



AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 15 OCTOBER 2019 at 7.05 pm

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

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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, 7 October 2019**



INVESTOR IN PEOPLE

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

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Lewisham



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Agenda Item 1

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Minutes	
Key Decision		Item No. 1
Ward	All	
Contributors	Acting Chief Executive	
Class	Part 1	Date: 15 October 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 1 October 2019 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 1 October 2019 at 7.05 pm

PRESENT: Councillors Bill Brown, Peter Bernards, Juliet Campbell, Patrick Codd, Liam Curran, Joan Millbank, John Muldoon and Luke Sorba

ALSO PRESENT:

Councillor Paul Bell, Cabinet Member for Housing

Apologies for absence were received from Councillor Sakina Sheikh and Councillor Jim Mallory

234. Minutes

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

235. Declarations of Interests

None received.

236. Outstanding Scrutiny Matters

RESOLVED that the report noted.

237. Notification of Late and Urgent Items

RESOLVED that the report noted.

238. Decisions made by Mayor and Cabinet on 18 September 2019

The meeting was addressed by a resident on behalf of the local community at Achilles Street. The Panel heard that residents were opposed to the decision at a meeting of the Mayor and Cabinet on 18 September 2019 about the Landlord's Offer in relation to the proposed redevelopment at Achilles Street. The representative highlighted reasons for the objection, advising that the report on which the decision was based was published late in breach of the Council's procedures and statutory guidelines. Therefore, residents believed that the urgency in which the proposal was considered provided insufficient time for public scrutiny, and limited opportunity for Members to properly assess the impact of the Offer on the local community.

Continuing with his submission, the representative informed the Panel that residents were of the view that consultations on the proposal were inadequate because the focus was on the demolition of existing buildings. It was stated that the report lacked details about the number and types of housing and commercial units to be delivered. Furthermore, information in the report about the bulk, scale and density of the proposed redevelopment was vague. The representative stated that residents were disappointed that there was no mention in the report about

how potential residents and businesses would be affected in relation to social infrastructure, and economic and environmental implications. Thus, residents felt that the Offer would not benefit the local community because it was supportive of potential private homeowners, with a view to substantially increase profit margins for the developer.

The representative also suggested to the Panel that residents and business owners would welcome an opportunity to have real choices throughout the redevelopment process. Therefore, residents required that options should be communicated during the various consultation phases, in order to help them gauge the impact of the redevelopment on their living conditions.

In closing, the representative added that residents' concerns could be further alleviated with an assurance that the legal connotations to the Offer would provide clarity about social housing affordability, and levels of rent and service charges for council homes. In addition to that, transparency about how the Offer would affect leaseholders, council tenants and those in temporary housing, including businesses would be welcomed. Notwithstanding that, residents believed that the Panel should recommend a reconsideration of decision taken by the Mayor and Cabinet in light of their concerns, in particular that a significant amount of public money would be spent to deliver the change.

In response to questions by the Panel, the Regeneration and New Supply Manager, and the Housing Delivery Manager confirmed that there had been no breach of rules in the process, as the published report about the Offer was in accordance with legislation, and the Council's constitutional guidance. The Officers stated that the Council was supportive of the redevelopment of Achilles Street Estate because a substantial number of council-owned homes to be delivered would be allocated on social rent levels for families and individuals. Thus, the Council would continue its liaisons with the developer, with a view to increase the 35% of affordable dwellings currently earmarked for council tenants.

The Panel also received an assurance by the Officers that the engagement activities undertaken to date were adequate. As an indication, the Council had held several consultations with groups and individuals in the local community, and feedback and suggestions received were used to inform and influence the Offer, which was produced in accordance with Greater London Authority's guidance.

The Officers further clarified to the Panel that the Offer, in its current state, was relevant to tenants in council-owned homes, but that the next round of consultations would extend to businesses and other key stakeholders likely to be affected by the change. However, the design of the proposed redevelopment, and the impact on the environment and social infrastructure would be mitigated and managed by conditions via the planning process in accordance with the draft London Plan, and Lewisham's Local Plan.

