

# Sustainable Development Select Committee Agenda

Tuesday, 4 June 2019  
**7.00 pm**, Committee room 4  
Civic Suite  
Lewisham Town Hall  
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, 4 June 2019.

Janet Senior, Acting Chief Executive  
Friday, 24 May 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)	

## **MINUTES OF THE SUSTAINABLE DEVELOPMENT SELECT COMMITTEE**

**Tuesday, 30 April 2019 at 7.00 pm**

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

**APOLOGIES:** Councillors Abdeslam Amrani and Suzannah Clarke

**ALSO PRESENT:** Seamus Adams (Parking Service Manager), Timothy Andrew (Scrutiny Manager) and Erik Nilsen (Principal Planning Officer)

### **1. Confirmation of the Chair and Vice-Chair**

1.1 **Resolved:** it was confirmed that Councillor Curran be Chair and Councillor Codd be Vice-Chair of the Select Committee.

### **2. Minutes of the meeting held on 4 March 2019**

2.1 **Resolved:** that the minutes of the meeting held on 4 March 2019 be agreed as an accurate record.

### **3. Declarations of interest**

Councillor Ingleby declared non-prejudicial interests in relation to item five as the Chair of the Friends of Grove Park Nature Reserve and as a Director of Lewisham Homes.

Councillor Curran declared a non-prejudicial interest in relation to item five as a member of the Baring Trust.

### **4. Responses from Mayor and Cabinet**

4.1 Seamus Adams (Parking Services Manager) introduced the report, the following key points were noted:

- Officers had considered the Committee's comments to Mayor and Cabinet and incorporated changes into the updated parking policy as a result. This would include programme of changes to enforcement activity.
- Officers were also carrying out a cost benefit analysis to determine whether there should be an increase in the level of enforcement activity and numbers of enforcement officers.
- Work was taking place with Transport for London to explore the options for parking enforcement activity on 'red routes'.
- It was proposed that there be increased parking charges for the most polluting cars. Funding had been made available to carry out a communications campaign to support this work.

4.2 Seamus Adams responded to questions from the Committee, the following key points were noted:

- Consideration could be given to further changes in the controls for areas with two hour parking enforcement in order to discourage commuter parking.
- The new IT system for the parking service would allow closer management and better targeting of enforcement officers.
- Lewisham would use existing government banding for emissions from vehicles to determine increases in charges.
- Issues surrounding the emissions from Euro 6 compliant diesel cars would be considered in the consultation.
- It was proposed to make parking charges the same in the north and the south of the borough. Charges for payment by cash and mobile app would also be brought to the same level.
- Parking charges needed to be set at a fair level that supported local business and traders as well as the Council's environmental ambitions.
- The implementation of the proposals for disabled bays would take a number of years. Consultation would take place with residents about the use of bays before any were removed.
- There were not currently charges for parking on Sundays. Before any changes were made to charging at weekends, officers would have to carry out analysis of the issues.
- The policy for implementation of new controlled parking zones had been amended so that consideration would be given to the general enthusiasm for new controlled parking zones before formal consultation.

4.3 In the Committee's discussion – the following key points were also noted:

- Some Members felt that charges for parking overall were too low – especially compared to the cost of public transport. It was argued that the Council's ambition should be to reduce the incidence of short distance trips by car.
- The Committee welcomed the changes to the parking policy consultation that had been made as a result of Members' input.

4.4 **Resolved:** that the report be noted. It was also agreed that the Committee would consider the outcome of the parking consultation.

## 5. Local Plan update

5.1 Erik Nilsen (Principal Planning Officer) introduced the report, the following key points were noted:

- The local plan was still in the early production stages. Work was being carried out on gathering evidence.
- The current local plan (the core strategy) was adopted in 2011, further site allocation and development management policies had subsequently been added to the plan.
- There was a new requirement to review the local plan every five years to ensure that it was consistent with regional and national planning policy.
- The most recent national planning policy framework (NPPF) had recently been published.

- The draft London Plan was currently undergoing examination. It was not yet clear what the outcomes of the London Plan examination would be.
- Over the past few months work had been taking place to develop the technical evidence base for the new local plan. This was important work because one of the tests of 'soundness' of the new plan - when it was due for examination – would be whether it was supported by rigorous evidence.
- Lewisham had been awarded roughly half a million pounds from the Mayor of London's home building capacity fund.

5.2 Erik Nilsen provided a brief summary of the employment land study, the following key points were noted:

- It was an update to the previous study (carried out in 2015) it would guide the development of the new local plan and inform policy over the next fifteen years.
- This was a critical piece of work because there were significant changes in the emerging London Plan that were likely to have an impact on Lewisham (specifically in relation to co-location of uses in employment sites).
- Lewisham's current local plan was quite flexible on the release of employment land (specifically, land that was allocated for offices, light and heavy industrial uses) for development. This was because the Council had strategic regeneration objectives in the north of the borough, which it was trying to facilitate.
- The new study indicated that (based on evidence – and the targets in the emerging London Plan) Lewisham had reached the limit of employment land that could be released for development.
- In fact, in order to meet future needs, new employment floorspace would need to be found.

5.3 Erik Nilsen responded to questions from the Committee, the following key points were noted:

- The evidence in the employment land study would support the case that Lewisham should resist further permitted development of office or light industrial space for housing. However, the only way to ensure that this land was fully protected from redevelopment in this way would be to issue an article four direction (removing permitted development rights).
- The recent character study (also developed for the local plan evidence base) covered a broader range of issues than usual studies and identified potential locations where future development could be accommodated, based on local character. The 'A21 spine' in the centre of the borough had been recognised as a key route that might support future growth.
- There was a hierarchy of employment land in the borough: strategic industrial locations (defined and protected in the London Plan); local strategic employment sites and, at the lower level, local employment locations and non-designated employment locations. The final two categories would be better protected by the new local plan.
- Unless they were well designed, there could be issues with co-working/living spaces and the potential long term loss of employment land to residential development.

- The strategic housing land availability assessment set out the framework for identification of sites for future developments. The London Plan identified that over the next ten years, Lewisham should provide approximately 20,000 new homes (including strategic sites and development on smaller sites). National planning policy assessments indicated that Lewisham could accommodate approximately 3000 new homes a year (30,000 over the decade).
  - Lewisham had to demonstrate that it was using all reasonable efforts to meet its housing targets.
- 5.4 Erik Nilsen provided a brief summary of the strategic flood risk assessment, the following key points were noted:
- The assessment was a ‘living document’ that would be added to and changed over time.
  - The assessment considered all sources of flooding in the borough – including surface water flooding and flooding from rivers. Flood risk zones were mapped based on the level of risk (1,2 or 3 – with three being the most at risk).
  - The assessment was designed to help direct development away from areas at most risk of flooding. And – where development could not be directed away from areas at risk- the assessment would be used to develop mitigating strategies.
  - A further flood risk assessment would consider all of Lewisham’s strategic development sites and develop guidance to manage the risk of flooding.
- 5.5 Erik Nilsen responded to questions from the Committee, the following key points were noted:
- The last update to Environment Agency modelling was in 2016. Lewisham’s risk assessment would be subject to ongoing change based on new information.
  - Guidance for design for flood resilience would be included in the second level flood risk assessment.
  - There was a sequential test for assessing the viability of development in areas at risk of flooding. Some uses were not permitted in areas most vulnerable to flooding.
  - It was intended that policy options for ‘de-culverting’ rivers (naturalising river banks and adapting areas for sustainable alleviation of flooding) would be included in the new plan.
- 5.6 In the Committee’s discussion, the following key point was also noted:
- Members were concerned about the overly optimistic modelling carried out by the Environment Agency in light of the increasing risk of catastrophic climate change and rising sea levels.
- 5.7 Erik Nilsen provided a brief summary of the open space study, the following key points were noted:
- The study provided an audit of all of the borough’s open spaces and it included an assessment of quality as well as categorisations for each space.

- For the most part, Lewisham's open spaces were assessed as good quality. There were some areas that were assessed as poor quality – these tended to be publicly inaccessible open spaces (such as green spaces adjacent to railway lines). It should be noted that whilst the assessment used a standard methodology, there was inevitably an element of subjectivity in the assessment with several field officers doing the assessments.
- The study also considered what Lewisham's future requirements might be for open space. This was based on a standard calculation for availability of open space per thousand people in the population.
- Using that metric - Lewisham (similar to most other London boroughs) would be required to add a significant quantity of open spaces to meet demand.
- Given the pressures on the availability of land in London – the study recommended that Lewisham should improve the quality of its existing open spaces as well as improve the ease of access to open spaces.
- The study would help identify priorities for future funding and, policy decisions and development.

5.8 Erik Nilsen responded to questions from the Committee, the following key points were noted:

- The study only considered existing open spaces in the borough (it did not search for new options for public open space).
- Further work could take place in future to consider designating new open spaces.
- Through neighbourhood planning, neighbourhood groups could designate local green spaces, which would be given a greater level of protection from development.
- The categorisations used in the study were consistent with those used in the London Plan.
- Allotments were strongly protected in planning policy and legislation. Further work would need to take place to specify which types of 'community garden' could be categorised as allotments.
- Lewisham's parks management strategy was important for the protection of the variety of community uses in parks as well as helping to enhance usage of parks and improve quality.
- Increased access to currently inaccessible open spaces would have to be managed to ensure that biodiversity was protected.
- There could be opportunities on new developments to provide new open spaces, this wouldn't always be green open space.

5.9 In the Committee's discussion, the following key points were also noted:

- Community groups in and around Grove Park were trying to protect (and link up) green spaces in the ward.
- It was important that future policy should give consideration to the importance of cross age group integration through green spaces.
- Green spaces would be vital to climate change adaptation. The study could have included more information about tree planting and the importance of green spaces (and soil) in sequestering carbon emissions.

- Members were concerned about privatisation of public spaces. It was felt that the Council should ensure that public space remained in public ownership – even if it was maintained and managed by others.
- In particular, in relation to public spaces, members wanted to ensure that the right to protest and to assemble were maintained.

## 6. Select Committee work programme

6.1 The Committee discussed its work programme for 2019-20 and agreed that it would:

- Find an alternative date for its next meeting (due to the European elections on 23 May).
- Focus on issues of importance, where its input could have an impact.
- Scrutinise the implementation of the new corporate strategy (for areas that fell within its remit), with a particular focus on: apprenticeships; support for business and the local economy; air quality and green spaces.
- Invite external witnesses to address it on the issue of air quality.
- Review the maintenance of and signage on the boroughs cycle routes.
- Consider options for scrutinising the performance of Transport for London regarding the maintenance and management of the borough’s red routes.
- Consider an update on the implementation of the arrangements for spending neighbourhood community infrastructure levy funding.
- Carry out a review of parks management, taking into account: the proposed greening fund; finding innovative approaches to increasing pocket parks’ attractiveness and usage by local people; public/private ownership; commercialisation and the management of open spaces by Lewisham Homes.

6.2 **Resolved:** that work programme be amended, as discussed, and submitted to the Business Panel for consideration.

## 7. Items to be referred to Mayor and Cabinet

There were none.

The meeting ended at 9.45 pm

Chair:

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Date:

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Sustainable Development Select Committee		
Title	Declaration of interests	
Contributor	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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<b>Sustainable Development Select Committee</b>		
<b>Title</b>	Comments of the Public Accounts Select Committee on the regeneration of Catford	
<b>Contributor</b>	Public Accounts Select Committee	Item 4
<b>Class</b>	Part 1 (open)	4 June 2019

## 1 Summary

- 1.1 This report informs the Sustainable Development Select Committee of the comments and views of the Public Accounts Select Committee, arising from discussions held at the Committee's meeting on 9 May 2019.

## 2 Recommendation

- 2.1 Sustainable Development is asked to consider the views of the Public Accounts Select Committee as set out in this report and decide on the appropriate course of action.

## 3 Public Accounts Select Committee views

- 3.1 On 9 May 2019, the Public Accounts Select Committee considered an update on the work of the Catford Regeneration Partnership, there was also a wider discussion about the regeneration master plan for the town centre. The Committee resolved to refer its views to the Sustainable Development Select Committee, as follows:

The Public Accounts Select Committee has concerns about the financing for the regeneration of the Catford town centre. It recommends that the Sustainable Development Select Committee should seek further clarification about: the timing of work to enable the redevelopment; plans and contingencies for financing the scheme; the extent of the work already carried out by the programme team to redevelop 17-18 Catford Broadway and the Catford Constitutional Club.

## 4 Further implications

- 4.1 At this stage there are no specific financial, legal, sustainability, equalities or crime and disorder implications to consider as a result of the implementation of the recommendation in this report.

## Background papers

Public Accounts Select Committee agenda 9 May 2019: <https://tinyurl.com/pasc090519>

If you have any questions about this report then please contact: Timothy Andrew (Scrutiny Manager - [timothy.andrew@lewisham.gov.uk](mailto:timothy.andrew@lewisham.gov.uk))

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<b>Sustainable Development Select Committee</b>		
Title	Home Energy Conservation Act 2019	
Contributor	Climate Resilience Manager	Item 5
Class	Part 1 (open)	4 June 2019

## 1. Purpose

- 1.1 This report seeks the Sustainable Development Select Committee's views on Lewisham Council's Home Energy Conservation Act (HECA) report 2019, which the Council was required to publish by the end of May 2019.

## 2. Recommendations

- 2.1 The Committee is invited to comment on the Lewisham Council HECA report 2019.
- 2.2 The Committee is ask to agree to consider a draft Climate Change Action Plan later in 2019 as required by the Council's declaration of a Climate Emergency.

## 3. Policy Context

- 3.1 The Climate Change Act 2008 sets a legally binding commitment of an 80% reduction in greenhouse gases for the year 2050 from a 1990 baseline. In 2016 the UK Government ratified the Paris Agreement, part of the United Nations Framework Convention on Climate Change. The Agreement commits countries to taking action to hold the increase in the global average temperature to well below 2°C above pre-industrial levels. In 2017 the Government published its Clean Growth Strategy setting out its approach to delivering on its greenhouse gas emission targets.
- 3.2 The Home Energy Conservation Act (1995), as amended by 2012 guidance, sets a statutory obligation on local authorities to publish their plans to improve energy efficiency in housing in their local area. Authorities are required to produce reports every two years. Updated guidance to local authorities was published by the Department of Business Energy and Industrial Strategy (BEIS) in February 2019.
- 3.3 Lewisham's Corporate Plan 2018-22 includes commitments to maximise opportunities for energy efficiency and to provide support on energy bills for vulnerable residents.
- 3.4 In February 2019 Lewisham Council declared a Climate Emergency and proposed a target to make the borough carbon neutral by 2030.

#### 4. Carbon emissions in Lewisham

- 4.1 In 2012 Lewisham Council set a target for a borough-wide reduction in carbon emissions of 44% by 2020 from a 2005 baseline. The target is based on the UK Government's local and regional carbon dioxide emission data published annually <https://www.gov.uk/government/collections/uk-local-authority-and-regional-carbon-dioxide-emissions-national-statistics>.
- 4.2 The latest data (reported June 2018) covers 2005 to 2016 and measures current emissions for the borough at 764.9 (kt CO<sub>2</sub>). This is a reduction of 35.1% against the baseline of 1,177.7 (kt CO<sub>2</sub>), which is slightly better than the reduction for London as a whole over the same period of 33.8%.
- 4.3 Another way to describe Lewisham's progress on this target is to say we have data for 75% of the period from the baseline (2005) to the target date (2020), and we have currently achieved 79% of the target reduction of 44%.
- 4.4 UK CO<sub>2</sub> statistics are also subdivided into emissions attributed to transport, domestic, and industrial & commercial. The table below compares the 2016 emissions in Lewisham with those for London:

Emission source	Lewisham	London
Domestic	49%	37%
Transport	31%	26%
Industrial and Commercial	20%	37%

- 4.5 This comparison shows the fundamental importance of housing in Lewisham in relation to the borough's carbon emissions.

