

Sustainable Development Select Committee Agenda

Tuesday, 30 April 2019

7.00 pm

Committee room 3

Civic Suite

London SE6 4RU

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

Part 1

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Sustainable Development Select Committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Tuesday, 30 April 2019.

Janet Senior, Acting Chief Executive
Thursday, 18 April 2019

Councillor Liam Curran (Chair)	
Councillor Patrick Codd (Vice-Chair)	
Councillor Obajimi Adefiranye	
Councillor Abdeslam Amrani	
Councillor Suzannah Clarke	
Councillor Mark Ingleby	
Councillor Louise Krupski	
Councillor Pauline Morrison	
Councillor Alan Smith	
Councillor James-J Walsh	
Councillor Bill Brown (ex-Officio)	
Councillor Sakina Sheikh (ex-Officio)	

Sustainable Development Select Committee		
Title	Confirmation of the Chair and Vice-Chair of the Sustainable Development Select Committee	
Contributor	Acting Chief Executive (Head of Business and Committee)	Item 1
Class	Part 1 (open)	30 April 2019

1. Summary

- 1.1 Further to the annual general meeting of Council on 3 April 2019 and the subsequent meeting of the Overview and Scrutiny Committee, this report informs the Select Committee of the appointment of a Chair and Vice Chair of the Sustainable Development Select Committee.

2. Purpose of the report

- 2.1 To issue directions to the Select Committee regarding the election of its Chair and Vice-Chair.

3. Recommendations

- 3.1 The Select Committee is recommended to:
- (i) Confirm the election of Councillor Liam Curran as Chair of the Sustainable Development Select Committee.
 - (ii) Confirm the election of Councillor Patrick Codd as Vice-Chair.

4. Background

- 4.1 On 3 April 2019, the annual general meeting of the Council considered a report setting out an allocation of seats on committees to political groups on the Council in compliance with the requirements of the Local Government and Housing Act 1989.
- 4.2 The constitutional allocation for both chairs and vice chairs of select committees is:

Labour: 6

5. Financial Implications

- 5.1 There are no financial implications arising from the implementation of the recommendation in this report.

6. Legal Implications

6.1 Select Committees are obliged to act in accordance with the Council's Constitution.

Background papers

Council AGM 3 April 2019 - agenda and papers are available on the Council website here: <http://tinyurl.com/council030419> or on request from **Kevin Flaherty**, Head of Business and Committee (020 8314 9327)

Overview and Scrutiny Committee 3 April 2018 agenda and papers are available online here: <http://tinyurl.com/osc030419> or on request.

If you have any questions about this report, please contact **Timothy Andrew** Scrutiny Manager; (timothy.andrew@lewisham.gov.uk)

MINUTES OF THE SUSTAINABLE DEVELOPMENT SELECT COMMITTEE

Monday, 4 March 2019 at 7.00 pm

PRESENT: Councillors Liam Curran (Chair), Patrick Codd (Vice-Chair), Suzannah Clarke, Mark Ingleby, Louise Krupski and James-J Walsh

APOLOGIES: Councillors Obajimi Adefiranye and Alan Smith

ALSO PRESENT: Councillor Caroline Kalu, Councillor Silvana Kelleher, Councillor Brenda Dacres (Cabinet Member for Parks, Neighbourhoods and Transport (job share)), Timothy Andrew (Scrutiny Manager), Christopher Dale (Development Manager), Rachel Dunn (Housing Policy and Partnerships Manager), Madeleine Jeffery (Private Sector Housing Agency Manager), Thiru Moolan (Head of Building Control) and David Syme (Strategic Planning Manager)

1. Minutes of the meeting held on 30 January 2019

1.1 **Resolved:** that the minutes of the meeting held on 30 January 2019 be agreed as an accurate record.

2. Declarations of interest

- Councillor Curran declared non-prejudicial interests in relation to item seven as: a member of the Campaign for Real Ale (CAMRA) and a member of the Baring Hall Trust.
- Councillor Ingleby declared a non-prejudicial interest in the whole agenda as a board member of Lewisham Homes and a non-prejudicial interest in relation to item seven as a member of the musicians' union (which campaigns for the performance of live music in pubs)
- Councillor Walsh declared non-prejudicial interests in relation to items four and five as the co-founder of 'the Bakerloo line extension.com' and as Council appointed governor to Trinity Laban.

3. Responses from Mayor and Cabinet

3.1 There were none.

4. Planning: annual monitoring report

4.1 David Syme (Strategic Planning Manager) introduced the report, the following key points were noted:

- The report provided an overview of the performance of the planning service in 2017-18.
- It was no longer a statutory requirement to produce the report but the planning service and the Council believed it was important to have a transparent and honest reflection of performance.

- Housing completions were down on previous years. There had been a net completion of 674 homes in the monitoring period compared to a target of 1385 homes.
- There had also been a significant downturn in completions across London (down by 20%).
- The number of completions was not always consistent. It fluctuated over the years.
- There had also been a downturn in the number of affordable homes that had been completed. In the monitoring period 39 affordable homes had been completed (approximately eight percent of the total number of homes) which was well below the borough's strategic target of 50%.
- The Council's strategic planning committee was going to consider how affordable housing delivery could be increased.
- Planning approvals for new homes had also fallen. There were 389 in the monitoring period compared to 1200 in 2016-17.
- In year monitoring (from April 2018 onwards) indicated that the number of approvals this year had risen significantly – already reaching 1259 (with 29% affordable homes, mostly at social and London affordable rent levels)
- The Council had not failed the housing delivery test – but in coming years it might be difficult to meet the target due to the dip in approvals.
- The number of planning applications overall had fallen during the monitoring period however, the planning service had exceeded its key performance indicators for the time taken to decide applications.
- In terms of non-residential property there had been a net loss of 15796 square meters – primarily of employment floor space.
- The majority of the loss had been 'plan led' loss.

4.2 David Syme (Strategic Planning Manager), Christopher Dale (Service Group Manager, Development Management) and Thiru Moolan (Head of Building Control) responded to questions from the Committee, the following key points were noted:

- The Greater London Authority carried out an assessment of land available in London for development. Lewisham contributed to this assessment. Consideration was given to the requirement for infrastructure to support new development.
- Lewisham carried out its own work to determine which sites would be suitable for development and what the density of development on those sites should be.
- There was a constant review of population statistics. Government population figures had recently been forecast downwards, this was thought to be primarily as a result of the UK leaving the European Union.
- Neighbourhood planning and the healthy neighbourhoods schemes (funded through the local implementation plan) should complement each other.
- The decision to reduce employment space in the borough had been taken by the Council a number of years ago and introduced into Lewisham's planning processes. That decision was now resulting in the reduction in employment floor space.
- Applications had been submitted for the next steps of the Convoys Wharf development. Discussions were ongoing with developers.

- The Council kept a register of residents interested in self-building in the borough. The planning service was required to give consideration to the demand for self-building land in the borough.
- Lawful development certificates were awarded in retrospect to developments that had not previously applied for planning permission. They could also be issued in advance to confirm that a development was within permitted development rights. The monitoring report did not provide a breakdown between the two kinds of certificate.
- Enforcement action was a “last resort” option for rectifying unauthorised planning activity. Lots of informal work took place before enforcement action was carried out. Additional information could be provided about the numbers of planning contraventions that were subject to enforcement action.
- The planning service worked with other teams at the Council (including housing) to coordinate enforcement action against rogue landlords, illegal development and planning contraventions.
- It was difficult to get accurate representation of building control figures because applicants could apply to private providers to grant building control. Building control figures were not reported in the annual monitoring report.
- There were very few cases in which immediate ‘article four’ directions (to remove permitted development rights) were used because of the potential for compensation.
- The number of homes in multiple occupation which could be affected by an immediate article four direction meant that the costs for compensation might be very high.
- Two estates in Lewisham were subject to article four directions that were not immediate. Owners had 12 months to adapt to the removal of development rights.
- Building control and planning powers were limited when it came to the subdivision of houses into homes in multiple occupation.
- If a property was divided into flats, building control regulations applied. In the case of a renovation of a home in multiple occupation this was not the case.
- Planning enforcement and building control shared the same IT systems.
- The Council had no powers to oversee the work of private building control providers. Approved providers were monitored by the regulator (the Construction Industry Council), which could remove provider licenses.
- It was difficult to forecast the number of future affordable housing completions.

4.3 In Committee discussions the following key points were also noted:

- Members were concerned about the sustainability of increasing levels of development in London.
- There was concern about the status of Lewisham as a residential borough, without sufficient space for employment and business space.
- Lots of cases of planning infringements were referred by councillors to the planning service.
- Members requested advice from officers regarding additional powers that would be required to properly oversee the development of homes in multiple occupation.

4.4 **Resolved:** that the Committee would refer its views to Mayor and Cabinet as follows:

- The Committee would welcome a short, visual, two page summary of the annual monitoring report in future editions. It asks that this include key performance indicators for the service that can be widely understood.
- The Committee believes that allocation for self-build sites should be included in the five year housing land supply.
- The Committee requests that additional information be provided about the number of lawful development certificates issued by the Council, including a disaggregation by type.
- The Committee also requests that further analysis and benchmarking (with other authorities) of enforcement notices and cases be carried out.
- The Committee recommends that a review should be undertaken of the resources currently allocated to planning enforcement and building control.
- The Committee also recommends that the relevant cabinet member should meet with building control, the planning service and planning enforcement to identify what changes to national definitions and regulations would be needed to improve the statutory powers of these teams in order to ensure better standards and compliance in future.
- The Committee is concerned about the loss of employment space in Lewisham and it urges the Council to consider the potential impact of the borough becoming a purely residential location.
- The Committee plans to scrutinise the implementation of the 'building the local economy' priority in the corporate strategy. It intends to invite the cabinet member to a future meeting to provide an update on progress.

5. Local Plan update: New Cross area framework and station opportunity study

5.1 David Syme introduced the report, the following key points were noted:

- The report was jointly commissioned by the Greater London Authority and Transport for London (TfL). Discussions about its development were also held with other key stakeholders, including Network Rail.
- The study initially focused on an area approximately a kilometre around New Cross Gate station.
- It highlighted proposed developments and future opportunities to identify how best they could link in with the proposed extension of the Bakerloo line.
- There was a particular focus on the station opportunity area around New Cross Gate to identify development opportunities and potential linkages with local stakeholders (including Goldsmiths).
- The study would inform the site allocations process in the Local Plan. It would also inform funding bids and strengthen the case for the Bakerloo line extension at TfL.
- A full consultation with stakeholders and the public had been carried out, which had informed the way the document was shaped.
- The document would be a 'material consideration' when the Council was considering planning applications – though it would not have statutory status.

5.2 David Syme responded to questions from the Committee, the following key points were noted:

- Lewisham had been identified in the London Plan as a Council that needed to protect its industrial land.
- New Cross Gate was already well connected, even without the Bakerloo line. The area would be likely to change (and require strategic thinking) regardless of the future of the Bakerloo extension.
- The projections for new jobs (13500) and homes (12000) in the area represented a net gain (rather than retention and safeguarding).
- It was intended that the Local Plan would have “place specific policies”. This would include provision to support small and medium size enterprises in key areas as well as supporting creative industries.

5.3 **Resolved:** that the Committee would share its views with Mayor and Cabinet as follows –

- The Committee commends the work that took place to develop this piece of work.
- The communications team should be tasked with publicising the study and making it accessible to residents.

6. Fire safety in tall buildings

6.1 Rachel Dunn (Housing Partnerships and Policy Manager) and Thiru Moolan (Head of Building Control) introduced the report, the following key points were noted:

- The report provided an update on work to ensure fire safety in Lewisham Homes and registered provided owner housing stock.
- There had been a number of intermediate amendments to the fire safety guidance for tall buildings in advance of a full government response to the Grenfell Tower tragedy.
- Following lobbying by the fire brigade (and other stakeholders) the definition of a tall building -for the purposes of the fire safety guidance- had been reduced from 30m (about ten floors) to 18m (around six floors).
- New building control regulations had limited the use of combustible cladding in new buildings over 18m. The new regulations applied broadly to residential buildings (there were some exceptions).
- Further changes to regulations would be made in the future.
- One of the likely changes would be that all work carried out on any building would have to be recorded in a single place and made available to a responsible person/duty holder.
- Retrofitting of old buildings and works carried out by numerous different contractors posed potential fire risks by compromising previous fire safety work.

6.2 Thiru Moolan and Rachel Dunn responded to questions from the Committee, the following key points were noted:

- Information about Lewisham’s tall buildings was available on the Council’s website.
- There was currently a requirement for sprinklers in all new buildings over 30m.
- The fire brigade recommended that sprinklers should be installed in all new buildings.
- The fire brigade was supportive of sprinklers because it vastly improved the safety of firefighting.

- One of the most effective life saving devices in residential property was a properly functioning smoke alarm. All new buildings had to include mains operated smoke alarms.
- The installation of fire doors in buildings was dependent on the layout of a building and the ability for residents to avoid the path of a fire. For example, where there were two or more routes of escape then a building was unlikely to require a fire door.

6.3 In the Committee’s discussions, the following key point was also noted:

- There was a discussion about the importance of sprinklers in new buildings. Some members of the Committee believed that the Committee should follow the fire brigade’s recommendation that sprinklers should be installed in all new buildings. Other members felt it would be more realistic (and achievable) to set a height standard for the inclusion of sprinklers.

6.4 **Resolved:** that the Committee would refer its views to Mayor and Cabinet as follows –

- The Committee recommends that, following consideration of the relevant evidence and with particular regard to the position taken by the London Fire Brigade, the Council should lobby the Government in favour of the installation of sprinklers in new buildings (below the currently required height).

7. **Select Committee work programme**

7.1 The Committee discussed the pubs update review report. Councillor Curran noted the evidence that had been gathered by the Committee and urged it to support an ambitious new policy for the protection of pubs in Lewisham. Councillor Codd highlighted the importance of adopting a robust version of the ‘agent of change’ principle, which had been proposed in the London Plan. Both Councillors noted the importance of achieving a balance between high standards in conversions of residential accommodation and freeing pubs from bureaucracy.

7.2 **Resolved:** that the recommendations of the pubs update review would be agreed and referred to Mayor and Cabinet, the Overview and Scrutiny Committee and the full Council (alongside the consideration of the Local Plan).

8. **Items to be referred to Mayor and Cabinet**

8.1 **Resolved:** that the Committee’s views under items four, five, six and seven be referred to Mayor and Cabinet.

The meeting ended at 9.05 pm

Chair:

Date:

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Sustainable Development Select Committee		
Title	Declaration of interests	
Contributor	Acting Chief Executive	Item 2
Class	Part 1 (open)	2019-20

Declaration of interests

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;

(b) and 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)

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Sustainable Development Select Committee		
Title	Responses to referrals	
Contributor	Scrutiny Manager	Item 4
Class	Part 1 (open)	30 April 2019

1. Purpose

To advise the Committee of responses to its referrals.

