

Housing Select Committee Agenda

Wednesday, 30 October 2019

7.30 pm,

Civic Suite

Lewisham Town Hall

London SE6 4RU

For more information contact: John Bardens (02083149976)

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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Housing Select Committee Members

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

Kim Wright, Chief Executive
Tuesday, 22 October 2019

Councillor Peter Bernards (Chair)	
Councillor Stephen Penfold (Vice-Chair)	
Councillor Tom Copley	
Councillor Aisling Gallagher	
Councillor Leo Gibbons	
Councillor Sue Hordijkenko	
Councillor Silvana Kelleher	
Councillor Olurotimi Ogunbadewa	
Councillor Alan Smith	
Councillor Susan Wise	
Councillor Bill Brown (ex-Officio)	
Councillor Sakina Sheikh (ex-Officio)	

MINUTES OF THE HOUSING SELECT COMMITTEE

Wednesday, 18 September 2019 at 7.30 pm

PRESENT: Councillors Peter Bernards (Chair), Stephen Penfold (Vice-Chair), Tom Copley, Aisling Gallagher, Leo Gibbons, Sue Hordijkeno, Silvana Kelleher, Olurotimi Ogunbadewa and Susan Wise.

APOLOGIES: none

ALSO PRESENT: David Austin (Acting Chief Finance Officer), Councillor Paul Bell (Cabinet Member for Housing), Councillor Kevin Bonavia (Cabinet Member for Democracy, Refugees & Accountability), Rachel Dunn (Housing Policy and Partnerships Manager), Lee Georgiou (Housing Options and Advice Manager), Kevin Sheehan (Executive Director for Housing, Regeneration & Environment), Nicholas Stabeler (Private Sector Housing Agency Manager), Natasha Valladares (Projects and New Supply Strategy Manager and Refugee Resettlement Lead), Angela Hardman (Head of Development, Phoenix Community Housing), Say Leddington (Head of Performance and Quality, Phoenix Community Housing) and Anne McGurk (Chair, Phoenix Community Housing).

1. Minutes of the meeting held on 10 July 2019

Resolved: the minutes of the last meeting were agreed as a true record.

2. Declarations of interest

The following interests were declared:

- Cllr Stephen Penfold is employed by the Lewisham Refugee and Migrant Network (in relation to item 6)
- Cllr Olurotimi Ogunbadewa is a board member of Phoenix Housing (in relation to item 5).
- Cllr Sue Hordijkeno is a board member of Phoenix Housing (in relation to item 5).
- Cllr Susan Wise is a board member of Lewisham Homes.
- Cllr Silvana Kelleher is a Lewisham Homes tenant.
- Cllrs Aisling Gallagher is a Lewisham Homes tenant.

3. Responses from Mayor and Cabinet

There were no responses to consider.

4. Budget cuts

David Austin (Acting Chief Financial Officer) introduced the report. The following key points were noted:

- 4.1 The Council continues to work towards finding cuts of £12m for next year. £9m of this target is currently being presented to scrutiny.
- 4.2 The cuts identified as falling within the remit of the Housing Select Committee are: CUS15, cuts to the No Recourse to Public Fund (NRPF), and CUS16, cuts to the Private Sector Housing Agency.

Lee Georgiou (SGM Housing Needs and Refugee Services) introduced proposal CUS15:

- 4.3 The Council has put £3.5m into the NRPF budget over the last 3 years. The service is now underspending and CUS15 is about recouping that money to be used on other services.
- 4.4 There are two elements to the NRPF budget: the administration of the team and the spend on service.
- 4.5 CUS15 is intended to realign the budget with the actual spend. It is not going to impact on staff or services being provided to families approaching the council.
- 4.6 The NRPF service has reduced its caseload significantly, helping the vast majority of cases receive settled status and entitlement to mainstream benefits. This has helped reduce the service's costs.
- 4.7 The committee asked a number of questions. The following key points were noted:
- 4.8 The committee noted that the report of the independent review of the NRPF service has not yet been scrutinised by the committee.
- 4.9 Some members of the committee felt that they were unable to properly assess the cut proposal and underspend in the NRPF service without having seen the independent review.
- 4.10 There may be challenges and changes in demand for the NRPF service in relation to Brexit. There is a risk that the number of people approaching the service for assessment will increase.
- 4.11 Extra funds would be provided if there was a spike in demand.

Nick Stabeler (SGM Private Sector Housing Agency) introduced proposal CUS16. The following key points were noted:

- 4.12 Proposal CUS16 is to reduce the Private Sector Housing Agency budget by £175k.
- 4.13 £125k of this will be delivered through operational savings in relation to the Council's proposal for a new borough-wide licensing scheme and the development of more effective techniques for identifying properties that fall below the standard.
- 4.14 £50k will be through a new enforcement process and money recouped through civil penalty notices.

4.15 There will be no negative impact of service or staffing.

The committee asked a number questions. The following key points were noted:

4.16 The £50k saving from money recouped through civil penalty notices is a conservative estimate based on the experience of other local authorities.

4.17 The committee asked if the new IT system would be resilient enough to provide trouble-free licensing for thousands of new properties.

4.18 The current IT system requires manual data entry. The new IT system will be more automated and less resource intensive. It will also be from the same provider and based on the same database.

4.19 There are contingency plans in place if the Council's application for a full borough-wide licensing scheme is not approved by the Secretary of State.

Resolved: That the following comments regarding Budget Cut CUS15 be referred to the Public Accounts Select Committee:

“some members of the Housing Select Committee have serious concerns about the impact of the proposed budget cut without first having the opportunity to scrutinise the findings of the independent review of the council's No Recourse to Public Funds service.”

5. Resident engagement in housing development - evidence session

Angela Hardman (Head of Development, Phoenix Community Housing) delivered a presentation on Phoenix's approach to engaging residents through the development and delivery of new homes. The following key points were noted from the presentation:

5.1 Phoenix are aiming to deliver an increasing number of new homes in Lewisham. The majority of their development programme is due to be delivered over the next 3-4 years.

5.2 All of the sites Phoenix will be developing sit within existing communities and estates. The impact on existing residents is an important consideration when thinking about how to deliver.

5.3 Phoenix's approach to resident engagement on housing development, called "building together", sets out a number of commitments to residents affected by new homes.

5.4 When Phoenix was established a number of promises were made to residents and Phoenix are looking to follow a similar approach with the delivery of new homes.

5.5 Phoenix wants to develop proposals together with residents in a similar way to how it has with improvements to properties in the past.

5.6 They also intend to engage residents when they start to buy land for development in order to hear residents' views on affordable housing options such as shared ownership for example.

5.7 Phoenix aims to ensure that residents have an opportunity to get involved at every stage. This includes considering and funding environmental improvements identified by residents

- 5.8 Phoenix are conscious of the risk that existing residents may see investment in new homes as something that's not necessarily for them and want to ensure that the new homes programme is aligned with the interests and aspirations of existing residents.
- 5.9 Establishing and understanding existing residents' priorities and ideas for environmental improvements comes through the consultation process when developing new homes.
- 5.10 Phoenix's approach is intended to address the question "what's in it for us?".
- 5.11 Residents are engaged at the beginning of the development process, when development is initially being considered on a certain piece of land, to ask what's important to them in their neighbourhood, while stressing the importance of delivering new homes.
- 5.12 They also intend to discuss with residents the balance between maximising new homes and economic viability.
- 5.13 At later stages in the process, residents will help select architects. Residents will also be involved in the selection of contractors and how to minimise disruption during construction and ongoing engagement during construction. During the construction of Hazlehurst Court, for example, Phoenix offered free coffee and cake at the Green Man community centre while the foundations were being laid.
- 5.14 Phoenix also carry out post-occupancy surveys with residents to gather feedback to help improve future developments.
- 5.15 Phoenix recognises that some of the money being invested in new homes has been raised through the rental stream that existing residents pay.
- 5.16 If environment improvements are identified and committed to, they are funded and put into a programme to be delivered over the course of the development programme.
- 5.17 One of the different ways Phoenix seeks to engage residents is through an informal resident consultation event it calls "Chat and Chips", where residents are asked for their views on current and future plans while enjoying free fish and chips.
- 5.18 They held seven "Chat and Chips" events last year and engaged with more than 400 residents, 64% of which were residents that they had not engaged with previously.
- 5.19 Other methods include newsletters, door-knocking and looking at hard-to-reach groups.
- 5.20 On a recent development Phoenix have found that the use of 3D polystyrene models is a particularly useful way of engaging residents and discussing options and proposals. It can be difficult for some people to get a sense of a development from 2D plans alone.
- 5.21 In terms of engaging with hard-to-reach and under-represented groups, Phoenix's tenancy sustainment officers help to identify vulnerable tenants, older people, disabled people, or young people who may not be engaging.
- 5.22 They also use data to identify potential groups that may be interested in a new development. For a new intergenerational scheme Melfield Gardens, for

example, Phoenix has started looking into how to engage with different groups right from the beginning of the process. The idea is to attract residents who are under-occupying in order to generate chain lets.

- 5.23 One of the other commitments is to try to establish a local letting policy for Phoenix residents. On a previous development, Hazlehurst Court, a third of new homes were allocated to residents that were under-occupying existing Phoenix homes. This generated more than 60 chain lets.
- 5.24 From carrying out resident engagement on a recent development, Ravensbourne Estate, Phoenix established a number of commitments. The commitments included providing a community facility, new refuse facilities, addressing parking issues, and looking into ways to empower residents to manage some of the landscaped areas so that their children could play there.
- 5.25 Phoenix carried out five consultation events at different stages in the process to reach as many residents as possible and so that most of the issues could be resolved by the time it came to submitting plans.

The committee asked a number of questions. The following key points were noted:

- 5.26 Phoenix's approach to resident engagement on housing development involves a lot of up-front work to try to understand residents' concerns and come up with solutions through open and honest conversations. They do still get objections, but they want to bring residents on the journey rather than presenting a proposals as a done deal.
- 5.27 The funding for Phoenix's new homes programme comes from GLA grant funding, refinancing, rental income subsidy, and support for social homes from Lewisham Council. Building on their own land allows Phoenix to provide a high proportion of homes for social rent.
- 5.28 There are no resident ballots proposed in Phoenix's new homes programme.
- 5.29 In Phoenix's experience, young people aged 18-25 tend to be the hardest to reach and under-represented during engagement. Younger young people, under 18s, tend to use the Green Man Community Hub, but not 18-25s. The typical cohort tends to be older people and some families.
- 5.30 Phoenix are also trying to engage smaller groups of young people by providing training and support.
- 5.31 While Phoenix's development programme consists of mostly small infills, they are still calling it regeneration.

Resolved: the committee thanked the representatives from Phoenix for their presentation and noted the evidence provided.

6. Independent review of the Syrian Refugee Programme

Resolved: the committee thanked officers for their work on the refugee resettlement programme and noted the report.

7. Out of borough placements

Lee Georgiou (SGM Housing Needs and Refugee Services) introduced the report. There was a discussion and the following key points were noted:

- 7.1 The committee noted that it is clear that the use of nightly-paid temporary accommodation (TA) needs to be avoided as much as possible.
- 7.2 The committee stressed the importance of early intervention and encouraging people to approach the council early in order to reduce the need for emergency TA.
- 7.3 The committee noted that the council can help people find alternative accommodation in the private rented sector (PRS) and that a significant number of people who approach the council are already living in the PRS.
- 7.4 The committee noted that many people in temporary accommodation out of the borough were not connecting with local services as they thought their stay in TA would be short
- 7.5 The committee noted the positive feedback from residents where longer-term out of borough accommodation had been found.
- 7.6 The committee expressed concern about the 90 minutes travel priority in the Council's locational priority policy for the allocation of temporary accommodation.
- 7.7 The committee suggested that it could lead to people being sent as far as Basildon or Luton.
- 7.8 The committee noted that being placed 90 minutes from the borough could make the time and cost of travel to work impractical for someone with a part time or low paid job in the borough.
- 7.9 The committee referred to Chart 3 in the report and asked for a breakdown of those placed out of borough with the 90 minute travel priority and those with no locational priority.
- 7.10 The committee asked if landlord licensing might present an opportunity to build up relationships with more landlords to get people out of nightly paid and into PRS accommodation.
- 7.11 The council recognises the importance of early intervention and has been working to increase successful preventions by keeping people in their current homes and finding alternative PRS accommodation before households are made homeless.
- 7.12 The council recognises that the term "temporary accommodation" can be misleading as it doesn't reflect the fact that many people can be in TA for up to 18 months.
- 7.13 With this knowledge, some households might make different decisions about moving and settling to longer term accommodation out of the borough.
- 7.14 Officers cited the positive experiences of households that had moved to Harwich, Essex.

The Chair proposed to suspend standing orders to continue the meeting. The Select Committee agreed to suspend standing orders.

7.15 Less than 5% of households in TA have been placed further than 90 minutes away.

7.16 Any offer of accommodation the council makes must be “suitable” to that household. Each case is assessed individually. A household can’t, for example, be placed in accommodation that they can’t afford.

7.17 The council is currently reviewing its resettlement service for residents placed out of borough. The team will be also be doubling in size to six officers to provide more help and support for households placed out of the borough. This includes inspecting properties and providing information about local services.

Resolved: the committee noted the report and agreed to receive a further update at its meeting in January.

8. Response to borough-wide licensing consultation

Resolved: the committee thanked officers for their work on the consultation for the borough-wide licensing scheme and noted the report.