#### 5. Lewisham's 2019 HECA Report

- 5.1 In previous years the Sustainable Development Select Committee has scrutinised draft HECA reports ahead of approval by the relevant Executive Director. The intention was for a draft of the 2019 HECA report to be discussed at the meeting of the committee originally scheduled for 23 May but due to the European Elections and the rescheduling of the meeting it has not been possible to do this ahead of the 31 May deadline for submitting HECA returns to the department for Business Energy and Industrial Strategy (BEIS). At the time of writing this report the 2019 HECA report has not yet been approved by the Executive Director for Customer Services but it is expected to have been published by the 4 June.
- 5.2 This agenda item and the HECA report remains an opportunity to discuss and influence the council's approach to this work, and an opportunity for the committee to consider the work that has started following the Council's declaration of a Climate Emergency.

- 5.3 To support that discussion the following paragraphs provide further details on the strands of work covered by the Lewisham 2019 HECA Report framed within the context of the Climate Emergency declaration.

#### Climate Emergency

- 5.4 In February 2019 Lewisham Council agreed a motion to declare a 'Climate Emergency' and asked Mayor and Cabinet to agree a new Action Plan on climate change that aims to make the borough carbon neutral by 2030. An interim draft of the Action Plan will be prepared for the Sustainable Development Select Committee later in 2019 and subsequently tabled at Mayor and Cabinet for agreement before the end of March 2020.
- 5.5 The declaration and new target relate to a wide range of Council service areas in a strategic and operational sense, in particular:
- air quality;
  - biodiversity and green spaces;
  - climate adaptation and flood risk mitigation;
  - communities and partnerships;
  - the corporate estate and schools;
  - housing;
  - procurement and supply chains;
  - transport;
  - waste and recycling.
- 5.6 Officers are commissioning research to underpin the Action Plan that will:
- set out options for defining and measuring the carbon neutral target;
  - identify the actions that will be required to reach the target;
  - cost options for the additional actions needed.
- 5.7 A officer-level working group chaired by the lead Executive Director Kevin Sheehan has been set up and officers are working to map out the opportunities, risks, key determinants and stakeholders that will need to shape delivery of Lewisham's response to the Climate Emergency declaration. Officers are also progressing our existing energy and carbon reduction initiatives including:
- delivering on the corporate strategy priority to maximise opportunities for energy efficiency in all council buildings and new developments;
  - facilitating the development of a heat network and decentralised energy for the borough;
  - creating new opportunities to fund local energy and carbon reduction initiatives;
  - delivery of support for residents vulnerable to the cold.

#### Improving energy efficiency of housing in the borough

- 5.8 As identified above housing represents half of the borough's carbon emissions and will therefore be fundamental to achieving a carbon neutral borough. There are a range of ways in which the Council can influence this including:

- driving up standards in new build through planning policy;
  - enabling owner occupiers to invest in their own properties;
  - raising standards in the private rental sector;
  - investment in the Council's housing stock;
  - establishing low carbon heat supplies.
- 5.9 The 2019 HECA reporting includes references to the last three of these strands and further details are provided below.
- 5.10 The Minimum Energy Efficiency Regulations apply to all privately rented properties in England and Wales. As of April 2018, all such properties are legally required to have an Energy Performance Certificate (EPC) of at least an E before they can be let on a new tenancy, and the Government has now removed the exemption that applied where there was a cost to the landlord. This requirement will then extend to all such properties by 1 April 2020, even if there has been no change in tenant or tenancy.
- 5.11 The Council's Private Sector Housing Agency brings together the key services that work with private sector housing and landlords, including in relation to Minimum Energy Efficiency Regulations. The Council plans to consult on establishing a borough-wide selective licensing scheme for all private rental properties and HMOs with the intention that all private rental properties in the borough would be inspected over a 10 year timeframe. This offers the potential to engage with landlords on a borough-wide scale, using enforcement powers as well as advice and support to encourage landlords to improve the standard and energy efficiency of properties.
- 5.12 Lewisham Council is developing an evidence base for the technical and financial viability of a strategic heat network from the South East London Combined Heat & Power (SELCHP) plant. Two feasibility studies have looked at potential routes to Goldsmiths and to development sites in the north of the borough. Using funding from the GLA's Decentralised Energy Enabling Project (DEEP) a consultant has been commissioned to work with the Council and Veolia to develop an outline business case for delivering the heat network. This business case is intended as the basis for a bid to central Government for capital funding. Officers are also intending to commission a heat master-planning study to help shape implementation of local planning policy and reinforce the priority given to low carbon heat for new developments.
- 5.13 The HECA report includes details from Lewisham Homes of improvement works that will improve energy efficiency across the 19,000 homes they manage for the Council. The stock condition survey and asset management strategy are opportunities to work with Lewisham Homes to increase investment and access to external funding for energy efficiency and carbon reduction including the potential to use heat networks for low cost low carbon heat.

- 5.14 The Council's new Housing Strategy currently being developed will be an opportunity to embed carbon reduction as part of the Council's strategic approach to all tenures of housing.

#### Action on fuel poverty

- 5.15 Lewisham Council has a long-standing record of projects helping low income and vulnerable residents stay warm and well in winter. The Council's Energy Action Zone from 2007 to 2011 gave advice to over 5,000 residents, and since 2011 Lewisham's Warm Homes Healthy People initiative has delivered almost 3,000 home visits.
- 5.16 In 2018/19 Lewisham Council led a partnership with four other south east London boroughs (Bexley, Bromley, Greenwich and Southwark), local community organisations (South East London Community Energy, Charlton Athletic Community Trust and Southwark and Lewisham Age UK) and Groundwork London to establish a coordinated 5 borough fuel poverty project, offering practical advice through home visits and events across south east London to over 875 residents with 450 home visits delivered.
- 5.17 The main national source of funding for insulation and heating upgrades is the Government's Energy Company Obligation (ECO), a legal requirement on energy companies to fund improvements for vulnerable households, primarily through heating upgrades and insulation.
- 5.18 Since 2017 local authorities have been able to facilitate local ECO delivery by identifying eligible households under ECO 'Flexible Eligibility' arrangements. Lewisham Council works with local community sector organisation South East London Community Energy to do this.
- 5.19 As of the end of March 2019, Lewisham Council has issued ECO Flex declarations for 464 households in South East London with the vast majority of those receiving one or more fully-funded energy efficiency improvements. It is estimated that in 2018/19 the project has brought in an additional £600,000 funding for households in South East London. The service also generates a small income stream for SELCE covering most of the cost of the outreach work.

## **6. Financial implications**

- 6.1 There are no direct financial implications arising as a result of this report.

## **7. Legal implications**

- 7.1 The Home Energy Conservation Act (1995) was updated by Government in July 2012 to require all English local authorities with responsibility for housing to publish a report that outlines measures the local authority 'considered practical, cost-effective, and likely to significantly improve the energy efficiency of residential accommodation in its area'.

7.2 On the 14 November 2012 Mayor and Cabinet agreed that the Executive Director for Resources and Regeneration would sign off reports relating to the Home Energy Conservation Act.

## **8. Crime and disorder implications**

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

## **9. Equalities implications**

9.1 There are no direct equalities implications arising from this report however fuel poverty work helps vulnerable households and is likely to have positive equalities implications.

## **10. Environmental implications**

10.1 There are no specific environmental implications arising from this report however national, regional and local targets for carbon reduction depend in part on the delivery of domestic energy efficiency measures which these proposals seek to facilitate and support.

If there are any queries on this report please contact **Martin O'Brien**, Climate Resilience **Manager**, 020 8314 6605.

## **Background Documents**

Annex A: Lewisham 2019 Home Energy Conservation Act report

Lewisham Council Motion to declare a Climate Emergency

<http://councilmeetings.lewisham.gov.uk/documents/s62942/Motion%20%20proposed%20Cllr%20Anwar%20seconded%20Cllr%20Krupski.pdf>

Lewisham Council summary of activity to respond to the declaration

<https://lewisham.gov.uk/myserVICES/environment/environment/energyefficiency/making-the-borough-carbon-neutral-by-2030-climate-emergency-declaration>

Revised HECA guidance (January 2017)

<https://www.gov.uk/government/publications/guidance-to-english-energy-conservation-authorities-the-home-energy-conservation-act-1995>

Lewisham Council HECA Report 2017

<https://lewisham.gov.uk/-/media/files/imported/lewishamhecareport2017.ashx>

2012 report to Mayor and Cabinet setting borough target for a 44% reduction in emissions

<http://councilmeetings.lewisham.gov.uk/documents/s18666/Climate%20Local%20-%20Carbon%20Reduction%20and%20Climate%20change%20Strategy.pdf>

# HECA REPORTING 2019

## Introduction

The Home Energy Conservation Act 1995 ('HECA') requires all 326 local authorities ('LA's) in England to submit reports to the Secretary of State demonstrating what energy conservation measures they have adopted to improve the energy efficiency of residential accommodation within that LA's area. This covers measures to improve properties in the owner-occupier, private rented sector, and social rented sector. BEIS uses data submitted through LAs HECA returns to inform policy thinking on energy efficiency, and to build an ongoing picture of local and national energy efficiency policy delivery.

These guidance notes are issued in accordance with the Secretary of State's powers under section 4 of the Act and are to alert LAs of amendments to the HECA reporting framework in advance of May 2019 when the next reports are due. In previous years, reporting rates have been disappointing, with 282 reports submitted in March 2015 out of 326 LAs, and only 151 in March 2017. The refreshed reporting system for 2019 streamlines the process and reduces LA reporting burdens. Newly structured around a series of questions and direct information points, the amended framework aims to support LAs to provide information and updates on the key energy efficiency topics of interest to BEIS Ministers. It will also enable LAs to provide a consistent picture of energy efficiency promotion and delivery across England within a standardized framework. Following the principles of open data, the department may publish the information in an open data format to allow wider access and interpretation of the data, while ensuring that such publication complies with the terms of GDPR.

## HECA 2019 Reporting Requirements

The Report is to be divided by sections to capture information on a range of key themes:

### Headline & Overview

- What main strategy and schemes LAs currently have to promote carbon reduction and/or energy efficiency, stakeholders involved and impact at a societal and economic level.

### Communication

- How LA engage stakeholders (including consumers and businesses) to promote awareness of energy efficiency.

### Green Local Supply Chain

- How LAs engage local businesses involved in the promotion of energy savings products and the societal benefits alongside any local economic impact this might have.

## Private Rental Sector Minimum Energy Efficiency Standards

- How LAs enforce and promote awareness of the PRS Minimum Energy Efficiency Standards that came into force in April 2018.

## Financial Support for Energy Efficiency

- Financial programmes used by LAs to promote energy efficiency.

## Fuel Poverty

- How LAs identify those in fuel poverty and any initiatives used to address this.

## The Energy Company Obligation (ECO)

- How LAs are using the recently introduced ECO 'flexible eligibility' programme to refer certain households in fuel poverty or with occupants on low incomes, who are vulnerable to the effects of cold homes, to ECO obligated suppliers for support.

## Smart Metering

- How LAs promote awareness and uptake of smart metering.

All questions are optional, but responses highly encouraged. While reporting is focused on energy savings related to homes, you are welcome to provide additional information on energy efficiency improvements in non-domestic properties, but this is fully optional. There will be a final free response section permitting local authorities to discuss any additional activities which they feel are relevant.

## Submission of HECA 2019 Reports

For the 2019 reporting year, the Department for Business, Energy and Industrial Strategy (BEIS) is piloting the submission of reports via a digital platform, and for this year LAs will be asked to populate their HECA Report and submit materials via a SurveyMonkey submission. No other reporting material or submissions will be required. LAs continue to be required to publish their responses, and they can do this in whichever form they wish, so long as the published report contains relevant information submitted via the digital platform. It is not necessary for LAs to publish all the information submitted via the digital platform. Before the online survey is completed, the chief executive or director of the LA should approve the submitted content. If this approach proves effective and supports the engagement and compliance of a greater number of authorities than in recent previous years, BEIS will consider how this approach can be further improved for the 2021 reporting year.

The questions which LAs are asked to report on in the digital 'Survey' are listed below:

# HECA Reporting 2019 Questions

Name of Local Authority: London Borough of Lewisham		
Type of Local Authority:		
<ul style="list-style-type: none"> <li>London Borough</li> </ul>		
Name and contact details of official submitting the report:		
Martin O'Brien, 020 8314 6605, 07736 900 214, <a href="mailto:martin.o'brien@lewisham.gov.uk">martin.o'brien@lewisham.gov.uk</a>		
Job title of official submitting the report:		
Climate Resilience Manager		
Names of teams working on policy areas covered by this reporting tool:		
Energy, Fuel Poverty and Flood Risk		
Strategic Housing		
Private Sector Housing Agency		
<b>Headline and Overview Questions</b>		
1	Does your Local Authority have a current strategy on carbon reduction and/or energy efficiency for domestic or non-domestic properties?	No
2	If yes, please provide a link to your current strategy here:	
<p>In 2012 the Council agreed a new target to reduce carbon emissions in the borough by 44% by 2020 from a baseline of 2005.  <a href="http://councilmeetings.lewisham.gov.uk/documents/s18666/Climate%20Local%20-%20Carbon%20Reduction%20and%20Climate%20change%20Strategy.pdf">http://councilmeetings.lewisham.gov.uk/documents/s18666/Climate%20Local%20-%20Carbon%20Reduction%20and%20Climate%20change%20Strategy.pdf</a></p> <p>In February 2019 Lewisham Council declared a Climate Emergency and proposed a new target for the borough to be carbon neutral by 2030  <a href="http://councilmeetings.lewisham.gov.uk/documents/s62942/Motion%20%20proposed%20Climate%20Emergency%20Declaration%20and%20proposed%20Carbon%20Reduction%20Strategy.pdf">http://councilmeetings.lewisham.gov.uk/documents/s62942/Motion%20%20proposed%20Climate%20Emergency%20Declaration%20and%20proposed%20Carbon%20Reduction%20Strategy.pdf</a> The motion making the declaration makes a commitment for the Council to agree and publish a new carbon reduction strategy in 2019/20.</p>		
3	If no, are you planning to develop one?	Yes

4	a. What scheme(s) has your local authority implemented in support of energy saving/carbon reduction in residential accommodation (such as owner-occupied, privately rented and social housing) or non-domestic properties since 2017? (if you have not implemented any scheme, please enter 'N/A')
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*Free text response to question 4a - please outline in no more than 200 words*

Lewisham Council has delivered a wide range of domestic energy saving and carbon reduction schemes. Pressures on Council funding mean non statutory relies on external funding, but, since 2017, the range of Government funding for domestic energy efficiency has been increasingly limited.

Within these funding constraints the Council's priority for owner occupied and privately rented properties has been to target support on low income and vulnerable residents. Since 2011 Lewisham's Warm Homes Healthy People initiative has provided practical advice to 3,000 households. In 2017/18 250 home visits were completed under this initiative. In 2018/19 the service was extended with 875 residents supported and Lewisham Council leading an expansion of the project across five south east London boroughs. Further details of this work are set out in section 24 below.

Lewisham Council owns 19,000 homes that are managed for the Council by Lewisham Homes, an arms-length social housing provider. Since April 2017 Lewisham Homes has delivered a range of energy efficiency improvements to properties including upgrading 1,040 domestic heating and hot water boilers to A-rated standard, replacing 5,925 single glazed windows with double glazing and replacing landlord lighting in 57 blocks of flats with LED lighting.

b. What scheme(s) is your local authority planning to implement in support of energy saving/carbon reduction in residential accommodation (such as owner-occupied, privately rented and social housing) or non-domestic properties in the next two years? (if you are not planning to implement any scheme, please enter 'N/A')

*Free text response to question 4b - please outline in no more than 200 words*

In February 2019 Lewisham Council declared a Climate Emergency and proposed a target to make the borough carbon neutral by 2030. The Council is developing its approach to delivering this ambitious target. As housing represents half the borough's carbon emissions, domestic energy efficiency will be central to this.