2. Recommendations

2.1 The Committee is recommended to receive the response to its referral.

3. Responses to referrals

3.1 At its meeting on 27 March 2019 Mayor and Cabinet considered a response to the Committee's referral on parking.

3.2 The response (at section six of the appended report) is part of a broader paper on parking policy

4. Financial implications

4.1 There are no financial implications arising from the implementation of the recommendation in this report.

5. Legal implications

5.1 The Constitution provides for Select Committees to refer reports to the Mayor and Cabinet, who are obliged to consider the report and the proposed response from the relevant Executive Director; and report back to the Committee within two months (not including recess).

Background documents

Minutes of the meetings of Mayor and Cabinet on 27 March 2019:

<http://tinyurl.com/mandc270319>

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Mayor and Cabinet			
Title	Parking Policy Update – proposals for consultation		
Key decision	Yes	Item no	
Wards	All		
Contributors	Executive Director for Customer Services		
Class	Part 1	27 March 2019	

1. Purpose

- 1.1 The purpose of this report is to present key proposals for an update to the Council's Parking Policy to be taken forward to public consultation, including key policy measures aimed at improving air quality in the Borough.

2. Executive Summary

- 2.1 The Council's current Parking Policy was approved by Mayor and Cabinet in 2014. It was agreed that the policy would be updated in 2018/19 to bring it in line with current legislation, best practice and other feedback received. In particular, the update takes into account the Council's commitment to improving air quality in the Borough.
- 2.2 It is proposed that the Council consults on a range of changes including emissions based permits, a diesel surcharge, improving the free visitor permit offer, changing the charging structure for penalty charge notices and revising its approach to disabled parking bays to make them enforceable in all cases.
- 2.3 The report also proposes a review of Pay and Display machines to rationalise the number, replace them with new machines where there is demand and to investigate other methods of payment such as contactless and chip and pin card payments.
- 2.2 Following agreement at Mayor and Cabinet, public consultation would take place during 2019. The results of the consultation would then be brought back to Sustainable Development Select Committee (SDSC) for their input before a final policy is agreed by Mayor and Cabinet.

3. Recommendations

- 3.1 It is recommended that the Mayor approve a public consultation to take place in 2019 on the proposed updates to the parking policy.

- 3.2 That the response made to the comments of the Sustainable Development Select Committee be endorsed and reported back to the Select Committee.

4. Policy context

- 4.1 The Council's current Parking Policy was approved by Mayor and Cabinet in October 2014, following a comprehensive review. It was agreed that the policy would be updated in 2018/19 to bring the policy in line with current legislation and best practice.
- 4.2 The London Mayor's Transport Strategy (MTS) was published in early 2018. The Council has also prepared a new Transport Strategy and Local Implementation Plan 2019-41 (LIP3) which sets out how the Council intends to deliver the objectives of the MTS at a local level. This includes ambitions to increase the number of trips made by sustainable means, such as by walking, cycling or public transport. Further objectives include a reduction in traffic levels and car ownership, improved air quality and support for the delivery of new homes and jobs.
- 4.3 The Mayor of London has also committed to expanding the Ultra-Low Emission Zone to the inner London area bounded by the North and South Circular roads. From 25 October 2021 any petrol or diesel vehicle including cars, motorcycles and vans within this area will need to meet new tighter emissions standards called the Ultra-Low Emission Zone (ULEZ) standards.
- 4.4 As part of this parking policy update, the introduction of an emissions based charging scheme for certain types of parking permit is proposed. A separate surcharge for diesel vehicles is also being considered. This responds to an action included within the Council's Air Quality Action Plan (2016-2021).
- 4.5 References in the parking policy to any superseded or out of date regulations, legislation or policy documents will be revised as part of this update.
- 4.6 In line with the Council's strategic objectives, the parking policy update supports priorities 4 to 7 of the 2018-2022 Community Strategy:
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.

5. Background

- 5.2.1 The Council's current Parking Policy was approved by Mayor and Cabinet in October 2014, following a comprehensive review. It was agreed that the policy would be updated in 2018/19 to bring the policy in line with current legislation and best practice.
- 5.2.2 These updates to the Parking Policy include some key policy changes which will be taken forward for public consultation before inclusion. The Parking Policy update will also include several minor changes which will not be raised specifically in the public consultation. This consultation is expected to take place during 2019 for a period of six weeks. Responses from the consultation would be used to inform a revised policy update document that would then be brought to the Sustainable Development Select Committee for review prior to submission to Mayor and Cabinet for approval.

5.3 Air Quality impact

- 5.3.1 One of the most significant policy developments in recent years has been the Air Quality agenda, and since the current parking policy was introduced the Council has enhanced its commitment to improving air quality in recognition of the emerging evidence of the impact of pollution on health. Motor vehicles are a significant contributor to local air pollution and private cars contribute towards 33% of NO_x and 57% of PM₁₀ (small particulate emissions) from road transport.
- 5.3.2 The London Mayors Transport Strategy sets targets for the reduction of vehicle emissions in London, and for Lewisham the target is to reduce CO₂ emissions caused by road transport from 155,200 to 34,800 tonnes by 2041. The Council's Air Quality Action Plan (2016-2021) sets out the actions to be taken by the Council to improve air quality in Lewisham and parking policy is one area which can be used to encourage the take-up of lower emission vehicles.
- 5.3.3 Evidence of best practice from around the world demonstrates that measures aimed at improving vehicle emissions are an important part of the policy toolkit, and such measures have been employed in other global cities that have successfully improved air quality, such as Copenhagen, Paris and San Francisco. In London, emissions-based charges for parking permits have now been introduced in most London Boroughs. Although many of these charges in London have only been adopted relatively recently, emissions based charging is contributing to the increased take-up of vehicles with lower emissions.
- 5.3.4 As part of the Lewisham Transport Strategy and Local Implementation Plan 2019-41 (LIP3), the Council is also supporting the reduction of emissions from road traffic through measures to support active travel, improved public transport connections, and expanding provision for EV charging points to encourage a shift from traditional petrol and diesel vehicles. The introduction of emissions based charging for parking permits would be in support of these measures.

5.4 Parking permits – including emissions based charging, visitor permits and refunds

- 5.4.1 In the Parking Policy 2014, the Council stated that parking charges reflect the need to not only cover the costs of delivering parking controls but also managing other issues, including the effects of increased car ownership, the insatiable demand for parking spaces and the need to reduce the harmful effects of car use on the environment. Section 45 of the Road Traffic Regulation Act 1984, (the RTRA), enables a local authority by order to designate parking places on highways in their area for vehicles or vehicles of any class specified in the order and to make charges (of such amount as may be prescribed under section 46) for vehicles left in a parking place so designated.
- 5.4.2 Section 45(3) states that in determining what parking places are to be designated under that section the authority concerned shall consider both the interests of traffic and those of the owners and occupiers of adjoining property, and in particular the matters to which that authority shall have regard include—
- (a) the need for maintaining the free movement of traffic;
 - (b) the need for maintaining reasonable access to premises; and
 - (c) the extent to which off-street parking accommodation, whether in the open or under cover, is available in the neighbourhood or the provision of such parking accommodation is likely to be encouraged there by the designation of parking places under this section.
- 5.4.3 Section 122 of the Act imposes a duty on the Council to exercise the functions conferred on them by the RTRA as (so far as practicable having regard to the matters specified in S122 (2) to ‘secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians and the provision of suitable and adequate parking facilities on and off the highway’.
- 5.4.4 The matters set out in S122(2) are
- (a) the desirability of securing and maintaining reasonable access to premises;
 - (b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
 - (c) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);
 - (d) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
 - (e) any other matters appearing to the local authority to be relevant

- 5.4.5 Charging ensures that the borough does not become a 'car park' for those travelling into London from the south east, and that the Council's other policy aims set out in its Transport Strategy and Local Implementation Plan are fulfilled.
- 5.4.6 There is a legal requirement on the local authority to work towards air quality objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part. The Council must also meet the requirements of the London Local Air Quality Management statutory process. The Council's Air Quality Action Plan (2016-2021) has been developed in response to these requirements and includes actions to be taken by the Council to improve air quality in Lewisham. Annual Status Reports are produced and submitted to the Greater London Authority, providing progress on actions and where appropriate, including additional actions. One of its primary objectives is to expand the Council's sustainable transport infrastructure and encourage the take-up of low or zero emission vehicles.
- 5.4.7 One of the key policy drivers for this update to the Parking Policy is the above commitment to improving air quality in the Borough. Road traffic generates a significant proportion of pollutants which can have an impact on health. Most vehicles typically use petrol or diesel fuels, each of which emit NO_x and particulates which affect local air quality and public health, and also CO₂, which contributes to climate change. Emissions from diesel vehicles have now been shown to be significantly more harmful to health than those from petrol vehicles.
- 5.4.8 As part of this interim update and to address the actions from the Council's Air Quality Action Plan, consideration is being given to the introduction of an emissions-based charging scheme for parking permits, with a diesel surcharge also being considered. This would address items 34 and 35 of the Air Quality Action Plan and provide incentives for permit holders to switch to lower emission vehicles.
- 5.4.9 Furthermore, the Mayor of London has committed to expanding the Ultra-Low Emission Zone to the inner London area bounded by the North and South Circular roads. From 25 October 2021 any petrol or diesel vehicle including cars, motorcycles and vans within this area will need to meet new tighter emissions standards called the Ultra-Low Emission Zone (ULEZ) standards.
- 5.4.10 The Council's proposals will therefore help to align with TfL's wider policy in readiness for the introduction of TfL's Ultra Low Emission Zone in 2021.
- 5.4.11 The Council's proposed charging structure for parking permits will be banded based on a vehicle's CO₂ emissions. An assessment of vehicles currently registered to the Council for permits has been used to determine the number and percentage of those vehicles that would be included in each emissions band. Proposed charges, based on these bandings are included in Appendix 2.
- 5.4.12 It should be noted that as people upgrade their vehicles, revenue from the scheme will drop, and assumptions and allowances will be made for this as far as is possible. It will be necessary to review the charges annually to ensure that the scheme remains effective. Any proposed changes will be reported in the Council's Annual Parking Report, which is presented every December.

- 5.4.13 Subject to consultation, it is proposed that the Council introduce emissions based charging for permits and also introduce a surcharge for diesel vehicles.
- 5.4.14 The Council's current policy is that upon application, a book of 10 one hour visitor parking permits will be provided free of charge to all households that currently have at least one paid annual resident parking permit. It is proposed to instead provide ten hours of visitor parking credit free of charge to all households that currently have at least one paid annual resident parking permit. This would be credited to the resident's on-line account and used via their mobile phone app at their convenience. For residents who have limited or no internet access, a book of vouchers could still be sent on application.
- 5.4.15 Additionally, the current policy provides that upon application, a book of ten (1 hour) visitor parking permits will be provided free of charge to any residents in CPZs who are over 60, and in receipt of Council Tax support, and do not have another parking permit per annum. It is proposed that this provision would be retained.
- 5.4.16 The upcoming new I.T. system will provide a more customer friendly environment than the current provision and will allow permit holders to more easily change the vehicle registered to their permit. Currently, a resident permit holder may register up to two cars per permit, so long as only one of these cars is parked on street. This allows permit holders to park one car on an off-street driveway or garage, with the other car parked in an on-street permit holder's bay. Since the new system will provide additional flexibility for residents to manage the vehicles registered to their permit, this provision will change so that only one vehicle is included on a permit. This ensures that all vehicles parked in permit holders' bays have a permit which also simplifies enforcement.
- 5.4.17 The other proposed amendment to the permit system would be to introduce a charge of £15 for the administration of refunds.

Permit Proposals for Consultation

- **Proposal 1** to introduce banded charging for parking permits based on vehicle CO₂ emissions and to introduce an additional surcharge to the cost of parking permits for diesel vehicles;
- **Proposal 2** to provide ten hours of visitor parking credit free of charge to all households that currently have at least one paid annual resident parking permit, replacing the book of 10 one hour visitor parking permits provided on request, free of charge to households that currently have at least one paid annual resident parking permit.

5.5 Amendment to Penalty Charge Notice (PCN) charge bands

- 5.5.1 The Council is responsible for the enforcement of all waiting, loading and parking restrictions on roads for which the Council is the Highway Authority and also in Council operated off-street car parks.
- 5.5.2 Under the provisions of the Traffic Management Act 2004, local authorities in London may set Penalty Charges for parking contraventions to one of two bands, A or B.
- 5.5.3 These PCN bands are set by London Councils and shown in the table below.

TABLE 1	Higher (e.g. for parking on yellow lines or causing an obstruction)	Lower (e.g. where parking is permitted but regulations are contravened, such as an expired P&D ticket)
Band A	£130	£80
Band B	£110	£60

London Councils – Current levels of Penalty Charge Notice (set by London Councils April 2011)

- 5.5.4 Currently, PCNs issued for vehicles illegally parked on roads in Lewisham to the north of the A205/South Circular Road are set at Band A and PCNs issued on roads to the south of the A205/South Circular Road are set to Band B.
- 5.5.5 It is proposed that the Council adopts the use of Band A PCN charges for the whole of the borough. A number of other inner and outer London boroughs have already adopted this approach including Newham, Haringey, Hammersmith & Fulham, Croydon and Waltham Forest.
- 5.5.6 The implementation of the new Ultra Low Emission Zone (ULEZ) to the north of the A205/South Circular Road, starting in 2021, may result in some parking displacement outside of that area and the proposed use of Band A PCN charges is intended to provide an incentive to drivers to ensure that they are parked safely and legally.

Penalty Charge Notice Proposal for Consultation

- **Proposal 3** to amend the Penalty Charge for parking offences so that the higher rate charges apply for the whole borough instead of being at a lower rate for roads south of the A205.