Councillor Paul Bell, Cabinet Member for Housing also responded to questions raised by the Panel. The Cabinet Member echoed statements by the Officers, highlighting that the proposed redevelopment was based on collaborative work with the local community. Thus, the Offer scheme would be abandoned by a "no" vote by residents. The Cabinet Member pointed out that it should however be noted that the Council was supportive of the redevelopment because

implementation would not only benefit tenants in council-owned properties, but also leaseholders and eligible residents in temporary accommodation currently residing on the estate.

In his closing remarks, the Cabinet Member informed that current occupiers of the estate would be supported by the Council unto alternative suitable housing during the construction work on the estate. He clarified that residents would not be disadvantaged by the Offer, as the formulae for calculating rent levels would mirror those across the spectrum of social housing. Thus, any increase would be in accordance with rent levels set by the London Affordable Rent agency for secured lifetime tenancies. The Cabinet Member added that leaseholders would also receive new homes, and that they would not be required to pay additional costs on the rebuilt estate outside the scope of their contract specifications.

On behalf of the Panel, the Chair, Councillor Bill Brown, thanked the residents' representative, the Officers, and the Cabinet Member for their contribution at the meeting.

In considering submissions made at the meeting, the Panel commented that the decision at the Mayor and Cabinet meeting in regards to the Offer was consistent with the Council's manifesto to increase affordable housing provision for residents. Thus, the decision would not be 'called-in' for further scrutiny, but rather, the redevelopment activities should be subjected to regular monitoring by the Housing Select Committee, so that stakeholders' views continue to be considered in the process. The Panel stated that concerns about design, infrastructure, the environment, and related issues would be considered by the relevant Committee within planning guidelines.

RESOLVED that the decision of Mayor and Cabinet taken about the Landlord's Offer in relation to the proposed redevelopment at Achilles Street, be noted.

239. Overview and Scrutiny Select Committees Work Programmes - 2019-2020

The Panel received an update report presented by the Scrutiny Manager in regards to Overview and Scrutiny Select Committees activities. Councillor Muldoon, Chair of the Healthier Select Committee, highlighted progress about the Clinical Commissioning Group merger proposals currently being scrutinised by the South London Joint Health Overview and Scrutiny Committee.

The Panel considered the submissions, and suggested that the Housing Select Committee should receive regular updates on the proposed redevelopment of Achilles Street Estate.

RESOLVED – That updates on the work of the Overview and Scrutiny Select Committees, be noted.

240. Exclusion of the Press and Public

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule

12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006:-

This is a summary of the discussion that took place at the closed meeting:

241. Decisions made by Mayor and Cabinet on 18 September 2019

The Panel noted decisions made by Mayor and Cabinet on 18 September 2019.

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

The meeting closed at 8.34pm.

Chair

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: 15 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	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 15 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
Comments of Sustainable Development Select Committee – Home Energy Conservation	ED HRE	26 June 2019	30 October 2019	No
Comments of Sustainable Development Select Committee – on response to referrals on Fire Safety	ED Community	10 July 2019	10 October 2019	Yes

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 26 June, and 10 July 2019 available from Kevin Flaherty 0208 3149327.

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

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Decisions made by Mayor and Cabinet at the on 10 October 2019	
Key Decision	Y	Item No. 5
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 15 October 2019

1. Recommendation

To consider key decisions made by the Mayor and Cabinet on 10 October 2019 which will come in to force on 16 October 2019.

2. Background

2.1 The Mayor and Cabinet considered the following key decisions on 10 October 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 16 October 2019

- i. Lewisham's Brexit Preparations
- ii. Surrey Canal Triangle Regeneration - Update on Conditional Land Sale Agreement and Compulsory Purchase order Indemnity Agreement between LBL and Renewal
- iii. Green Scene The Future Management and Maintenance of Parks and Open Spaces
- iv. 2020-21 LIP annual spending submission
- v. Financial Forecasts 2019/20



NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor and Cabinet made the following decisions on 10 October 2019. These decisions will become effective on 16 October 2019 unless called in by the Overview & Scrutiny Business Panel on 15 October 2019.

1. Lewisham's Brexit Preparations

Having considered an officer report, and a presentation by the Cabinet Member for Democracy, Refugees and Accountability, Councillor Kevin Bonavia, the Mayor and Cabinet agreed that the report be received.

2. Surrey Canal Triangle Regeneration – Update on Conditional Land Sale Agreement and Compulsory Purchase order Indemnity Agreement between LBL and Renewal.