Delivery of the new target will be supported in 2019/20 by a range of projects including:

- development of opportunities for low carbon heat and decentralised energy
- a new Community Energy Fund offering small grants to local community initiatives to reduce carbon and improve energy efficiency
- expansion of support for vulnerable residents to stay warm and well

Lewisham Homes is undertaking a full stock condition survey that will help target investment. Planned investment that will improve thermal efficiency includes:

- window upgrades targeting single glazed and aluminium framed windows
- insulation of any remaining loft or roof voids
- replacement of solid fuel or oil heating systems
- external cladding improvements to 151 properties to increase insulation and meet fire safety regulations.
- LED lighting for passenger lifts

The Council is currently preparing a new Housing Strategy that will include ambitious plans for new social homes, a new generation of homes for social rent and raising standards in the private rental sector. The new Strategy will reflect and support delivery of the climate emergency declaration.

5 What has been, or will be, the cost(s) of running and administering the scheme(s), including the value of grants and other support, plus any other costs incurred? Please provide figures and a brief narrative account if desired.

*Free text response to question 5 - please outline in no more than 100 words*

It is not possible to provide a cost for this work, which spans a number of different Council teams and initiatives involving capital and revenue expenditure across a very wide set of initiatives that go beyond domestic energy. Grant funding of £80,000 was received from the Greater London Authority to support delivery of the South London Fuel Poverty project.

6	What businesses, charities, third sector organisations or other stakeholders do you work with to deliver the scheme(s)?
<p><i>Free text response to question 6 - please outline in no more than 100 words</i></p> <p>The Council works with a wide range of partners across housing and carbon reduction. Our work on domestic energy efficiency includes partnerships with South East London Community Energy, Charlton Athletic Community Trust and outreach work with a wide range of community and voluntary organisations.</p>	
7	<p>What has been the outcome of the scheme(s) (e.g. energy savings, carbon savings, economic impacts such as job creation and/or increased business competitiveness, societal impacts such as alleviation of fuel poverty and/or improved health outcomes etc.)?</p> <p>This does not have to be measured against national data or benchmarks, but rather focuses on the local authority's own monitoring and evaluation.</p>
<p><i>Free text response to question 7 - please outline in no more than 200 words</i></p> <p>Lewisham's advice and referral service delivered the following outputs in 2018/19:</p> <ul style="list-style-type: none"> <li>• 875 vulnerable residents given practical support</li> <li>• 97 households supported to access fully funded heating and insulation</li> <li>• 50 complex debt cases identified and referred to advice provider</li> <li>• 16 fire check referrals</li> </ul> <p>Lewisham Homes' stock condition survey will provide further evidence on the outcome of investment of the Council's social housing stock as measured through SAP ratings.</p>	
8	What lessons have you learned from delivering this scheme(s)?
<p><i>Free text response to question 8 - please outline in no more than 100 words</i></p> <p>Our work in south east London is based on a partnership of public and third sector organisations, enabling work at a scale that can reach large numbers of households while maintaining local connections enabling resources to reach the most vulnerable individuals. The pooling of resources through the partnership has avoided the duplication that can occur when different organisations are funded to deliver similar advice services through different funding routes. There is therefore a real strength in local agencies working together on fuel poverty, particularly in London which has had a disproportionately low share of the Energy Company Obligation, the primary source of Government funding for fuel poverty.</p>	
<p><b>Local Communications Strategy</b></p>	
9	<p>Does your local authority provide any advisory service to consumers (and businesses) on how to save energy?</p> <p>No</p>

10	If yes to question 10, please briefly outline how this is undertaken (or enter 'N/A' if appropriate)	
<i>Free text response to question 10 - please outline in no more than 100 words</i>		
11	How do you communicate or encourage energy saving amongst domestic consumers and/or local businesses? (if you do not, please enter 'N/A' and move on to the next section 'Local Green Supply Chains')	
<i>Free text response to question 11 - please outline in no more than 100 words</i>		
N/A		
<b>Local Green Supply Chains</b>		
12	Does your Local Authority promote the use of energy efficient products amongst consumers (and businesses)? (if you answer no please move onto the next section 'Private Rented Sector')	No
13	If yes to question 12, please briefly detail how this promotion work is undertaken.	
<i>Free text response to question 12 - please outline in no more than 100 words</i>		
N/A		
14	What engagement (formal or informal) does your local authority have with local businesses/supply chains involved in promoting energy efficiency products or carbon reduction?	
<i>Free text response to question 14 - please outline in no more than 100 words</i>		
The Council has previously run a number of projects supporting local businesses and supply chains for domestic energy and retrofit work. Since 2017 resources have been extremely limited in relation to this work.		

<b>Domestic Private Rented Sector (PRS) Minimum Energy Efficiency Standards</b>		
<p>The Minimum Energy Efficiency Regulations (the Regulations) apply to all privately rented properties in England and Wales. As of April 2018, all such properties are legally required to have an Energy Performance Certificate (EPC) of at least an E before they can be let on a new tenancy. This requirement will then extend to all such properties by 1 April 2020, even if there has been no change in tenant or tenancy (please see BEIS's published guidance documents for the full details on the standard).</p> <p>The PRS Regulations give enforcement powers to local authorities, and authorities are responsible for ensuring landlord compliance within their area.</p>		
15	<p>Is your authority aware of the PRS Minimum Efficiency Standards which came into force in April 2018?</p> <p>(if you answered no, please move on to the next section 'Financial Support for Energy Efficiency')</p>	Yes
16	<p>Which team within your authority is responsible for, or will be responsible for, leading on enforcement of the PRS minimum standard?</p> <p>Private Sector Housing Agency</p>	
17	<p>Please provide the contact details of the person leading this team.</p> <p><i>Free text response to question 17</i></p> <p><a href="mailto:Nicholas.Stabeler@lewisham.gov.uk">Nicholas.Stabeler@lewisham.gov.uk</a></p>	
18	<p>What method or methods does your authority use to communicate with landlords and tenants about the standards and other related issues?</p> <p>The Council runs landlord forums and provides information to landlords through the Council website as well as during inspections verbally and through leaflets.</p>	
19	<p>Do you directly target landlords of EPC F and G rated properties?</p> <p>If yes, how? If no, please explain.</p>	Yes
<p>The Council's Private Sector Housing Agency was set up by the Council in 2017 to bring together the key services that work with private sector housing and landlords. The Council intends to consult on plans to establish a borough-wide selective licensing scheme for all private rental properties and HMOs (House in Multiple Occupation). The intention is that all private rental properties in the borough would be inspected over a 10 year timeframe supporting enforcement of the Energy Efficiency (Private Rented Property)(England and Wales) Regulations 2015 and enabling landlords to access support and funding where relevant to improve the standard and energy efficiency of properties. The service will use EPC information as part of range of information to prioritise higher risk properties.</p>		

<b>Financial Support for Energy Efficiency</b>	
20	<p>What financial programmes, if any, do you have to promote domestic and non-domestic energy efficiency or energy saving? If applicable, please outline the sums, where such funding is sourced, and where it is targeted.</p> <p>(If you do not have any financial assistance programmes, please enter 'N/A' and move onto the next section 'Fuel Poverty')</p>
N/A	
<b>Fuel Poverty</b>	
21	<p>Does your local authority have a fuel poverty strategy?</p> <p>If yes, please describe the scope of the strategy, and the support that is available for low income and vulnerable households to help tackle fuel poverty in your local area. Please also provide a link to your strategy if published.</p>
	N
The Council has made a commitment to agree and publish a new strategy in 2019/20.	
22	<p>What steps have you taken to identify residents/properties in fuel poverty? (enter 'N/A' if not appropriate)</p>
<p>Lewisham Council works with a local community sector organisation South East London Community Energy to identify vulnerable residents and help them access energy efficiency funding including the Energy Company Obligation (ECO) and the Mayor of London's Warmer Homes grant funding.</p> <p>The service combines the local authority ability to issue ECO Flexible Eligibility declarations with the community sector's capacity to connect with vulnerable residents. Data is used to identify areas where qualifying residents and properties are more likely to be found and, through a range of outreach activity, vulnerable residents are supported through the process of applying for fully funded works. As of the end of March 2019, ECO Flex declarations have been issued for 464 households in South East London with the vast majority of those receiving one or more fully-funded energy efficiency improvements. It is estimated that in 2018/19 the project has brought in an additional £600,000 funding for households in South East London.</p>	
23	<p>How does fuel poverty interlink with your local authority's overall carbon reduction strategy? (enter 'N/A' if not appropriate)</p>
<p><i>Free text response to question 23 - please outline in no more than 200 words</i></p>	
24	<p>a. What measures or initiatives have you taken to promote fuel cost reduction for those in fuel poverty? (enter 'N/A' if not appropriate)</p>

*Free text response to question 24a - please outline in no more than 200 words*

In 2018/19 Lewisham Council led a partnership with four other south east London boroughs (Bexley, Bromley, Greenwich and Southwark), local community organisations (South East London Community Energy, Charlton Athletic Community Trust and Southwark and Lewisham Age UK) and Groundwork London to deliver a coordinated five borough fuel poverty project, offering practical advice through home visits and events across south east London with 875 residents benefiting.

b. If you have taken measures or initiatives to promote fuel cost reduction for those in fuel poverty, what partnership with business or energy providers have you undertaken? (enter 'N/A' if not appropriate)

*Free text response to question 24b - please outline in no more than 200 words*

N/A

### **The Energy Company Obligation**

The Energy Company Obligation (ECO) is an obligation on energy suppliers aimed at helping households cut their energy bills and reduce carbon emissions by installing energy saving measures. Following the Spring 2018 consultation, the Government set out in its [response](#) that ECO3 will fully focus on Affordable Warmth – low income, vulnerable and fuel poor households.

The recently introduced ECO “[flexible eligibility](#)” (ECO Flex) programme allows LAs to make declarations determining that certain households in fuel poverty or with occupants on low incomes and vulnerable to the effects of cold homes, are referred to ECO obligated suppliers for support under the Affordable Warmth element of ECO. LAs involved are required to issue a Statement of Intent that they are going to identify households as eligible, and the criteria they are going to use; and a declaration that the LA has been consulted on the installation of measures in a home.

25	Has your local authority published a Statement of Intent (Sol) for ECO flexibility eligibility?  If yes, please include a link to your Sol below.	Y
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Link to Sol: <https://lewisham.gov.uk/-/media/files/imported/lewishamstatementofintentv4.ashx>

26	Please use the following space to provide any further information you feel might be of benefit to BEIS, in helping us to understand ECO Flex delivery in more detail. For example, the number of declarations signed versus the number of households helped.
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Lewisham Council makes ECO Flexible Eligibility declarations on behalf of the five south east London boroughs. Since October 2017 170 declarations have been issued for 464 households.

We have worked closely with the Mayor of London's Warmer Homes Fund, see details above and our partnership with South East London Community Energy has given us a way of resourcing outreach and evidence collection that underpins the declaration process. In making the ECO Flex declarations we are 'consulted' on potential measures that could be installed. However the final decision to fund is often taken after this point based on available resources and that means the local authority is not always informed on the detail of measures installed. This makes it difficult to accurately measure the impact of ECO Flexibility at a local level.

**Smart Metering**

27 Please provide a brief statement outlining your current or planned approach to:

Engage and support your residents (including those in vulnerable circumstances or with pre-payment metering) to promote take up of smart meters and achieve associated benefits (e.g. ability to control energy use, identify best value tariffs)? Please detail any work undertaken or planned with local/community groups, housing associations, micro businesses, Smart Energy GB under their Partnership Programme and energy suppliers.

In 2016/17 Lewisham Council ran an advice project for residents funded through a grant from Smart Energy GB. Due to the limitations in getting suppliers to install smart meters in properties where residents were keen and because of uncertainty over SMETs1 compatibility the Council has not bid for further funding to continue this work but remains actively interested in the roll out of smart metering as a means to help residents reduce costs and deliver on carbon reduction targets.

28 Please provide a brief statement outlining your current or planned approach to:

Integrate your approaches to delivering energy efficiency improvements in residential accommodation with the opportunities presented by the installation of smart meters, drawing upon materials from the [Smart Meter Energy Efficiency Materials Project](#) or other sources of independent information.

*Free text response to question 28 – please outline in no more than 150 words.*

N/A

29 Please detail any:

Resources/ support (e.g. services, funding) available to residents who have had an appliance(s) condemned for safety reasons and cannot afford to replace it (e.g. during visual safety checks conducted during their smart meter installation or otherwise).

None.

30 Please detail any:

	Existing relationships with energy suppliers to help ensure that the opportunities presented by vacant properties under your control are effectively utilised (i.e. gaining access to install a smart meter).
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*Free text response to question 30 – please outline in no more than 150 words.*

None.

## Future Schemes or Wider Initiatives

31 Please outline any future schemes or wider initiatives not covered above that your local authority has carried out or is planning to undertake to improve the energy efficiency of residential accommodation or businesses in your area, for example, within your Local Enterprise Partnership (LEP) Energy Strategy (if you do not plan any future schemes currently, please enter 'N/A').

*Free text response to question 31 - please outline in no more than 500 words*

Lewisham Council's declaration of a Climate Emergency is intended as a catalyst for an ambitious programme of activity in the borough to meet out energy needs sustainably and ensure vulnerable households are not further disadvantaged by rising energy costs and a changing climate. An action plan setting out our proposals to respond to the declaration and the target to be carbon neutral by 2030 is expected to be agreed by Lewisham's Mayor and Cabinet in 2019/20. Residents and other interested parties can keep up to date on this activity via the Council's website

<https://lewisham.gov.uk/myservices/environment/environment/energyefficiency/making-the-borough-carbon-neutral-by-2030-climate-emergency-declaration>

BEIS has funded the Greater South East Energy Hub covering the east of England, southeast England and London and is one of 5 local energy hubs receiving £4.8m. London boroughs are keen to benefit from BEIS funding and would like to see greater integration of the LEP Energy Strategy with the Mayor of London's Fuel Poverty Action Plan and Energy for Londoners to streamline this work with existing activity across the capital.

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<b>Mayor &amp; Cabinet</b>		
<b>Report Title</b>	<b>Community Infrastructure Levy neighbourhood CIL strategy (NCIL strategy)</b>	
<b>Key Decision</b>	<b>YES</b>	<b>Item No.</b>
<b>Ward</b>	<b>All</b>	
<b>Contributors</b>	<b>Executive Director Resource and Regeneration</b>	
<b>Class</b>	<b>Part 1</b>	<b>Date:</b> 05 June 2019

## 1. Summary

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

## 2. Purpose

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

### **3. Recommendations**

3.1 The Mayor is recommended to:

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

### **4. Policy context**

4.1 The contents of this report are consistent with the council's policy framework.

4.2 The NCIL strategy will contribute to the implementation of the council's seven corporate priorities from the Corporate Strategy 2018-2022 through supporting local projects that are aligned with those objectives.

4.3 The NCIL strategy will provide funding and a system to help support the implementation of the Corporate Strategy, and this report is consistent with the seven priorities identified:

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

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

3. Giving children and young people the best start in life - Every child has access to an outstanding and inspiring education and is given the support they need to keep them safe, well and able to achieve their full potential.

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

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

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

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

## 5. Background

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

### CIL Regulation 2010 (as amended)

- 5.2 R59 of the Regs restricts CIL spending to “*A charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area.*” S216 of the Town and Country Planning Act 1990 identifies ‘infrastructure’ by way of broad categories, which as amended excludes affordable housing. The PPG clarifies that whilst CIL can fund increases to the capacity of existing infrastructure or to repair failing existing infrastructure if that is necessary to support development, it is primarily intended to fund new infrastructure and not to remedy pre-existing deficiencies.
- 5.3 R123 of the Regs provides that a planning obligation may not constitute a reason for granting planning permission for the development to the extent that the obligation provides for the funding or provision of relevant infrastructure. ‘Relevant infrastructure’ means “*a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL*”, or in the case of an absence of such a list, any infrastructure. The council has a published R123 list, which can be updated at any time. R123 and para 56 of the NPPF also outline limits to the wider use of planning obligations and spending.
- 5.4 R59F of the Regs enables the council to allocate a portion of CIL receipts to be spent on local priorities, with spending of this portion subject to a wider definition of “*The charging authority may use the CIL to which this regulation applies, or cause it to be used, to support the development of the relevant area by funding—*  
*(a) the provision, improvement, replacement, operation or maintenance of infrastructure; or*  
*(b) anything else that is concerned with addressing the demands that development places on an area.*”
- 5.5 Following the Regs and PPG, the council will engage with communities on spending:
- Setting out clearly and transparently an approach to engaging with neighbourhoods using their regular communication tools
  - Using existing community consultation and engagement processes
  - Be proportionate to the level of levy receipts and the scale of the proposed development to which the neighbourhood funding relates
  - Ensure that the use of neighbourhood funds should match priorities expressed by local communities, including priorities set out formally in neighbourhood plans
- 5.6 The neighbourhood portion is 15% (capped at £100/council tax dwelling in the area), increasing to 25% (uncapped) where a neighbourhood plan has been adopted (the increase only applies to developments granted after adoption of the relevant plan). The council is able to allocate greater amounts, however these would not benefit from the wider definition for spending.