5.6 Disabled parking bays

- 5.6.1 The Council currently provides two types of disabled bay, following an initial assessment of each applicant under the current parking policy criteria.
- 5.6.2 Mandatory disabled bays are introduced following statutory consultation and the implementation of a Traffic Management Order (TMO). These bays may only be parked in by vehicles displaying a valid blue badge – vehicles not displaying a blue

badge may be enforced against and a Penalty Charge Notice (PCN) issued. Drivers issued with a blue badge who have a vehicle registered at their address are eligible to apply for a mandatory disabled parking bay, subject to certain criteria including road safety and the results of statutory consultation (required as part of the TMO process)

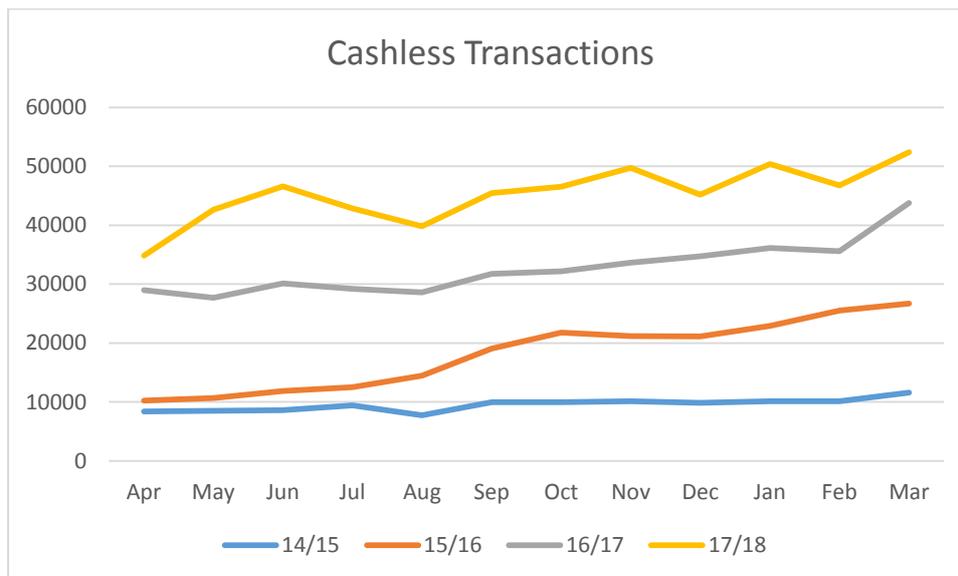
- 5.6.3 The second type of bay is an advisory marking, which may not be enforced and can still be parked in by any road user without penalty. They do not require a TMO. Blue Badge holders who have a vehicle registered at their home address in the borough (and do not live within a Controlled Parking Zone) can apply for an Advisory Residential Disabled Bay. If the blue badge holder is not the driver, the driver must be their recognised carer and must reside full time at the same address.
- 5.6.4 Under this proposal, only mandatory disabled bays would be provided by the Council.
- 5.6.5 The proposed processes and criteria under which applications for new mandatory disabled parking bays from residents in the borough are presented fully in Appendix 1. This includes revised criteria for a new bay based on assessment of medical need by a qualified person and also highway criteria under which a location would be assessed to determine if a disabled bay may be installed.
- 5.6.6 This proposal would mean that existing advisory disabled parking bays would be removed or, where the applicant meets the updated criteria, replaced with a mandatory disabled parking place. This will result in fewer disabled parking bays on-street, but the disabled parking bays that would be present would all be enforceable and PCNs could be issued to vehicles that park in them without a valid disabled blue badge. The proposed medical criteria have been set to prioritise residents with severe mobility issues. Residents within a CPZ with a blue badge may apply for a free residents parking permit. This would still be available to blue badge holders should they not meet the medical criteria for installation of a mandatory disabled parking bay.

Disabled Bay Proposals for Consultation

- 5.6.7 This proposal will be included in the parking policy consultation and include questions relating to:
- **Proposal 4** to provide only mandatory, enforceable disabled parking bays (and no longer provide advisory disabled parking bays)
 - **Proposal 5** to amend the application criteria to new criteria based on assessment of medical need by a qualified person and also highway criteria under which a location would be assessed to determine if a disabled bay may be installed.

5.7 Pay and display review

5.7.1 Currently, the Council has 187 Pay & Display machines in the Borough. The machines are between 10 and 15 years old and many are beyond repair. The cost of replacing all the machines would be in the region of £750,000. One way to mitigate this cost as well as create efficiencies within the service is to further encourage customers to opt for the cashless payment service. Over the years, motorists have been migrating from cash to cashless payments, as highlighted in the chart below. The volume of cashless transactions in 2017/18 was 38% higher than the previous year.



5.7.2 The total current income received from Pay and Display in 2018/19 is projected to be:

- £889,000 for cash transactions.
- £1,492,000 for cashless transactions

5.7.3 It is proposed that a full review is undertaken to rationalise the number of Pay and Display machines in the Borough which will consider the following:

- The number of machines located in a street
- The usage of each machine
- Cost analysis which will consider replacement of machines, cash collection and maintenance costs.

5.7.4 The key aim of the rationalisation programme is to provide new pay and display machines where there is demand and also investigate other methods of payment i.e. contactless and chip and pin card payments.

5.7.5 The Pay & Display hourly rate for parking is £1.40. Customers who chose to use the cashless payment system are charged an additional £0.20 per parking session; this is called a convenience fee and is charged by the service provider. Of this

convenience fee, £0.08 is retained by the council, and £0.12 is paid to the cashless service provider (RingGo).

5.7.6 Subject to consultation it is proposed that the following changes are made to parking fees:

1. The convenience fee is removed from the cashless parking service, to further encourage the use of cashless transactions. The council would still have to pay the service provider £0.12 convenience fee for each transaction.
2. The hourly rate for parking is raised to £1.60 for both cash and cashless transactions.

Pay and Display Proposals for Consultation

5.7.7 This proposal will be included in the parking policy consultation and include questions relating to:

- **Proposal 6** to harmonise the hourly for parking to £1.60 for both cash and cashless payments.

5.8 Minor policy updates

5.8.1 In order to ensure that the parking policy is up to date with current guidance, regulations and Council policy it is proposed to make certain minor amendments to the policy document. This will ensure that the policy document remains accurate and up to date. These amendments would not be specifically included in the proposed consultation.

5.8.2 These updates include:

- Making all parking permits available as virtual permits, where they are not already currently, reducing the need to issue paper permits
- Update references to key policy documents including the Mayor's Transport Strategy (2018), the Council's Transport Strategy and Local Implementation Plan 2019-2041 (LIP3), and the Lewisham Air Quality Action Plan (2016-2021).
- Include a section on the new floating car club permit agreed at Mayor and Cabinet on 12 December 2018.
- Include a new process for implementation of School Keep Clears as they no longer require a TMO.
- Update of the text for crossovers to match current planning policy
- Update the maximum loading time on yellow lines from 20 to 40 minutes. This is the standard for London and set by London Council's guidance and current TMOs.
- Provide a new appendix detailing the criteria for minor parking projects, such as new parking bays or yellow line restrictions. These criteria will include requests

from the public, road safety, technical need, supporting local business; and traffic flow and access.

- Revision to the prioritisation process for informal consultation on Controlled Parking Zones (CPZs) based on experience, feedback and updates to Council policy. This will provide a two stage process with areas identified from public requests and survey data, including from a proposed borough wide survey to help determine parking need, being taken forward to a second stage of prioritisation. The programme for CPZ consultations would be prioritised by criteria including the number of requests received, the presence of key parking generators such as transport hubs, recent review or extension of Controlled Parking Zones, upcoming new developments and links to the Council's current healthy neighbourhoods programme.

6. Feedback from the Sustainable Development Select Committee

- 6.1 A report on the proposed consultation on amendments to the parking policy together with the Annual Parking Report for 2017/18 was submitted for review to the Sustainable Development Select Committee (SDSC) for review 12 December 2018.
- 6.2 The following comments relating to these reports were referred to Mayor and Cabinet:
- i. The Committee believes that the proposal for the removal of free visitor parking permits should be reconsidered in order to ensure that the change does not have a detrimental impact on the most vulnerable (including those with a need for care).
 - ii. The Committee recommends that officers should carry out further work to ensure that people parking in areas with two hour enforcement are not able to take advantage of online payment options to park all day (paying remotely for the period of parking control).
 - iii. The Committee is concerned that regular enforcement rounds rely too much on routine and that further work should be carried out to ensure that people parking are not able to easily anticipate the movements of enforcement agents.
 - iv. The Committee recommends that the Council should consider how enforcement of all types of parking infringement is carried out. Members believe that this should include the Council's approach to the enforcement of TfL 'red routes' as well as enforcement in the evenings and at weekends.
 - v. The Committee would support the growth of the parking service to increase enforcement activity whilst keeping income and expenditure at the same level.
 - vi. The Committee endorses the proposed measures to help improve air quality.
- 6.3 In response to item i above, this proposal has been amended as a result of the Mayor's requirement that, subject to consultation, the Council proposes to provide

ten hours of visitor parking credit free of charge to each household that currently has at least one paid annual resident parking permit, as shown in paragraph 5.4 of this report .

- 6.4 In response to item ii above, this can be considered as part of the designs for Controlled Parking Zones and does not require a change to parking policy. The only way of restricting motorists from parking all day by utilising the cashless option is to restricting parking to one hour and no return for two hours. This will eliminate commuters parking all day.
- 6.5 In response to item iii above, a full review is currently being undertaken which will ensure that the parking enforcement officers will patrol the streets at various times each day which should eliminate motorists contravening parking restrictions.
- 6.6 In response to items iv and v above, the service over the course of the next 6 months is reviewing its enforcement operations to ensure that the adequate enforcement is deployed to cover the whole Borough. We will engage with TFL to explore the possibility of taking over parking enforcement of the red routes.
- 6.7 Item vi has been noted and relates to the proposal to, subject to consultation, introduce emissions based charging for parking permits in Lewisham.

7. Consultation

- 7.1 It is proposed that the Council undertake a comprehensive consultation exercise on the proposed updates to the parking policy.
- 7.2 Subject to Mayor and Cabinet approval in March 2019 the intention is to go out to consultation with the public on key changes to the parking policy. This includes the following proposals as set out in section 5 of this report:
 - **Proposal 1** to introduce banded charging for parking permits based on vehicle CO₂ emissions and to introduce an additional surcharge to the cost of parking permits for diesel vehicles;
 - **Proposal 2** to provide ten hours of visitor parking credit free of charge to all households that currently have at least one paid annual resident parking permit, replacing the book of 10 one hour visitor parking permits provided on request, free of charge to households that currently have at least one paid annual resident parking permit.
 - **Proposal 3** to amend the Penalty Charge for parking offences so that the higher rate charges apply for the whole borough instead of being at a lower rate for roads south of the A205.
 - **Proposal 4** to provide only mandatory, enforceable disabled parking bays (and no longer provide advisory disabled parking bays)

- **Proposal 5** to amend the application criteria to new criteria based on assessment of medical need by a qualified person and also highway criteria under which a location would be assessed to determine if a disabled bay may be installed.
- **Proposal 6** to harmonise the hourly for parking to £1.60 for both cash and cashless payments.

- 7.3 This consultation would be a comprehensive consultation exercise with all stakeholders regarding the proposed policy updates, including the impact on air quality and the Councils approach to the proposed introduction of emissions based charging in the borough. The objective would be to establish if there is support for the proposals outlined in this report.
- 7.4 The consultation would be made available on-line and communicated through the usual Council channels. Opinions of groups including environmental groups, disability awareness groups, pedestrian and cycling organisations and freight transport associations would also be sought.
- 7.5 The consultation questions and supporting materials would be available on the Council website for six weeks.
- 7.6 The results of the above consultations will be brought forward to SDSC for review and discussion and then to Mayor and Cabinet for approval and sign-off prior to adoption of any approved policy changes. An indicative timetable is shown below.
- Mayor and Cabinet – March
 - Consultation Launch – May
 - Consultation six weeks – May/June
 - Analysis of consultation returns – June/July
 - Report to SDSC – September
 - Update Policy following SDSC Comments – October
 - Report to M&C – November

8. Financial implications

- 8.1 As part of the policy review, a modelling exercise has been undertaken to test the possible revenue implications of introducing emissions based charging for parking permits. However, this would not produce future year forecasts, which would be subject to the speed of uptake of cleaner vehicles by residents, businesses and staff. The objective of emissions based charging for parking permits would be not to generate additional income for the Council, but to encourage the take-up of low emission vehicles and improve air quality within the borough. Should more income be generated, this would be allocated to transport related projects.
- 8.2 The introduction of emissions based charges for parking may result in some additional income in the short term. It is expected that this income will reduce over

time as vehicle ownership moves toward less polluting vehicles. Any surplus income would be subject to the provisions of section 55 of the Road Traffic Regulation Act 1984 as described in paragraph 9.4 of this report.

- 8.3 The impact of the proposed review of Pay and Display in the borough is outlined in section 6.
- 8.4 The aim of implementing Band A PCN charges is to provide an incentive to drivers to ensure that they are parked safely and legally. It is hoped that a higher charge will encourage compliance, which from a revenue perspective may offset the increase in the charge.
- 8.5 There will be a cost implication to the Council of implementing the proposed changes to the disabled parking policy. At present, there are more than 150 mandatory disabled bays in the borough. An accurate estimate of the number of active advisory disabled bays is difficult to obtain, as they may be left to fade/wear out if no longer required. Our current estimate is that there could be as many as 1500 advisory bays within the Lewisham area. Assessment of these bays would require a survey of the borough and consultation with affected residents; this could be accomplished in stages and would likely cost in the region of £20,000, taken from existing parking budgets. Requests for new mandatory bays (to replace the advisory bays) would require Traffic Management Orders (TMOs), which could be implemented in batches as per the current arrangement. The cost of marking the bays is around £50 per bay, with no signage proposed in alignment with the latest DfT guidance. A full assessment of this cost would form part of this process.
- 8.6 None of the other proposed changes to the Parking Policy have any financial implications.

9. Legal implications

- 9.1 The Road Traffic Regulation Act 1984 (RTRA) sets out the legal framework for parking permits, traffic management orders (which are required to establish parking zones or set restrictions such as yellow lines), removal to the car pound and related financial controls. Paragraph 5.4 of this report sets out the specific powers and obligations contained within Sections 45(3) and 122.
- 9.2 The procedures for making traffic management orders and the form that they should take are set out within the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and also together with the procedure for orders pursuant to S45 and 46 in Schedule 9 to the RTRA. This includes a statutory duty to consult, which will be in addition to any consultation set out in the report.
- 9.3 The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations require that orders made under the RTRA include an exemption from waiting prohibitions in certain circumstances, and from charges and time-limits at places where vehicles may park or wait, in respect of vehicles displaying a disabled person's badge

- 9.4 Section 55 of the RTRA provides that a London authority must keep an account of its income and expenditure in relation to any parking places provided on the highway. At the end of each financial year any deficit in the account shall be made good out of the general fund and any surplus must be either carried forward to the following year or applied for all or any of a number of specific purposes set out in that section. In London this includes the power to use it towards meeting all or any part of the cost of the doing by the authority in its area of anything which facilitates the implementation of the London transport strategy (i.e. the Mayor's Transport Strategy 2018 as referred to in paragraph 4.2) and which is for the time being specified in that strategy as a purpose for which a surplus may be applied. Case law has confirmed that these powers should not be used for the purpose of generating a surplus but as long as the authority sets its charges for a valid purpose having taken into account all relevant considerations the fact that those charge lead to a surplus would not render the charges unlawful.
- 9.5 The Traffic Management Act 2004 (TMA) is the primary legislation for the management of parking in England. It reinforces the legal duty under the RTRA to ensure the expeditious movement of traffic. Part 6 of the TMA affects parking and is accompanied by statutory and operational guidance documents. Councils are legally obliged to 'have regard to' the former, while the latter sets out the principles underlying good parking management and recommends how this can be achieved.
- 9.6 The main principles advocated in the TMA statutory guidance are:
- managing the traffic network to ensure expeditious movement of traffic, (including pedestrians and cyclists), as required under the Traffic Management Act 2004 Network Management Duty
 - improving road safety
 - improving the local environment
 - improving the quality and accessibility of public transport
 - meeting the needs of people with disabilities, some of whom will be unable to use public transport and depend entirely on the use of a car
 - managing and reconciling the competing demands for kerb space.
- 9.7 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.
- 9.8 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.

