the graphic design of the Landlord Offer and to set the date of the resident ballot for estate regeneration on the Achilles Street Estate;

(5) subject to the resident ballot for estate regeneration resulting in a "yes" vote agrees the budgets requirements set out in the confidential report be approved.

4. Additions to Lewisham's Local List

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

(1) the proposed new additions to the Local List as laid out be noted;

(2) a six week period of public consultation for the proposed new additions to the Local List be approved; and

(3) the legal and financial implications as set out be noted

**5. Disposal of Downham Business Enterprise Centre, 157-159
Boundfield Road, London**

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

(1) the disposal of Downham Business Enterprise Centre, 157-159, Boundfield Road, London SE6 to Phoenix Community Housing on the terms set out be approved; and

(2) authority be delegated to the Executive Director for Corporate Services, in consultation with the Director of Law, to finalise the terms of the legal documentation for the disposal to Phoenix Community Housing.

(3) the disposal of the site to Phoenix Community Housing for the sum stated in the confidential report be approved.

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

20 September 2019

Overview and Scrutiny Business Panel		
Title	Overview and Scrutiny Select Committees - Update	
Contributor	Overview and Scrutiny Manager	Item
Class	Part 1 (open)	1 October 2019

1. Scrutiny Review

- 1.1 As part of the Local Democracy Review, Councillor Shiekh, supported by Councillor Campbell and the Chair of Overview and Scrutiny, is reviewing the structure of scrutiny at Lewisham. Scrutiny Members will be consulted on the resultant proposals shortly.
- 1.2 A schedule of consultation has been planned to provide all members with the opportunity to review the three initial options identified and share their views:

Drop-In sessions

- Wednesday 2 October, between 5.30pm – 7pm
- Wednesday 23 October, between 11am – 1pm
- Tuesday 29 October, between 6-7pm

Scrutiny Roundtables

- Thursday 10 October, 7-9pm
- Friday 18 October, 11am – 1pm

Councillor Sheikh, Campbell or Brown will be available to members at each of these times, along with one of the officers leading on supporting this work to answer questions and take note of comments and suggestions.

- 1.3 After the consultation period the views expressed will be considered alongside the learning gathered to date and a final proposal will be recommended to the Working Group in December 2019 before submission to Full Council for approval and introduction to the Council constitution from the AGM in 2020. Officers will provide financial and legal implications in relation to the proposed structure to inform decision making.

2. Budget cuts

- 2.1 The September round of Select Committee meetings started on 3 September. The Select Committees are considering budget cuts in this cycle. The Public Accounts Select Committee met on 24 September, considered referrals from other Select Committees on the budget, and made its own referral to Mayor and Cabinet, appending any other scrutiny referrals received.

3. In-depth reviews

3.1 Those Select Committees that are carrying out in-depth reviews are collating evidence. Recent activities include:

- Visit to Manor House Gardens; Hither Green Crematorium; Blackheath; Deptford Park and Deptford Park Community Orchard; Brookmill nature reserve and Luxmore Gardens (8 August 2019) – **Sustainable Development Select Committee** (parks management review)
- Meeting with the London Borough of Barking and Dagenham’s Cabinet Member for Finance, Performance and Core Services, and officers, to discuss commercialisation (2 September 2019) – **Public Accounts Select Committee** (income generation and commercialisation review)
- Workshop with the Brockley RB3 leaseholder engagement panel to gather their views on resident engagement (5 September 2019) – **Housing Select Committee** (resident engagement review)
- Visit to Achilles Street “Bring it to the Table” (8 September 2019) – **Housing Select Committee** (resident engagement review)
- Meeting with Metro Charity regarding their contribution to evidence gathering (17 September 2019) – **Safer Stronger Communities Select Committee** (equalities review)
- Meeting with the Head of Regeneration at LB Hackney (19 September 2019) – **Housing Select Committee** (resident engagement review)
- Visit to the Forest Estate TRA to gather their views on resident engagement (19 September 2019) – **Housing Select Committee** (resident engagement review)

3.2 The Committee Chairs may wish to provide their own oral updates on Select Committee work.

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

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Exclusion of the Press and Public	
Key Decision		Item No. 7
Ward		
Contributors	Acting Chief Executive	
Class	Part 1	Date: 1 October 2019

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:-

16. Downham Enterprise Centre part 2
17. Achilles Street Landlord Offer for an Estate Regeneration Ballot part 2
18. VAWG Permission to Tender
19. Management Development Programme
20. Permission to tender Youth Services
21. Mental Health Accommodation Based Support Service
22. Award of Contract Tier 4 Substance Misuse
23. Learning Disability Framework Extension
24. Annual Renewal of Microsoft Enterprise License

Agenda Item 8

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

Document is Restricted