## Principles Presented to Sustainable Development Select Committee (2016)

5.7 Initial recommendations regarding NCIL were made to SDSC in November 2016. The report and minutes of this meeting are in Appendix A. In summary, the following principles were presented:

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

### Spending of Ward Assembly Funds

5.8 Each ward assembly currently has a set of priorities/action plan (updated annually) which is identified by residents, community groups and local businesses. Priorities were developed to guide ward assembly initiatives, and in previous years, for the purpose of the ward assembly fund (£12,500), where projects had to address these priorities to receive funding. An additional fund (£2,500) known as the council discretionary fund was available for other projects that benefit or enhance the local community, managed by the ward members (some ward members decide to combine the two funds). All assemblies have their priorities published on their ward assembly webpage, and many assemblies publish further information on local surveys, charters and plan priorities. The ward assembly funding has now been changed, however the process and capacities of the assemblies remains relevant.

- 5.9 The process is broadly as follows:
- Assemblies review and update their action plans, highlighting what areas they want to focus on in the coming year, with possible projects/ideas
  - The coordinating group reviews the action plan, determining how actions can be delivered, and identify projects that best fit the funding for the year
  - Projects developed further, with the support of council officers, to include costs, delivery, timescales etc.
  - Coordinating group present project ideas back to assembly who agree what to fund
  - Projects are then refined and finalised (including who will deliver projects) by the coordinating group and council officers, and submitted for formal approval
- 5.10 The annual process is completed by December, allowing allocations within the financial year. Prior to allocating funds, projects must complete a Project Proposal Form. This includes details on: the project, the priorities it meets, the activities proposed, impact on the ward, programme and key dates, location, proposals for joint working, identification of key risks and how to minimise their impact, proposed evaluation methods and success factors, and, detailed budget and funding spreadsheet. An additional risk assessment form must be submitted with the application form. General guidance is provided on the assembly fund, as well as detailed guidance on the risk assessment and project proposal form.

#### Planning Obligations Spending Pilot – Whitefoot Ward Example

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

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

## **6. Neighbourhood CIL (NCIL) Recommendations**

- 6.1 The amount of neighbourhood CIL collected since implementation of the CIL regime in Lewisham from 2015/16 – 2016/18 is £1,393,099 (15% of CIL for the financial years 2015/16, 2016/17, and 2017/18), as reported in the Annual Monitoring Report (AMR) each year. The council does not perform any projections of future CIL receipts since payment of the levy is made upon commencement of development, and this is not something that is monitored by the council. However, given the levels of residential growth projected in Lewisham over this coming years, coupled with the proposals to increase the rate of CIL charged, it is likely that there will continue to be a sustained level of CIL receipts over the medium-term.
- 6.2 The council is able to spend 15% of CIL in the areas in which it was collected, however the Regs allow a greater proportion to be allocated. It is recommended that 25% of CIL be allocated to neighbourhoods in Lewisham. Allocating 25% would allow for greater local involvement in a meaningful manner, as well as providing community with sufficient resources to address the local impacts of development in a more comprehensive manner. It would also make the NCIL allocation process more inclusive in allowing all communities equal access to the same proportion of NCIL funding regardless of the adoption of a neighbourhood plan. If 25% is allocated (10% more than the 15% reported in the ARM) then this would total £2,321,832 for the financial years 2015/16, 2016/17, and 2017/18.
- 6.3 It is recommended that wards be used as the neighbourhoods for the purposes of CIL. This aligns with the government's guidance to use existing community consultation and engagement processes, and enables the council to build on the existing competencies, local capacities, local assemblies' process, and the political representation that exists through elected members. It is recognised that the function of ward assemblies will need to change significantly from their current role to form part of the NCIL process. In regards to this, the council will be working with assemblies and the wider population of residents within each ward (levering the communication tools at the council's disposal) to enable the process to be suitably engaging and far reaching and accessible, and will explore more detailed options for the use of different mechanisms and platforms to achieve this.
- 6.4 It is recommended that some form of financial redistribution be undertaken, recognising that the impacts of development are not restricted to the administrative boundary of wards, that diverse communities function across ward boundaries, and that to address the local impacts of development it is often necessary to develop more comprehensive projects and programmes at a greater scale. A level of financial redistribution will enable wider geographies to be used as the basis of proposed interventions, and will promote more comprehensive and ambitious

allocations. This will build on the success of a number of cross-ward initiatives already undertaken by the local assemblies through the assembly fund.

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

At 25% of CIL for neighbourhoods	IMD Band	Ward (50%)	Ward Top Up (by group) (25%)	Ward Total	All Ward NCIL Pot (25%)
Bellingham	3	£646.11	£47,381.65	£48,027.76	£568,579.84
Blackheath	1	£60,109.03	£15,793.88	£75,902.92	
Brockley	2	£21,970.28	£31,587.77	£53,558.04	
Catford South	1	£3,431.85	£15,793.88	£19,225.73	
Crofton Park	1	£12,628.57	£15,793.88	£28,422.45	
Downham	3	£4,042.43	£47,381.65	£51,424.09	
Evelyn	3	£527,093.23	£47,381.65	£574,474.89	
Forest Hill	1	£16,786.20	£15,793.88	£32,580.08	
Grove Park	2	£-	£31,587.77	£31,587.77	
Ladywell	1	£32,728.71	£15,793.88	£48,522.59	
Lee Green	1	£48.43	£15,793.88	£15,842.31	
Lewisham Central	2	£49,621.94	£31,587.77	£81,209.71	
New Cross	3	£215,399.48	£47,381.65	£262,781.14	
Perry Vale	2	£6,366.21	£31,587.77	£37,953.98	
Rushey Green	3	£150,204.71	£47,381.65	£197,586.36	
Sydenham	2	£3,026.65	£31,587.77	£34,614.42	
Telegraph Hill	2	£33,055.86	£31,587.77	£64,643.63	
Whitefoot	3	£-	£47,381.65	£47,381.65	

- 6.7 The process proposed is based on the principles presented to SDSC, the existing successful local assembly process, the S106 pilot, and best practice in London, and meets the CIL Regs and guidance outlined in the PPG. It is set to a medium-term financial strategy and 4 year cycle, and considers the financial and legal constraints applied to CIL. Each financial year once CIL receipts are known for that period, the council would publish updated figures and send a briefing note to all local assemblies and members on remaining funds, projects approved, completed, and in progress.

6.8 The proposed process is presented below:

<p><b>STAGE 1: Priority Setting (four year cycle)</b>  <b>Ward priorities ‘themes’ set by community through the local assemblies with members</b></p>
<ul style="list-style-type: none"> <li>• Organised by ward, using local assembly and member structure</li> <li>• council published guidance on NCIL process and expectations</li> <li>• member and local assembly briefings</li> <li>• Publish background/contextual information for each ward (Corporate Strategy 2018-2022, relevant evidence bases, Local Plan policies, council capital programme etc.)</li> <li>• Publish financial information on available NCIL amounts per ward</li> <li>• Priority ‘themes’ for each ward set at workshop with community run by local assembly and members (with council support)</li> <li>• Inclusion of Neighbourhood Plan priorities within process (where applicable, including across wards if neighbourhood plans are cross boundary)</li> <li>• Priorities required to be broadly consistent with Corporate Plan 2018-2022, and Local Plan</li> </ul>
<p><b>OUTCOME: Ward priorities identified, agreed and published – to cover four year period</b></p>

<p><b>STAGE 2: ‘Open call’ for projects (biennial or annual process – ward assembly to decide)</b>  <b>‘Open call’ for projects directly submitted to council’s website</b></p>
<ul style="list-style-type: none"> <li>• Open call for project proposals</li> <li>• Submissions via online NCIL project proposal Form A (for ward fund) or Form B (for borough fund); for ward fund applicant must be resident in that ward, for borough fund applicant must be Lewisham resident</li> <li>• Proposals to ‘ward fund’ to address NCIL framework criteria:             <ol style="list-style-type: none"> <li>1. Meet the CIL Regulations (Reg 59 and/or 59F) ‘to support the development’ of an area through:                 <ol style="list-style-type: none"> <li>A. the provision, improvement, replacement, operation or maintenance of infrastructure; or,</li> <li>B. anything else that is concerned with addressing the demands that development places on an area.</li> </ol> </li> <li>2. Provide evidence of how they address a local priority from the priority setting workshop</li> <li>3. Provide evidence of a benefit to a Lewisham community</li> <li>4. Offer value for money</li> </ol> </li> <li>• Additional information for borough fund applications submitted to cover:             <ol style="list-style-type: none"> <li>5. Reflect priorities identified in:                 <ul style="list-style-type: none"> <li>○ The Corporate Strategy 2018-2022</li> <li>○ The Local Plan</li> <li>○ The Infrastructure Delivery Plan (IDP)</li> <li>○ Capital Programme</li> <li>○ Other key council plans</li> </ul> </li> <li>6. Project funding</li> <li>7. Project delivery</li> </ol> </li> <li>• Proposals to ‘borough fund’ to address NCIL framework criteria:             <ol style="list-style-type: none"> <li>1. Meet the CIL Regulations (Reg 59 and/or 59F) ‘to support the development’ of an area through:                 <ol style="list-style-type: none"> <li>A. the provision, improvement, replacement, operation or maintenance of infrastructure; or,</li> <li>B. anything else that is concerned with addressing the demands that development places on an area.</li> </ol> </li> </ol> </li> </ul>

<ul style="list-style-type: none"> <li>2. Align with a priority within the Corporate Strategy 2018-2022</li> <li>3. Will make a significant contribution to two or more wards and/or have significant borough wide value</li> <li>4. Will make a significant contribution to addressing issues of deprivation (where necessary taking into consideration the Indices of Multiple Deprivation)</li> <li>5. Offer value for money</li> </ul> <ul style="list-style-type: none"> <li>• Additional information for borough fund applications submitted to cover: <ul style="list-style-type: none"> <li>6. Project funding</li> <li>7. Project delivery</li> </ul> </li> <li>• Projects submitted direct to council via online form</li> </ul>
<b>OUTCOME: Potential projects identified by communities, local assemblies and members</b>

<b>STAGE 3: Evaluate projects and publish long-list (biennial or annual process – ward assembly to decide)</b>
<b>council officers assess, filter and group projects from the open call into a long-list</b>
<ul style="list-style-type: none"> <li>• Evaluate project proposals against published ‘framework criteria’ identified above</li> <li>• Proposals scored ‘met’/‘not-met’ against each criteria (scores do not assess merits of application and are only used to ensure that the council is meeting its legal obligations as set out in the CIL Regulations 2010 (as amended), and that any proposed spending of CIL meets the councils finance and accounting obligations)</li> <li>• council to publish long-list of projects</li> </ul>
<b>OUTCOME: Long-list published by council</b>

<b>STAGE 4: Develop ‘project bank’ (biennial or annual process – ward assembly to decide)</b>
<b>Prioritisation of long-list by the community via local assembly with members</b>
<ul style="list-style-type: none"> <li>• Prioritisation of long-list projects for the ward fund via a public vote of residents in each ward, ratified by the ward assembly with member involvement at a workshop</li> <li>• Projects for the borough fund prioritised by the Director of Planning</li> <li>• Where NCIL funds are not sufficient to deliver the top priority projects, ward assemblies to decide if they will fund lower priority projects, part of a project, or wait until further funding becomes available</li> <li>• council to publish project bank with prioritised project list</li> </ul>
<b>OUTCOME: Project bank published by council with prioritised projects identified</b>

<b>STAGE 5: Allocate and delivery (annual process)</b>
<b>All projects allocated through PID process through Regeneration and Capital Delivery Board (RCDB) for the ward fund, and Mayor &amp; Cabinet for the borough fund</b>
<ul style="list-style-type: none"> <li>• Allocation process to follow existing PID process for finance and legal audit</li> <li>• council to assist organisations to develop projects with local assembly and members as projects and funds are available (CIL funding information updated annually)</li> <li>• Allocations set through PID process to either ward fund or borough fund; when funding is available ward allocations will be made annually by RCDB, and borough allocations by Mayor &amp; Cabinet annually</li> <li>• Project delivery to follow existing finance and legal audit process</li> </ul>
<b>OUTCOME: PIDs submitted and allocations made aligned to available CIL receipts</b>

<b>STAGE 6: Monitoring, evaluation and reporting (annual)</b>
<ul style="list-style-type: none"> <li>• Project closure and reporting to follow existing PID reporting and audit process</li> <li>• Reporting incorporated into existing AMR process</li> </ul>

- Relevant reporting on NCIL/AMR to Safer Stronger Communities Select Committee and Sustainable Development Select Committee
- Review mechanism (year one only); NCIL outcomes from year one to be reported back to M&C including any recommendations for amendments to the process

**OUTCOME: Yearly monitoring through AMR**

Governance Arrangements

- 6.9 It is recommended that the council use existing governance and financial audit processes that align to the existing PID process; all PIDs for NCIL that seek ward funding will be assessed by Regeneration and Capital Delivery Board, and all PIDs for borough funding will be assessed by Mayor & Cabinet. It is recommended that existing audit and control process be applied to the allocation and spending of NCIL.
- 6.10 It is recommended that bids for project proposals to NCIL that occur during the 'open call' be assessed for compliance with a set of NCIL framework criteria. The council would only assess project proposals for completeness and for compliance with the framework criteria, and project proposals must meet all the criteria to be published as part of the long-list of projects. The assessment would not look at the merits of a bid, and would only be used to ensure that the council is meeting its legal obligations as set out in the CIL Regulations 2010 (as amended), and that any subsequent spending meets the council's finance and accounting obligations.
- 6.11 Project proposals would need to identify if they were applying to the ward fund, or the borough fund, and complete a form providing basic information and demonstrating how they meet the framework criteria. Applicant would need to be a resident of the relevant ward to apply for the ward fund, and a Lewisham resident to apply for the borough fund.
- 6.12 The framework criteria and allocation process would be split for the ward fund and the borough fund as detailed below. For the ward fund it is proposed that all residents within a ward are eligible to participate in a public on-line vote on the long-list of projects to come up with a prioritised list of projects that the Director of Planning will then use to make recommendations to RCDB for allocation of funds (when funds are available, and once a year). For the borough fund it is recommended that the Director of Planning makes recommendations to Mayor & Cabinet on priorities based on the framework criteria (when funds are available, and once a year).
- 6.13 A review mechanism is provided in the year one monitoring process, whereby officers will report alongside the AMR the outcomes of the first year of the NCIL process, including any recommendations to Mayor and Cabinet on amendments to the process.
- 6.14 The draft application forms are attached in Appendix B.