- 9.9 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.
- 9.10 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>.
- 9.11 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
- 9.12 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>".

10. Crime and Disorder Implications

- 10.1 There are no crime and disorder implications directly arising from this report.

11. Equalities implications

- 11.1 All staff are trained to meet their responsibilities as outlined in the Equality Act 2010.

- 11.2 An Equalities Impact Assessment will be undertaken as part of the consultation process for the parking policy update in regard to each of the six key proposals.
- 11.3 Section 149 of the Equality Act 2010 (“the Act”) imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.4 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 11.5 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 11.6 The following table provides an overall assessment of the policy as a whole. Further detail is then provided where there is considered to be an impact.

Expected impact on service equalities for users – High / Medium / Low, neutral or N/A			
Ethnicity:	N/A	Pregnancy / Maternity:	N/A
Gender:	N/A	Marriage & Civil Partnerships:	N/A
Age:	L	Sexual orientation:	N/A
Disability:	L	Gender reassignment:	N/A
Religion / Belief:	N/A	Overall:	L

- 11.7 In regard to the introduction of emissions based charging for parking permits, there is a risk that people on lower incomes may not be able to afford to change to a lower emission vehicle in the short term. However, alternative more affordable travel options are available: walking, cycling, public transport, car club.
- 11.8 In regard to the proposed criteria for assessment of disabled bay applications, officers have had due regard to persons with protected characteristics. People with disabilities would be assessed against the proposed criteria based on an assessment of medical need instead of a requirement that the applicant be both a driver and a blue badge holder.
- 11.9 In regard to the proposed consultation, the Council will undertake an Equalities Impact Assessment following the consultation to ensure that due regard has been given to persons with protected characteristics.

12. Environmental implications

- 12.1 There is a legal requirement on the local authority to work towards air quality objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part. Paragraph 5.4 of this report sets out the specific obligations contained within Section 80.
- 12.2 The introduction of emissions based charging for parking permits is expected to lead to the adoption of lower emission vehicles leading to a resulting overall improvement in air quality. See paragraph 5.3 of this report for further details. The net impact of the Parking Policy, and of the proposed policy changes, is therefore expected to be beneficial to the environment, through the reduction of emissions from road traffic in the Borough.

13. Background documents and originator

- 13.1 It is proposed that the council consult on update to the Lewisham Parking Policy 2014. Supporting documents for this update include:
- **Lewisham Parking Policy (2014)**
<https://www.lewisham.gov.uk/myservices/parking/Documents/ParkingPolicyOctober2014.pdf>
 - **Annual Parking Report (2017)**
<http://councilmeetings.lewisham.gov.uk/documents/s61308/06%20Annual%20Parking%20Report%202017-18%20121218.pdf>
 - **Draft Transport Strategy and Local Implementation Plan 2019-41 (LIP3)(2018)**
<http://councilmeetings.lewisham.gov.uk/ieDecisionDetails.aspx?AllId=21762>
 - **Mayors Transport Strategy for London (Greater London Authority 2018)**
<https://www.london.gov.uk/what-we-do/transport/our-vision-transport/mayors-transport-strategy-2018?intcmp=46686>
 - **Lewisham Air Quality Action Plan (2016-2021)**
<https://www.lewisham.gov.uk/myservices/environment/air-pollution/Documents/LewishamAirQualityActionPlanDec2016.pdf>
- 13.2 If there are any queries on this report please contact Jonathan Fish, Principal Parking Engineer at jonathan.fish@lewisham.gov.uk.

14. Appendices

- Appendix 1 – Draft for consultation - Disabled Parking Bays
Appendix 2 – Emissions Based Charging - modelling

Appendix 1 – Draft for consultation – Disabled Parking Bays

Disabled Parking Bays are designated parking spaces on the public highway, which allow Blue Badge holders to park close to residential properties and key destinations.

Lewisham Council only offer 'formal' disabled parking bays, which carry a Traffic Management Order and are therefore legally enforceable. Advisory bays (bays without sign and post), which do not carry a Traffic Management Order, are no longer offered due to changes in the Traffic Signs Regulations and General Directions 2016. These bays are being phased out with qualifying residents able to apply for a formal bay at any time.

Qualifying residents are entitled to apply for a disabled parking bay to be installed near to their property, subject to meeting both the medical and highway criteria outlined below. Not all applications will be successful, and Lewisham Council will not approve more than one application per formal address for a disabled parking bay.

If a disabled parking bay is approved and installed, the bay may be utilised by all blue badge holders, and are not for the sole use of the resident for which the bay was implemented.

Approved disabled parking bays would be require a Traffic Management Order installed in batches in order to reduce the cost borne by the council and the applicant, so it may take several months for a disabled parking bay to be installed.

Medical Criteria

1. To qualify for a formal disabled parking bay, applicants must be in receipt of either:
 - a) Disability Living Allowance (DLA) Higher Rate Mobility OR;
 - b) Personal Independence Payment (PIP) mobility component with 10 points or more for 'moving around' OR;
 - c) Attendance Allowance Higher Rate.
2. Applicants must hold a valid blue badge.
3. The blue-badge holder does not have to be the driver of a vehicle, but any driver (if not the applicant) must live at the same address as the blue badge holder.
4. Parents/carers of children under the age of three, would not be entitled to apply for a formal disabled parking bay for the use of that child unless that child is always accompanied by bulky medical equipment which cannot be carried around without great difficulty and/or need to be kept near a vehicle at all times. Applications of this nature will be assessed on a case by case basis depending on the circumstance of the applicant.

Highway Criteria

1. Disabled parking bays are considered on a case by case basis, but they will not be installed in locations where the bay:
 - a) Compromises safety;
 - b) Restricts traffic flow;
 - c) Blocks access;
 - d) Would be situated more than 50 metres from the property front door;
 - e) Would replace existing waiting and loading restrictions;
 - f) Would be positioned on a red route.
2. The closest available parking space to the applicant's front door will be the only location that is considered for the installation of any bay.

Highway conditions will be assessed by an Engineer from Lewisham Council by means of a site visit.

Off-Street Parking

Disabled parking bays will not be authorised if the applicant has access to an adequate off-street parking facility such as a garage or a driveway/hardstanding. Please see notes below. Any adequate off-street parking facility available to a household shall be prioritised to the disabled user, and not to other non-disabled vehicle users from within the same household/building.

Existing Garage

Garages will be deemed adequate off-street parking facilities if:

- The internal dimensions of the garage are a minimum of 5.0 metres deep and 2.7 metres wide;
- The passage from the garage to the property is suitable for disabled access;
- There is a vehicular crossover serving the garage (dropped kerb).

Where internal dimensions are provided, but are obstructed by the storage of household goods or similar, it is the responsibility of the resident to remove the items to provide adequate parking space.

If reasonable alterations can be made within the boundary of the property to improve access to a garage, then this will also be the responsibility of the resident and the DPB application will be refused.

Where there is a garage that meets the above criteria, but there is no vehicular crossover (dropped kerb) serving that garage, applicants will be expected to apply for a vehicular crossover to park their vehicle off-street, and a Disabled Parking Bay application would be refused.

Where there is a garage that meets the above criteria, and the blue badge holder requires a specially adapted vehicle that cannot fit within the space, then the application for a disabled parking bay may still be approved, but will be assessed on a case by case basis.

Curtilage Parking Space (Driveway/Hardstanding)

Curtilage parking spaces will be deemed adequate off-street parking facilities if:

- There is a vehicular crossover (dropped kerb) serving the space;
- The dimensions of the space are a minimum of 4.8 metres deep and 2.7 metres wide (or a minimum of 2 metres wide if the vehicle door on one side can be fully opened);
- The gradient of the space does not exceed 5% (1 in 20)

Where the minimum dimensions for a curtilage parking space can be achieved through reasonable alterations on the applicant's property, then the applicant is expected to make these alterations and an on-street Disabled Parking Bay application will be refused.

If reasonable alterations can be made within the boundary of the property to improve access to the curtilage parking space, then this will also be the responsibility of the resident and the DPB application will be refused.

Where there is a curtilage parking space that meets the above criteria, but there is no vehicular crossover (dropped kerb) serving that space, applicants will be expected to apply for a vehicular crossover to park their vehicle off-street, and a Disabled Parking Bay application would be refused.

Where there is an off-street parking space that meets the above criteria, and the blue badge holder requires a specially adapted vehicle that cannot fit within the space, then the application for a disabled parking bay may still be approved, but will be assessed on a case by case basis.

Appendix 2 – Emissions Based Charging - modelling

Sustainable Development Select Committee		
Title	Local Plan Update	
Contributor	David Syme – Strategic Planning Manager	Item 5
Class	Part 1 (open)	30 April 2019

1. Purpose

- 1.1. This report is intended to update Members on the progress of the new Local Plan for Lewisham.

2. Recommendation

- 2.1. The Select Committee is asked to note the content of this report.

3. Background

- 3.1. On 12th September 2018 a report was presented to Sustainable Development Select Committee (SDSC) on Lewisham’s Local Plan. This provided an overview of the reasons why the council is preparing a new plan, the timetable for its production and the scope of the new plan (i.e. which adopted planning policy documents the new plan will replace). The SDSC report also highlighted some of the key opportunities and challenges that will need to be addressed by the new Local Plan in helping to deliver a “Lewisham for the many”. Finally, the report signposted key progress in the different areas of plan production, including early-stage engagement with Members and preparation of the evidence base studies which are needed to inform policy options.
- 3.2. Subsequent updates on the Local plan have been presented to SDSC on the 29th October, 12th December and most recently on the 29th January 2019.
- 3.3. This paper provides a further update on the production of Lewisham’s new Local Plan and follows on from previous briefing reports. To avoid duplication of information, this report focusses on key progress made in the period since the last SDSC update in January 2019.

4. Overview of evidence base

- 4.1. In order to pass independent examination local plans are required to meet prescribed ‘tests of soundness’ as set out in the NPPF. This includes that they must be ‘justified’ by evidence. The process of plan making therefore involves a significant amount of information gathering at the front end of the process. This information is then used to set policy options and preferred approaches for the plan going forward.

4.2. Accordingly, much of the work on the Local Plan to-date has focussed on the preparation of the council's technical evidence base. This includes in-house research along with the commissioning of specialist studies, most of which have now been published online, completed in draft format or are in preparation.

- **Strategic Housing Land Availability Assessment (SHLAA)** – led by the Greater London Authority in partner with the London boroughs, this study investigates the indicative capacity of potential development sites for housing in Lewisham and elsewhere, and has informed the draft London Plan housing targets. **Status: Complete.**
- **Lewisham Strategic Housing Market Assessment (SHMA)** – an update to the council's previous SHMA carried out jointly with the south-east London boroughs, and to supplement the latest pan-London SHMA, this study provides a local analysis of housing need in terms of type, tenure and size of housing, as well as the need for affordable housing and needs of specialist groups. **Status: final draft anticipated in May 2019.**
- **Lewisham Character Study** – An urban characterisation study which analyses the form, character and special attributes of the borough, and will be central to underpinning the place-shaping direction and policies of the new Local Plan. The document has been published for consultation in March/April. **Status: Currently undergoing consultation until 25th April.**
- **Area Frameworks** – the council has commissioned work on the Catford Town Centre Master Plan and New Cross Area Framework, both of which will help to identify opportunities for area regeneration and improvements, and be given effect through the new Local Plan. **Status: Catford – Ongoing, New Cross Gate Framework – Complete.**
- **Retail Capacity Study** – assesses performance of the borough's town centres and provides an indication of future need for retail floorspace over the plan period, which the Local Plan must address. **Status: Original commission complete. Update to study underway.**
- **Employment Land Study** – assesses future requirements for employment land and floorspace over the plan period and provides an audit of all designated employment sites in the borough, to help inform policy options for managing the borough's industrial land stock. **Status: 2015 complete, 2019 update complete. See Section 5 for further details and appendix 1 for full document.**
- **Open Space Study** – provides an audit of the quantity and quality of open space in the borough and will be particularly useful to inform land use designations and interventions in areas of identified deficiency. **Status: Complete. See Section 6 for further details and appendix 2 for full document.**

- **Metropolitan Open Land (MOL) Review** – a review of the boundaries and physical extent of the designated Metropolitan Open Land within the Borough. The study will assess whether the MOL land is serving its principal functions, in line with national planning policy and guidance. Findings will inform considerations for any future amendments to the boundaries, which must be made through the plan process. **Status: Procurement process underway.**
- **Biodiversity Study** – assesses Sites of Importance for Nature Conservation (SINC) within the borough and will help to inform future land use designations to support nature conservation. The study was recently reviewed by the London Wildlife Sites Board at the Greater London Authority, who have validated the methodology used for the assessment and are content for the study to support local plan preparation. **Status: Validated by London Wildlife Sites Board in April 2019. Complete.**
- **Strategic Flood Risk Assessment (SFRA)** – an update to the existing SFRA which will ensure that the latest available baseline information on flood risk is used to inform plan making and decision taking. **Status: Stage 1 Complete. See Section 7 for further details and appendix 3 for full document. – Stage 2 will commence when site portfolio agreed.**
- **Infrastructure Delivery Plan** – developed in liaison with key infrastructure providers (both internal and external) this document sets out the infrastructure that is required to support the levels of planned growth in the borough, along with information on funding and delivery, and is regularly reviewed and updated. **Status: Ongoing**
- **Sustainability Appraisal / Strategic Environmental Assessment** – these social, economic and environmental assessments are a statutory requirement which are carried out iteratively throughout the plan process. **Status: Ongoing**
- **Local Plan Viability Study** – a detailed assessment of the viability of the Local Plan. The study will test bespoke policy approaches, including on affordable housing, to ensure these are viable and deliverable. This is a key evidence base document which is needed to support the Local Plan examination. **Status: Procurement process underway.**

4.3. All evidence base documents will be made publicly available as appropriate (accessible on the council’s planning webpages) as they are finalised. The evidence base will be published alongside the submission Local Plan and be subject to scrutiny through the independent examination process.

5. Employment Land Study

5.1. The Employment Land Study (ELS) is an evidence base document that will inform preparation of the new Local Plan. It builds on previous studies

(published in 2008 and 2015 respectively) and will underpin the council's strategic approaches on employment land management. The ELS is principally concerned with commercial and industrial uses. These are distinguished from retail and related town centre uses that also generate employment but are dealt with separately in other studies.