9. Select Committee work programme

John Bardens (Scrutiny Manager) introduced the work programme.

9.1 The committee agreed to receive a further update on out of borough placements at its January meeting. This should include a breakdown of the number of people placed out of the borough with a 90 minute travel priority and those with no locational priority and how far away they have been placed.

9.2 The committee agreed to move the item on the Homelessness Reduction Act to its meeting in January.

Resolved: the committee agreed the work programme with the changes discussed.

10. Referrals to Mayor and Cabinet

There were no referrals to Mayor and Cabinet.

The meeting ended at 10.10 pm

Chair:

Date:

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Housing Select Committee			
Title	Declarations of Interest	Item No.	2
Contributor	Chief Executive		
Class	Part 1 (open)	30 October 2019	

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; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

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

(3) Other registerable interests

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

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

(4) Non registerable interests

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

(5) Declaration and impact of interest on members' participation

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

- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

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

(7) Exempt categories

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

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

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Housing Select Committee			
Title	Resident engagement in housing development Evidence Session with TPAS	Item	4
Contributors	Scrutiny Manager		
Class	Part 1	Date	30 October 2019

1. Purpose of paper

- 1.1 As part of its work programme the Housing Select Committee agreed to carry out an in-depth review of resident engagement in housing development. The scope of the review was agreed by the committee at its meeting on 4th June 2019.
- 1.2 At this evidence session the committee will receive a presentation from **TPAS (the Tenant Participation Advisory Service)**, a national tenant engagement organisation and author of the [National Tenant Engagement Standards](#).
- 1.3 Notes from recent evidence gathering activity for the review are also attached as appendices.

2. Recommendations

- 2.1 The committee is asked to consider and comment on the evidence presented.

3. Policy context

- 3.1 The Council's [Corporate Strategy \(2018-2022\)](#) outlines the Council's vision to deliver for residents over the next four years. Delivering this strategy includes the following priority outcomes that relate to the provision of new affordable homes:
 - *Tackling the Housing Crisis* – Providing a decent and secure home for everyone
 - *Building and Inclusive Economy* – Ensuring every resident can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
 - *Building Safer Communities* – Ensuring every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.
- 3.2 The [Homes for Lewisham](#), Lewisham's Housing strategy (2015–20), includes the following priority outcomes that relate to the provision of new affordable homes:
 - *Key Objective 1* – Helping residents in times of severe and urgent housing need.
 - *Key Objective 2* – Building the homes our residents need.
 - *Key Objective 4* – Promoting health and wellbeing by improving our resident's homes

4. Background

- 4.1 The review seeks to consider how the council and its housing partners engage with communities around housing development. The review has drawn on national research and experts as well as evidence from council officers and local partners. The committee also agreed to gather the views of the community on what has and hasn't worked well in term of resident engagement.

Key lines of enquiry (KLOE)

- 4.2 The following key lines of enquiry were agreed at the committee's meeting on 4th June 2019:

- *How does the council, and its housing partners, currently engage with communities around regeneration and housing development?*
- *What has the council learned from previous engagement and how has this influenced subsequent engagement and consultation?*
- *How does the council engage with often-excluded groups (young people and BAME, for example) and how does this affect the relationships between the council and residents?*
- *What role can TRAs and similar bodies play in community engagement and how is the creation of new TRAs and similar facilitated through our partner organisations?*
- *What is the role of councillors in bringing communities along with developments and what opportunities are there for member development?*
- *What can we learn from how other local authorities carry out engagement and consultation on housing development?*

5. Evidence Session – 10th July 2019

- 5.1 The Committee received evidence on the approach to resident engagement in Lewisham, including case studies on previous developments, from the following officers:

- James Masini, Regeneration & New Supply Manager, LB Lewisham
- Osama Shoush, Housing Delivery Manager, LB Lewisham
- Lis Rodrigues, Director of Development, Lewisham Homes

- 5.2 The minutes from this session have been agreed and published [online](#).

6 Evidence Session – 18th September 2019

- 6.1 The Committee received evidence from key local housing partners on their approach to resident engagement in housing development. This included:

- Angela Hardman, Head of Development, Phoenix Community Housing
- Say Leddington, Head of Performance, Phoenix Community Housing
- Anne McGurk, Chair, Phoenix Community Housing
- Phil Church, Head of New Business, Peabody (written submission)
- Joy Millet, Head of Development & Regeneration, L&Q (apologies)

- 6.2 The minutes from this session are in the agenda pack for this meeting.

7. Additional evidence gathering

7.1 Further to the evidence received at meetings, the review has also gathered evidence from a number of external visits - this includes:

- A workshop with the RB3 (Brockley PFI) Leaseholder Engagement Panel
- Attending the Achilles Street “Bring it to the table” engagement event.
- A workshop with Tenant and Resident Associations on Pepys Estate.
- A table discussion with residents local to Hillcrest Estate
- Attending Forest Estate Residents Association
- Attending Bampton Tenants and Residents Association
- Attending Tanners Hill Tenants and Residents Association
- Meeting with LB Hackney’s Head of Estate Regeneration
- Meeting with LB Southwark’s Community Engagement Manager
- Call for evidence on council website

Forthcoming visits:

- Meeting with LB Lambeth’s Head of Operations and Engagement (Friday 1st November, 11am)
- Attending Urban Design London on “Meaningful Engagement” (4th December, full day)
- Meeting with Lewisham Homes New Development Team (TBC)

8. Further implications

8.1 At this stage there are no specific financial, legal, environmental or equalities implications to consider. However, each will be addressed as part of the review.

For more information on this report please contact John Bardens, Scrutiny Manager, on 020 8314 9976

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Appendix A

Housing Select Committee – resident engagement in housing development review

Notes from meeting with Karen Barke, Head of Estate Regeneration & Interim Head of Housing Supply Programme, London Borough of Hackney

18th September 2019

Cllr Aisling Gallagher (Housing Select Committee) and John Bardens (Scrutiny Manager) were present. Some of the key points of the discussion are set out below:

- 1.1 The Mayor of London's good practice guide to estate regeneration contains many examples of good practice in relation to resident engagement, including two case studies from Hackney.
- 1.2 Hackney has had to do a lot of challenging work to rebuild trust with residents on estates where there has been many years of failed proposals. (King's Crescent Estate, for example).
- 1.3 Resident engagement should start early and be regular and take into account the key points at which residents can be involved.
- 1.4 It is important to be clear with residents about the stages during the engagement process at which they can influence the development and how they can best do this.
- 1.5 The design process was cited as one of the best ways to engage constructively with the community. This could include being involved with appointing design teams.
- 1.6 It is important to be clear what role residents will have at the design stage, including whether or not it is a decision-making role.
- 1.7 It is important to get to know and understand the community in order to engage effectively, including with hard-to-reach/seldom-heard groups.
- 1.8 On the King's Crescent Estate, for example, after struggling to engage with the Turkish Community, Hackney held consultation events in gardening areas after being informed by the estate's ITLA, who had local knowledge, that a number of the Turkish residents are gardening enthusiasts. They also held a Halloween disco to engage with younger people.
- 1.9 It is important to talk to the local estate management team, local housing officers, and ward councillors in order to identify local issues, such as parking or anti-social behaviour problems.
- 1.10 Hackney has found the "you said, we did" approach helpful with resident engagement.
- 1.11 The use of an Independent Tenant and Leaseholder Advisor (ITLA) has also been helpful with large-scale estate regeneration projects. An ITLA would only be used for particularly complex infill sites.
- 1.12 The resident offer is particularly important with infill development.
- 1.13 Hackney has moved from a site-by-site approach to estate regeneration to a programme-wide approach.
- 1.14 Hackney explains to residents where any money that is being made goes – from private sales, for example. There can be suspicion otherwise.

- 1.15 It is important to be clear during engagement about what might be feasible – public realm improvements, for example, can be expensive if clear guidelines are not given.
- 1.16 It is important to link back to early engagement and what residents' priorities were. There are some priorities, such as parking, that can be addressed through design.
- 1.17 Tenant and Resident Associations (TRA) are involved in the engagement process where they are established. On the Colville Estate regeneration, for example, the TRA has formed the resident steering group for the project.
- 1.18 Other key local stakeholders will be mapped.
- 1.19 It is important to explain where it is unviable to refurbish homes due to poor condition. It can sometimes be residents who push for regeneration.
- 1.20 It is important to engage on measures to mitigate noise and dust during construction.
- 1.21 Hackney has recently started carrying out post-occupancy evaluations in order to ask questions about size, storage and room size. This can help with engagement on future projects. They also work with residents on financial viability.
- 1.22 Online engagement is not widely used with housing engagement. Social media has been used with mixed results.
- 1.23 Hackney piloted a local lettings policy with the King's Crescent Estate, which gave priority for new social rent homes being built to residents living close to the development sites in priority need, such as under-occupying and overcrowded for example.

Appendix B

Housing Select Committee - resident engagement in housing development review

Notes from meeting with group of residents local to Hillcrest and High-Level Drive

30th September 2019

One resident lived on the Hillcrest Estate, two lived on nearby roads, and two were members of the Sydenham Society. The discussion was centred on a set of six questions, which had been sent around in advance. Some of the key points of their feedback are noted below:

- 1.1 In relation to now-withdrawn development proposals on the estate, the group were unhappy with the location and timing of the consultation events.
- 1.2 The consultation events were held a long way from the estate itself and it was felt that the timing of the public consultation events, 4-8pm, excluded many people.
- 1.3 It was felt that everyone affected by a major development within a certain area, taking into account local geography, should be engaged.
- 1.4 The whole community should be involved in discussions about where to put local housing as local people have valuable local knowledge.
- 1.5 Engagement should also involve local services to address concerns about these.
- 1.6 It was felt that residents should be engaged earlier – residents should not be presented with a done deal involving one evening consultation well away from the site involved.
- 1.7 With a recent development proposal, it was felt that the process was well underway before local residents were involved.
- 1.8 Discussions with residents should start with a blank piece of paper. Discussions should be open and honest. Solutions should not be offered – problems should be posed and residents involved in co-design.
- 1.9 Developers should recognise the uniqueness of areas and listen to suggestions. Developers should also acknowledge when they have made mistakes.
- 1.10 Architects should walk around estates to understand the landscape. It was felt that desktop designs without understanding the ‘on the ground’ situation are a waste of time and money.
- 1.11 In terms of engagement methods, in-person and on-site engagement was preferred. On-site community centres should be used.
- 1.12 There should not be an overreliance on digital engagement tools such as Commonplace.
- 1.13 Local Tenant and Resident Association’s (TRAs) should be encouraged, formed and engaged.
- 1.14 Ward Councillors should be engaged.
- 1.15 A planning officer should attend consultation events.
- 1.16 It was queried whether it is appropriate for Lewisham Homes to carry out consultation as they are not independent.
- 1.17 With a recent development proposal, it was felt that the design pictures used in the consultation boards were misleading. It was felt that dull colours were used to depict

the estate, including play and games areas, as run down and unused, while wide-angle, full colour images were used to depict the proposals. Some of the design images produced did not include existing buildings.

- 1.18 It was noted that pictures could be very influential, particularly for those who may only pay a quick visit to a consultation event.
- 1.19 The headers of two consultation event letters for a recent development only referred to one site on the estate when the events were in relation to all sites on the estate. It was felt that this could have given the impression to some residents that the events were not be relevant to them and prevented them from being involved.
- 1.20 It was felt that the feedback presented on the consultation excluded some of the points made and didn't accurately reflect the concerns. Information presented only included the concerns that had already been addressed. The concerns petitioned by local tenants and residents were not acknowledged.
- 1.21 There needs to be more information to address concerns about congestion and overcrowding, emergency vehicle access, use of garages, lack of amenities, lack of public transport, and lack of a community centre.
- 1.22 There was criticism of a public meeting held in response to local opposition to a recent development on the Hillcrest Estate. It was felt that the meeting should have enabled residents to properly voice their concerns, however a high proportion of time was allowed for the consultants, including the appointed architects, to present their proposals again.
- 1.23 The meeting was held on a weekday in the Civic Suite. There was no agenda and it fell on the same night as an England World Cup Game.
- 1.24 One member of the group mentioned resident ballots and spoke about a loss of trust and felt that it was unclear what would happen if residents voted against a development.
- 1.25 Other Council departments might be able to help identify some hard-to-reach groups. Care workers might be able to help identify people who may have just been discharged from hospital and health visitors might be able to help identify new and isolated mothers.
- 1.26 Engaging people through local libraries was also suggested as a way of reaching some hard-to-reach groups.
- 1.27 A multi-use games area, with a sports programme, would help to engage young people.
- 1.28 It was felt that local engagement would be vastly improved if the community centre on the estate was re-opened for use by tenants and residents.
- 1.29 Facilities on the estate should be regularly improved for existing residents – upgrades should not be dependent on new housing being built.
- 1.30 Given the lack of transport, community facilities and the hilly topography on the estate, it was queried whether any new housing would provide 'lifetime homes'.

Appendix C

Housing Select Committee – resident engagement in housing development review

Notes from workshop with Tenant and Resident Associations on Pepys estate

3rd October 2019

Cllr Aisling Gallagher (Housing Select Committee), Chantelle Barker (Head of New Initiatives, Lewisham Homes), and John Bardens (Scrutiny Manager) were present.

The workshop was based around table discussions on a set of questions that had been shared in advance. Participants separated into small table groups, chose the questions to discuss and then reported back to the wider group.