Ward fund framework criteria

- 6.15 All projects must demonstrate that they:
1. Meet the CIL Regulations (Reg 59 and/or 59F) 'to support the development' of an area through:

- A. the provision, improvement, replacement, operation or maintenance of infrastructure; or,
  - B. anything else that is concerned with addressing the demands that development places on an area.
2. Provide evidence of how they address a local priority from the priority setting workshop
  3. Provide evidence of a benefit to a Lewisham community
  4. Offer value for money
- 6.16 Proposals that are identified in an adopted Neighbourhood Plan will still have to complete a project proposal form, however they will not have to address criteria two on local priorities, as they will have already been subject to a referendum.
- 6.17 To facilitate the process of prioritising projects applications will also have to provide additional information on the corporate priorities the project addresses, and details on project funding and project delivery. These will not be scored, however they will assist communities in better understanding proposals, and in determining priorities for NCIL spending.
- 6.18 All projects must provide additional information to demonstrate how they:
5. Reflect priorities identified in:
    - The Corporate Strategy 2018-2022
    - The Local Plan
    - The Infrastructure Delivery Plan (IDP)
    - Capital Programme
    - Other key council plans
  6. Project funding
  7. Project delivery

#### Borough fund framework criteria

- 6.19 The borough fund is a fund that the council will allocate to projects that will benefit two or more wards, or the entire borough. As such all projects must demonstrate that they:
1. Meet the CIL Regulations (Reg 59 and/or 59F) 'to support the development' of an area through:
    - A. the provision, improvement, replacement, operation or maintenance of infrastructure; or,
    - B. anything else that is concerned with addressing the demands that development places on an area.
  2. Align with a priority within the Corporate Strategy 2018-2022
  3. Will make a significant contribution to two or more wards and/or have significant borough wide value

4. Will make a significant contribution to addressing issues of deprivation (where necessary taking into consideration the Indices of Multiple Deprivation)
  5. Offer value for money
- 6.20 Additional information is required for applications to the borough fund that will not be scored. This information will assist the council in better understanding proposals, and in determining priorities for NCIL spending. All projects must provide additional information to demonstrate:
6. Project funding
  7. Project delivery

#### Member involvement and ward assemblies

- 6.21 The council is seeking to put communities at the centre of the NCIL process. The use of wards and ward assemblies will help to facilitate this engagement and the functioning of the NCIL process since the structure of wards aligns to the system of elected members and relates to existing political and administrative structures of the council. This approach also aligns to the CIL Regulations 2010 (as amended) and the government's Planning Practice Guidance on CIL which states that councils should:
- Set out clearly and transparently an approach to engaging with neighbourhoods using their regular communication tools
  - Using existing community consultation and engagement processes
  - Be proportionate to the level of levy receipts and the scale of the proposed development to which the neighbourhood funding relates
  - Ensure that the use of neighbourhood funds should match priorities expressed by local communities, including priorities set out formally in neighbourhood plans
- 6.22 By developing the role of the ward assemblies to include working to facilitate the NCIL process with the council and more widely with communities, the council will build on the existing competencies and local capacities of assemblies and the assemblies team, as well as leveraging the political representation that exists through elected members. Alongside this at all stages the engagement process will be implemented so as to reach out to diverse communities and use a variety of accessible platforms.
- 6.23 As elected ward representatives members are central to the NCIL process and will be involved in setting local priorities and developing project proposals. The involvement of members will also be essential in assisting communities in considering how NCIL projects could support the wider work of the council in delivering on key corporate priorities. To assist members in this process the council will be producing a guide that provides information to members on the Lewisham's NCIL process. In addition to existing work, the NCIL process provides opportunity for member involvement including:
- Working with communities and ward assemblies to identify long-term strategic priorities
  - Leading on the development of cross-ward priorities (where relevant)
  - Working with communities and ward assemblies to developing project proposals
  - Directly submitting project proposals during the open call for projects
  - Liaising with Neighbourhood Forums on NCIL priorities and projects

- Working with communities and assemblies to prioritise projects and develop project banks
- Engaging with the delivery of project in their ward and across the borough
- Leading on the coordination between wards where joint projects are proposed
- Evaluating the effectiveness of delivered projects and reviewing annual monitoring

6.24 The ward assemblies and members will be provided with opportunities at each stage of the process to work collaboratively with other wards to develop shared projects. Members will be expected to facilitate cross-ward coordination during the priority setting workshop and when developing project proposals.

6.25 Draft member and public guidance is provided in Appendix B.

## 7. Legal Implications

7.1 Regulation 59 of the Community Infrastructure Levy Regulations 2010 requires that a charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. Section 216 of the Town and Country Planning Act 1990 defines infrastructure as including—

- (a) roads and other transport facilities,
- (b) flood defences,
- (c) schools and other educational facilities,
- (d) medical facilities,
- (e) sporting and recreational facilities, and
- (f) open spaces

7.2 Regulation 59F provides that where all or part of a chargeable development is in an area which is not a parish council then a charging authority, which in this instance is the council, may use or cause to be used the CIL which would have had to have been passed to a parish council, to support the development of the area by funding:-

the provision, improvement, replacement, operation or maintenance of infrastructure; or  
anything else that is concerned with addressing the demands that development places on an area.

7.3 As there is no parish council in Lewisham this applies to its entire area.

7.4 The CIL receipts that would have had to be passed to the council if there was a parish council are as set out in Regulations 59A and 59B. This amounts to 25 per cent of the relevant CIL receipts in England, either where all or part of a chargeable development is within an area that has a neighbourhood development plan in place or where all or part of a chargeable development—

- (a) is not in an area that has a neighbourhood development plan in place; and
- (b) was granted permission by a neighbourhood development order made under section 61E or 61Q (community right to build orders) of TCPA 1990, and 15 per cent elsewhere.

7.5 The relevant CIL receipts are the proportion of CIL received in relation to a development equal to the proportion of the gross internal area of the development that is relevant development in the area, and the total amount of CIL receipts

passed shall not exceed an amount equal to £100 per dwelling in the area of the local council multiplied by IA in each financial year

- 7.6 Currently as there are no neighbourhood plans in place the broader power to apply CIL in accordance with the provisions of Reg 59F is limited to 15 per cent of receipts.
- 7.7 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.8 In summary, the council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
  - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
  - (c) foster good relations between people who share a protected characteristic and persons who do not share it.
- 7.9 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 7.10 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>
- 7.11 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
  2. Meeting the equality duty in policy and decision-making
  3. Engagement and the equality duty
  4. Equality objectives and the equality duty
  5. Equality information and the equality duty
- 7.12 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

## **8. Crime and disorder implications**

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

## **9. Equalities implications**

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

## **10. Environmental implications**

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

## **11. Financial Implications**

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

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

## **12. Conclusion**

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

## **13. Background documents and originator**

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

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

**Appendix B:** Draft application forms, draft member guidance, and draft public guidance

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

**1. Purpose**

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

**2. Recommendations**

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

**3. Policy context**

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

3.2. The 22 October 2015 report to SDSC outlines the legislative and policy context in relation to section 106 and CIL.

**4. Background**

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

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

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

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

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

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

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

#### **Update of review of viability mechanisms**

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

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

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

## **6. Financial implications**

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

## **7. Legal implications**

7.1 There are no legal implications arising from this report.

## **8. Equalities implications**

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

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

## **9. Environmental implications**

9.1 There are no specific environmental implications arising from this report

## **10. Conclusion**

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

### **Background documents**

Report to Sustainable Development Select Committee 22<sup>nd</sup> October 2015.

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

Report to Mayor and Cabinet 13 January 2016.

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

Report to Sustainable Development Select Committee 12<sup>th</sup> May 2016.

[http://councilmeetings.lewisham.gov.uk/documents/s43532/4\\_SDSC\\_UseS106andCILreport12052016.pdf](http://councilmeetings.lewisham.gov.uk/documents/s43532/4_SDSC_UseS106andCILreport12052016.pdf)

# **MINUTES OF THE SUSTAINABLE DEVELOPMENT SELECT COMMITTEE**

**Tuesday, 29 November 2016 at 7.00 pm**

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

APOLOGIES: Councillors Bill Brown and Eva Stamirowski

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

## **1. Minutes of the meeting held on 25 October 2016**

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

## **2. Declarations of interest**

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

## **3. Planning key policies and procedures**

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

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

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

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

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

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

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

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

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

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

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

#### **4. Planning enforcement**

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

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

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

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

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

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

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

4.3 The Committee recommends that further work be carried out to develop a customer relations management system for the Council's enforcement activities. The Committee is concerned that there is not a clear and collaborative approach, between teams dealing with enforcement activities at the Council, for dealing with reports of activities from residents that may require enforcement action. The Committee believes that a single, universally accessible management system for officers would help to manage the flow of information and complaints as well as improving the reputation of the Council in dealing with residents' concerns.

4.4 The Committee believes that further clarity should be provided to residents for those cases in which building control and planning activities overlap. In particular, the Committee recommends that any letters issued to residents by either service include guidance about contacting the Council's other enforcement teams.

## **5. Planning - use of S106 and CIL**

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

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

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

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

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

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

5.3 The Committee is concerned about the sustainability of neighbourhood forums. It is also concerned that neighbourhood forums might not be representative of their local populations.

5.4 The Committee recommends that the Council produce guidance for groups establishing neighbourhood forums, to encourage the inclusion of local councillors in their membership.

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

**6. Planning - annual monitoring report**

Resolved: that the report be noted.

**7. Information item: annual parking report**

Resolved: that the information item be noted.

**8. Select Committee work programme**

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

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

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

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

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

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

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

The meeting ended at 9.30 pm

Chair:

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Date:

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# **Neighbourhood CIL – Application Form 'Open call for projects'**

## Introduction

This is the application form for submitting a project proposal for NCIL funding in Lewisham during the 'open call' for projects.

All applications will need to be submitted electronically (not hand written) via the Council's website before the close of the open call. Applications received after the closure of the open call will not be considered, and will be placed in the subsequent round for consideration.

You will need to complete all parts of this form in full unless otherwise indicated. Incomplete submissions will not be considered for NCIL funding. Further guidance on the NCIL process can be found on the Council's webpage. Please take note of the specific requirements below, and identify if the project proposals is applying to the ward fund or the borough fund. Projects cannot apply to both funds.

**Applications for ward funding: please complete Form A for projects located within your ward or for programs that will occur just in your ward.**

**Applications for the borough fund: please complete Form B for projects or programs in two or more wards or that will have a borough wide impact.**

### Assessment of project proposals

In each section of the form you will have to provide sufficient details to suitably demonstrate that you have met each criteria. The Council will only assess project proposals for completeness and for compliance with the framework criteria, and project proposals must meet all the criteria to be published as part of the long-list of projects. The assessment does not look at the merits of your application, and is only used to ensure that the Council is meeting its legal obligations as set out in the CIL Regulations (2010)(as amended), and that any subsequent spending meets the Councils finance and accounting obligations.

Score	Level	Standard
0	Criteria not met	Answer absent, or proposal cannot clearly demonstrate how it will effectively address the relevant part of the NCIL framework criteria.
1	Criteria met	Answer is complete and demonstrates clearly how it will effectively address the relevant part of the NCIL framework criteria.

# **FORM A: Project proposals**

## **NCIL Ward Fund**

## **Form A: Background on ward funding**

Please complete Form A for the ward fund if your project is located within your ward or if it is for a program that will occur just in your ward. To apply for this fund you must be a resident of the ward (further details provided in part 1.1).

### NCIL framework criteria

Form A for ward funding will ask questions that enable you to demonstrate that your project proposals:

1. Meet the CIL Regulations (Reg 59 and/or 59F) 'to support the development' of an area through:
  - A. the provision, improvement, replacement, operation or maintenance of infrastructure; or,
  - B. anything else that is concerned with addressing the demands that development places on an area.
2. Provide evidence of how they address a local priority from the priority setting workshop
3. Provide evidence of a benefit to a Lewisham community
4. Offer value for money

Proposals that are already identified in an adopted Neighbourhood Plan will still have to complete a project proposal form, however they will not have to address the NCIL framework criteria 2 on local priorities, as they will have already been subject to a referendum.

### Additional information

Additional information is required on Form A, but it will not be scored. This information will assist communities in better understanding your proposals, and in determining priorities for NCIL spending.

All projects must provide additional information to demonstrate how they:

5. Reflect priorities identified in:
  - The Corporate Strategy 2018-2022
  - The Local Plan
  - The Infrastructure Delivery Plan (IDP)
  - Capital Programme
  - Other key Council priority
6. Project funding
7. Project delivery

## APPLICATION FORM A: Applications for the Ward Fund

Please complete all parts of this form. Incomplete applications will not be considered. Please provide as much information as possible, and keep to the word limits provided.

- Section 1 is not scored, but is required to be completed in full. This information is required so the Council can identify projects and contacts, and is needed to comply with the CIL Regulations (2010)(as amended) and the Council’s wider duties and obligations. To be eligible for NCIL funding you must be a resident within the ward.
- Section 2 will be scored as having ‘met’ or ‘not-met’ the framework criteria, so please complete this section in full and ensure that you address all the criteria in your answers.
- Section 3 is not scored, but is required to be completed in full. This information will assist communities in better understanding your proposals, and in determining priorities for NCIL spending so it is important to complete all sections and provide as much information as possible.
- Section 4 is not scored, but is required to be completed in full. This information is required so the Council can identify any potential conflict of interests.

### SECTION 1: Background information and NCIL funding requirements

Section 1 is not scored, but is required to be completed in full. This information is required so the Council can identify projects and contacts, and is needed to comply with the CIL Regulations (2010)(as amended) and the Council’s wider duties and obligations. To be eligible for NCIL funding you must be a resident of the ward.

#### Part 1.1: Please provide the details of the organisation/individual submitting this project

Please complete this part in full. This information will help us identify relevant contacts and eligibility for NCIL funding.

<b>Organisation/individual name:</b>	
<b>Project lead (name):</b>	
<b>Address (including street and postcode):</b>	
<b>Phone number:</b>	
<b>E-mail address:</b>	
<b>Ward:</b>	
<b>Resident of the ward:</b>	Please provide the postcode of your address to demonstrate that you are a resident of the ward, or that your organisation is made up of ward residents:

#### Part 1.2: Please identify the Council department that will be responsible for the delivery of the project

Please fill out part 1.2 if the Council will be responsible for delivering the project.

If a third party is responsible for delivering the project, please mark 'no' and fill out part 1.3.

Will the Council be responsible for delivering the project?      Yes       No

If you answered yes, please complete this part. You will need to provide details of what has been agreed and provide evidence of this as an appendix to your application.

If you answered no, and a third party is going to deliver the project please skip to part 1.3. You need to provide a formal statement from the third party that they agree to deliver the project if it receives funding, and provide evidence of this as an appendix to your application.

<b>Council department:</b>	
<b>Council officer lead (name):</b>	

**Part 1.3: Please identify the legal status of the organisation**

If you have not identified a Council Department to deliver the project, you must provide the following information.

Only organisations that are an incorporated body with a constitution are eligible, and they must have social, charitable or community-based objectives. Recognised organisational forms include: a registered charity, an incorporated community group (company limited by shares), a Community Interest Company (CIC), or a co-operative.

Registered Charity	<input type="checkbox"/>
Charity Reg No:	<input type="text"/>
Company Ltd by shares	<input type="checkbox"/>
Company Reg No:	<input type="text"/>
Community Interest Company	<input type="checkbox"/>
Charity Reg No:	<input type="text"/>
Co-operative	<input type="checkbox"/>
Co-operative Reg No:	<input type="text"/>

Does this organisation have an approved constitution?      Yes       No

Does this organisation have a separate bank account?      Yes       No

If applicable, please provide the names, addresses and position held of all members of the organisations management committee/board/trustees

Name	Address	Position

*Continue on separate page if needed*

All projects being funded through a third party will be required to complete a funding agreement with the Council. Details of this process will be provided once approval for a project has been granted.

#### **Part 1.4: Other sources of funding**

Please tell us if you have received any previous funding for projects from Lewisham Council in the last five (5) financial years.

Project	Funding program	Amount awarded	Financial year awarded

*Continue on separate page if needed*

#### **Part 1.5: About the project**

Please provide the following information on the proposed project. This will be used to identify the project and be used as part of the prioritisation process.

Project name

Project summary
Please describe the project in the box below. This should include where the project will be

delivered, how many people it will benefit, and a general description of the aims and outcomes.

Maximum 300 words

Does the project need planning permission? Yes  No

If the project is likely to require planning permission, please explain this in further detail in the deliery section. All NCIL alloctaions will be subject to the approval of planning permission.

**Total amount of NCIL requested**

**What ward will the project be delivered in?**

## SECTION 2: NCIL framework criteria

Section 2 will be scored against each criteria as having 'met' of 'not-met' each criteria, so please complete this section in full and ensure that you address the criteria in your answers.