- 5.2. The main purpose of the ELS is to provide an up-to-date assessment of employment land supply and demand in the borough, in order to identify projected future needs that must be planned for.
- 5.3. The headline finding of the ELS is that the council must adopt a more rigorous approach to protecting its stock of employment land in order to meet future needs. This includes both designated and 'non-designated' employment sites. Lewisham, like most other London boroughs, has lost a significant amount of its historic industrial capacity over recent years. Some losses have been facilitated through the plan process to support regeneration objectives, e.g. Plough Way, Convoys Wharf. However this has coincided with a sustained period of incremental losses owing to change of use to higher value land uses (mainly housing) which has, in part, been aided by new Permitted Development rights (e.g. allowing conversion of office to residential use). Indeed, the study notes that the borough's indicative 'industrial land release' benchmark set by the London Plan has now been met.
- 5.4. Another key finding of the ELS is that future need for employment floorspace over the twenty-year plan period is circa 21,800 square metres of office / flexible light industrial floorspace. This type of floorspace is needed in particular to accommodate Lewisham's growing strength in cultural, creative and digital industry sectors.
- 5.5. To meet the borough's future requirements the ELS suggests that the council should seek to intensify development on all employment sites and seek qualitative improvements in business premises. It also suggests a targeted approach to enable mixed-use, employment led development on selected sites, particularly where viability issues may prohibit fully commercial schemes coming forward. The study concludes with site-specific recommendations where this approach might be appropriate.
- 5.6. Officers will consider the study findings in setting new Local Plan policies. This includes a review of the existing employment land-use designations and detailed 'development management' style policies. The ELS implies that our direction of travel will be to strengthen protection of all employment sites along with bespoke policies to facilitate net gains in employment floorspace over the long term.

6. Open Space Study

- 6.1. A new Open Space Assessment has been commissioned as part of the evidence base for the new Local Plan. The commission provides the council with an up-to-date audit of green and open space provisions in the borough,

provides an assessment of their quality and existing uses, as well as identifying any areas of deficiency across the borough.

- 6.2. The evidence will support plan policies relating to the protection and enhancement of green and open spaces in the borough, and allow the council to devise strategies to ensure future needs and opportunities are considered in a coordinated way.
- 6.3. Overall, the work recognises that open space makes a significant contribution to the character and quality of places in the borough, and has an important influence on public health, well-being of local residents, as well as improving the borough's resilience to climate change and supporting wildlife and biodiversity.

Open space Accessibility

- 6.4. Findings from the report suggest that whilst the borough is generally well-served by parks and open spaces, access and provision to differing open space typologies and play space across the borough can be fragmented, with some under-provision identified in particular areas.
- 6.5. Metropolitan Parks - Lewisham is well-served with open spaces of 'Metropolitan' scale however there are small areas of deficiency to the west of Forest Hill and to the south-east of Grove Park.
- 6.6. District Parks - Lewisham has a significant deficit in 'District' parks. Only Beckenham Place Park and Summerhouse Fields in the extreme south of the borough lies within this definition. 'District' parks in neighbouring boroughs create some provision on the western fringes of the borough.
- 6.7. Local Parks - The borough has a good level of provision but there are corridors of under-provision between New Cross and Forest Hill and between Lewisham, Grove Park and Bellingham.
- 6.8. The report also recognises that railway lines and road corridors can act as barriers restricting public access to open spaces in some parts of the borough.
- 6.9. The report recommends that the council maintain policies to ensure there should be "no net loss" of open spaces within the borough.

Play

- 6.10. Lewisham has good levels of provision of Neighbourhood Equipped Areas for Play (NEAP) but there is a swathe of under-provision along the eastern edge of the borough. The potential influence of NEAPs outside the borough on provision in this area has not been assessed.

- 6.11. Local Equipped Areas for Play (LEAP) are evenly distributed across the borough but there are areas of relative under-provision in a corridor between New Cross and Forest Hill and between Catford and Grove Park.
- 6.12. Local Areas for Play are also broadly distributed but there are similar geographical gaps in provision to those affecting access to LEAP sites.

Population growth and provision

- 6.13. The study recognises that the growth in population will increase the demand on the borough's existing green infrastructure and outlines that in order to maintain the current level of greenspace provision, the growth in the borough's population over the next twenty years implies the need for the provision of approximately 50 hectares of new public open space by 2030.
- 6.14. The report recommends, where appropriate new open space provision should be planned as part of the development of strategic sites. It is recognised, however that in this urban context and in the context of Lewisham facing significant development pressure, there is limited scope to provide major additional open space to accommodate the needs of the growing population. It is therefore essential that the quality of existing green infrastructure and access to this green infrastructure be improved to address this.

Quality assessment

- 6.15. An audit of current open space provision and the quality of this provision was carried out in the summer of 2018. A total of 349 sites were surveyed, categorised in accordance with London open space typologies.
- 6.16. The quality assessment criteria for the survey were based on 'Green Flag' as the excellence standard for parks and open spaces across the UK. Quality scores were also weighted to address issues of incompatibility between different typologies. For example, a lack of a wide range of facilities in natural and semi-natural sites could have resulted in their achieving 'low quality' scores in comparison with large parks with multiple offers. The weighting process compensated for these incompatibilities.
- 6.17. The assessment identified that the majority of open spaces across the borough are fair to good.
- 6.18. In the context of the London Plan typologies, 'good' quality sites are evenly distributed between 'small' open spaces and 'local' parks. 'Fair' quality parks are evenly distributed between 'pocket' parks, 'small' open spaces and 'local' parks.
- 6.19. It is important to note that most of the 'poor' quality sites identified within this assessment are railway corridor land with no public access. There is a limited case for investment to deliver uplift in these spaces as a consequence of this lack of accessibility.

- 6.20. Officers will consider the study findings in setting new Local Plan policies. This includes a review of the existing open space designations; reviewing detailed 'development management' style policies and informing site allocations to ensure new open space is created where practically possible particularly in areas identified as having deficiencies.
- 6.21. The report will also support the use of planning powers to secure planning contributions for improvements to existing open spaces as well as the long-term management and maintenance of green and open spaces from new developments.
- 6.22. Further to the Local Plan, the report could also be used to update the borough's Open Space Strategy 2012-2017. The quality assessment of Lewisham's green spaces could allow for the assessment of where investment might best be targeted to deliver an 'outcome uplift', especially in areas where the population is predicted to rise most significantly.

7. Strategic Flood Risk Assessment - Level 1 Report

- 7.1. A Strategic Flood Risk Assessment (SFRA) has been commissioned to support preparation of the Lewisham's new local plan, The SFRA is a technical document that is needed to ensure that flood risk management is appropriately considered through all stages of the planning process. It is a 'living document' and intended to be periodically reviewed to take account of the latest information. The current commission will update the council's 2008 and 2015 studies. The SFRA comprises of two component parts: a Level 1 report which provides an up-to-date overview of risk from all sources of flooding (i.e. a baseline assessment) and a Level 2 report which provides detailed assessments of specific development sites which are proposed to be included in the new Local Plan.
- 7.2. The SFRA Level 1 report has been prepared in consultation with the statutory consultees Environment Agency and Thames Water Utilities. It includes a summary of the planning policy context and historical incidences of flooding in Lewisham. It then moves on to consider the overall risk of flooding from all sources across the borough, taking into account the latest modelling on the impacts of climate change. This research is translated into a series of flood risk maps and policy recommendations which will help to inform preparation of the local plan. From now on, this Level 1 report will need to be referred by those submitting planning applications, and it helpfully concludes with design guidance for developers. Finally, work will soon commence on the Level 2 report and will consider the emerging site portfolio for the Local Plan.

8. Site portfolio work

- 8.1. Building on the SHLAA work above, in-house research is being undertaken to finalise a portfolio of potential development sites to be considered for inclusion in the Local Plan; this includes sites identified through a 'call for sites' consultation which was held 19th September to the 1st November 2018.

8.2. We are currently organising an all members briefing to discuss the emerging spatial strategy and identified site allocations. This will be scheduled May/June 2019.

9. Homebuilding Capacity Fund

9.1. Lewisham Council have been awarded £525,000 by the GLA from the Homebuilding Capacity Fund to ensure future growth and investment within the borough is properly planned with a particular focus on delivering a new generation of genuinely affordable homes.

9.2. The programme is focussed on four priorities:

- Delivering a new generation of council homes;
- Increasing housing supply by supporting the development of small sites
- Proactively planning in areas with significant growth potential; and
- Ensuring optimal density of new residential developments.

9.3. Councils were invited to bid for revenue funding for 2019/20 and 2020/2021, to be split between up to five proposals. The council was successful in the following bids:

1. **Housing Growth Team** – funding to create a dedicated, multi-disciplinary team within the council to speed up and expand on our ambitious programme of delivering new council housing for the borough.
2. **A21 Corridor Strategy** – funding to produce a placemaking strategy for the central spine of the borough from Lewisham Town Centre to Bellingham and Downham. The study will look at options to improve public transport accessibility, walking and cycling, improvements to green infrastructure, improvements to local centres and businesses along the route as well as looking at potential development sites.
3. **Suburban Improvement SPD** – funding to produce a placemaking strategy for the boroughs suburban housing within Downham and Bellingham. The study will explore how design led, suburban intensification could support the improvements to neighbourhood centres, green spaces and other community infrastructure as well as delivery much needed new homes.

9.4. The council's strategic housing and strategic planning teams will lead the projects.

10. Financial implications

10.1. At this stage there are no direct financial implications arising from this report.

11. Legal implications

11.1. At this is an information item there are no direct legal implications arising from this report.

12. Crime and disorder implications

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

13. Equalities implications

13.1. Our vision and ambition for our borough is that: “Together we will make Lewisham the best place in London to live work and learn.”

13.2. This is underpinned by hard-edged principles for:

- **reducing inequality** – narrowing the gap in outcomes for citizens
- **delivering together efficiently, effectively and equitably** - ensuring that all citizens have appropriate access to and choice of high quality local services

13.3. The Council’s Comprehensive Equality Scheme (CES) 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.

13.4. The Council equality objectives through the CES include:

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

13.5. There are no direct equalities implications arising from this report

14. Conclusion

14.1. The Committee is asked to note the content of this report setting out an update on work being undertaken by officers. If you have any questions about this report please contact David Syme, Strategic Planning Manager david.syme@lewisham.gov.uk

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Sustainable Development Select Committee		
Title	Select Committee work programme 2019-20	
Contributor	Scrutiny Manager	Item 6
Class	Part 1 (open)	30 April 2019

1. Purpose

1.1. To ask members to agree an annual work programme for the select committee.

2. Summary

2.1. This report:

- Provides a summary of the committee's work in 2018-19
- Provides the context for setting the 2019-20 work programme
- Asks members to agree on priorities for the 2019-20 municipal year
- Sets out the process for business panel approval of the work programme
- Sets out how the work programme can be monitored and developed

3. Recommendations

3.1. The Select Committee is asked to:

- Note the meeting dates and committee terms of reference
- Note the key decision plan at appendix F
- Consider the provisional work programme at appendix B
- Consider additional items for the work programme
- Consider opportunities for public participation
- Agree a work programme for 2019-20
- Ensure the work programme is manageable within the number of scheduled meetings and time available at each meeting.

4. Meeting dates

4.1. The meeting dates below were agreed at the Council AGM on 3 April 2019:

- Tuesday 30 April 2019
- Thursday 23 May 2019
- Thursday 4 July 2019
- Wednesday 11 September 2019
- Monday 28 October 2019
- Wednesday 4 December 2019
- Tuesday 21 January 2020
- Monday 2 March 2020

5. The role of the Select Committee

- 5.1. The committee looks at issues relating to the protection of the environment such as: the best use of natural resources; air quality; energy saving and the reduction of all types of pollution.
- 5.2. It can review and challenge reports written by managers of Council services. It can also study topics that are important to local people and share its findings with the Council's Mayor and Cabinet about:
 - Economic development, business support, employment and training
 - The Council's planning policies (but not planning control and building control)
 - Roads and pavements, parking traffic and transport
 - Projects to rebuild or change local areas
 - Rubbish, bins, recycling and cleaning the streets
 - Street and market trading (but not giving permission for people to trade or other things that the Council's licensing committee is responsible for)
 - The work carried out by those responsible for preventing and managing flooding.
- 5.3. The committee's full terms of reference are set out in appendix A.

6. Provisional 2019-20 work programme

- 6.1. The committee's scrutiny manager has drafted a provisional work programme for the committee to consider (see appendix B).
- 6.2. The provisional work programme currently includes:
 - items suggested by the committee in the previous year
 - items suggested by council officers
 - issues arising as a result of previous scrutiny
 - items the committee is required to consider by its terms of reference
- 6.3. The committee should also give consideration to:
 - issues of importance to Local Assemblies (appendix C)
 - decisions due to be made by Mayor and Cabinet (appendix F)
 - issues suggested by members of the public (see paragraph 8.10)
- 6.4. Suggestions made by the committee at the last meeting of 2018-19
 - A review of the Council's approach to illegal dumping
 - The development of the night time economy strategy
 - The Council's work to support the local economy
- 6.5. Suggestions from officers in view of forthcoming developments
 - Home energy conservation (further to new guidance from the government)

The Committee should also note that at its meeting on 27 February 2019, the Council adopted a motion declaring a climate emergency:

Humans have already caused irreversible climate change, the impacts of which are being felt around the world. Global temperatures have increased by 1 degree Celsius from pre-industrial levels. Atmospheric CO2 levels are above 400 parts per million (ppm) and continue to rise. This far exceeds the 350 ppm deemed to be a safe level for humanity;

Without significant and sustained action, the world will exceed the Paris Agreement's 1.5°C limit before 2050. The government's policies and programmes to cut carbon emissions by 80% by 2050 are insufficient.

Individual and collective action is needed to make this reduction. Society needs to change its laws, taxation, infrastructure and culture to recognise and meet the full cost of greenhouse gases.

The public sector has a fundamental role in enabling individuals and communities to make sustainable low carbon choices.

The Intergovernmental Panel on Climate Change's Special Report on Global Warming of 1.5°C, published in October 2018, describes the enormous harm that a 2°C rise is likely to cause compared to a 1.5°C rise. The IPCC identify that limiting global warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector and local communities;

In Lewisham, the consequences of inaction to address this climate emergency will include:

- Increased risk of flooding and damage to buildings, infrastructure and the local economy.
- Health problems, particularly for children, older people and those with pre-existing conditions.
- Higher living costs including energy, food, travel and insurance costs.
- Increases in social injustice and inequality.
- Financial and emotional consequences for residents with families around the world adversely affected by the impact of a changing climate

Councils around the world, including the Mayor of London and other local authorities in London and the UK have responded by declaring a 'climate emergency' and committing resources to address this emergency.