The questions that the groups focused on during the workshop related to: the best ways for residents to be informed and involved; how to reach as wide a range of people as possible; and what should be done differently in the future. The key points of the workshop are summarised below.

(Photographs of the groups' full written comments are also attached.)

Engagement methods

- 1.1 On the best ways for residents to be informed and involved, the group suggested a number of tools including, online engagement and newsletters, with regular updates up to construction, and community events held in different locations, with all residents in the area made aware.
- 1.2 It was also suggested that the contact details of key people involved in the development of proposals should be made available to residents and TRAs.
- 1.3 One table noted that events and meetings are not always accessible for everyone. Meetings held in the evening, for example, can make it more difficult for those with children to give their views.
- 1.4 A numbers of tables also warned of “token” and “tick box” consultation exercises, and the feeling of consultation “being done to” residents as opposed to being given the opportunity to influence the process.
- 1.5 One table suggested “panels” to provide residents with a meaningful role in decision-making and also advocated the involvement of residents in the detail of regeneration schemes through design reviews, for example.
- 1.6 Engagement with architects was cited by one group as an example of where engagement has gone well in the past.
- 1.7 There were calls from a number of tables for more co-design and co-production with residents.
- 1.8 Another table said that it was also important that engagement starts early, with residents informed and involved from the outset, so that plans can be tailored in response to feedback at the ideas stage.
- 1.9 There were calls for engagement to be more strategic and proactive through the development of local masterplans.
- 1.10 There was a strong feeling among the groups that engagement should be in plain English and jargon-free. One table said that engagement should aim to meet the visual

and verbal preferences of residents and that imagination was required to devise creative engagement exercises, such as on site exhibitions and community theatre.

Hard-to-reach groups

- 2.1 On the topic of what the council can do to ensure that it hears from as wide a range of people as possible (particularly so-called hard-to-reach and under-represented groups), the group suggested several methods, including:
- 2.2 Family and community events; directly involving young people; notices and events through schools and other community hotspots; community theatre; door-to-door visits; and a permanent section in Lewisham Life on new developments.
- 2.3 The group stressed the importance of going out into the community and engaging people through, for example, places of worship, toddler groups, disability groups, and not relying on a few groups to speak for the whole community. One group also suggested keeping a register of people who aren't digitally connected
- 2.4 One table said that engagement with residents should start with what the community needs and the benefits that a development could bring. Another group felt that there needed to be a sense of urgency to get people involved.
- 2.5 There was also discussion about overcoming the history of poor relationships and mistrust built up over the years. There was a feeling that there's nothing to show for the years of consultation and engagement in the past and that residents are only engaged when things have already been decided.

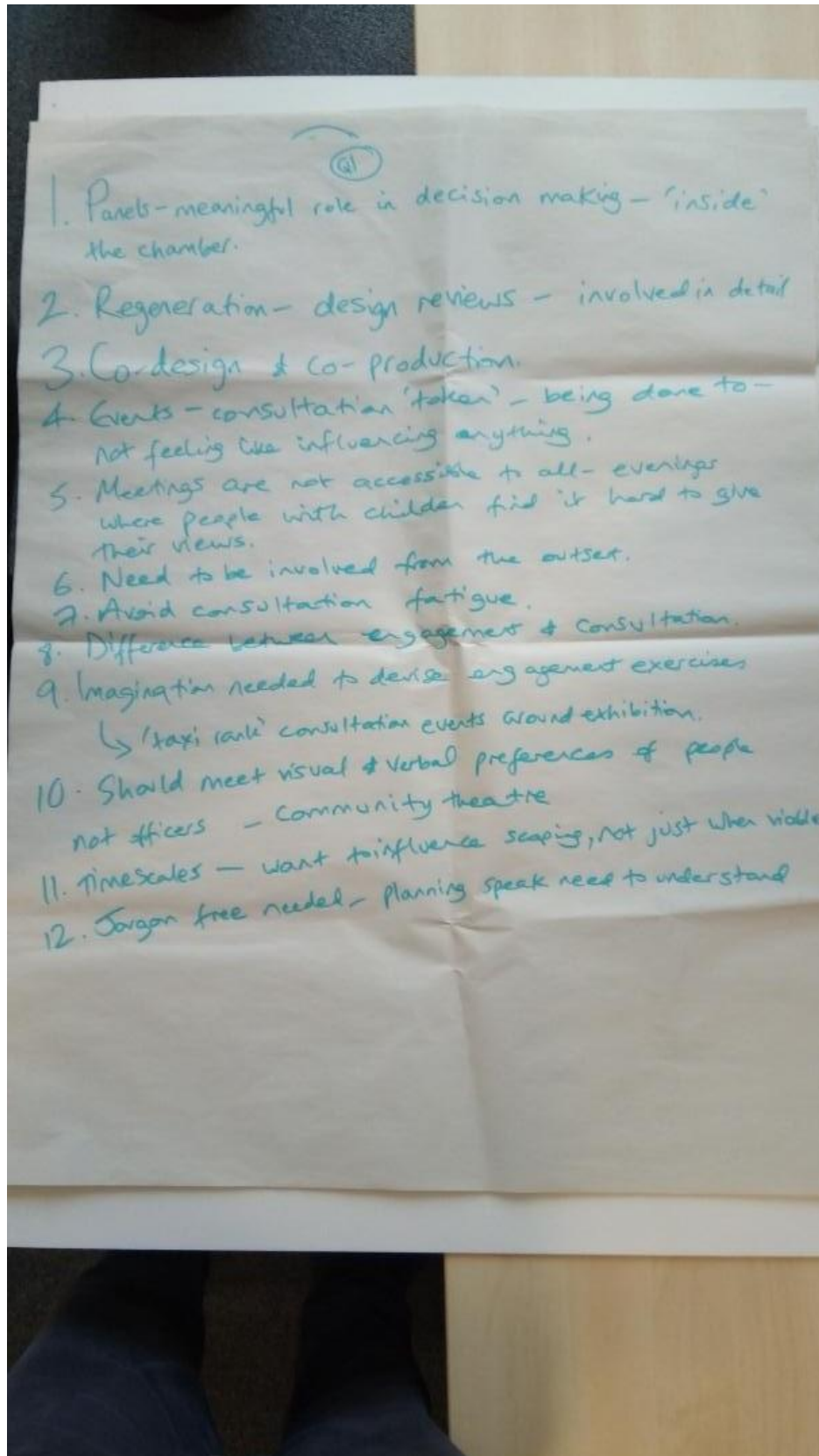
What should be done differently

- 3.1 In terms of what residents would like to see done differently, the groups said they wanted to see earlier engagement. They wanted to be able to have open and honest discussions with developers to find solutions to residents' requests, and for practical views to be listened to. They also wanted to see their promises kept and design details, such as play areas and communal spaces, not being lost post planning.
- 3.2 The group said that it was important for a wider range of people and groups to be engaged. They said that having good local intelligence is key to this, and that having local leaders on board, Block reps, for example, can make a significant difference. There was also a feeling that local Councilors should play a key role.
- 3.3 The groups called for a local masterplan to coordinate all of the regeneration in a ward, and across boroughs, and to help old and new communities and developments integrate. One group specifically called for a local "heritage plan" to preserve and promote local history. Another table suggested engaging with charities that successfully run community centres and other facilities in other areas.

There were also a number of other comments more related to the planning process, rather than pre-planning engagement. These included:

- 4.1 It was felt that residents and TRAs should be given advance notice of any plans in their areas due to go to planning committee, and that they should have the opportunity to engage with planning committees before planning permission is given. One table said that the major findings of planning committees should be displayed at local community hotspots.
- 4.2 It was also felt that a dedicated planning officer should be assigned to local communities to create local masterplans in order to join up various developments and

help residents get the best deal. A number of tables said that s106 and CIL money should be ringfenced and spent on local needs and infrastructure of the community.

- 
- a)
1. Panels - meaningful role in decision making - 'inside' the chamber.
 2. Regeneration - design reviews - involved in detail
 3. Co-design & co-production.
 4. Events - consultation 'taken' - being done to - not feeling like influencing anything.
 5. Meetings are not accessible to all - evenings where people with children find it hard to give their views.
 6. Need to be involved from the outset.
 7. Avoid consultation fatigue.
 8. Difference between engagement & consultation.
 9. Imagination needed to devise engagement exercises
↳ 'taxi rank' consultation events around exhibition.
 10. Should meet visual & verbal preferences of people not officers - community theatre
 11. Timescales - want to influence scoping, not just when wide
 12. Jargon free needed - planning speak need to understand

① Community events (notified to all residents in the ward)
outreach engagement
newsletter

① several and spread across the ward

② frequent + regular updates ^{until} close to construction

③ contact details of Council Key people + developer's Key people given to residents / TRAs

④ maintenance of open communal spaces
schedule in place after completion and given to residents / TRAs

⑤ opportunities for residents / TRAs to engage directly with planning ^{Committee} ~~Commission~~ before planning permission given

⑥ residents / TRAs
Should be informed when plans for their area are going to planning ^{Committee} ~~Commission~~, with good notice.

⑦ major findings of planning committee on developments to go on display to local community centre / library (report of major findings in simple language, not jargon).

- * Be Strategic; Be Proactive NOT Reactive
- * Start Early, residents must be informed from the outset so plans can be tailored in response to feedback. eg Masterplan. (outset of 'idea stage')
- * Co-production of ideas should be the main aim.
- * ~~Be~~ NO more tick box exercise.
- * A planning officer should be assigned and local councillors ^{involved} to empower local residents in order to get the best deal.
 - S106 CIL against real need not made up shopping list from non resident planning officer with no idea of local intelligence:-

Evelyn has asked for a dedicated planner to retrospectively "join up" various developments agreed and "in progress" —

(Q5)

SEARCH FOR
THE GROUPS
(Groups, groups
etc...)
AND DISCUSS
THEM

- 1) Community theatre.
- 2) Door knocking → little response, stranger danger.
- 3) Block reps - become familiar with who is a 'friendly face'
- 4) Homes - blocks of flats designed with out front doors opposite each other to interact
- 5) Sense of urgency to get involved.
- 6) Register of people not digitally connected.
- 7) Youths - directly involved - use social media
 - designed with audience in mind - youth committee. Be aware of postcode wars - map solutions around this - accessible activities.
 - Short films, youtube → they teach us - intergenerational.
- 8) Coffee morning - Positive Aging Council - bring up these things there.
- 9) Engage @ markets - stalls - Deptford High St. Sat - familiar, tesco's, GP's, Schools, Family Groups
- 10) Newsletters.
- 11) Specialist user groups (cyclists, volunteers, retail) & disability groups
- 12) Go to mosques, churches, where people already go to them. Albany

⑤ * For young people, send notices through schools + have a noticeboard there + have events free for pupils + parents

* Do engagement events through community centres / GP surgeries / leisure centres / libraries / Albany / TRAs / corner shops / bus stops / community noticeboards / mosques / churches

* Hold Family / Community events that offer fun / entertainment + information about development (cluster developments together if small)
(face painting / climbing wall)

* Door-to-door visits in proximity of development

* In Lewisham magazine there should be a section (permanent) on new developments (with notices / planning permission grants to ~~one~~ 'big' development with more than 30 flats)

* Distribute "the Shopper" throughout the borough with developments information

* All above notices in plain English please!

- RS
- * Learning of time from 'consultation' to action - you engage people but they stop trusting their things don't happen
 - * Overcoming the history of poor relationships & mistrust built up over five years
 - * The first priority to show for the years of consultation & engagement in the past
 - * Council only come when things are decided
 - * Different private development surrounding social housing - things don't link
 - * Different private development this happened
 - * When there's no master plan need to work TOGETHER - planners
 - * Officers from different departments need to work together
 - * Leamington Homes need to work together
 - * Young people are the ones who will live with the legacy of regeneration
 - * We can't rely on one or a few groups to speak for a whole community
 - * Notices & events through schools - engaging kids & families
 - * Notices in community hot spots, e.g. corner shops. Community centre
 - * Notices in community - THINGS NEED TO BE IN PLAIN ENGLISH
 - * PLANNING JARLON - THINGS NEED TO BE IN PLAIN ENGLISH
 - * Permanent feature in Leamington Life about housing & planning
 - * Permanent feature in Leamington Life about housing & planning, toddlers groups
 - * Working to where people are e.g. mosque, local disability groups, toddlers groups
 - * Start with the benefits - what do you as a community need from this development?

- Q16
- * City House - all the plans were approved before they came to the community
 - * Planning should bring things to the community before they go through the planning system
 - * Loads of work put in to create temp space for enjoyment - nothing came out of it & then the most of some - interim spaces used but then once it was done there was nothing & the developers don't even engage any more
 - * Developers sell their community engagement but sell out these people once they've got the stats. they don't
 - * Councilors should have a big role in this & needing reliable committed councillors is what
 - * Legislation can't rely on some orgs. who claim to speak for the community but don't necessarily - it's important to go to several groups not just one
 - * Community having to fight for small things that shouldn't require this much fighting & effort for \$106 million
 - * Local intelligence is key - simple solutions to complex problems & having local leaders on board makes such a difference
 - * Community Asset Transfer / community run housing

To improve:

- 1) there should be a Masterplan coordinating all the regeneration, in the ward
- 2) there should be a heritage plan aimed at preserving local heritage and how old and new community integrate.
- 3) ensuring that S106 and CIL contributions made by local developments are ringfenced and spent locally for the infrastructure of the community (eg. community centre, open communal spaces).
- 4) Dedicated planning officers to engage with local community and Masterplan
- 5) Engage charities that run well community centres.