### Part 2.1: Compliance with the CIL Regulations

In the box below please identify if the proposal is in accordance with the CIL Regs by confirming if the project will:

1. Meet the CIL Regulations (Reg 59 and/or 59F) 'to support the development' of an area through:
  - A. the provision, improvement, replacement, operation or maintenance of infrastructure;  
or,
  - B. anything else that is concerned with addressing the demands that development places on an area.

**Please explain how the proposal meets the CIL Regulations and demonstrate how it 'supports development'. In addition, please identify how your project proposal either: A. addresses a strategic infrastructure priority, or; B. addresses the demands that development places on an area.**

You must demonstrate how your project proposal 'supports development'. In addition you must demonstrate that your project meets one of either Criteria A or Criteria B.

To meet Criteria A, please identify what strategic infrastructure priority the project addresses, and how the project relates to the provision, improvement, replacement, operation or maintenance of the proposed infrastructure.

To meet Criteria B, please identify what the demands are that development has placed on the local area, and how the project supports development and growth.

Maximum 300 words

--

**Part 2.2: Addressing identified local priorities**

In the box below please provide evidence of how your project or program address a local priority from the priority setting workshop. You will need to identify which priority it is addressing, and demonstrate how it will bring about meaningful change. It is important to consider who the project will affect, and what the benefits of it will be.

If your project comes from an adopted Neighbourhood Plan, please just confirm the Neighbourhood Plan name and date of adoption in the box below.

<p><b>Local priorities and Neighbourhood Plans</b></p> <p>Please list the NCIL priorities that will be addressed by your project. These must be from the published priorities for each ward, which can be found on the ward assembly webpage. Please identify how it will bring about meaningful change in addressing the priority.</p> <p>For projects arising from a Neighbourhood Plan, please just confirm the Neighbourhood Plan name and date of adoption in the box below.</p>
Maximum 300 words

**Part 2.3: Benefit to a Lewisham community**

In the box below please provide evidence of how your project or program will benefit a community in Lewisham.

<p><b>Project Benefits</b></p> <p>Please provide evidence of how the project will benefit a Lewisham community. Please think about how many people will be effected, how the project will benefit the local community and wider residents, businesses, and students. It is important to explain how the benefits you identify are linked to the proposed project, and that these benefits will occur in a timely manner.</p>
Maximum 300 words

**Part 2.4: Value for money**

In the box below please provide evidence of how your project or program will deliver value for money.

<p><b>Value for money</b></p> <p>Please outline how the project will deliver value for money. You will need to consider how many people the project will effect, the meaningful change that the project will cause, and the overall cost of the project. You will need to refer to the costings provided in Section 3, and explain the overall value for money.</p>
Maximum 300 words

### SECTION 3: Additional information

Section 3 is not scored, but is required to be completed in full. This information will assist communities in better understanding your proposals, and in determining priorities for NCIL spending so it is important to provide this information in full.

#### Part 3.1: Wider priorities in Lewisham

Please outline how the proposed project reflect the priorities identified in any or all of the following documents:

- The Corporate Strategy 2018-2022
- The Local Plan
- The Infrastructure Delivery Plan (IDP)
- Capital Programme
- Other key Council plans

#### Wider priorities in Lewisham

Please identify which key priorities your proposed project addresses, and how your project will bring about meaningful change.

You do not have to include responses to all of the listed document and not all the priorities will be relevant. However by providing a brief description to explain how your project aligns to the wider work the Council is doing, you will be assisting communities to understand the wider impact of your project and this will help in prioritising projects that will receive NCIL funding.

Maximum 300 words

#### Part 3.2: Project funding

Please provide as much detail as possible on the funding arrangements for the proposed project. Since NCIL funding is limited, projects will need to demonstrate value for money, and your response to previous parts will need to make reference to the funding costs below.

#### Project funding costs

Please complete the table below to show how much NCIL funding will be needed to support your project. Please also confirm if there is any match funding involved.

Project costs	Amount requested from NCIL	Amount from other funding sources	Name of other funding source

<b>Total cost of project from all sources of funding:</b>	
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### Part 3.3: Project delivery

Please provide as much detail as possible on the delivery arrangements for the proposed project. You will need to explain who will be delivering the project. If it is a Council department, you will need to provide details of what has been agreed and provide evidence of this as an appendix to your application. If a third party is going to deliver the project you need to provide a formal statement from them that they agree to deliver the project if it receives funding, and provide evidence of this as an appendix to your application.

#### Known factors that may affect delivery

Please identify any known factors that may affect delivery of the project

Maximum 300 words

#### Third party involvement

Describe any proposed third party involvement in the delivery of the project and the measures that will be taken by the project team to ensure delivery timescales and cost control is managed

Maximum 300 words

#### Delivery issues – funding

Should funding not be granted (or delayed) what would be the opportunity costs?

Maximum 300 words

#### Delivery issues – revenue

Are there any revenue implications? If so what is the status of meeting on-going revenue requirements

Maximum 300 words

## Section 4: Declaration

I declare that as the applicant (name): \_\_\_\_\_

Have no pecuniary or business interests in connection with the application for NCIL funding

Will inform Lewisham Council without delay, of any situation considered a pecuniary or business interests or which could give rise to a conflict of interest

Wish to declare the following pecuniary or business interests

I certify that the information supplied is accurate to the best of my knowledge. I understand and accept that providing deliberate false information could result in legal action being taken against me and withdrawal of funds awarded.

Signed:

Organisation name:

Name (Print)

Position:

*Position in organisation if applicable*

Date:

The London Borough of Lewisham is registered as a 'Data Controller' with the Information Commissioner's Office (ICO) under the General Data Protection Regulation, as we collect and process personal information about you. We collect, process and hold your information in order to provide you with a service. The information you provide will be used to:

- assess if your project meets the criteria outlined in the NCIL guidance
- help us assess and monitor the NCIL funding
- provide information for statistical purposes

We will hold your personal information for no longer than 5 years, and should you have any queries or concerns, please contact the planning policy team at [planning.policy@lewisham.gov.uk](mailto:planning.policy@lewisham.gov.uk).

We may share your information and outcome of the funding application to other departments within the council that are helping us assess and monitor the NCIL funding. We reserve the right to publish the application form in its entirety if the applicant will be involved in the delivery of a successful project

# **FORM B: Project proposals**

## **NCIL Borough Fund**

## **Form B: Background on borough funding**

Please complete Form B for the borough fund if your project or program is in two or more wards or will have a borough wide impact. To apply for this fund you must be a Lewisham resident (further details provided in part 1.1).

### NCIL framework criteria

Form B for borough funding will ask questions that enable you to demonstrate that your project proposals:

1. Meet the CIL Regulations (Reg 59 and/or 59F) 'to support the development' of an area through:
  - A. the provision, improvement, replacement, operation or maintenance of infrastructure; or,
  - B. anything else that is concerned with addressing the demands that development places on an area.
2. Align with a priority within the Corporate Strategy 2018-2022
3. Will make a significant contribution to two or more wards and/or have significant borough wide value
4. Will make a significant contribution to addressing issues of deprivation (where necessary taking into consideration the Indices of Multiple Deprivation)
5. Offer value for money

### Additional Information

Additional information is required on Form B, but it will not be scored. This information will assist the Council in better understanding your proposals, and in determining priorities for NCIL spending.

All projects must provide additional information to demonstrate:

6. Project funding
7. Project delivery

## APPLICATION FORM B: Applications for the Borough Fund

Please complete all parts of this form. Incomplete applications will not be considered. Please provide as much information as possible, and keep to the word limits provided.

- Section 1 is not scored, but is required to be completed in full. This information is required so the Council can identify projects and contacts, and is needed to comply with the CIL Regulations (2010)(as amended) and the Council’s wider duties and obligations. To be eligible for NCIL funding you must be a Lewisham resident.
- Section 2 will be scored as having ‘met’ or ‘not-met’ the framework criteria, so please complete this section in full and ensure that you address all the criteria in your answers.
- Section 3 is not scored, but is required to be completed in full. This information will assist the Council in better understanding your proposals, and in determining priorities for NCIL spending so it is important to complete all sections and provide as much information as possible.
- Section 4 is not scored, but is required to be completed in full. This information is required so the Council can identify any potential conflict of interests.

### SECTION 1: Background information and NCIL funding requirements

Section 1 is not scored, but is required to be completed in full. This information is required so the Council can identify projects and contacts, and is needed to comply with the CIL Regulations (2010)(as amended) and the Council’s wider duties and obligations. To be eligible for NCIL funding you must identify your link to the ward.

#### Part 1.1: Please provide the details of the organisation/individual submitting this project

Please complete this part in full. This information will help us identify relevant contacts and eligibility for NCIL funding.

<b>Organisation/individual name:</b>	
<b>Project lead (name):</b>	
<b>Address (including street and postcode):</b>	
<b>Phone number:</b>	
<b>E-mail address:</b>	
<b>Ward:</b>	
<b>Link to the Lewisham:</b>	Please provide the postcode of your address to demonstrate that you are a resident of Lewisham, or that your organisation is made up of Lewisham residents:

#### Part 1.2: Please identify the Council Department that will be responsible for the delivery of the project

Please fill out part 1.2 if the Council will be responsible for delivering the project.  
 If a third party is responsible for delivering the project, please mark 'no' and fill out part 1.3.

Will the Council be responsible for delivering the project?      Yes       No

If you answered yes, please complete this part. You will need to provide details of what has been agreed and provide evidence of this as an appendix to your application.

If you answered no, and a third party is going to deliver the project please skip to part 1.3. You need to provide a formal statement from the third party that they agree to deliver the project if it receives funding, and provide evidence of this as an appendix to your application.

<b>Council department:</b>	
<b>Council officer lead (name):</b>	

**Part 1.3: Please identify the legal status of the organisation**

If you have not identified a Council Department to deliver the project, you must provide the following information.

Only organisations that are an incorporated body with a constitution are eligible, and they must have social, charitable or community-based objectives. Recognised organisational forms include: a registered charity, an incorporated community group (company limited by shares), a Community Interest Company (CIC), or a co-operative.

Registered Charity	<input type="checkbox"/>
Charity Reg No:	<input type="text"/>
Company Ltd by shares	<input type="checkbox"/>
Company Reg No:	<input type="text"/>
Community Interest Company	<input type="checkbox"/>
Charity Reg No:	<input type="text"/>
Co-operative	<input type="checkbox"/>
Co-operative Reg No:	<input type="text"/>

Does this organisation have an approved constitution?      Yes       No

Does this organisation have a separate bank account?      Yes       No

If applicable, please provide the names, addresses and position held of all members of the organisations management committee/board/trustees

Name	Address	Position

*Continue on separate page if needed*

All projects being funded through a third party will be required to complete a funding agreement with the Council. Details of this process will be provided once approval for a project has been granted.

**Part 1.4: Other sources of funding**

Please tell us if you have received any previous funding for projects from Lewisham Council in the last five (5) financial years.

Project	Funding program	Amount awarded	Financial year awarded

*Continue on separate page if needed*

**Part 1.5: About the project**

Please provide the following information on the proposed project. This will be used to identify the project and be used as part of the prioritisation process.

<b>Project name</b>

<b>Project summary</b>
------------------------

Please describe the project in the box below. This should include where the project will be delivered, how many people it will benefit, and a general description of the aims and outcomes.

Maximum 300 words

Does the project need planning permission?

Yes  No

If the project is likely to require planning permission, please explain this in further detail in the deliery section. All NCIL alloctaions will be subject to the approval of planning permission.

**Total amount of NCIL requested**

**What ward(s) will the project be delivered in?**

## SECTION 2: NCIL framework criteria

Section 2 will be scored against each criteria as having 'met' of 'not-met' each criteria, so please complete this section in full and ensure that you address the criteria in your answers.

### Part 2.1: Compliance with the CIL Regulations

In the box below please identify if the proposal is in accordance with the CIL Regs by confirming if the project will:

2. Meet the CIL Regulations (Reg 59 and/or 59F) 'to support the development' of an area through:
  - C. the provision, improvement, replacement, operation or maintenance of infrastructure;  
or,
  - D. anything else that is concerned with addressing the demands that development places on an area.

**Please explain how the proposal meets the CIL Regulations and demonstrate how it 'supports development'. In addition, please identify how your project proposal either: A. addresses a strategic infrastructure priority, or; B. addresses the demands that development places on an area.**

You must demonstrate how your project proposal 'supports development'. In addition you must demonstrate that your project meets one of either Criteria A or Criteria B.

To meet Criteria A, please identify what strategic infrastructure priority the project addresses, and how the project relates to the provision, improvement, replacement, operation or maintenance of the proposed infrastructure.

To meet Criteria B, please identify what the demands are that development has placed on the local area, and how the project supports development and growth.

Maximum 300 words

### **Part 2.2: Addressing an identified Corporate Priority**

In the box below please provide evidence of how your project or program addresses an identified corporate priority from the Corporate Strategy 2018-2022.

#### **Addressing an identified priority in the Corporate Strategy 2018-2022**

Please list the corporate priorities that will be addressed by your project. You will need to identify which priority it is addressing, and demonstrate how it will bring about meaningful change. It is important to consider who the project will affect, and what the benefits of it will be. It is important to explain how the benefits you identify are linked to the proposed project, and that these benefits will occur in a timely manner.

Maximum 300 words

### **Part 2.3: Making a significant contribution to two or more wards and/or have significant borough wide value**

In the box below please provide evidence of how your project or program will make a significant contribution to two or more wards and/or have significant borough wide value.

#### **Demonstrating benefits across two or more wards or across the entire borough**

Please list the wards that will be effected, and demonstrate how the project will have a significant impact on communities within these wards, or across the whole borough. You will need to demonstrate how it will bring about meaningful change, and it is important to consider who the project will affect, and what the benefits of it will be.

Maximum 300 words

### **Part 2.4: Making a significant contribution to addressing issues of deprivation**

In the box below please provide evidence of how your project or program will make a significant contribution to addressing issues of deprivation. You may wish to make reference to the Indices of Multiple Deprivation, or another recognised indicator of deprivation, or a relevant study.

#### **Making a significant contribution to addressing issues of deprivation**

Please demonstrate how the project will bring around a meaningful change to communities, and have a significant impact on deprivation. It is important to consider who the project will affect, and what the benefits of it will be, and you may wish to make reference to the IMD.

Maximum 300 words

### **Part 2.5: Value for money**

In the box below please provide evidence of how your project or program will deliver value for money.

**Value for money**

Please outline how the project will deliver value for money. You will need to consider how many people the project will effect, the meaningful change that the project will cause, and the overall cost of the project. You will need to refer to the costings provided in Section 3, and explain the overall value for money.

Maximum 300 words

### SECTION 3: Additional information

Section 3 is not scored, but is required to be completed in full. This information will assist the Council in better understanding your proposals, and in determining priorities for NCIL spending so it is important to provide this information in full.

#### Part 3.1: Project funding

Please provide as much detail as possible on the funding arrangements for the proposed project. Since NCIL funding is limited, projects will need to demonstrate value for money, and your response to previous parts will need to make reference to the funding costs below.

<b>Project funding costs</b>			
Please complete the table below to show how much NCIL funding will be needed to support your project. Please also confirm if there is any match funding involved.			
<b>Project costs</b>	<b>Amount requested from NCIL</b>	<b>Amount from other funding sources</b>	<b>Name of other funding source</b>
<b>Total cost of project from all sources of funding:</b>			

#### Part 3.2: Project delivery

Please provide as much detail as possible on the delivery arrangements for the proposed project. You will need to explain who will be delivering the project. If it is a Council department, you will need to provide details of what has been agreed and provide evidence of this as an appendix to your application. If a third party is going to deliver the project you need to provide a formal statement from them that they agree to deliver the project if it receives funding, and provide evidence of this as an appendix to your application.

**Known factors that may affect delivery**

Please identify any known factors that may affect delivery of the project

Maximum 300 words

**Third party involvement**

Describe any proposed third party involvement in the delivery of the project and the measures that will be taken by the project team to ensure delivery timescales and cost control is managed

Maximum 300 words

**Delivery issues – funding**

Should funding not be granted (or delayed) what would be the opportunity costs?