Lewisham Council resolves to:

1. Declare a 'climate emergency'
2. Recognise that a changing climate will have severe and enduring social, economic and environmental implications, and that tackling climate change is an issue of inequality as the greatest impact will be on the most vulnerable and those least able to protect themselves.

Call on the Mayor and Cabinet to:

1. Pledge to do everything within their power to make Lewisham carbon neutral by 2030.
2. Launch a review to report to on delivering a Zero-Carbon Lewisham including:
 - Publishing a new Lewisham Action Plan on Climate Change, with an interim draft ready for scrutiny by the Sustainable Development Select Committee and Mayor & Cabinet before the end of the municipal year 2019/20.
 - Setting specific and measurable targets to reduce carbon emissions for the Council and for the borough as a whole, including costed milestones to zero-carbon;
 - Consider systematically the climate change impact of each area of the Council's activities;
 - Increase local resilience to climate impacts already in the system.
3. Task an Executive Director with responsibility for reducing the carbon emissions resulting from the Council's activities as rapidly as possible, and ensuring a coordinated approach across housing, our corporate estate, transport, regeneration, planning and other services.
4. Continue to prioritise support for vulnerable residents through the Council's fuel poverty programmes working with partners at a community, borough wide and regional level to provide advice services and access to funding for heating, insulation and ventilation.
5. Accelerate existing programmes to deliver reductions in greenhouse gas emissions including delivery of heat networks in the borough, low carbon development and high quality housing, an efficient and low carbon corporate estate and support for renewables and for community energy.
6. Work with partner bodies across the borough and across London to ensure the climate emergency is adequately reflected in the development and implementation of all borough wide strategies and plans.
7. Reaffirm Lewisham's membership of UK100, and use our membership to work with other councils across the UK to meet climate change targets.
8. Draw up a communications strategy to support delivery of a Zero-Carbon Lewisham and enable Lewisham residents to make low carbon choices.
9. Call on the UK Government to provide the powers and resources to make this possible.

The Committee will need to consider this when deciding on items to add to its work programme. It should also help to determine what the focus of each of the items on the Committee's work programme should be.

6.6. Issues arising as a result of previous scrutiny

- Protection for pubs
- The redevelopment of Catford town centre
- Bakerloo line extension
- Fire safety in tall buildings

6.7. Items the committee is required to consider by its terms of reference

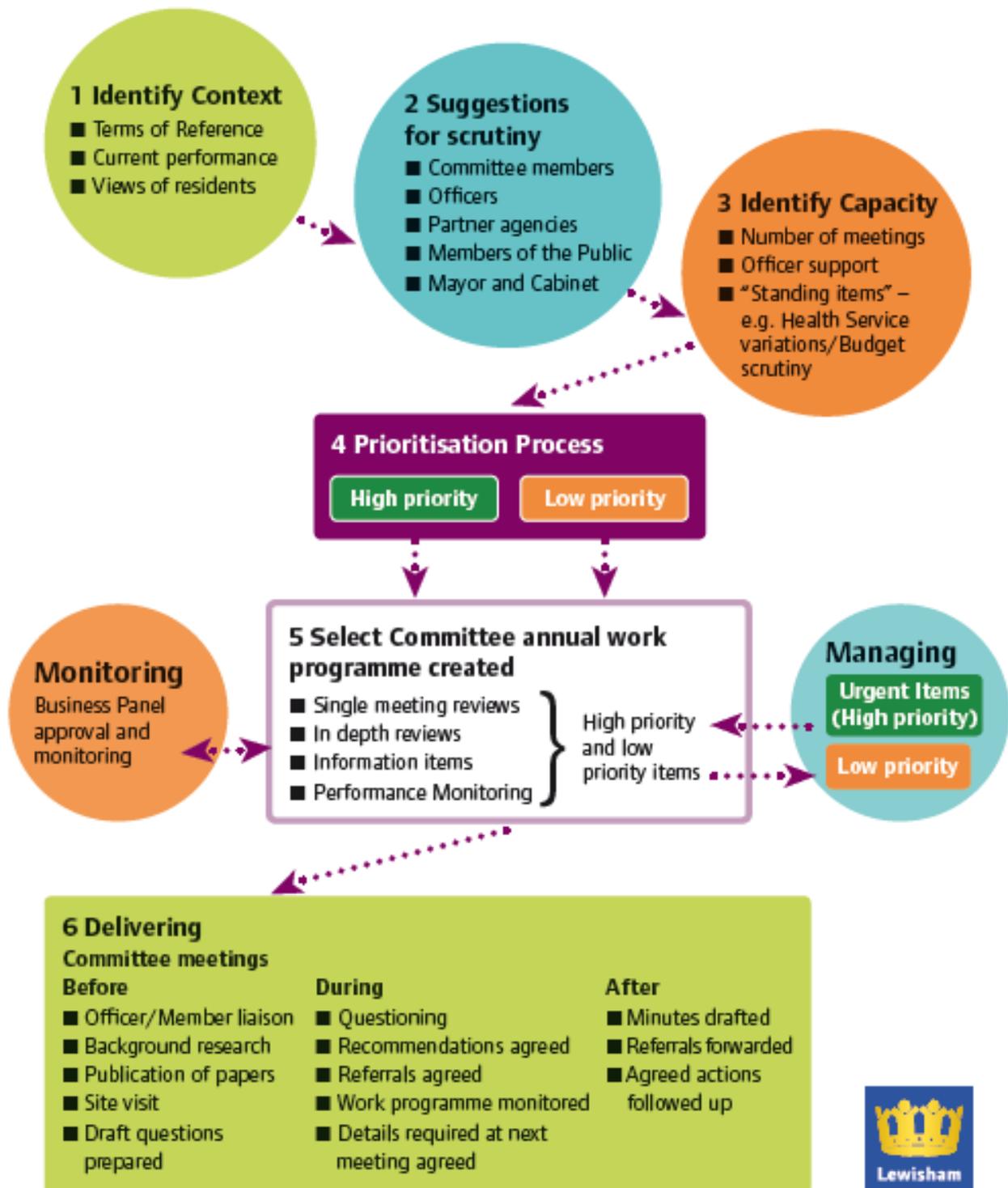
- Budget cuts proposals*

**The council continues to identify areas from which it will deliver significant budget reductions in order to agree a balanced budget, as required by legislation. Officers have committed to regular interactions with Members in order to facilitate the effective scrutiny of specific proposals. The committee will need to retain capacity in its work programme to consider these as is necessary.*

- 6.8. In previous years, the Committee has also considered these issues, which are closely aligned with its terms of reference:
- Development of the Lewisham Local Plan
 - Planning service annual monitoring report
 - The annual parking report
- 6.9. It is for the Committee to consider the provisional work programme and agree any additional items it would like to include.
- 6.10. The flowchart below (available on the Members Information Site) and the following section set out further guidance on the steps involved in setting, monitoring, managing and delivering the work programme:

Work Programme: Setting, monitoring, managing and delivering

Setting



7. Deciding on items to add to the work programme

7.1. When deciding on items to include in the work programme, the committee should consider:

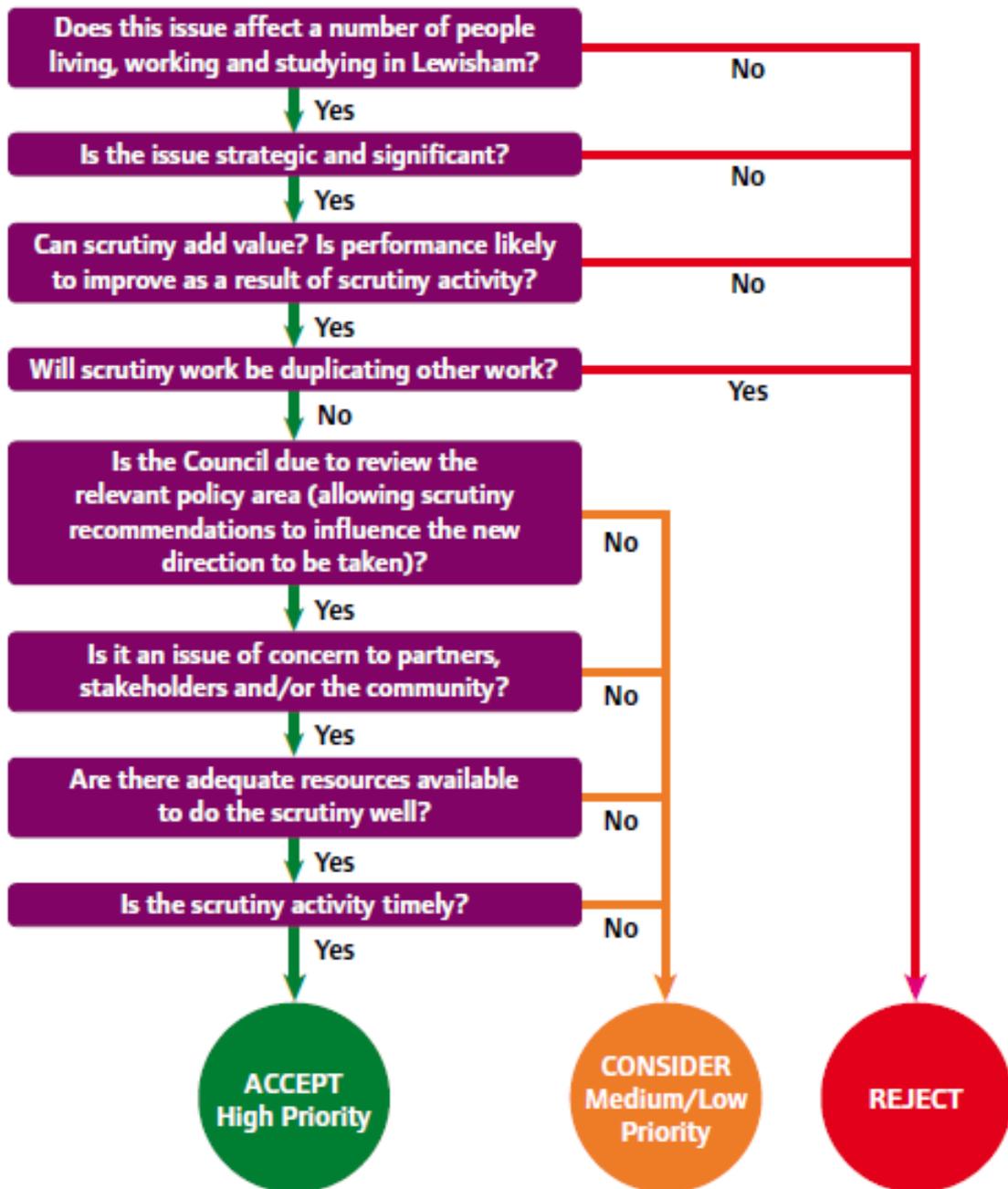
- the key services, programmes and projects within the committee's remit
- the criteria for selecting and prioritising topics (see flowchart below)
- suggestions already put forward (see paras 6.4 to 6.6)
- items committee required to consider by its terms of reference (para 6.7)
- the capacity for additional items (see paras 10.5 to 10.8 below)

7.2. Prioritising potential work programme items helps the committee to decide which items to include and which items it could potentially remove from its work programme if it decides to take any urgent high-priority issues over the course of the year.

7.3. It may help to designate items as either high or medium priority. Low priority items should not be included on the work programme.

7.4. The flowchart below (available from the Members Information Site) provides guidance on prioritising topics for scrutiny:

Scrutiny work programme – prioritisation process



8. Different types of scrutiny

8.1. Scrutiny can be carried out in a number of ways and it is important to consider which type of scrutiny is the most appropriate and proportionate for each item on the work programme.

8.2. Some items, for example, may only require a briefing report for information (and will not need to be considered at a formal committee meeting), while another may require more detailed analysis and questioning of a particular issue with input from stakeholders.

8.3. Some of the main ways of carrying out scrutiny are described below.

8.4. The committee should also note the comments submitted by scrutiny to the council's [Local Democracy Review](#) on how scrutiny can be even more effective, participative and open. Ideas and suggestions included:

- Focusing on fewer issues more closely linked to council priorities
- Formal questioning of cabinet members at committee meetings
- More engagement with the public outside of formal meetings
- Individual scrutiny members leading on defined topic areas
- Contributing to new policy proposals at an early stage

8.5. Standard items

8.6. The majority of work programme items tend to be standard items, where scrutiny is carried out as part of a single meeting and members:

- agree what information and analysis they wish to receive
- receive a report presenting that information and analysis
- ask questions of the presenting officer or guest
- agree, following discussion of the report, whether the committee will make any recommendations or receive further information.

8.7. In-depth reviews

8.8. For issues that require more detailed analysis and more extensive evidence gathering, the committee may decide to carry out an in-depth review over a series of meetings.

8.9. The committee can use a range of methods to investigate and gather evidence as part of an in-depth review. This includes:

- inviting expert witnesses and specialists to meetings
- consulting relevant sections of the community
- requesting specific information and analysis from council officers
- individual members participating in meetings, events and visits – and reporting back to the committee

- 8.10. In order to increase public participation in scrutiny, the committee may also decide to ask members of the public to contribute to in-depth reviews by submitting evidence via the council website: [Open Overview and Scrutiny Investigations](#). This is a new tool available to scrutiny committees.
- 8.11. It is important to note that evidence gathering as part of an in-depth review can take place outside of the formal committee meeting setting. In previous years scrutiny committees have:
- carried out visits and fact-finding trips
 - consulted with local resident and special interest groups
 - asked individual members to report on a specific issue
- 8.12. In-depth reviews usually take place over at least four meetings:
- Meeting 1 - scoping and planning the review
 - Meetings 2 to 3 - evidence gathering
 - Meeting 4 - agreeing draft report and recommendations
 - Report sent to Mayor and Cabinet for consideration and response
- 8.13. If the committee would like to designate one of its work programme items as an in-depth review, this should be done at the first meeting of the municipal year to allow sufficient time to carry out the review. A scoping paper for the review will then be prepared for the next meeting.
- 8.14. The flowchart below (available on the Members Information Site) sets out more information on the different stages involved in scoping and carrying out an in-depth review:

How to carry out an in-depth review



Different types of scrutiny (continued...)

8.15. Single-meeting reviews

8.16. A more concise review where evidence is collected at one meeting and a brief report with recommendations produced for the next meeting. This approach allows a quicker turnaround for recommendations.

8.17. Policy development

8.18. This usually takes place when the council is due to renew a particular policy. Scrutiny might consider the options available and officer recommendations before a decision is made by Mayor and Cabinet.

8.19. It is important that select committees are engaged at an early enough stage to be able to actively influence and contribute to the new policy.

8.20. For example, in the past year the committee has scrutinised the development of Lewisham's new Local Plan and evidence base.

8.21. Performance monitoring

8.22. Scrutiny regularly uses performance information and data to examine the effectiveness of specific council services. This includes assessing the delivery of a particular project against a set timescale.