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

(1) the Conditional Land Sale Agreement entered into on 20 December 2013 between the Council and Renewal Group Limited be terminated conditional upon the adoption of the Surrey Canal Triangle Design Framework Supplementary Planning Document and such other terms as the Executive Director for Housing, Regeneration and Environment shall consider appropriate, and a new agreement entered into for the disposal to Renewal Group Limited of the Council's freehold interest in the land shown coloured orange on the plan attached at Appendix 2;

(2) the Compulsory Purchase Indemnity Agreement entered into on 20 December 2013 between the Council and Renewal Group Limited should be terminated and replaced or (if the Executive Director for Housing, Regeneration and Environment shall consider it appropriate, varied) so as to exclude the prospective compulsory acquisition of the leasehold interests of Millwall Football Club and Millwall Community Scheme.

(3) authority be delegated to the Executive Director for Housing, Regeneration and Environment to agree the terms of the new Conditional Land Sale Agreement referred to above, and to take all necessary steps to terminate the existing Conditional Land Sale

Agreement and enter into such new Conditional Land Sale Agreement and any associated legal documentation;

(4) authority be delegated to the Executive Director for Housing, Regeneration and Environment to agree the terms of a varied (or new) Compulsory Purchase Order Indemnity Agreement referred to above with Renewal Group Limited, such varied or new Compulsory Purchase Order Indemnity Agreement to exclude all land owned by the Council and leased to Millwall Football Club and Millwall Community Scheme, and to enter into such varied or new Compulsory Purchase Order Indemnity Agreement; and

(5) confirmation be given to Renewal Group Limited, Millwall Football Club and Millwall Community Scheme that the Council wishes to achieve the comprehensive regeneration of the Site and the regeneration objectives of the Core Strategy and other policy documents and in the event that any of the parties are unable to secure the necessary third party land interests/rights to achieve that, then the Council will consider supporting the acquisition of the necessary land and rights through use of its compulsory purchase powers.

3. The Future Management and Maintenance of Parks and Open Spaces

Having considered an officer report, and a presentation by the job-share Cabinet Member for Environment & Transport, Councillor Sophie McGeevor, the Mayor and Cabinet agreed that:

(1) intention in principle be given to insource all aspects of Lewisham's parks and open space services on 1 November 2021, subject to further detailed consideration.

(2) officers undertake a more detailed evaluation of the option to establish a wider divisional LATCo. the outcome of which will be to be reviewed following the insourcing of the parks service.

(3) the current contract be extended on the existing terms and conditions with Glendale Grounds Management for 20 months from 29th February 2020 until 31st October 2021 at a maximum cost to the Council of £4,347,000.

4. Local Implementation Plan – Annual Spending Submission 2020/21

Having considered an officer report, and a presentation by the job-share Cabinet Member for Environment & Transport, Councillor Sophie McGeevor, the Mayor and Cabinet agreed that the LIP Annual Spending Submission 2020/21 to TfL as set out be approved.

5. Financial Forecasts 2019/20

Having considered an officer report, and a presentation by the Cabinet Member for Finance and Resources, Councillor Amanda De Ryk, the Mayor and Cabinet agreed that:

(1) the current financial forecasts for the year ending 31 March 2020 and the action being taken by the Executive Directors to manage down the forecasted year-end overspend be noted; and

(2) the current position on the Oracle Cloud implementation as set out be noted.

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

11 October 2019

Overview and Scrutiny Business Panel		
Title	Overview and Scrutiny Select Committees - Update	
Contributor	Overview and Scrutiny Manager	Item 6
Class	Part 1 (open)	15 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 are being consulted on the resultant proposals throughout October.

1.2 One drop in session and one roundtable have been held so far. The remaining sessions will take place on:

Drop-In sessions

Wednesday 23 October, between 11am – 1pm

Tuesday 29 October, between 6-7pm

Scrutiny Roundtables

Friday 18 October, 11am – 1pm.

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 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 the other scrutiny referrals it had received. This will be considered by Mayor and Cabinet on 30 October 2019.

3. In-depth reviews

3.1 Those Select Committees that are carrying out in-depth reviews are collating evidence via written submissions, engagement activities and visits.

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

Agenda Item 7

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: 12 November 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:-

- i. Domiciliary Care Provision

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

Document is Restricted