Maximum 300 words

**Delivery issues – revenue**

Are there any revenue implications? If so what is the status of meeting on-going revenue requirements

Maximum 300 words

## Section 4: Declaration

I declare that as the applicant (name): \_\_\_\_\_

Have no pecuniary or business interests in connection with the application for NCIL funding

Will inform Lewisham Council without delay, of any situation considered a pecuniary or business interests or which could give rise to a conflict of interest

Wish to declare the following pecuniary or business interests

I certify that the information supplied is accurate to the best of my knowledge. I understand and accept that providing deliberate false information could result in legal action being taken against me and withdrawal of funds awarded.

Signed:

Organisation name:

Name (Print)

Position:

*Position in organisation if applicable*

Date:

The London Borough of Lewisham is registered as a 'Data Controller' with the Information Commissioner's Office (ICO) under the General Data Protection Regulation, as we collect and process personal information about you. We collect, process and hold your information in order to provide you with a service. The information you provide will be used to:

- assess if your project meets the criteria outlined in the NCIL guidance
- help us assess and monitor the NCIL funding
- provide information for statistical purposes

We will hold your personal information for no longer than 5 years, and should you have any queries or concerns, please contact the planning policy team at [planning.policy@lewisham.gov.uk](mailto:planning.policy@lewisham.gov.uk). We may share your information and outcome of the funding application to other departments within the council that are helping us assess and monitor the NCIL funding. We reserve the right to publish the application form in its entirety if the applicant will be involved in the delivery of a successful project

# Neighbourhood CIL – Process Guidance

**Strategic Planning Team**  
*April 2019*

## PURPOSE OF THIS GUIDANCE

This guide has been produced to explain how Neighborhood CIL (NCIL) will be allocated and spent in Lewisham, providing details of how residents and communities can participate in the NCIL process.

## OVERVIEW

### What is the Community Infrastructure Levy (CIL)?

Lewisham has been collecting CIL since 2015. CIL is a levy that local authorities can choose to charge on new development, which may be payable on development that meets certain criteria. CIL must be spent on infrastructure to support the development of an area, such as for schools, hospitals, roads, open space, and leisure facilities.

### What is Neighbourhood CIL (NCIL)?

The CIL Regulations enable the Council to set aside 15% of CIL receipts (25% in areas with an adopted neighbourhood plan) to spend on priorities that should be agreed with the local community in areas where development is taking place. This portion of CIL is known as Neighbourhood CIL.

### Aims of NCIL strategy

The NCIL strategy has been developed to provide a framework for the meaningful participation of local communities to support development by participating in local investment in infrastructure and to address the demands that development places on an area. It provides a framework that aligns to the Corporate Strategy 2018-2022 and supports the delivery of the Local Plan.

### How is Neighbourhood CIL different to Strategic CIL?

Strategic CIL is used to support the development of an area by helping to fund strategic infrastructure projects, and comprises the majority of CIL collected. Priorities are identified by the Council, and allocations made by the Council to these projects where funding exists (the relevant definition is set out below).

Neighbourhood CIL is used to support the development of an area by helping to fund strategic infrastructure or projects that address the demands that development places on an area. Priorities are identified in collaboration with local communities, and allocations made by the Council to these projects where funding exists (the relevant definition of what this means is set out below).

### NCIL Projects

Examples of successfully delivered NCIL projects in London include:

- Restoration works to a listed building
- Refurbishment of a local community centre and a community library
- Redesign of hospital wards to be a dementia friendly space
- Public realm improvements including footpath resurfacing, heritage railings, and lighting
- Comprehensive update to a conservation area statement
- Works to enhance a school outdoor play facilities
- Training for those not in education, employment or training with structured opportunities for voluntary and paid work
- Tree planting and works to public open spaces and parks
- Two year pilot for mental health support scheme and early intervention program

## NCIL FUNDING

The amount of money available varies each year as the NCIL process receives 25% of all CIL collected in Lewisham. Each ward will be assigned a portion of NCIL receipts to be spent in that ward, and a portion assigned to the entire borough, with the figures updated annually through the Annual Monitoring Report (AMR). The Council is legally required to retain all CIL receipts (including NCIL) and to spend these in accordance with the CIL Regs, such that funds are not transferred to third parties to allocate.

Each year the Council may collect additional amounts of CIL and subject to review, 25% of this will be allocated to the NCIL process. As CIL is only payable on commencement of development, the Council cannot forecast how much CIL may become available each year.

## NCIL ALLOCATION PROCESS & COMMUNITY INVOLVMENT

### The NCIL process

The NCIL process is summarised below (the full NCIL process is outlined in the Mayor & Cabinet report 5 June 2019).

<p><b>STAGE 1: Priority Setting (four year cycle)</b> Ward priorities 'themes' set by community through the local assemblies with Members</p> <ul style="list-style-type: none"> <li>- Organised by ward, using local assembly and Member structure</li> <li>- Council published guidance on NCIL process and expectations</li> <li>- Priorities should be informed by the Local Plan, Corporate Strategy 2018-2022, Infrastructure Delivery Plan, and other corporate plans and priorities</li> <li>- Priorities should also be informed by any adopted Neighbourhood Plan (where applicable)</li> </ul>
<p><b>OUTCOME: Ward priorities identified, agreed and published – to cover four year period</b></p>
<p><b>STAGE 2: 'Open call' for projects (biennial or annual process – ward assembly to decide)</b> 'Open call' for projects directly submitted to Council's website</p> <ul style="list-style-type: none"> <li>- Open call for project proposals</li> <li>- Submissions via online NCIL project proposal form to either ward fund or the borough fund</li> <li>- Projects submitted direct to Council via online form</li> <li>- Projects to demonstrate how they meet the NCIL framework criteria</li> </ul>
<p><b>OUTCOME: Potential projects identified by communities, local assemblies and Members</b></p>
<p><b>STAGE 3: Evaluate projects and publish long-list (biennial or annual process – ward assembly to decide)</b> Council officers assess, filter and group projects from the open call into a long-list</p> <ul style="list-style-type: none"> <li>- Evaluate initial project submissions against published framework criteria</li> <li>- Council to publish long-list of projects</li> </ul>
<p><b>OUTCOME: Long-list published by Council</b></p>
<p><b>STAGE 4: Develop 'project bank' (biennial or annual process – ward assembly to decide)</b> Prioritisation of long-list by the community via local assembly with Members</p> <ul style="list-style-type: none"> <li>- Prioritisation of long-list projects for the ward fund via a public vote ratified by the ward assembly with Member involvement at a workshop</li> </ul>

<ul style="list-style-type: none"> <li>- Projects for the borough fund prioritised by the Director of Planning and recommendations prepared for M&amp;C</li> <li>- Where NCIL funds are not sufficient to deliver the top priority projects, ward assemblies to decide if they will fund lower priority projects, part of a project, or wait until further funding becomes available</li> <li>- Council to publish project bank with prioritised project list</li> </ul>
<b>OUTCOME: Project bank published by Council with prioritised projects identified</b>
<b>STAGE 5: Allocate and delivery (annual process)</b>
All projects allocated through PID process through Regeneration and Capital Delivery Board (RCDB) for the ward fund, and M&C for the borough fund
<ul style="list-style-type: none"> <li>- Allocation process to follow existing PID process for finance and legal audit</li> <li>- Allocations set through RCDB PID process to ward fund</li> <li>- Director of Planning makes recommendations to M&amp;C on borough fund</li> <li>- Project delivery to follow existing finance and legal audit process</li> </ul>
<b>OUTCOME: PIDs submitted and allocations made aligned to available CIL receipts</b>
<b>STAGE 6: Monitoring, evaluation and reporting (annual)</b>
<ul style="list-style-type: none"> <li>- Reporting incorporated into existing AMR process</li> <li>- Relevant reporting on NCIL/AMR to Safer Stronger Communities Select Committee and Sustainable Development Select Committee</li> <li>- Project closure and reporting to follow existing PID reporting and audit process</li> </ul>
<b>OUTCOME: Yearly monitoring through AMR</b>

#### Who can apply for NCIL funding?

Applications for NCIL funding are open to residents of Lewisham, including Members, Neighbourhood Forums and other amenity, business and community groups made up of residents. Applications for NCIL ward funding can only be made by people/groups who are residents of a ward, however wards are encouraged to group together to consider funding collaborative projects. Applications for the borough fund can only be made by Lewisham residents. The ward assemblies, Neighbourhood Forums, and Members will be expected to help facilitate this process.

#### **WHAT TYPE OF PROJECTS CAN BE FUNDED THROUGH NCIL?**

Projects funded through the NCIL program need to conform with provisions within the Community Infrastructure Levy Regulations (2010)(as amended). 15% of NCIL (25% where a neighbourhood plan has been adopted) may be spent on strategic infrastructure and other key priorities in accordance with R59F:

“The charging authority may use the CIL to which this regulation applies, or cause it to be used, to support the development of the relevant area by funding—

- (a) the provision, improvement, replacement, operation or maintenance of infrastructure; or
- (b) anything else that is concerned with addressing the demands that development places on an area.”

The Council is allocating an additional 10% to the NCIL process (where there is no adopted neighbourhood plan). This additional amount may be spent on strategic infrastructure in accordance with R59 (which also governs Strategic CIL spending):

“A charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area.”

Whilst Regulation 59 and 59F provide the regulatory framework within which CIL spending must occur, the exact projects that will be funded by NCIL will be defined at the priority setting workshops where a set of local infrastructure priorities will be agreed with communities in each ward, with the agreed priorities used to evaluate project proposals.

NCIL funding is open to capital and revenue projects. Applications for revenue project will have to demonstrate how they support the development of the area by addressing the demands that development places on the local area. Application for a capital project will have to demonstrate how they support the development of the area by addressing strategic infrastructure priorities.

#### How the Council will assess projects for the ward fund

The following framework criteria will guide the development of NCIL priorities and project proposals. These criteria are reflected within the application forms, and project proposals for ward funding will have to demonstrate how they address each of these criteria. Projects will be scored against the criteria (assessed as having ‘met’/‘not-met’), and projects must demonstrate how they have ‘met’ each criteria to make it onto the long-list of potential projects. The criteria are set out below, and further details are provided alongside the application form. Using the following NCIL framework criteria, the Council will assess the suitability of project proposals during the open call.

All projects must demonstrate that they:

1. Meet the CIL Regulations (Reg 59 and/or 59F) ‘to support the development’ of an area through:
  - A. the provision, improvement, replacement, operation or maintenance of infrastructure;  
or,
  - B. anything else that is concerned with addressing the demands that development places on an area.
2. Provide evidence of how they address a local priority from the priority setting workshop
3. Provide evidence of a benefit to a Lewisham community
4. Offer value for money

Proposals that are identified in an adopted Neighbourhood Plan will still have to complete a project proposal form, however they will not have to address criteria two on local priorities, as they will have already been subject to a referendum.

To facilitate the process of prioritising projects applications will also have to provide additional information on the items below. These will not be scored, however they will assist communities in better understanding proposals, and in determining priorities for NCIL spending.

All projects must provide additional information to demonstrate how they:

5. Reflect priorities identified in:
  - The Corporate Strategy 2018-2022
  - The Local Plan

- The Infrastructure Delivery Plan (IDP)
  - Capital Programme
  - Other key Council plans
6. Project funding
  7. Project delivery

Allocations will be made from the priority list of projects where funds are available each year (communities will be responsible for voting on priorities), with the Director of Planning taking recommendations to the Regeneration and Capital Delivery Board on project allocations.

To apply for the ward fund you must be able to demonstrate you are a resident of that ward (the application form provides further details).

#### Applications for the 'borough fund'

The borough fund is a fund that the Council will allocate to projects that will benefit two or more wards, or the entire borough. As such all projects must demonstrate that they:

1. Meet the CIL Regulations (Reg 59 and/or 59F) 'to support the development' of an area through:
  - A. the provision, improvement, replacement, operation or maintenance of infrastructure; or,
  - B. anything else that is concerned with addressing the demands that development places on an area.
2. Align with a priority within the Corporate Strategy 2018-2022
3. Will make a significant contribution to two or more wards and/or have significant borough wide value
4. Will make a significant contribution to addressing issues of deprivation (where necessary taking into consideration the Indices of Multiple Deprivation)
5. Offer value for money

Additional information is required for applications to the borough fund that will not be scored. This information will assist the Council in better understanding proposals, and in determining priorities for NCIL spending. All projects must provide additional information to demonstrate:

6. Project funding
7. Project delivery

Project proposal submitted to the Council will need to make clear that they are bidding for the borough fund, and address the above criteria. Projects will be scored against the criteria (met/not-met), and projects must demonstrate how they have 'met' each criteria to be considered for the borough fund.

The Director of Planning will evaluate the project proposals and make recommendations to Mayor & Cabinet for consideration.

To apply for the borough fund you must be able to demonstrate that you are a resident in Lewisham (the application form provides further details).

#### What type of projects cannot be funded by NCIL?

As part of the NCIL framework, projects that will not be eligible for funding include:

- Projects that should be delivered by the Council or its partners as part of their normal functions, such as refuse collection etc.
- Lobbying, political activity or where promotion of private interests is involved
- Projects that will have a significant ongoing financial/revenue implications not covered by the bid, such as long-term maintenance or staff costs
- Projects that have not been identified as a local priority from the priority setting workshop

## **NCIL AND WARD ASSEMBLIES**

Having regard to government guidance (PPG), the Council will be using the ward assemblies to help facilitate the NCIL process. This will allow the NCIL process to take advantage of the existing community consultation and engagement processes, and will build on the existing competencies and local capacities of the ward assemblies. The use of wards is also aligned to the existing political structure of elected Members. Whilst the NCIL process will be facilitated through the 18 existing ward assemblies, the NCIL process will be independent from any other funding process that the assemblies are involved with.

### How ward assemblies will help facilitate the NCIL process

During all stages of the process ward assemblies will need to work proactively with Members and designated Neighbourhood Forums to help facilitate the NCIL process. The full process is outlined above, however ward assemblies will be particularly involved in facilitating the process during Stage 1 in the priority setting process, during Stage 2 through the 'open call' for projects, and during Stage 4 where the project bank is developed. Ward assemblies will not be involved in making NCIL allocations, as this is the sole responsibility of the Council.

## **NCIL AND NEIGHBOURHOOD FORUMS / NEIGHBOURHOOD PLANS**

Neighbourhood Forums have a key role to play in the process. Adopted Neighbourhood Plans will inform the process of identifying priorities in each ward, and Neighbourhood Forums will help develop project proposals and to prioritise projects. Projects identified within an adopted Neighbourhood Plan will still need to submit a project proposal form during the open call for projects, however they will only need to address the relevant criteria, since the projects have already been subject to a referendum. It is expected that the Neighbourhood Forum would submit all projects identified within the Neighbourhood Plan for NCIL funding, however these will still be subject to the prioritisation process as funding through NCIL is limited.

Where a Neighbourhood Plan is not yet adopted, it will be included in the process for information. Where a Neighbourhood Plans exists that cover two or more wards, the Neighbourhood Plan will be included in the NCIL process for each ward. In wards with multiple Neighbourhood Plans, priorities and projects will need to be informed by all relevant Neighbourhood Plans. Each designated Forum will be formally invited to participate in the NCIL process via the ward assemblies, and all emerging Forums will be made aware of the process and invited to participate.

## **CAN WE USE MATCH FUNDING TO SUPPORT A PROJECT?**

Match funding can be used to financially support a project that is being funded through NCIL. When applying during the open call it will be necessary to declare if you have received any funding or are in the process of applying for any additional funding. NCIL projects will not be eligible for match

funding from other Council sources, however NCIL projects may be aligned to an approved capital projects being delivered by the Council.

## **MEMBER INVOLVEMENT**

As elected ward representatives Members are central to the NCIL process and are involved at all stages. In addition to existing work, the NCIL process provides opportunity for Member involvement:

- Working with communities and ward assemblies to identify priorities
- Leading on the development of cross-ward priorities (where relevant)
- Working with communities and ward assemblies to developing project proposals
- Directly submitting project proposals during the open call for projects
- Liaising with Neighbourhood Forums on NCIL priorities and projects
- Working with communities and assemblies to prioritise projects and develop project banks
- Engaging with the project delivery in each ward and across the borough
- Leading on the coordination between wards where joint projects are proposed
- Evaluating the effectiveness of delivered projects and reviewing annual monitoring

Sustainable Development Select Committee		
Title	Select Committee work programme	
Contributor	Scrutiny Manager	Item 7
Class	Part 1 (open)	4 June 2019

## 1. Purpose

- 1.1 To advise members of the committee's work programme for the 2019/20 municipal year and to agree the agenda items for the next meeting.