8.23. For example, in the past year the committee has monitored the performance of the council's parking service.

8.24. Information items

8.25. Some potential work programme items might be low priority and may only require a briefing report to be produced for the committee to note. There is no provision for discussion of information items. Information items can be circulated to committee member by email and questions can be put to the report author for a written response.

8.26. The council's *guide to overview and scrutiny* (available from the Members Information Site) provides further information on carrying out scrutiny.

9. The Committee's work in 2018-19

9.1. A brief overview of the wide range of issues the committee considered over 2018-19 is set out below. Members are asked to take this into consideration when setting the work programme for the coming year.

- Preserving local pubs

The Committee has a long standing interest in the role that local pubs play in Lewisham's communities and town centres. Following up from its 2012 review, the Committee invited guests to give evidence about the challenges facing Lewisham's pubs. The Committee agreed its review and recommendations in March 2019.

- Development of the Local Plan

The Committee has taken a close interest in the development of Lewisham's new Local Plan. The Plan will become the foundation of regeneration and development management in the borough. It will shape the borough, its neighbourhoods and communities for many years to come. Accordingly, the Committee has set aside time at every one of its meetings to consider the development of the evidence base for the plan as well as to review to consultations and collaboration taking place to inform the Plan.

- The regeneration of Catford town centre

The regeneration of Catford is one of the largest planned town centre redevelopments in London. Its proximity to central London as well as the quality of its transport links and green spaces mean that the Council is carefully evaluating the capacity for new homes and infrastructure. In line with its remit, the Committee is very interested in ensuring that the redevelopment is sustainable and focused on strengthening the local community.

Referrals to Mayor and Cabinet

9.2. Scrutiny committees have the option to refer their views on a particular item to Mayor and Cabinet in the form of a formal "referral". The Chair or a nominated member of the committee can attend Mayor and Cabinet to present the referral and add additional context to the committee's views.

9.3. Mayor and Cabinet are required by the council's constitution to provide a response to a referral within two months. The relevant Cabinet Member or senior officer may attend the committee meeting at which the response is due to be considered in order to present the response and answer questions.

9.4. In 2018-19 the Committee made referrals to Mayor and Cabinet on:

- Air quality
- The development of the Local Plan
- Budget cut proposals
- Parking
- Neighbourhood CIL
- Preserving Lewisham's pubs

- Fire safety in tall buildings
- Planning service annual monitoring report
- New Cross framework and station opportunity study

10. Approving, monitoring and managing the work programme

- 10.1. In accordance with the Overview and Scrutiny Procedure rules outlined in the Council's constitution, each select committee is required to submit their annual work programme to the Overview and Scrutiny Business Panel.
- 10.2. The Business Panel will meet on 7 May 2019 to consider provisional work programmes and agree a co-ordinated Overview and Scrutiny work programme, which avoids duplication of effort and which facilitates the effective conduct of business.
- 10.3. The work programme will be reviewed at each meeting of the committee. This allows urgent items to be added and items which are no longer a priority to be removed. Each additional item added should be considered against the priority criteria outlined in this report. If the committee agrees to add high priority items, it must also consider which medium/low priority items should be removed. There are eight meetings in this municipal year and the work programme needs to be achievable given the time available.
- 10.4. Members have previously requested additional guidance about prioritising and managing work programmes. The Council's constitution (part IV, section E) sets out the procedural rules for overview and scrutiny committees. The following issues were noted in 2014-18 as key issues:
- the length of meetings
 - the number of items scheduled for each meeting
 - the order of items at meetings

Length of meetings

- 10.5. Provision is made for committee meetings to last for **two and a half hours**. If the items scheduled for the meeting are not completed within this time the committee may decide suspend the Council's standing orders in order to complete committee business. The Council's constitution also provides the option for meetings to be adjourned by the Chair until a later date (with limitations). The suspension of standing orders and any decision to adjourn a meeting are matters for members of the committee and the Chair.
- 10.6. It is suggested that if standing orders are suspended, the meeting should continue for no longer that a further 30 minutes. Once a meeting has been in progress for more than three hours, especially if it takes place in the evening, the concentration of participants and the meeting's effectiveness declines.
- 10.7. The length of each item at Committee meetings will vary based on a number of factors – including the complexity of the subject under scrutiny; the number of issues identified by members and questions put to officers and guests.

The number of items scheduled for each meeting

- 10.8. It is for members of the committee to decide how many items should be scheduled for the meeting. However, giving consideration to the time available and the length of previous meetings of the committee, Members may wish to schedule **three items for each meeting**, leaving space available for Mayor and Cabinet responses and other urgent business.
- 10.9. The terms of reference of the committee are broad and there are many areas of service delivery and budgetary management that the committee could scrutinise. The prioritisation process set out earlier in the report is designed to help the Committee decide whether it should add items to its work programme. Where the committee identifies issues of interest that are low priority because, among other things: they are not due to be reviewed by the Council; there are inadequate resources available to carry out the scrutiny effectively; the issue has recently been reviewed by others; then members may wish to make a request to receive a briefing – or task the relevant scrutiny manager to identify sources of further information for circulation to the committee by email in order to provide context for future discussions.

The order of items at meetings

- 10.10. The Council's standing orders require that the minutes of previous meetings, declarations of interest and responses to select committees from Mayor and Cabinet are considered as the first items on select committees' order of business. At the beginning of the municipal year it is also necessary for a committee to decide on a chair and vice chair and to set a programme of business for the coming year at the earliest opportunity.
- 10.11. It has become standard practice for committees to consider items presented by guests and officers from partner organisations at the beginning of each agenda. This allows these speakers and presenters to be released from the meeting at the earliest opportunity.
- 10.12. The Committee has been asked to allocate a level of priority to each of the items on its work programme. Following the consideration of standing items and taking into account invitations to guests and external witnesses as well as the complexity and length of the reports on the agenda, work programmes are ordered by priority (high/medium).
- 10.13. Decisions about agreeing the order of business and changing the priority of items for discussion are made by the Chair, with the agreement of the Committee, where possible.

11. Financial Implications

- 11.1. There may be financial implications arising from some of the items that will be included in the work programme (especially reviews) and these will need to be considered when preparing those items/scoping those reviews.

12. Legal Implications

- 12.1. In accordance with the Council's Constitution, all scrutiny select committees must devise and submit a work programme to the Business Panel at the start of each municipal year.

13. Equalities Implications

- 13.1. The Equality Act 2010 brought together all previous equality legislation in England, Scotland and Wales. The Act included a new public sector equality duty, replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. 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.
- 13.2. 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.
- 13.3. There may be equalities implications arising from items on the work programme and all activities undertaken by the Committee will need to give due consideration to this.

Background Documents

Lewisham Council's Constitution

Appendices

Appendix A – Committee's terms of reference

Appendix B – Provisional work programme

Appendix C – Local assembly priorities

Appendix D – Areas of the Council scrutinised by the Select Committee

Appendix E – Centre for Public Scrutiny criteria for selecting scrutiny topics

Appendix F – Notice of forthcoming executive decisions

Appendix A

The following roles are common to all select committees:

(a) General functions

To review and scrutinise decisions made and actions taken in relation to executive and non-executive functions

To make reports and recommendations to the Council or the executive, arising out of such review and scrutiny in relation to any executive or non-executive function

To make reports or recommendations to the Council and/or Executive in relation to matters affecting the area or its residents

The right to require the attendance of members and officers to answer questions includes a right to require a member to attend to answer questions on up and coming decisions

(b) Policy development

To assist the executive in matters of policy development by in depth analysis of strategic policy issues facing the Council for report and/or recommendation to the Executive or Council or committee as appropriate

To conduct research, community and/or other consultation in the analysis of policy options available to the Council

To liaise with other public organisations operating in the borough – both national, regional and local, to ensure that the interests of local people are enhanced by collaborative working in policy development wherever possible

(c) Scrutiny

To scrutinise the decisions made by and the performance of the Executive and other committees and Council officers both in relation to individual decisions made and over time

To scrutinise previous performance of the Council in relation to its policy objectives/performance targets and/or particular service areas

To question members of the Executive or appropriate committees and executive directors personally about decisions

To question members of the Executive or appropriate committees and executive directors in relation to previous performance whether generally in comparison with service plans and targets over time or in relation to particular initiatives which have been implemented

To scrutinise the performance of other public bodies in the borough and to invite them to make reports to and/or address the select committee/Business Panel and local people about their activities and performance

To question and gather evidence from any person outside the Council (with their consent)

To make recommendations to the Executive or appropriate committee and/or Council arising from the outcome of the scrutiny process

(d) Community representation

To promote and put into effect closer links between overview and scrutiny members and the local community

To encourage and stimulate an enhanced community representative role for overview and scrutiny members including enhanced methods of consultation with local people

To liaise with the Council's ward assemblies so that the local community might participate in the democratic process and where it considers it appropriate to seek the views of the ward assemblies on matters that affect or are likely to affect the local areas, including accepting items for the agenda of the appropriate select committee from ward assemblies.

To keep the Council's local ward assemblies under review and to make recommendations to the Executive and/or Council as to how participation in the democratic process by local people can be enhanced

To receive petitions, deputations and representations from local people and other stakeholders about areas of concern within their overview and scrutiny remit, to refer them to the Executive, appropriate committee or officer for action, with a recommendation or report if the committee considers that necessary

To consider any referral within their remit referred to it by a member under the Councillor Call for Action, and if they consider it appropriate to scrutinise decisions and/or actions taken in relation to that matter, and/or make recommendations/report to the Executive (for executive matters) or the Council (non-executive matters).

(e) Finance

To exercise overall responsibility for finances made available to it for use in the performance of its overview and scrutiny function.

(f) Work programme

As far as possible to draw up a draft annual work programme in each municipal year for consideration by the overview and scrutiny Business Panel. Once approved by the Business Panel, the relevant select committee will implement the programme during that municipal year. Nothing in this arrangement inhibits the right of every

member of a select committee (or the Business Panel) to place an item on the agenda of that select committee (or Business Panel respectively) for discussion.

The Council and the Executive will also be able to request that the overview and scrutiny select committee research and/or report on matters of concern and the select committee will consider whether the work can be carried out as requested. If it can be accommodated, the select committee will perform it. If the committee has reservations about performing the requested work, it will refer the matter to the Business Panel for decision.

The Sustainable Development Select Committee has specific responsibilities for the following:

(a) To exercise all the functions and roles of the overview and scrutiny committee in relation to the following matters:

- to examine issues relating to the protection of the environment including 'green' issues such as the conservation of natural resources, energy efficiency and conservation and/or the reduction of all types of pollution and make recommendations to the Mayor and Cabinet as appropriate;
- to comment and consult on and make recommendations to the Mayor and Cabinet in relation to the following:
 - i. sustainable development, economic development, business support, employment and training;
 - ii. the formulation of the Council's planning policies, (including the preparation of the Council's Local Development Framework and other local plans for the use and development of land, but excluding planning control and building control functions);
 - iii. highways, parking, traffic and transport, and urban regeneration;
 - iv. the environment including waste disposal, environmental health, street and market trading (but not the granting of licences and related matters);
 - v. public protection, refuse collection and disposal, street cleaning, consumer protection, cemeteries and crematoria;
 - vi generally to examine the performance of the Mayor and Cabinet in relation to these matters.
- the review and scrutiny of the exercise by risk management authorities of flood risk management and coastal erosion risk management affecting the area.

Appendix B

Provisional Select Committee Work Programme 2019-20

Work Item	Type of item	Priority	Strategic priority	Delivery deadline	30-Apr-19	23-May-19	04-Jul-19	11-Sep-19	28-Oct-19	04-Dec-19	21-Jan-20	02-Mar-20
Budget cuts	Performance monitoring	High	CP6	Ongoing					Cuts			
Development of the Lewisham Local Plan	Standard item	High	CP6	Ongoing								
Catford Town Centre Regeneration	In-depth review	High	CP6	Ongoing								
(To be decided at the meeting on 30 April)	In-depth review	Tbc	CP6	Dec			Scope	Evidence	Evidence	Report & referral		
Implementation of the air quality action plan	Performance monitoring	High	CP6	May								
Home energy conservation	Standard item	Medium	CP6	May								
Economy and partnerships	Standard item	Medium	CP6	Jul								
Tbc	Standard item	Tbc	Tbc	Tbc								
Waste strategy implementation and performance monitoring	Performance monitoring	Medium	CP6	Jan								
Climate emergency action plan	Standard item	High	CP6	Mar								

Appendix C – Local assembly priorities

Blackheath

- Environment and Community.
- Provision for Older people, Young People and Children
- Parking, Streets and Waste.
- Crime and Anti-Social Behaviour

Brockley

- Creating a high-quality living environment – helping improve our local living environment and making Brockley a safer, cleaner and greener place to live, work and learn
- Creating development opportunities for Brockley residents
- Connecting communities – bringing Brockley residents together, fostering a sense of community spirit, mutual understanding and respect through community projects, events and activities. These could be art, music, drama or sports based. We are also keen to open up the criteria to include ideas around exciting intergenerational projects.

Catford South

Improving the Catford South Environment

Parking, Idling and CPZs

Improving Cycling Provision

General traffic issues in Catford South

Supporting Local Air Quality Campaigns

Improving Catford South for Residents

Fly-tipping, Litter and Bins

Greening through planting trees and flowers

Noise nuisance

Street cleaning

Developing more activities for Children and You People in Catford South

Activity for Teenagers

Activity for Young Adults

Developing activity for under 5s

Activity for Children aged 6-12 years

Improving the Cultural offer in Catford South

Developing Community Events

Access to Theatre and Music

Night time offer for adults better

Access the Visual Arts Film

Increasing opportunities for Older People Catford South Community

Providing activities and events for older people

Dementia Friendly Community Work

Improving the health of Older People

Maintaining the Independence of older people

General things that matter to Catford South Residents

Volunteering Opportunities

Crime and Safety

Supporting Local Business

Employment and Training

Crofton Park

- Activities for older people
- Activities for younger people
- The environment
- Health and wellbeing
- Supporting community cohesion

Downham

- Children and young people
- Older people and intergenerational projects
- Creating a high quality living environment

Evelyn

- Provision for young people and children
- Provision for older people, people with disabilities and intergenerational activities
- Skills development and access to local employment opportunities
- Community support on anti-social behaviour, crime and drug issues
- Housing issues / developments and improving the built environment
- Community capacity building, cohesion and events

Forest Hill

- Youth engagement and provision-looking for activities that will appeal and support new and existing schemes young people. These could include those that are Art, Music, Drama and Sports based. We are also keen to open

up the criteria to include ideas around exciting intergenerational projects.

- Making Forest Hill more attractive - looking for proposals that will help to keep Forest Hill streets clean and appealing. This could include the planting of trees and flowers or a proposal that would increase street art or improve an area.
- Community events – looking for proposals around events that include celebrations, e.g Christmas or events that engage residents and local groups offering education and relevant information to the Forest Hill area, as well as being fun.
- Supporting local Traders – looking for proposals that could support and promote Forest Hill as a vibrant town centre and the Kirkdale area for local businesses.