Done well:

6) concentrate on community infrastructure (ie. centres) as well as housing.

* LBL responded somewhat truly to request of information by community

(Q6)

Went well

- ~~Design~~ Design engagement with architects

Do different

- early engagement
 - See promises kept - design detail not been last post planning - value engineering.
 - Listen to practical views.
 - Be honest & open.
 - 'Shopping list' of requests so be discussed & reasoned with developers & residents to find solutions if not all possible.
 - Something good back for local community - stop for roof thinking partner
- Walk across boroughs
- Play spaces
investigate
policies, decisions
- Partnership
build
time
- Work
Community
space

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Appendix D

Housing Select Committee – resident engagement in housing development review

Notes from meeting with Jessica Leech, Community Engagement Manager, London Borough of Southwark

10th October 2019

Cllr Aisling Gallagher (Housing Select Committee) and John Bardens (Scrutiny Manager) were present. Some of the key points of the discussion are set out below:

- 1.1 In 2014 Southwark carried out a significant consultation and established a charter of principles on resident involvement in the development of new homes (in estates).
- 1.2 One of the key principles was that consultation on new sites would be led by local project groups of residents and local councillors in each area.
- 1.3 In 2015 Southwark asked residents to identify sites where new council homes could be built, using an online map and talking to TRAs.
- 1.4 It was a collaborative process – tenants recognised the need for new council homes.
- 1.5 In 2015 Southwark worked with people borough-wide to develop the design principles that should be adopted.
- 1.6 This identified, for example, a preference for separate kitchens and living rooms; the value placed upon green spaces on estates; and how the sense of space contributed to a sense of wellbeing and value of place.
- 1.7 Project group membership is drawn from a mixture of TRA representatives and people who express an interest at initial drop in sessions.
- 1.8 The wider engagement process involves discussions with ward Cllrs, TRAs, open drop-ins, project groups, meeting three or four times, with the first session including training with an independent advisor.
- 1.9 Those that are invited to open drop ins are anyone who lives in the vicinity of the potential site, taking into account natural boundaries such as railway lines and major roads, and ensuring that rows of houses or parts of estates, where development is proposed, are not excluded.
- 1.10 It is the council's view that through collaborative working it is able to design proposals that can be supported locally and bring benefit to the community within which they are located whilst delivering new council homes for local tenants and others in desperate need of a home they can afford to rent.
- 1.11 Southwark carried out an evaluation of four schemes, two that worked well and two where there were challenges, to find out how residents felt.
- 1.12 In some areas there was little take up of the offer to form project groups and the way residents were involved in the design process adapted to ensure that residents continued to be engaged.
- 1.13 Residents groups for one site expressed concern about involving residents that are not living on the estate affected and on another residents in private homes near a proposed development complained that they were not involved.
- 1.14 Some residents have requested repairs to existing properties first.
- 1.15 There have been sites that Southwark has not been able to move forward.

- 1.16 Southwark also carried out a Housing Commission in 2013 to assess the state of housing in Southwark, which, without an ALMO had not qualified for funding for decent homes.
- 1.17 This included community and stakeholder engagement on what should be the way forward for housing and establishing a Futures Steering Board of council tenant and homeowner representatives, with independent facilitation and the capacity to co-opt members.
- 1.18 The Futures Steering Board is very supportive of building council homes and has been a good forum to talk about the challenges and get insight on working with tenants. It is however quite resource intensive for key officers.
- 1.19 In 2017 Southwark made amendments to the charter and engagement process.
- 1.20 This included stating the importance of TRAs in the process and recognising that one size does not fit all and on some occasions the council may wish to modify the way in which it works.
- 1.21 Council officers will also now prepare engagement plans based on gathering local intelligence much earlier in the process where delivery is based on the council's estates.
- 1.22 The council will also endeavour to involve residents who may move into the new homes when they are completed.
- 1.23 There is another review planned of the council's wider engagement process.
- 1.24 There are plans to provide guidance and toolkits for staff, to run master classes and training for staff, and to involve people from the community and voluntary sector in the training.
- 1.25 Southwark has an engagement plan template, which asks a series of questions to guide the engagement process. This includes questions about purpose, stakeholders, and what residents need to contribute. TRAs are also consulted about draft engagement plans.
- 1.26 There can be a tension between good quality engagement and time, but each site is different. It is important to be aware of site history when planning engagement.
- 1.27 Southwark produced a template Terms of Reference for setting up project groups, which is flexible based on local intelligence.
- 1.28 There's a difference between letting people know something is happening and helping them to shape it.
- 1.29 Who should be involved in projects should be informed by sensible analysis of the geography of the estate.
- 1.30 There are different levels of engagement depending on the stake someone has in the development.
- 1.31 There are significant barriers to setting up TRAs in terms of resourcing support.
- 1.32 Southwark's new homes programme also includes infill development.
- 1.33 Southwark is also amending its statement of community involvement to include a development consultation charter setting out the consultation requirements for developers pre planning application. Requirements depend on the scale of the

development. The charter is then considered as part of the planning application process.

- 1.34 The statement of community involvement in a planning document with legal force.
- 1.35 It is important to be clear which stakeholders the council has a responsibility for, i.e. tenants, while recognising that leaseholders are as much part of local communities. The council has a relationship with everyone.

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Appendix E

Housing Select Committee – resident engagement in housing development review

Written submission from Secretary of the Forest Hill Residents Association

Received 11th October 2019

I am responding to your email to the Forest Estate Residents Association a couple of weeks ago.

I would personally prefer to submit my views by email rather than in a workshop, because we do not have the community resources to keep on providing our consultation time for free on these matters. Also the consultation questions do not provide space for residents to fully articulate their concerns on the process. Once again the questions are based on a predetermined set of outcomes which do not value the day-to-day lived experience of residents and their knowledge about where they live.

As the outgoing secretary of the Forest Hill Residents Association I have spent two years listening to residents views on this matter. Whilst the aims of the Scoping paper are to be commended, the Scrutiny panel needs to take the following concerns into consideration:

1. There is a lack of transparency in the planning process due to the close relationship between Lewisham Council and Lewisham Homes, which is dealt with differently in other London Boroughs.
2. Existing residents have long term housing problems (electrical faults, damp, blocked drains, estate neglect) which have been ignored for decades, and have little confidence in being heard by either LH or LC. Proposals to build new flats whilst unable to undertake repairs and maintenance on existing properties is a major concern.
3. Existing leaseholders feel tricked by excessive major works bills, and are fully aware that the consultation process around the Major Works is ineffectual, and still unresolved.
4. There is a general lack of confidence in new build consultation processes which present unrealistic proposals which are then marginally modified after speaking to residents to feign a response. The DAD model - Decide Announce Defend has long been discredited in public consultation, yet is still employed by LH/LC.
5. Current LH consultation with the FERA Forest Estate Residents Association completely ignores previously negotiated agreements on estate works (eg Security Doors), rendering the TRA process redundant.
6. Previous attempts to build on green spaces has caused a lot of stress to local residents fearful of losing their parks, woodlands and play spaces essential for fresh air, mental health and outdoor play and leisure. The situation at Tidemill Gardens is deplorable where LH and LC are behaving like ruthless property developers with no regard to community wellbeing.
7. If LC were to publish a clear policy of building on brownfield sites, and converting disused and derelict buildings into housing, they might be able to regain the trust of their constituencies.
8. LC should also pursue other avenues to increase the amount of properly affordable housing stock by carefully reviewing planning policy across the borough. Perhaps additional kinds of new building should be required to include properly affordable new housing within any commercial development for example.

Please note that comments above expand on the issues raised in the Minutes from the FERA AGM on 19 September, which you attended, as outlined below:

1. Housing Select Committee (one of the scrutiny review committees)

Leo Gibbons, Ward Councillor and John Bardens, [Scrutiny Manager] Lewisham Housing Select Committee: The aim of the committee is to scrutinise the work of the council and LH.

They are carrying out a review of how residents are engaged in building new houses in their area, however the review does not focus on specific planned developments, or specific consultations. They can invite people submit evidence through an online survey, or run a workshop.

ACTION: To add to the scrutiny review:

A) Lack of transparency in the Planning Process due to the close relationship between LH and LC, and needs an impartial team to assess (eg. Southwark, Lambeth, Bromley could assess the Lewisham Homes Planning applications).

B) The review should undertake both online surveys, but also door knocking to interview residents face to face.

C) People feel alienated because they have been asking for help with their building for years (Knapdale Close Flats).

D) Residents do not feel properly consulted about the Knapdale Flats Development, whilst existing problems are unresolved and ignored.

Once these issues have been properly addressed and resolved, then it would be appropriate to start a genuine consultation process about how to increase affordable housing in the borough.

Appendix F

Housing Select Committee – resident engagement in housing development review

Written submissions received via Call for Evidence page.

Received 26th August 2019

As Chair of one of the only two tenant management organisations in Lewisham (Five Ways, in New Cross), I would like to urge the Council to pro-actively consider the merits of tenant management as part of the development of any new (Council-owned) social housing.

That tenant management is effective and gives rise to high levels of resident satisfaction is demonstrably the case, across London. I suggest that Lewisham Council should take a leaf from Southwark's book - with their recent development at Marklake Court in Bermondsey, developed jointly with Southwark's biggest TMO, the Leathermarket Joint Management Board - and decide as a matter of policy that tenant management should be the default option in all new developments of Council-owned social housing in this borough. Where developments include only relatively small numbers of properties (fewer than 25 secure tenancies, specified as the minimum to serve notice under the Housing (Right to Manage) (England) Regulations 2012), consideration should be given to grouping developments under an umbrella TMO for management purposes.

Chair, Five Ways Housing Management

Received 22nd September 2019

Our experience of local involvement is poor. Usually the only notification of new building works is a notice on a lamppost or nearby building. While the building is ongoing there is little regard for local residents – despite notices prominently displayed on the hoardings surrounding the works that they are considerate builders this is usually not the case with pavements becoming narrower as the hoardings are gradually moved out. Also when the works are finished there is little regard for the needs of disabled people.

The flats built at the junction of Watson's Street and New Cross Road are still surrounded in hoardings THREE YEARS after completion with the strip of pavement available extremely uneven and at night poorly lit. My husband uses a mobility scooter and is unable to pass this section of Watson's Street. Similarly the properties built in Comet Street on the site of the scaffolders yard have a dropped kerb which is impossible to negotiate on a mobility scooter as one would need to turn whilst on the slope which is extremely dangerous.

[...]

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A man in a dark t-shirt is pointing at a wall covered in architectural plans, photos, and documents. The wall is filled with various images and text, including floor plans and photographs of people and buildings. The man is looking intently at the wall, and his hand is extended towards a specific point on the right side of the image.

Capital Homes: Trust, design and community engagement

Roundtable report - July 2019

Credit: Vanessa Graf

This paper summarises key points made in discussion at the first Capital Homes expert roundtable, held under the Chatham House rule in May 2019.

The Capital Homes programme is generously supported by Major Sponsors L&Q and Lendlease, Supporting Sponsor Willmott Dixon, and our Venue Partner JLL.

The problem

Despite public acknowledgement of the need for new housing, planning and building in London has become increasingly challenging and controversial with local communities in recent years, with a number of high-profile schemes becoming a focus for debate.

Research suggests that opposition to developments can often stem from concerns about strains on local services, worries that a new development will change the identity of an area, and suspicions that a local authority is not acting in the best interests of residents.¹ Centre for London's 2016 report *STOPPED: Why people oppose residential development in their back yard* found

that in many cases opposition is rooted in concern that development will not benefit existing communities, but rather private developers and those who can afford new homes at market prices. In some cases, it focuses on the quality of what has been built, and on promises that have been broken in the past. In its current form, engagement is often viewed as tokenistic, rather than as part of a genuine effort to involve local communities in decision making.

As pressure for new development intensifies, how can better engagement create the housing that London needs, and the type of places that communities value.

Issues and opportunities

Planning policy supports for engagement, but take up is slow and the process still complex

Despite an increasing policy focus on community involvement, with the 2011 Localism Act expanding community powers, many people still feel outside of the process and perceive that decisions are made in dark rooms with little scope for influencing.

Initiatives such as Neighbourhood Plans, which allow local residents to set the framework for how their area changes, are time consuming and complex to navigate. Some local groups have reported underestimating the levels of time and involvement necessary in driving a Neighbourhood Plan forward.² Additionally, plans are more commonly taken up in rural areas (67 per cent),³ while only 4 per cent of 'made' plans are in the 20 per cent most deprived areas, while 20 per cent are in the 20 per cent least deprived areas (IMD).⁴

Likewise, Community Right to Build Orders (CRBO), which allow local people to develop without planning permission (provided that certain criteria are met, such as a referendum of local people), have not been widely adopted.

Some at our discussion expressed concerns about self-selected communities (such as more affluent residents) taking a leadership role. While these processes have the capacity to give local people greater involvement in the process, they do not always represent the demographics or character of a local area, so these views must be balanced with others. Compared to a local authority, a community group may engender greater trust, but it does not have an electoral mandate or any accountability.

Late and tokenistic engagement on specific schemes creates kickback

Relatively low levels of uptake of these community powers means that the planning system is mainly experienced through more traditional mechanisms, such as formal consultation on planning applications, which come at the end of the process and focus on giving a thumbs-up or -down to a specific proposal, rather than discussion about how a neighbourhood is going to change as a whole.