## 2. Summary

- 2.1 The committee drew up a draft work programme at the beginning of the municipal year for submission to the Business Panel for consideration.
- 2.2 The Business Panel considered the proposed work programmes of each committee on 7 May 2019<sup>1</sup> and agreed a co-ordinated overview and scrutiny work programme.
- 2.3 The work programme can, however, be reviewed at each select committee meeting to take account of changing priorities.

## 3. Recommendations

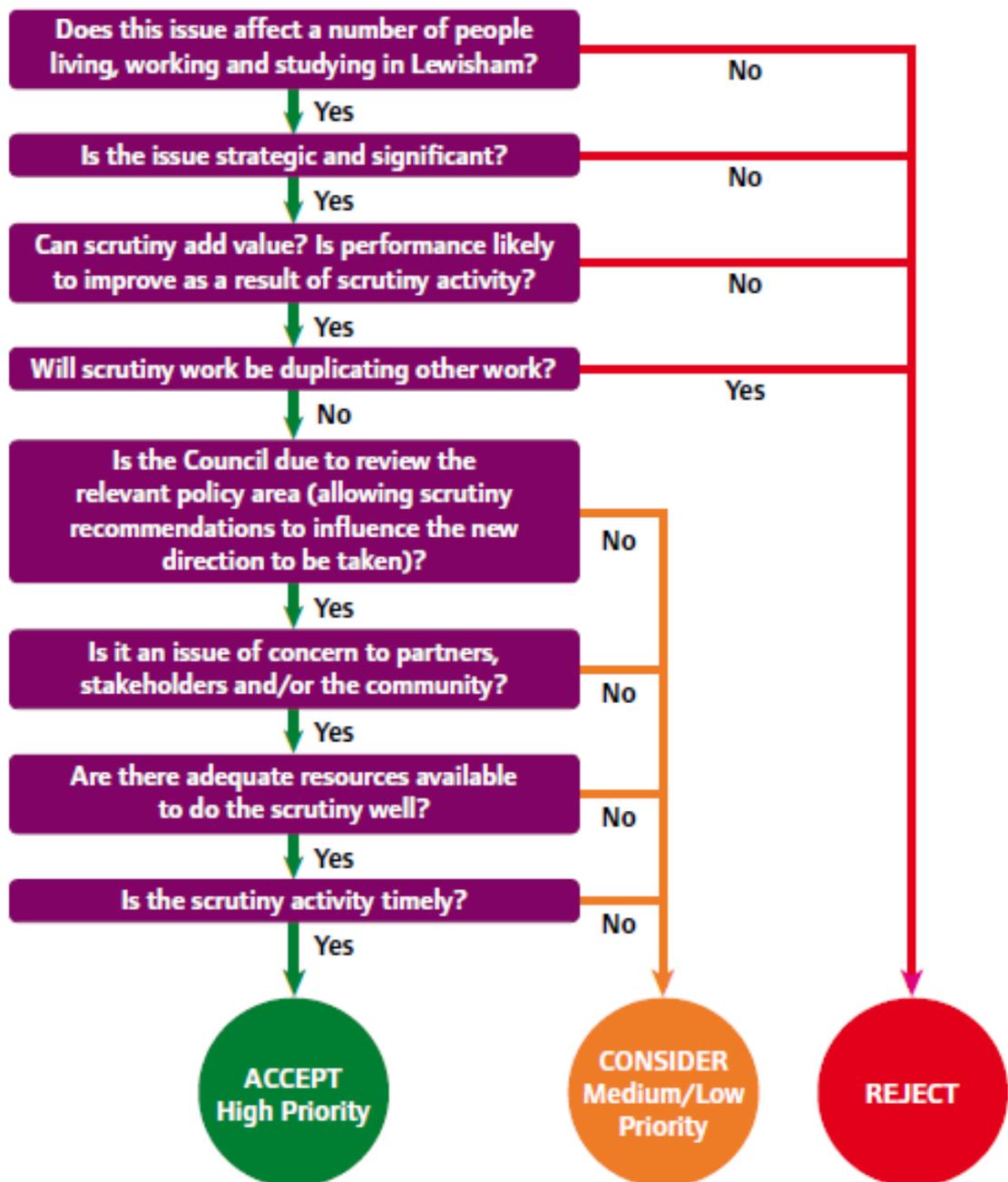
- 3.1 The committee is asked to:
- consider the work programme attached at **Appendix B** – and discuss any issues arising from the programme
  - consider the items scheduled for the next meeting – and specify the information the committee requires to achieve its desired outcomes
  - review the forthcoming key decisions set out in **Appendix C** – and consider any items for further scrutiny

## 4. The work programme

- 4.1 The work programme for 2019/20 was agreed at the Committee's meeting on 30 April 2019.
- 4.2 Members are asked to consider if any urgent issues have arisen that require scrutiny and if any items should be removed from the work programme.
- 4.3 Any additional items should be considered against the prioritisation process before being added to the work programme (see flow chart below).
- 4.4 The committee's work programme needs to be achievable in terms of the meeting time available. If the committee agrees to add additional items, members will also need to consider which lower-priority items should be removed to create sufficient capacity.

<sup>1</sup>Due to the rescheduling of its first meeting because of elections - the work programme for the Public Accounts Select Committee was considered at the meeting of Business Panel on 21 May 2019.

## Scrutiny work programme – prioritisation process



- 4.5 Items within the committee's work programme should be linked to the priorities of the Council's Corporate Strategy.
- 4.6 The Council's Corporate Strategy for 2018-2022 was approved at full council in February 2019.
- 4.7 The strategic priorities of the [Corporate Strategy for 2018-2022](#) are:
1. **Open Lewisham** - Lewisham is a welcoming place of safety for all, where we celebrate the diversity that strengthens us.
  2. **Tackling the housing crisis** - Everyone has a decent home that is secure and affordable.
  3. **Giving children and young people the best start in life** - Every child has access to an outstanding and inspiring education, and is given the support they need to keep them safe, well and able to achieve their full potential.
  4. **Building an inclusive local economy** - Everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
  5. **Delivering and defending: health, social care and support** - Ensuring everyone receives the health, mental health, social care and support services they need.
  6. **Making Lewisham greener** - Everyone enjoys our green spaces, and benefits from a healthy environment as we work to protect and improve our local environment.
  7. **Building safer communities** - Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

## 5. The next meeting

5.1 The following items are scheduled for the next meeting.

5.2 The committee is asked to specify the information and analysis it requires for each item, based on the outcomes it would like to achieve, so that officers are clear about what information they need to provide.

Agenda item	Review type	Link to corporate priority	Priority
<b>Economy and Partnerships</b>	Standard item	Building and inclusive local economy	Medium
<b>Parks management</b>	In-depth review	Making Lewisham greener	High
<b>Catford town centre regeneration update</b>	Performance monitoring	Tackling the housing crisis, building and inclusive local economy, making Lewisham greener	High

## 6. Referrals

6.1 Below is a tracker for the referrals the committee has made in this municipal year:

Referral title	Date of referral	Date considered by Mayor & Cabinet	Response due at Mayor & Cabinet	Response due at committee

## 7. Financial Implications

There are no financial implications arising from this report.

## 8. Legal Implications

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.

## 9. Equalities Implications

9.1 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.

- 9.2 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.
- 9.3 There may be equalities implications arising from items on the work programme and all activities undertaken by the Select Committee will need to give due consideration to this.

### **Background Documents**

Lewisham Council's Constitution

Centre for Public Scrutiny: the Good Scrutiny Guide

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**Sustainable Development Select Committee work plan 2019-20**

Work Item	Type of item	Priority	Corporate priority	Delivery deadline	30-Apr-19	04-Jun-19	04-Jul-19	11-Sep-19	28-Oct-19	04-Dec-19	21-Jan-20	02-Mar-20
Development of the Lewisham Local Plan	Performance monitoring	Medium	All	Ongoing								
Catford Town Centre Regeneration	Performance monitoring	Medium	CP2,4,6	Ongoing								
Parks management review	In-depth review	High	CP6	Dec		Scope	Evidence	Evidence	Evidence	Report & referral		
Home energy conservation	Standard item	Medium	CP2,6	Jun								
Neighbourhood CIL strategy	Standard item	High	CP6	Jun								
Economy and partnerships	Standard item	High	CP4	Jul								
Budget cuts	Performance monitoring	High	All	Ongoing				Cuts				
Implementation of the air quality action plan	Performance monitoring	Medium	CP6	Sep								
Parking policy update	Standard item	High	CP4,6	Sep								
Cycling	Standard item	High	CP6	Oct								
Management of the borough's 'red routes'	Standard item	Medium	CP6	Dec								
Waste strategy implementation and performance monitoring	Performance monitoring	Low	CP6	Jan								
Climate emergency action plan	Standard item	High	CP6	Mar								

Corporate priority (2) - **tackling the housing crisis** - 'everyone has a decent home that is secure and affordable'.

Shaping Our Future: Lewisham's Sustainable Community Strategy 2008-2020		
	Priority	
1	Ambitious and achieving	SCS 1
2	Safer	SCS 2
3	Empowered and responsible	SCS 3
4	Clean, green and liveable	SCS 4
5	Healthy, active and enjoyable	SCS 5
6	Dynamic and prosperous	SCS 6

Corporate Priorities		
	Priority	
1	Open Lewisham	CP 1
2	Tackling the Housing Crisis	CP 2
3	Giving Children and young people the best start in life.	CP 3
4	Building an inclusive local economy	CP 4
5	Delivering and defending: health, social care and support	CP 5
6	Making Lewisham greener	CP 6
7	Building Safer Communities	CP 7

## FORWARD PLAN OF KEY DECISIONS

### Forward Plan June 2019 - September 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 0208 3149327, the Local Democracy Officer, at the Council Offices or [kevin.flaherty@lewisham.gov.uk](mailto: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.

<b>FORWARD PLAN – KEY DECISIONS</b>					
<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
May 2018	<b>Stillness School Kitchen and Dining Hall Contract</b>	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 and Children's Services		
March 2019	<b>Extension of Contracts for operation of CCTV contron Room and maintenance of CCTV equipment</b>	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	<b>Heathside and Lethbridge Phases 5 &amp; 6 Land Assembly. Part 1 &amp; 2</b>	08/05/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Paul Bell, Cabinet Member for Housing		
February 2019	<b>Authorisation to consult on adoption of new Conservation Area Appraisal and Article 4 Direction Deptford High Street Conservation Area</b>	08/05/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		
March 2019	<b>Violence Reduction Approach</b>	08/05/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Joani Reid, Cabinet Member for Safer Communities		

**FORWARD PLAN – KEY DECISIONS**

<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
April 2019	<b>Procurement of Management Development Programmes 2019</b>	08/05/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
October 2018	<b>Chelwood Nursery Expansion</b>	21/05/19 Executive Director for Resources and Regeneration	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
October 2018	<b>Rockbourne Community Centre Refurbishment</b>	21/05/19 Executive Director for Resources and Regeneration	Sara Williams, Executive Director, Children and Young People and Councillor Brenda Dacres, Cabinet Member for Environment and Transport (job share)		
April 2019	<b>Proposal to re-procure the Refugee Resettlement Programme support provision</b>	21/05/19 Executive Director for Customer Services	Kevin Sheehan, Executive Director for Customer Services and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		
May 2019	<b>Re-commissioning of Healthwatch &amp; NHS Complaints Advocacy Services</b>	05/06/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor and Cabinet member 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
			Health and Adult Social Care		
May 2019	<b>Award of contract for NHS Healthchecks programme</b>	05/06/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor and Cabinet member for Health and Adult Social Care		
May 2019	<b>Approval for Single Tender action for Counter Fraud Hub</b>	05/06/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
May 2019	<b>Besson Street Business Plan 2019/20 Part 1 and 2</b>	05/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Paul Bell, Cabinet Member for Housing		
May 2019	<b>Lewisham Homes Business Plan and Corporate Strategy</b>	05/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Paul Bell, Cabinet Member for Housing		
March 2019	<b>Fleet Vehicle Replacement Programme</b>	05/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Brenda		

<b>FORWARD PLAN – KEY DECISIONS</b>					
<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
			Dacres, Cabinet Member for Environment and Transport (job share)		
April 2019	<b>Church Grove Community Led Housing Finalising Lease Arrangements</b>	05/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Paul Bell, Cabinet Member for Housing		
April 2019	<b>Future options for the Parks Service</b>	05/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Sophie McGeevor, Cabinet Member for Environment and Transport (job share)		
April 2019	<b>Cycle Superhighway</b>	05/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		
October 2018	<b>Neighbourhood CIL Strategy</b>	05/06/19 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Mayor Damien Egan, Mayor		
December 2018	<b>Review of older adults day services and day activities</b>	05/06/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor and Cabinet member for		

<b>FORWARD PLAN – KEY DECISIONS</b>					
<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
			Health and Adult Social Care		
August 2018	<b>Lewisham Strategic Heat Network Business Case</b>	05/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		
March 2019	<b>Children and Young People's Plan 2019-22</b>	05/06/19 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
April 2019	<b>Financial Results 2018/19</b>	05/06/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
March 2019	<b>Procuring external consultancy support for managing a Travel and Transport Programme</b>	05/06/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor and Cabinet member for Health and Adult Social Care		
May 2019	<b>Evening and Night Time Offer - Lewisham's vision</b>	05/06/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services 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 Andre Bourne, Cabinet member for Culture, Jobs and Skills (job share)		
May 2019	<b>Integrated Housing System</b>	05/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
May 2019	<b>Lewisham library update</b>	26/06/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Jonathan Slater, Cabinet Member for Community Sector		
February 2019	<b>Adoption Lewisham Park Conservation Area, accompanying Article 4 direction, and appraisal document</b>	26/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		
February 2019	<b>Provision of Services to Adults with Learning Disabilities - Contract Award</b>	26/06/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor and Cabinet member for Health and Adult Social Care		
April 2019	<b>Financial Forecasts 2019/20</b>	26/06/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and		

<b>FORWARD PLAN – KEY DECISIONS</b>					
<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
			Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
April 2019	<b>Medium Term Financial Strategy</b>	26/06/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
April 2019	<b>Revised List of Locally Listed Buildings</b>	26/06/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		
April 2019	<b>Permission to Tender Tier 2/3 Drug Services/Shared Care</b>	10/07/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Joani Reid, Cabinet Member for Safer Communities		
May 2019	<b>New Cross Area Framework + Station Opportunity Study Supplementary Planning Document</b>	10/07/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Mayor Damien Egan, Mayor		
May 2019	<b>Change of Age Range at Addey and Stanhope School</b>	10/07/19 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance 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
			Children's Services		
February 2019	<b>Children and Young People's Plan 2019-22</b>	17/07/19 Council	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
November 2018	<b>Neighbourhood CIL Strategy</b>	17/07/19 Council	Janet Senior, Executive Director for Resources & Regeneration and Mayor Damien Egan, Mayor		
May 2019	<b>Statement of Accounts</b>	17/07/19 Council	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
April 2019	<b>Award of Contract Tier 4 Substance Misuse Framework</b>	18/09/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Joani Reid, Cabinet Member for Safer Communities		
February 2019	<b>Insurance Renewal</b>	30/10/19 Mayor and Cabinet	David Austin, Head of Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
April 2019	<b>Contract Award Tier 2/3 Drug</b>	20/11/19	Aileen Buckton,		

<b>FORWARD PLAN – KEY DECISIONS</b>					
<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
	<b>Services/Shared Care</b>	Mayor and Cabinet	Executive Director for Community Services and Councillor Joani Reid, Cabinet Member for Safer Communities		
April 2019	<b>Anti-Idling Enfocement</b>	20/11/19 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Brenda Dacres, Cabinet Member for Environment and Transport (job share)		

**FORWARD PLAN – KEY DECISIONS**

<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>

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