Grove Park

- Improving the town centre
- Crime and antisocial behaviour
- Neighbourliness, community activities, events and cohesion
- Community facilities
- Parking, road safety & traffic calming

Ladywell

- improving air quality and pollution
- campaigning for the inclusion of genuinely affordable housing in future development
- better provision for youth – including apprenticeships linked to local businesses
- community safety

Lee Green

- Traffic and pollution: traffic speeds and rat running.
- Parking in areas without restrictions: overparking causing problems for residents.

- Our environment: parks, green spaces, community gardens, streets, flytipping, litter, dog fouling, neglected or empty buildings.
- Community services: community centre and community events.
- Antisocial behaviour and crime: misuse of bikes, noise, drug dealing.
- Transport links and accessibility of railway stations in the ward.

Lewisham Central

- Improving health and wellbeing.
- Cleaner, better environment.
- Better access to activities for children and young people.
- Better access to activities and opportunities for the elderly.
- Promoting and improving community cohesion.

New Cross

- Unemployment and skills development
- Activities for older people and tackling social isolation
- Housing developments and the built environment
- Health, wellbeing and community safety

Perry Vale

- Children and Young People
- Unemployment and skills development
- Older people and intergenerational
- Crime and antisocial behaviour
- Environment and ecology

Rushey Green

- activities and opportunities for children (under 18) and young people (under 25)
- increasing opportunities for older people (55+)
- community cohesion – including events, activities and projects

designed to create a sense of community in Rushey Green

- culture and the arts – with particular reference to improving the wellbeing of people in the Rushey Green Area
- improving your local area – including local 'streetscape', environment and ecology.

The Rushey Green Assembly is also committed to keeping residents informed about the ongoing improvements to Catford town centre.

Sydenham

- bringing our community together
- health and wellbeing
- vibrant high street
- clean and green
- crime and anti-social behaviour.

Telegraph Hill

- Unemployment and skills development
- Activities for older people
- Neighbourliness and tackling social isolation.
- Community safety, wellbeing and tackling anti-social behaviour.

Whitefoot

- Healthy living including fitness, wellbeing and mental health.
- Creative arts – using art to bring Whitefoot residents together and foster a sense of community spirit, mutual understanding and respect.
- Improved parks, play areas and green spaces – helping improve our local living environment, making Whitefoot a safer, cleaner and greener place to live, work, and learn

Appendix D – Further information about areas of the Council scrutinised by the Sustainable Development Select Committee

Resources and Regeneration

The Resources and Regeneration Directorate has two principal functions. Its regulatory function helps the Council meet its statutory requirements and corporate priorities through a range of professional and administrative support services, as well as support to the democratic and political process. It acts as an enabler, facilitating service delivery through a framework and structure of support, advice and guidance. In addition, the Directorate is committed to regenerating the borough, renewing the physical fabric of the borough, enhancing the overall economic well-being of Lewisham and working in partnership with others to create sustainable communities.

Resources and Regeneration Directorate has six divisions providing a range of professional and administrative services.

Executive Director for Resources & Regeneration – (vacant)

Regeneration and Place – is committed to the optimisation of assets, working in partnership with others to regenerate the borough and create sustainable communities by:

- enabling and supporting the regeneration of Lewisham and helping to strengthen the local economy
- actively supporting the creation of safe, attractive, sustainable places and communities for the benefit of local people
- connecting people to economic, leisure and learning opportunities
- providing high quality, best practice stewardship of the Council's property assets
- delivering effective, value for money 'back office' functions which support the delivery of council and directorate priorities

Assistant Director Regeneration and Planning – Freddie Murray

Service Group Managers

- **Property, Asset Strategy & Estates** – Chris Damri
- **Commercial & Investment Delivery** – (vacant)
- **Capital Programme Delivery** - Kplom Lotsu
- **Highways, Transport and Asset Management** - Simon Moss
- **Estates Compliance and Contracts** – (vacant)

The Building Control function now sits in the Regeneration & Place division. The Building Control service operates on a trading account and competes with a multitude of private sector operators (Approved Inspectors) to provide

approvals under Building Regulations.

- **Civil / Structural Engineering Manager - Thiru Moolan**

Planning - The planning system guides the future development and use of land in the long term public interest. This is achieved through a positive and proactive approach to shaping, considering, determining and delivering development proposals. It is led by the Planning Service, working closely with those proposing developments and other stakeholders.

Head of Planning -Viv Evans (whilst Emma Talbot is on maternity leave)

Service Group Managers – Planning

- Spatial Policy Manager (including Planning Policy, Design and Conservation and Section 106 & CIL) - David Syme
- Development Management (including Planning Enforcement) – Christopher Dale
- Business Improvement Stakeholder Manager - Alison Bradshaw

Customer Services

The Committee is also responsible for the scrutiny of some of the activities of these divisions in Customer Services:

Environment - The Division operates services from Wearside Service Centre and Hither Green Crematorium. It is split into six service groups as follows:

- Waste Management/ Waste collection services
- Street Cleansing
- Green Scene (includes Pest Control, Environment & Community Development and Parks and Open Spaces)
- Fleet Services
- Bereavement Services
- Commercial and customer services

Head of Environment - Nigel Tyrell

Service Group Managers – Environment

- Waste Management - Michael Bryan
- Commercial and customer service – Pat Hollands
- Street Cleansing - Gerry McAneney
- Green Scene (includes Pest Control, Environment & Community Development and Parks and Open Spaces) – Vince Buchanan
- Passenger & Fleet Services - Noel Everest
- Bereavement Services - Alison Beck

Public Services

The Public Services division is based in Laurence House with the Register office in Lewisham High Street. Public Services provide access to a wide range of fundamental customer services across the Council and are the front door to many services that our residents, citizens and customers may require. The Division comprises of eight service groups: Customer Service Centre, Revenues, Benefits, Emergency Planning, Parking, Business Support, Directorate Casework and Independent Adjudicator. Public Services operates services from all Council Buildings. It is split into eight service groups as follows:

- Customer Service Centre (Telephony, Face to Face and Registration)
- Revenues (Council Tax, Business Rates, Debtors and Cashiers)
- Benefits (Housing Benefit, Council Tax Rebates and Concessionary Awards)
- Emergency Planning (Emergency Planning and Business Continuity)
- Parking
- Business Support
- Directorate Casework Team
- Independent Adjudicator

Head of Public Services - Ralph Wilkinson

Service Group Managers – Public Services:

- **Customer Services Centre** (Telephony, Face to Face and Registration) - Mark Ferris
- **Revenues** (Council Tax, Business Rates, Debtors and Cashiers) - Lorraine Richards
- **Benefits** (Housing Benefit, Council Tax Rebates and Concessionary Awards) - Mick Lear
- **Emergency Planning** (Emergency Planning and Business Continuity) – Laurie Grasty
- **Parking** – Seamus Adams

Appendix E – Criteria for selecting topics

The Centre for Public Scrutiny (CfPS) has developed a useful set of questions to help committees prioritise items for scrutiny work programmes:

General questions to be asked at the outset:

- is there a clear objective for scrutinising this topic – what do we hope to achieve?
- does the topic have a potential impact for one or more section(s) of the population?
- is the issue strategic and significant?
- is there evidence to support the need for scrutiny?
- what are the likely benefits to the council and its customers?
- are you likely to achieve a desired outcome?
- what are the potential risks?
- are there adequate resources available to carry out the scrutiny well?
- is the scrutiny activity timely?

Sources of topics

The CfPS also suggest that ideas for topics might derive from three main sources: the public interest; council priorities; and external factors. These are described below.

Public interest

- issues identified by members through surgeries, casework and other contact with constituents
- user dissatisfaction with service (e.g. complaints)
- market surveys/citizens panels
- issues covered in media

Internal council priority

- Council corporate priority area
- high level of budgetary commitment to the service/policy area (as percentage of total expenditure)
- pattern of budgetary overspend
- poorly performing service (evidence from performance indicators/benchmarking).

External Factors

- Priority area for central government
- new government guidance or legislation
- issues raised by External Audit Management Letters/External Audit Reports
- key reports or new evidence provided by external organisations on key issue

Criteria to reject items

Finally, the CfPS suggest some criteria for rejecting items:

- issues being examined elsewhere - e.g. by the Cabinet, working group, officer group, external body
- issues dealt with less than two years ago
- new legislation or guidance expected within the next year
- no scope for scrutiny to add value/ make a difference
- the objective

FORWARD PLAN OF KEY DECISIONS

Forward Plan May 2019 - August 2019

This Forward Plan sets out the key decisions the Council expects to take during the next four months.

Anyone wishing to make representations on a decision should submit them in writing as soon as possible to the relevant contact officer (shown as number (7) in the key overleaf). Any representations made less than 3 days before the meeting should be sent to Kevin Flaherty, the Local Democracy Officer, at the Council Offices or kevin.flaherty@lewisham.gov.uk. However the deadline will be 4pm on the working day prior to the meeting.

A "key decision"* means an executive decision which is likely to:

- (a) result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates;
- (b) be significant in terms of its effects on communities living or working in an area comprising two or more wards.

December 2018	Beckenham Place Park update	24/04/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Brenda Dacres, Cabinet Member for Parks, Neighbourhoods and Transport (job share)		
December 2018	New Woodlands School Remodelling works Contract	24/04/19 Mayor and Cabinet	Sara Williams, Executive Director, Children and		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
	Award		Young People and Councillor Chris Barnham, Cabinet Member for School Performance		
February 2019	Watergate Special School Expansion Contract Award	24/04/19 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance		
December 2018	Proposals for private rented sector licensing in Lewisham	24/04/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Paul Bell, Cabinet Member for Housing		
February 2019	Re-Procurement of Tier 4 Substance Misuse framework Contract for adult substance misuse services	24/04/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor		
February 2019	Community Grant Appeals Outcomes	24/04/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Jonathan Slater, Cabinet Member for Community Sector		
February 2019	Business Rates Revaluation Support Scheme'	24/04/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Councillor Amanda De Ryk, Cabinet Member for Finance, Skills and Jobs (job share)		
March 2019	Corporate Facilities Management Update	24/04/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance, Skills and Jobs (job share)		
March 2019	New Cross Area Framework and Station Opportunity Study	24/04/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		
March 2019	Planning Service Residential Extensions and Alterations SPD	24/04/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		
March 2019	Procuring external consultancy support for managing a Travel and Transport Programme	24/04/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor		
March 2019	Excalibur Phase 3 enabling works	24/04/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Paul Bell, Cabinet Member for Housing		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
April 2019	Travel and Transport Programme	24/04/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance, Skills and Jobs (job share)		
May 2018	Stillness School Kitchen and Dining Hall Contract	07/05/19 Executive Director for Children and Young People	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance		
March 2019	Extension of Contracts for operation of CCTV contron Room and maintenance of CCTV equipment	07/05/19 Executive Director for Community Services	Aileen Buckton, Executive Director for Community Services and Councillor Joani Reid, Cabinet Member for Safer Communities		
December 2018	Heathside and Lethbridge Phases 5 & 6 Land Assembly. Part 1 & 2	08/05/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Paul Bell, Cabinet Member for Housing		
February 2019	Authorisation to consult on adoption of new Conservation Area Appraisal and Article 4 Direction Deptford High Street Conservation Area	08/05/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		

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March 2019	Violence Reduction Approach	08/05/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Joani Reid, Cabinet Member for Safer Communities		
March 2019	Fleet Vehicle Replacement Programme	08/05/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Brenda Dacres, Cabinet Member for Parks, Neighbourhoods and Transport (job share)		
April 2019	Cycle Superhighway	08/05/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		
April 2019	Church Grove Community Led Housing Finalising Lease Arrangements	08/05/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Paul Bell, Cabinet Member for Housing		
April 2019	Future options for the Parks Service	08/05/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Sophie McGeevor, Cabinet Member for Parks, Neighbourhoods and Transport (job share)		

FORWARD PLAN – KEY DECISIONS

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April 2019	Procurement of Management Development Programmes 2019	08/05/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance, Skills and Jobs (job share)		
April 2019	Adult Learning Lewisham Fees Increase	08/05/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Jonathan Slater, Cabinet Member for Community Sector		
October 2018	Chelwood Nursery Expansion	21/05/19 Executive Director for Resources and Regeneration	Kevin Sheehan, Executive Director for Customer Services and Councillor Chris Barnham, Cabinet Member for School Performance		
October 2018	Rockbourne Community Centre Refurbishment	21/05/19 Executive Director for Resources and Regeneration	Kevin Sheehan, Executive Director for Customer Services and Councillor Brenda Dacres, Cabinet Member for Parks, Neighbourhoods and Transport (job share)		
October 2018	Neighbourhood CIL Strategy	05/06/19 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Mayor Damien Egan, Mayor		

FORWARD PLAN – KEY DECISIONS

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December 2018	Review of older adults day services and day activities	05/06/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor		
August 2018	Lewisham Strategic Heat Network Business Case	05/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		
March 2019	Children and Young People's Plan 2019-22	05/06/19 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance		
April 2019	Financial Results 2018/19	05/06/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance, Skills and Jobs (job share)		
February 2019	Adoption Lewisham Park Conservation Area, accompanying Article 4 direction, and appraisal document	26/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		
February 2019	Provision of Services to Adults with Learning Disabilities -	26/06/19 Mayor and Cabinet	Aileen Buckton, Executive Director for		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
	Contract Award		Community Services and Councillor Chris Best, Deputy Mayor		
April 2019	Financial Forecasts 2019/20	26/06/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance, Skills and Jobs (job share)		
April 2019	Medium Term Financial Strategy	26/06/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance, Skills and Jobs (job share)		
April 2019	Revised List of Locally Listed Buildings	26/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		
April 2019	Permission to Tender Tier 2/3 Drug Services/Shared Care	10/07/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Joani Reid, Cabinet Member for Safer Communities		
February 2019	Children and Young People's Plan 2019-22	17/07/19 Council	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet		

FORWARD PLAN – KEY DECISIONS					
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			Member for School Performance		
November 2018	Neighbourhood CIL Strategy	17/07/19 Council	Janet Senior, Executive Director for Resources & Regeneration and Mayor Damien Egan, Mayor		
April 2019	Award of Contract Tier 4 Substance Misuse Framework	18/09/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Joani Reid, Cabinet Member for Safer Communities		
February 2019	Insurance Renewal	30/10/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance, Skills and Jobs (job share)		
April 2019	Contract Award Tier 2/3 Drug Services/Shared Care	20/11/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Joani Reid, Cabinet Member for Safer Communities		
April 2019	Anti-Idling Enforcement	20/11/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Brenda Dacres, Cabinet Member for Parks, Neighbourhoods and		

FORWARD PLAN – KEY DECISIONS

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			Transport (job share)		

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