Our participants suggested that many people perceive that their involvement is tokenistic; decisions are made well before notices are posted on lamp posts offering citizens the chance to review plans in their local town hall. Residents are then invited to look at plans in their local hall, with no power to change things except through arguing for an application to be turned down. Many suggested that this type of involvement can make local people feel their engagement is part of a cynical attempt to 'sell' a scheme to planning committees and can generate pushback and rejection as a result.

Early and prolonged relationship building with local people was also cited as good practice in conveying the potential benefits to an area. In Bexley, Peabody ensured that residents of South Thamesmead were involved from the outset, speaking to 470 residents in the first few months of the project, tailoring plans in response to resident feedback.⁵ Similarly, participants mentioned the need to maintain this communication over the course of the project, putting in the time to engage with residents and providing solutions to small requests, in order to build the platform to do bigger, more ambitious things. For example, as part of the regeneration of Bow Cross, Swan Housing developed a staircase of engagement, which included informal activities such as welcome events and fun days, alongside more formal engagement like design exhibitions and resident meetings.⁶ However, some caution was expressed about the time demands of such engagement, especially where developments are time sensitive, and cost constrained.

Finally, good local engagement was viewed as making schemes better, and even raising densities. Roundtable participants noted that the received wisdom was that more public involvement would mean local people would push for lower densities. However, many felt that this was an unfounded concern, offering examples of cases where residents had actually pushed for higher densities where they felt in control. The public is not necessarily against high densities, one participant volunteered, but against bad design.

More meaningful participation has been enabled by balloting

In 2018, the Mayor of London introduced mandatory ballots for estate regeneration schemes seeking mayoral

funding and including the demolition of affordable homes or homes which were previously social homes.

Early experiences have been positive, according to roundtable participants. If there is a good turnout and a strong, positive response to the plans, ballots give architects and developers a mandate with local authorities and can, in some cases, allow a push for higher densities if local people support this. Balloting also makes developers 'do more'; it can take more time and energy to get people on side (with numerous one-to-one discussions), but ultimately this will provide people with more detail and a greater incentive to put forward a more considered approach to design.

However, balloting is still a relatively blunt tool that requires only a 'yes' or 'no' answer. Additionally, ballots will be focused on a specific scheme, meaning that they don't offer local people a say on the broader development of their local area. Another challenge is that balloting only includes people who are currently living on an estate and not those who could benefit from new housing (e.g., people on waiting lists).

Demonstrating local benefits can be powerful

Undoubtedly, communities want to see a lasting benefit from developments. In some developments it is clear that benefits have not been delivered, or potential benefits have not been effectively outlined to local people.

In some cases, developers have sought to change the narrative; to shift the meaning of redevelopment from simply changing the built form, to revitalising a community, through providing training, employment opportunities, community assets and facilities. The growth in social impact investing offered one way to reset the relationship and bring in capital that looked beyond financial returns. There was some discussion as to whether such arrangements could be more formalised as a 'deal' between local residents and developers, where the community negotiated on their own behalf the benefits to be delivered from new building.

Strategic engagement is more limited

While local deals may attract support, larger-scale engagement has been limited. Debates around opportunity area planning frameworks, for the locations identified by the Greater London Authority

as London's major source of brownfield land with significant capacity for development, have at times been controversial and challenging. And in relation to the London Plan itself, which sets the framework within which many planning battles play out, public debate and engagement has been extremely limited, except through the formal examination on public process. There is not even a single centre where Londoners can go to understand how their city is planned to change, nor are new visualisation technologies widely used.

Honesty is undervalued

Additionally, some participants said that developers and local authorities are not entering into honest engagement with the public (or each other) about the potential limitations and constraints. Some features of a development will often be promised but not delivered on, which is viewed as toxic to community trust. There needs to be better management of expectations; some felt that the development industry can be reluctant to say 'no', and to explain the financial and other constraints that are at play. Local people were pragmatic and perceptive enough to understand potential trade-offs, so there is capacity for greater honesty in the system.

Planning negotiations look opaque

Developers and local authorities also play a game of negotiation between themselves, again removing clarity and openness from the process. Some participants expressed the view that there is a sense that mistrust is ingrained in the system, right from the very beginning; developers and local authorities all start with a negotiating position, 'holding back' where they expect to do a deal.

As some noted, the viability approach to affordable housing is one driver of this: developers buy land on the basis of what they think they might be able to negotiate, rather than clear pricing information about what they will be required to deliver. Participants felt that this opaque process can fuel a perception that local authorities are willing to 'sell out' to developers: a local plan may outline the need for a certain amount of affordable housing, while later a viability assessment will lead to a reduction in this figure. Now that affordable housing is so heavily reliant on developers rather than government grant, this process is the focus of intense political debate, but its opacity can cause confusion, and erode trust in the system, as well as those operating within it.

Councils acting as developers can deliver benefits, but also create suspicion

Participants highlighted that local authorities are increasingly acting as developers, or through housing delivery companies. Last year, Centre for London found that 14 boroughs have direct delivery programmes and 17 have wholly-owned development companies, with a total of 23,600 homes to be delivered through council-led approaches over the next five years.⁷

With a lack of government housing grant (and until recently tight controls on housing revenue account borrowing), councils have built private for-sale housing used to cross-subsidise new affordable rented homes. The scale of developments has been relatively small, but some predict there will be a snowball effect where councils will build more as they create more income and take advantage of relaxation of rules regarding borrowing within the housing revenue account (the ring-fenced account for council-owned social housing).⁸

As some suggested, while public sector provision has the potential to deliver more and recycle returns for public services, the establishment of these new companies has created an internal tension, where councils are often torn between maximising receipts and maximising affordable housing provision. In this way council-led development, while having worthy motivations and some positive outcomes, is also viewed as increasing scepticism and suspicion about the role of the local authority and the interests they serve.

Summary

The current system can be confusing and opaque, with complex relationships between developers, local authorities and communities exacerbating the challenges of urban development. In some cases, trust has been eroded by tokenistic engagement that leaves local communities feeling that they have no power to influence important decisions.

To improve these relationships and rebuild trust, there is a need for earlier, deeper and more honest engagement with the public. Conversations must allow time to give local communities scope to influence a development. The perception that engagement is taking place as a tick box exercise after decisions have been made inevitably creates kickback. Additionally, engagement can't be a one off. Successful engagement is a regular and evolving conversation, as well as one that should allow for greater engagement in more strategic plans. And put simply, this earlier and deeper engagement must also be honest. It is toxic to promise what cannot be

delivered; the public should be part of conversations about financial considerations and trade-offs and told candidly where something cannot be delivered.

With this in mind, here are some headline considerations for better engagement:

- 1. Be strategic**
- 2. Start early**
- 3. Modernise methods**
- 4. Talk about money**
- 5. Do what you say**
- 6. Focus the benefits**
- 7. Embrace the ballot**

Endnotes

1. https://www.centreforlondon.org/wp-content/uploads/2016/08/CFLJ4503_STOPPED_WEB_V2.pdf
2. <https://www.tcpa.org.uk/Handlers/Download.ashx?IDMF=30864427-d8dc-4b0b-88ed-c6e0f08c0edd>
3. <https://www.theplanner.co.uk/features/the-good-the-bad-and-the-ugly-of-neighbourhood-plans>
4. <https://www.neighbourhoodplanners.london/>
5. <https://www.londonfirst.co.uk/sites/default/files/documents/2018-05/Estate-Regeneration.pdf>
6. <https://www.londonfirst.co.uk/sites/default/files/documents/2018-05/Estate-Regeneration.pdf>
7. https://www.centreforlondon.org/wp-content/uploads/2018/07/Borough_Builders-Report_Centre-for-London.pdf
8. <https://www.architectsjournal.co.uk/news/news-analysis-why-are-councils-setting-up-private-companies-to-build-homes/10017168.article>

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Housing Select Committee			
Report Title	Independent review of the No Recourse to Public Funds Service		
Key Decision	No	Item No.	5
Ward	None		
Contributors	Executive Director for Customer Services		
Class	Part 1	Date:	30 October 2019

1. Purpose of paper

- 1.1 This paper sets out the context for and recommendations of a review of the NRPF service
- 1.2 Actions proposed as part of the council's response to the review are also set out in the paper and appended.
- 1.3 The purpose of this paper is to provide members with an update on the independent review of the NRPF programme

2. Recommendations

- 2.1 It is recommended that Housing Select Committee:
 - Note the findings of the review and the response to the recommendations set out in this report
 - Note the changes to the service and the action plan for further improvement

3. Policy Context

- 3.1 The contents of this report are consistent with the Council's policy framework. It supports the priorities set out in the Corporate Strategy 2018-2022:
 - Open Lewisham
 - Giving children and young people the best start in life
 - Building an inclusive local economy
 - Delivering and defending health, social care and support
 - Building safer communities

- 3.2 It will also help meet the Council's Public Sector Equality Duty

4. Background

- 4.1 No Recourse to Public Funds refers to a restriction imposed on foreign nationals subject to immigration control, and which means that they have no entitlement to welfare benefits, public housing or assistance under part 7 of the Housing Act 1996. Whilst such restrictions are a routine feature of most state's immigration laws the

implications for local authorities have become more significant in recent years as a result of further restrictions imposed by central government. These changes are sometimes summarised under the term 'hostile environment' and include the curtailment of assistance for Zambrano carers (primary carers of UK citizens previously permitted access to benefits and housing assistance) and greater restrictions on the ability to rent, open bank accounts and work for individuals with no immigration permissions.

- 4.2 Such households are still eligible for local authority assistance under s17 Children Act 1989 or The Care Act 2014 depending on their assessed needs. This is a complex area of business for local authorities and the costs are not recoverable from central government. In line with some other London Boroughs, there was increasing demand for the provision of accommodation and financial support from this client group, with a significant spike during 2013 at a time when austerity measures were placing local authority budgets under acute stress.
- 4.3 In 2012 spending on households with the NRPF restriction stood at £2.2m. By 2013 spending had more than doubled to £5.3m.
- 4.4 The average cost of subsistence and housing support for NRPF families in the borough is approximately 21k a year and some households were supported for eight years. Home Office delays in processing applications contributed to the amount spent on such households and given that eighty percent of households exiting from Local Authority do so after a grant of leave to remain with access to public funds these inefficiencies have had profound implications for inner city councils forced to cope with demands which are not subsidised by central government.
- 4.5 The aim of the NRPF service is to manage this demand appropriately and ensure that expenditure under s17 of the Children Act 1989 is managed appropriately and that the council fulfils its legal obligations under schedule 3 of the Nationality Immigration and Asylum Act 2002. Under this Act most forms of local authority assistance are prohibited save where such support is necessary to prevent a breach of Treaty or Convention Rights

5. No Recourse to Public Funds pilot

- 5.1 The service was set up in June 2014 as a pilot following an internal review when Children's Social care was supporting affected families at a cost of approximately 5m per annum. In 2011/12 Lewisham was supporting 23 families, which rose to 178 by November 2013 and 286 by June 2014.
- 5.2 Very few families would have met the threshold for social services intervention had their immigration status not denied them access to welfare benefits and housing assistance
- 5.3 The staffing structure consisted of a manager, six caseworkers, an embedded Home Office caseworker and a fraud prevention officer.
- 5.4 The NRPF pilot has consistently demonstrated the benefit of having a specialist team dealing with the NRPF cohort. Since the beginning of the pilot in June 2014 the number of active cases has reduce from 331 cases to 88 cases at the end of September 2019.
- 5.5 In June 2018 the NRPF service was mainstreamed into the Housing Division, and the staffing was reduced to five caseworkers in recognition of the reduced caseload.

Subsequent to the restructure of the team, the embedded Home Office caseworker also left the service.

6. Independent review of the service

6.1 Given the council's commitment to becoming a sanctuary borough, and its desire to be open and accountable to all members of the community it was felt that an Independent Review of the Service would be timely to consider the robustness of safeguarding practice and ensure that its legal and ethical obligations are met.

6.2 After a procurement exercise, the Centre for Public Innovation was commissioned to carry out this Review. Their expertise is already known to the local authority as they have already evaluated the Syrian Refugee Programme. They are a Community Interest Company seeking to improve public and charitable services with a particular emphasis on the most vulnerable.

6.3 This Independent Review aims to examine existing policies, procedures and practice to determine whether it is fit for purpose and compliant with statutory requirements, looking at practice over the last two years and considering in particular:

i) The ability of staff to carry out assessments and make informed decisions.

ii) To ensure that the review gives service users a voice and opportunity to share their experiences of the Service

iii) To consider the impact of the Home Office caseworker on the effectiveness of the Service.

iv) To ensure that the review takes account of the views of key stakeholders including third sector groups working with this cohort.

v) To make recommendations in relation to practice improvement, business processes, quality assurance, staffing, staff development, service development considering both present and future requirements.

6.4 The council has taken seriously its commitment to be transparent and identify areas for improvement. Full independent access was given to the review team and its conclusions are based on audits of case files, stakeholder interviews, and an anonymised survey of current and historic service users. The consultants were tasked to review service delivery over a two year period.

7. Review recommendations and response

7.1 The review findings were finalised on October 2019. A full copy of the report is provided as Appendix A. Below, the recommendations of the report are set out with a response to each recommendation in turn. It should be noted that an internal review was already in progress before the commissioning of CPI and steps to closer integrate the NRPF service with Children's social Care had already been agreed.

7.2 The review has involved a thorough review of current practice and has not found cases of illegal or indefensible decision making. Additionally the direction of travel taken by the local authority in this area has been endorsed as the correct one though the review's conclusions are clear that improvements in governance and Children's Social Care oversight are required as well as a clearer focus on partnership working. The council also accepts the Review's stress on improving the customer experience and its responses are set out in this report. In its consideration of these

recommendations no compromises will be made with its safeguarding obligations and its commitment to implementing the letter and spirit of the sanctuary borough.

- 7.3 Government policy in this area poses profound problems for local authorities, but Lewisham Council is determined to deliver a high quality service to families in need and to ensure that no needs are left unmet. In the last six months in particular the council has been concentrating on pragmatic solutions to the dilemmas posed by this area of work and as part of these efforts has piloted new ways of working.
- 7.4 Most notably it has commissioned specialist immigration advice through a third sector provider in order to regularise the status of families with insecure immigration status and enable access to public funds. This pilot has already been successful in improving the future of families and in facilitating access to public funds.
- 7.5 The council takes its commitment to implementing the letter and spirit of the Sanctuary Borough seriously and will continue to strive to improve the service and ensure no child suffers any adverse outcomes as a result of their parent's immigration status.
- 7.6 Whilst acknowledging more confidence building measures are necessary, senior managers draw some comfort from the acknowledgement that relationships with third sector providers are improving. A review of all aspects of operational delivery and documents was underway before the review was commissioned and the local authority is committed to full transparency in its dealings with external agencies. The responsibilities placed on local authorities by government policy are onerous but Lewisham Council is committed to providing high quality services in a manner which balances our legal commitments with an unwavering commitment to ensuring resources are targeted effectively and in accord with the best safeguarding practice.
- 7.7 For ease of reference the local authority's response to each of the recommendations is set out below. An action plan can be found at Appendix B.

Response to recommendations

- 7.8 *Explore use of other venues for walk-in sessions to see NRPF duty worker*

It is acknowledged that the walk-in facilities are not ideal for families presenting in hardship and these problems are a characteristic of the difficulties faced by all council front line services including the housing department. Currently there are no practical alternatives which would negate the disadvantages currently faced and deliver compensating advantages in terms of transparent access. Where possible the NRPF always tries to secure meeting rooms for families and will always strive to ensure families are accorded maximum privacy and dignity during the assessment process.

- 7.9 *Improve the leaflets used by the team to include values, procedures and practices*

The local authority is already in the process of reviewing all information leaflets, and procedures to ensure that service information is online and easily available to the public and advocates. These will include a handbook issued to all service users detailing rights and legitimate expectations and will include information on support groups. A website page on the nrpf service and how to access support will also be uploaded

- 7.10 *Managers to carry out exit interviews with clients (at end of assessment and/or involvement).*

This recommendation has been adopted with immediate effect. Given the important overlaps with modern slavery/human trafficking concerns an external provider with specific experience in this area will also be appointed to carry out randomized exit interviews. An annual report will be collated and monitored by the Head of Service as a key component of the Quality Assurance Plan

- 7.11 *Agree a series of meetings with third sector organizations to improve working relationships and review progress and improvement.*

The NRPF service manager has already been meeting with key third sector organisations in this field and these meetings will be reconvened to discuss ways to improve constructive partnership working.

- 7.12 *Case files should be held on the Children's System currently Liquidlogic; implementation to include timescales for historic cases to be uploaded.*

This recommendation has been adopted with immediate effect.

- 7.13 *Introduce reflective practice sessions for the whole team with challenge about language and attitudes.*

The local authority accepts the importance of constantly monitoring culture and attitudes both as part of our commitment to diversity and our Public Sector Equality Duty and also in order to offer a tailored service to vulnerable households. The NRPF team will be included in all CYP fora and session by external experts will also be commissioned.

- 7.14 *As part of the Liquidlogic implementation agree referral pathways (considering whether all referrals go through MASH) and decide whether the Child in Need plans will be used or develop an alternative plan template.*

The local authority's position remains that a one size fits all approach for households whose only presenting needs remain centred around financial/ housing concerns should not attract the same degree of oversight as families where safeguarding issues have been identified. An alternative support planning template will be developed to provide consistency and recording space for detailing interventions

- 7.15 *Amend the wording of the Continuum of Need document to better reflect a 'needs led' approach to homelessness.*

The Senior Leadership Team in Children's Social Care have agreed amend the Continuum of Need document and better reflect the impact of homelessness

- 7.16 *Develop clear practice standards about seeing the child as part of an assessment, sharing the assessment reports with families, frequency of visits to the child and review of the plan.*

The local authority is clear that the relevant practice standards are those laid out in LSCB and the relevant statutory standards. This is an area where social workers are expected to lead, and the social workers attached to the NRPF team are bound by the same practice standards. Compliance will be monitored through internal Children's services audit

- 7.17 *Ensure that NRPF workers are clear about step down to Early Help procedures and practice, develop links with the children's workforce and provide information to families about the Early Help offer.*

Step down procedures are usually considered in the context of a withdrawal of significant support and supervision by Children's Social Care following a CIN Plan. In the case of NRPF households where the presenting issues remain centred around housing and finance this is a less pressing consideration, but it is agreed that there needs to be greater awareness

- 7.18 *Assessments to be completed on the Single Assessment format and include a social worker's analysis and recommendations and the manager's comments and sign off.*

The assessment tool is to be amended to include Common Assessment Framework domains in order to ensure clearer recording and evidence of oversight

- 7.19 *Assessment training for whole team to ensure compliance with Children Act 1989 to include Signs of Safety model, impact of trauma, consideration of child's daily lived experiences, impact of parental behaviour and impact of diversity.*

The NRPF team is to be included in all ongoing training programmes for CYP staff including comprehensive signs of safety training and a multi-agency training day is also being organised with a particular focus on modern slavery. The training is to be delivered by the council's accredited VAWG provider

- 7.20 *Develop a Quality Assurance framework with clear reporting systems, data collection and scrutiny, case file audits and practice observations including some independent scrutiny.*

The local authority had adopted the Review's recommendation that the NRPF work strand is incorporated into Children's Service's Quality Assessment Framework and will be subject to independent audit

- 7.21 *Ensure Team Manager has sufficient support and development opportunities with strong links with Children's Services to ensure he is updated with relevant practice learning.*

As the NRPF work strand now sits within the Children's Services Quality Assurance Process this will happen automatically as part of the new arrangements. The current team manager will remain within the Housing Directorate, but professional development, practice and training requirements are now set by the Children's social Care.

8. Financial implications

- 8.1 This report recommends that the Housing select committee notes the findings and recommendations of the independent review of the NRPF service. As such, there are no direct financial implications arising from this report..

9. Legal implications

- 9.1 The legal framework for the service described is set out in the body of the report.

10. Equality implications

- 10.1 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability,

gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

10.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

10.3 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed in the paragraph above.

10.4 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made, bearing in mind the issues of relevance and proportionality. The Council must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

10.5 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & 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/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

10.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- [The essential guide to the public sector equality duty](#)
- [Meeting the equality duty in policy and decision-making](#)
- [Engagement and the equality duty: A guide for public authorities](#)
- [Objectives and the equality duty. A guide for public authorities](#)
- [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

- 10.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

- 10.8 The NRPF Programme delivers a key service under s17 of the Children's Act 1989 to a predominantly BAME client group

- 10.9 This report sets out the intentions to improve this programme, and make it more effective, consistent and equitable. As such this report has positive implications for equality.

11. Environmental implications

- 11.1 There are no specific environmental implications to this report.

12. Background documents and report author

- 12.1 If you require further information about this report please contact Lee Georgiou on 0208 314 7413.



NO RECOURSE TO PUBLIC FUNDS SERVICE REVIEW FOR LONDON BOROUGH OF LEWISHAM

The Centre for Public Innovation

September 2019

The Centre for Public Innovation is a Community Interest Company that provides research, training, support and advice in the fields of health, social care, criminal justice and community development.

Our mission is to improve the outcomes of services for their users, with a particular emphasis on the most disadvantaged.

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1 Executive Summary

1.1 Background

No Recourse to Public Funds (NRPF) refers to a restriction imposed on persons from abroad subject to immigration control, and which denies access to mainstream welfare benefits, public housing and assistance under the Housing Act 1996. In practice this cohort may still be assisted by the local authority under s17 of Children's Act 1989 or the Care Act 2014, and the effect of these restrictions has been to transfer the financial burden onto local authorities, which were severe. This is a complex area of business for local authorities, and in recent years the demands placed on councils have been amplified by other pressures commonly associated with the 'hostile environment'. In 2012 the nrpf restriction was imposed on Zambrano carers whose financial needs were subsequently left to by local authorities under s17 of the Children's Act 1989, and the right to rent restrictions imposed by the Immigration Act 2014 similarly forced many households to seek assistance from the local authority. Combined with the effect of delays in the processing of immigration applications by the Home Office such reforms led to a dramatic increase in local authority spending. In 2012 spending on households with the NRPF restriction stood at £2.2m and a year later this had more than doubled to £5.3m. This is a complex area of business for local authorities and many local authorities opted to carry out internal reviews of this emerging need

In Lewisham this was concluded in January 2014. The review recommended delivering a pilot NRPFs programme. The service has been subjected to significant external scrutiny and challenge since its inception including from third sector advocacy and support projects, local MPs and legal challenges in relation to some of the decision making. The current administration was also anxious to ensure that all services, whilst complying with relevant statutes also met the highest standards of the sanctuary borough. As a result, an independent review was commissioned to look at the robustness of safeguarding practice and to determine whether legal and ethical obligations are being met whilst complying with relevant statutory guidance.

The Centre for Public Innovation were commissioned to carry out this review as an independent party.

1.2 Summary of findings

This review does not find examples of cases where the decision making was illegal or not justifiable including the recent Human Rights Assessments. It does find in some historic cases that the tone of the reported discussion and the nature of the questioning may have had the effect of discouraging service users from re-presenting to the service. In more recent assessments there is a notable change in tone and emphasis though the review has still identified areas for improvement.

It is noted that the strategic focus under current management arrangements is much more heavily focused on regularising the immigration status of clients rather than what might be interpreted as gatekeeping. The review endorses this approach as the correct one and views the funding of an immigration solicitor to help support applicants to positively resolve their immigration as an example of good practice which can be built upon

Local community groups consulted noted that, among the clients that they had worked with, there were historic reports of a "hostile" approach being adopted by the NRPF team and an over-emphasis on credibility. There was a sense amongst these groups that the service had sought to discredit clients rather than assess need. The review's survey of clients also confirms this is a perception amongst a number of service users though the report also acknowledges many service users have been highly complementary. The survey canvassed anonymous feedback from clients covered a two year period so is not necessarily a commentary on current service delivery.

The recent Human Rights Assessment was thorough, measured and presented a balanced view by the local authority with clear rationale for their decision making. It is our opinion that this approach should set the standard for all assessments carried out by the NRPF team.

Historic assessments are detailed and thorough in respect of the financial circumstances, housing and immigration status of the families but are more limited so far as information about the child is concerned. Whilst this focus is understandable given the presenting needs it is important to note that financial and safeguarding needs intersect and cannot always be strictly demarcated such as in cases of modern slavery.

Though service user participation is usually limited in reviews of this nature but the response to the NRPF survey was unusually high. Of the 34 respondents who provided an answer, 68% (n=23) stated they were very satisfied or satisfied with the service they received. A fifth, 21% (n=7) stated they were

very dissatisfied with the service they received. It is probable given the improvements conceded by all stakeholders that a twelve-month survey would have yielded lower levels of dissatisfaction.

Though the Review acknowledges significant and positive changes in the operational delivery of the service more is still required to ensure decision making is transparent and that clients and their advocates have greater confidence in accessing the service. Whilst relationships with third sector providers have improved more work is required in order to establish better working relationships and ensure that this client group is not affected adversely. The review team encountered strong feelings on the historic relationship between the council and advocacy groups which we strongly feel need to be addressed as a priority.

The surveys and interviews have been comprehensive, but the anonymity of participants has been respected. Whilst no safeguarding risks relating to specific individuals were identified the lead consultant has identified cases where improvements in practice are necessary

2 Aims and Objectives

The review aims to examine existing policies, procedures and practice to determine whether the NRPF service is fit-for-purpose and compliant with statutory requirements. The review addresses practice over the last two years.

The review was tasked:

- To consider how staff carried out assessments and made decisions.
- To ensure that service users have a voice and opportunity to share their experiences of the service.
- To consider the impact of the Home Office caseworker on the effectiveness of the service.
- To take into account views of key stakeholders including third sector groups working with this cohort.
- To make recommendations in relation to practice improvement, business processes, quality assurance, staffing, staff development, service development considering both present and future requirements.

The review is not a complaints investigation nor is it in any way intended to be part of evidence gathering for disciplinary processes.

3. Methodology

The following methodological components were used in the delivery of the review.

3.1 Document review

CPI undertook a document review including examination of statutory guidance, policy and procedures documents, NRPF network practice guidance, team data including caseloads, supervision notes, job descriptions, internal background reports, and responses to complaints. Full independent access was provided by the local authority.

3.2 Case file review

A dip sample of 100 casefiles including service users who received support and service users who did not receive support was conducted. The sample included assessments carried out by every worker including previous workers, and some assessments carried out by social workers on Children's Services files.

The focus of the casefile review was on:

- the quality of the assessment,
- examining whether the child's voice was heard,
- the rationale for the decision making, and
- the follow up with families who received support and evidence of improved outcomes.

3.3 Team practice review

A deeper dive into team practices and responses to service users was conducted, including:

- shadowing the duty worker,
- practice observation of one interview,
- spending time in reception and waiting area,

- meeting with all caseworkers, social workers, project officer and managers.

The focus of the meetings was the history, their approach to practice, value base and a team health check.

3.4 Stakeholder consultation

Consultation was carried out with service users, community groups and stakeholders from the London Borough of Lewisham.

3.4.1 Service Users

In order to gauge the views of service users (current and past) a short self-completion questionnaire was designed. Service users were contacted via two mechanisms:

- a postal survey, and
- an online version

The survey was designed and managed by CPI but, for data protection reasons, was sent out via the NRPf team using the contact details they hold for clients (that is, no contact details were provided to CPI researchers for data protection/GDPR reasons). The link to the survey was also provided to a number of third-party organisations who work with NRPf clients to share with their clients.

The survey was completely anonymous and looked specifically at the views of service users who had come into contact with the NRPf service over the last two years and asked them about the process, the outcome and their overall experience of the service.

In addition to the survey, a number of interviews were carried out with service users who were identified by the community groups involved in the consultation. The interviews explored in more detail the experiences of the service users around the process, outcomes and overall experience of the NRPf Service.

We note that service users, having been identified and recruited by third sector organisations, are a non-scientific sample and cannot be said with any confidence to represent a true cross-section of service users.

3.4.2 Community Groups/third sector organisations

A number of community/third sector organisations who work with or come into contact with people with NRPF in Lewisham (for instance through providing legal services, advice, housing and other forms of intervention) were identified by the NRPF team manager.

These organisations were contacted and invited to take part in interviews with the research team. Interviews were carried out either face-to-face or over the telephone. Key themes relating to how the NRPF service has been delivered over the past two years, how effective the service has been and how the service could be improved were explored as part of the interview process.

We note that, by the nature of the support that these organisations deliver, they will come into contact with a sub-set of NRPF clients – that is, they are not universal services who engage with all people who engage with NRPF. Given this, their feedback represents the experiences of a smaller cohort within the total number of clients supported by the service. It is to be expected that service users denied support would feel more reason to be aggrieved.

3.4.3 London Borough of Lewisham Stakeholders

Interviews were carried out with other stakeholders within the local authority whose services come into contact with the NRPF service. Key council stakeholders were identified by the team leader of the NRPF Team and invited to take part in an interview with the research team. Interviews were carried out either face-to-face or over the telephone. As with the other consultations, stakeholders were asked to comment on their experience of the service over the previous two years, how effective the service is and how it could be improved.

4. The views of stakeholders

The following section discusses the findings of interviews held with a number of key stakeholders. The opinions were sought of both internal services in the council who have dealings with the NRPF team and also external stakeholders including voluntary organisations who are advocacy groups. Interviewees were asked about their experience of the NRPF team over the past two years, the

processes and procedures of the team and what the working relationships with the team are like, as well as the effectiveness of the service and what areas there are for improvement.

4.1 London Borough of Lewisham stakeholders

4.1.1 Perception of NRPF service

Interviewees identified that the NRPFs team had been born out of the need for better control over the council's spend on families with NRPF status and clearer assessment mechanisms. Previously, this client group had received services based within Children's Services. It was noted that a large number of families received financial support and it was a commonly held view that large sums of general fund monies were being spent without sufficient scrutiny. Stakeholders noted that this was a national issue and a particular challenge for largely London Boroughs. The escalating costs needed addressing leading to the council piloting a service for an initial period of six months which was then extended as it had not fully met the objectives at that time.

Interviewees referred to cases which had ended up in court, which whilst this was not an ideal outcome and an expensive measure for the council, one interviewee felt was necessary so that advocacy groups and voluntary organisations could see that the process being adopted was fair. Interviewees cited several occasions on which the council's decision making had been upheld

Those at a more senior level within the council defended the work of the team and felt that the rigorous approach had been justified as it was not about taking away services from those who were entitled but about making sure there was a consistency of assessment so resources could be put where it was most needed. The team were deemed to be making the right decisions rather than "easy" decisions. This was backed up by another interviewee who felt that the team were not doing anything wrong and had made "correct decisions" but accepted that the delivery of the messages could have been improved.

The introduction of new management arrangements to the service in 2018 was felt to have made a significant change with the service, especially around culture and customer service delivery. Some still felt that the team needs to work more collaboratively with other parts of the council. Interviewees noted that changes were happening across the NRPF team, and there have been real improvements in the service delivered. It is noted that since the team was placed within Housing Needs service, improving customer service outcomes has been a priority for the Senior Leadership team.

4.1.2 Improvements to the service

When asked how the team could improve, stakeholders identified three main areas:

- Communication,
- Training and support,
- Processes and procedures

One of the key themes was communication from the team. Some stated that the team need to be more approachable in the way they deal with both internal and external customers. One stakeholder felt that the team needed to build on their relationships with the voluntary sector. Although acknowledging recent improvements, it was felt that there was some way to go. It was suggested by one interviewee that advocacy groups could be involved in the training of frontline staff. Most felt that there need to be clearer processes and procedures which identify what the team can offer and who the service is for.

It was suggested that leaflets or information on the website are needed to better promote the service. Furthermore, interviewees felt that there was a need to provide more information to service users where financial support was not agreed.

Overall, interviewees felt that changes made to the service over the preceding six months had positively changed the experiences of both the clients and staff working alongside the NRPFs team.

5.2 Community Groups and other external stakeholders

5.2.1 Perception of NRPF service

As noted in the method section, while community groups were engaged in the review process to determine their perspective of the NRPF service, their feedback is contextualised with regard to the fact that they do not engage with all NRPF clients – that is, they work with a sub-set of people those who have been assessed by the NRPF team. Given this, their views cannot be interpreted to be the experience of *all* clients. Furthermore, as the interviews were based on the experience over the previous two years, many of those interviewed had historic experience of the service (i.e. were commenting on the delivery of the service in the past rather than how it operates now).

All of those interviewed were of the opinion that the behaviour of the team had been, in its original pilot phase, “hostile” and “aggressive”. All those interviewed reported instances where they felt clients and advocates alike had been treated in “rude”, “disrespectful”, and “judgemental” ways. Furthermore, it

was felt that NRPF team, was too preoccupied with a fraud prevention approach to assessments had been trying to discredit clients rather than assessing their need. Several interviewees felt that there had been a shift in the team's attitude over recent months, albeit that they still had some concerns.

Most of those consulted stated that there needed to be a change of mind-set within the team. It was felt that staff would often give the impression that they were "doing a favour" rather than discharging their statutory responsibilities. One of the organisations interviewed felt there had been a marked improvement in the attitude of the staff, however they commented that there was still room for improvement.

Three of the organisations stated that they felt they dealt more with the manager now and would approach him directly with any concerns rather than the frontline staff.

The overall impression from those interviewed was that the processes of the team had been unclear, appeared unfair and that there had been little transparency regarding the service. Interviewees reported their clients, in the past, had been misinformed or provided with factually incorrect advice. They noted that they had worked with people who were refused an assessment or support without any explanation as to why or onward referrals to support them. Most of these examples seemed to relate to historic rather than recent cases

5.2.2 Improvements to the service

Three main areas for improvement were identified:

- Training,
- Clear policies and procedures,
- Building relationships

All of the organisations interviewed felt that the NRPF team would benefit from training including communication, customer service, how to treat clients, empathy and also around the requirements of NRPF.

The need for clear policies and procedures that could be shared with other organisations was identified by all of those interviewed. This includes the need for outcomes to be clearly explained and for signposting to other departments or organisations.

Stakeholders felt strongly that the need for building relationships between the team and the voluntary sector should be a high priority for the team and its management. It was noted that there had been good evidence of this over recent months.

6 The service user experience

This section explores perceptions of the service among service users.

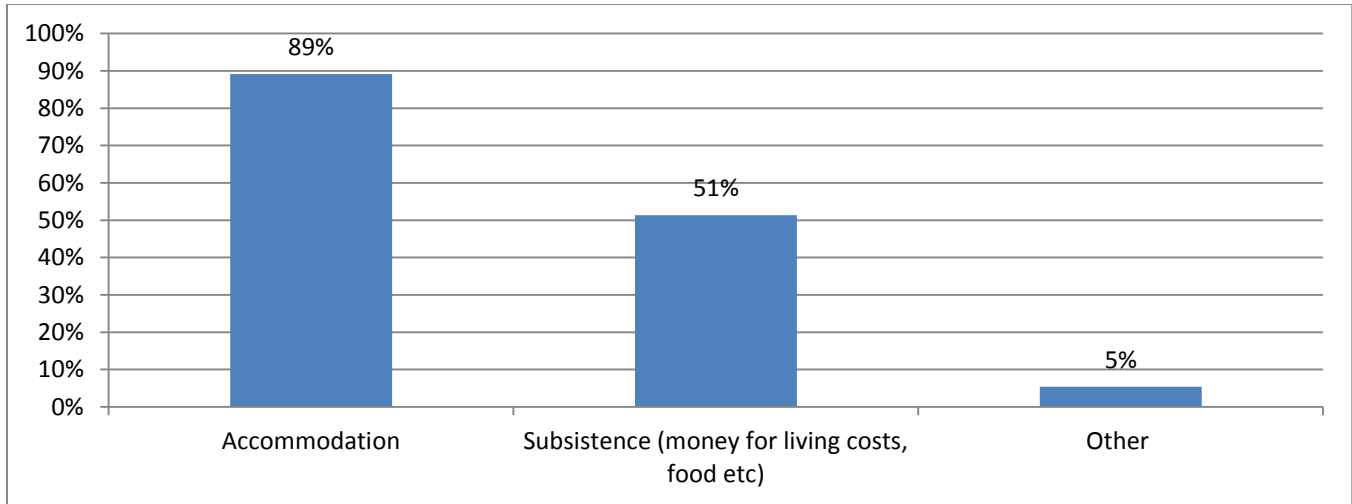
6.1 Service User Survey

In order to obtain the views of clients who have used the NRPF service, a short survey was designed and sent via the NRPF team to all the contacts they have who have engaged with the service in one way or another. The survey was also sent via some of the advocacy groups and voluntary sector. The purpose of the survey was to ask clients about the assessment process they went through, the outcome of that assessment and then information about any ongoing support that they may be receiving. In addition, respondents were asked to rate their satisfaction of the survey and were also given the option to provide any additional comments they may have. The following section provides the results to the survey. In total, there were 37 responses to the survey.

6.1.1 *The Assessment*

Clients were asked to give their reason for approaching the NRPF team. The majority 89% (n=33) had contacted the service regarding accommodation. Just over half, 51% (n=19) contacted them regarding subsistence. The results are shown in Chart 1 (it should be noted that the total equals more than 100% as respondents were able to select more than one option).

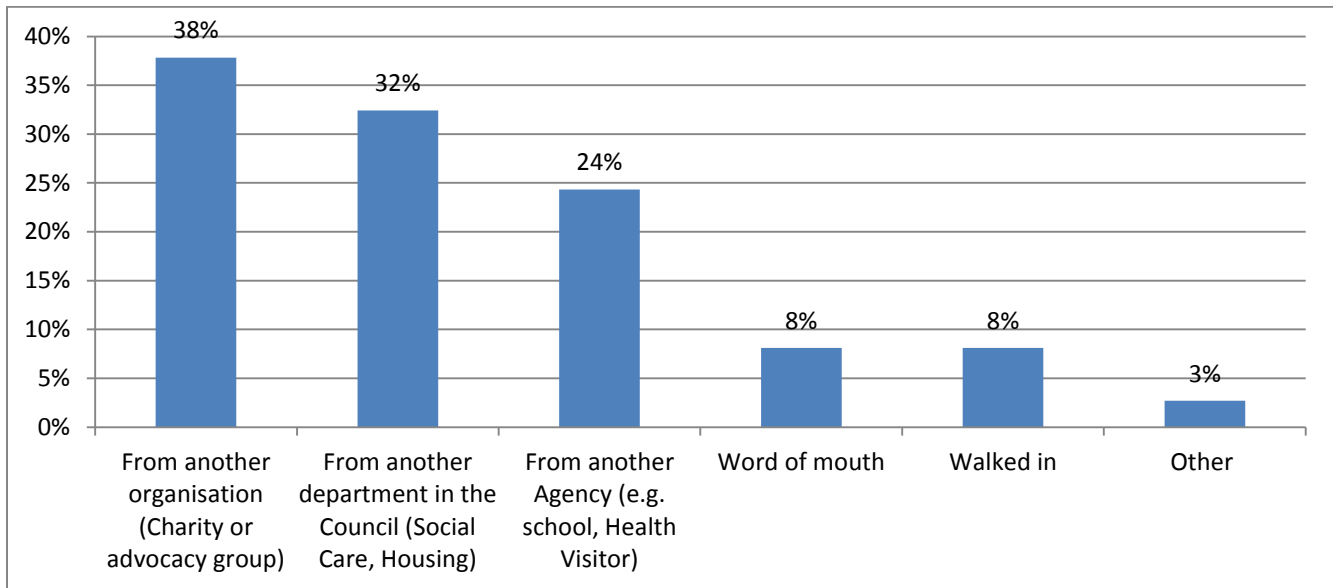
Chart 1: Why did you approach the NRPF Service?



Base=37.

Respondents were asked how they found out about the service. The results are shown in Chart 2. Over a third, 38% (n=14) knew about the service from another organisation or charity. These included Project 17 and the Citizens Advice Bureau.

Chart 2: How did you know about the service?



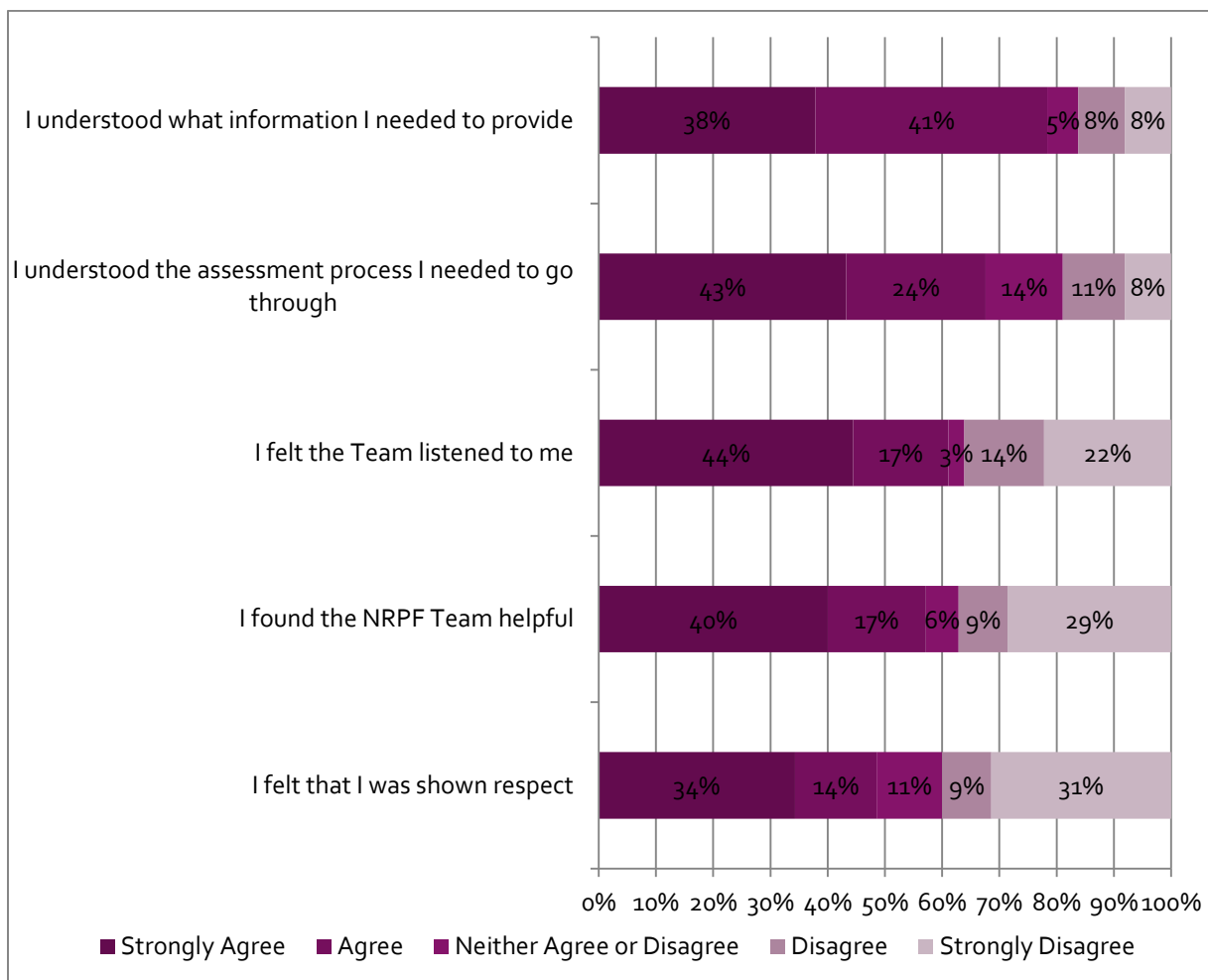
Base=37.

A further 32% (n=12) were aware from another department in the council.

Respondents were asked a series of statements regarding the assessment process and were asked to state whether they strongly agreed, agreed, neither agreed or disagreed, disagreed or disagreed strongly. The results for each statement are shown in Chart 3.

The majority of respondents agreed or agreed strongly that they understood what information they needed to provide, 78% (n=29); 16% (n=6) disagreed or disagreed strongly. A further 68% (n=25) stated that they agreed or agreed strongly that they understood the assessment process they needed to go through.

Chart 3: Thinking about when you met with the NRPF Team please select whether you agree or disagree with the following statements.

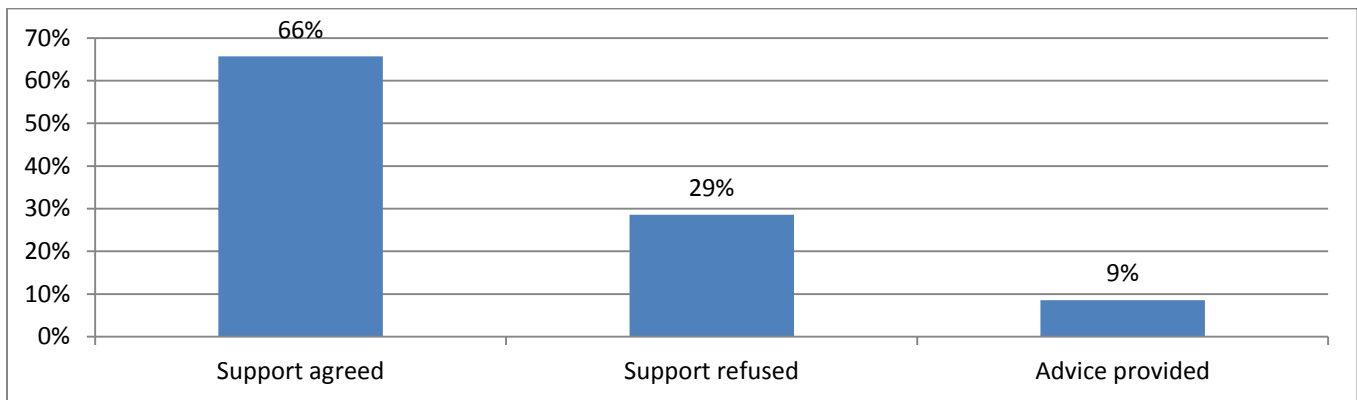


Just over a third, 36% (n=13) disagreed or disagreed strongly with the statement that they felt the team listened to them. Whilst 40% (n=14), stated that they agreed strongly that they found the team helpful, 37% (n=13) disagreed or disagreed strongly that they found the team helpful. Almost a third of respondents, 31% (n=11) stated that they disagreed strongly that they were shown respect, however a similar proportion, 34% (n=12) strongly agreed to the same statement.

6.1.2 The outcome

Respondents were asked what the outcome of their assessment. Two thirds, 66% (n=23) stated that support was agreed while 29% (n=10) were refused. Three respondents (9%) were provided with advice all of whom had support agreed. The results are shown in Chart 4.

Chart 4: what was the outcome of your assessment?



Base=35

Over three quarters of respondents stated that the outcome was explained to them by the NRPF team (77% (n=27)). Of the eight respondents who stated the outcome was not explained to them, five had been refused support.

Respondents were asked if they had understood the decision made by the NRPF team, of those who responded, 60% (n=21) said 'Yes' they did understand, with 40% (n=14) saying 'No', they did not understand with nine of these respondents being those who were refused support. Respondents were asked to explain their answer. These responses are shown in Appendix 1.

As part of the outcome questions, respondents were asked if they were happy with the decision made by the NRPF team. Just over half, 57% (n=20) stated 'Yes'. Unsurprisingly the higher rates of dissatisfaction were expressed by those denied a service

6.1.3 Ongoing support

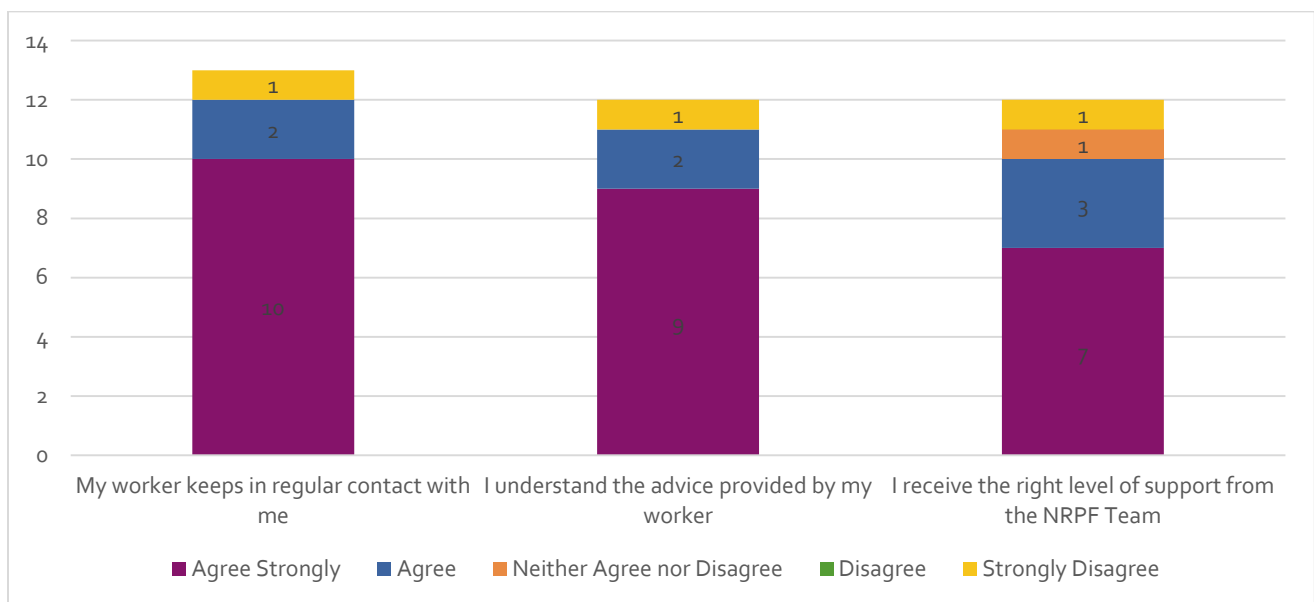
Of the 37 service users who responded to the survey, 13 (35%) stated they are receiving ongoing support. The following analysis is shown in counts rather than percentages due to the small number of responses.

Those respondents receiving support were asked to state whether they agreed or disagreed with a number of statements relating to the ongoing support they receive from the NRPF team:

- My worker keeps in regular contact with me,
- I understand the advice provided by my worker,
- I receive the right level of support from the NRPF Team

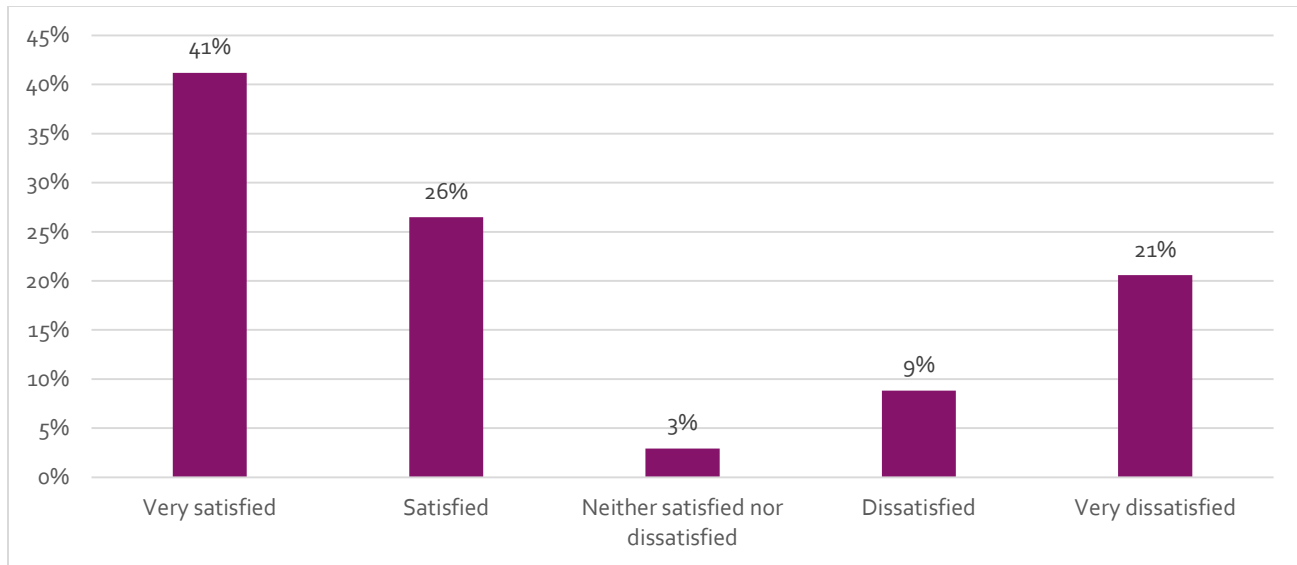
Overall, respondents either agree or agree strongly with each of the statements with the exception of one respondent who strongly disagreed with all three statements. The full results are shown in Chart 5.

Chart 5: Please state whether you agree or disagree with the following statements regarding your ongoing support



All of the respondents were asked how satisfied they were with the service they received from the NRPF team. Of the 34 respondents who provided an answer, 68% (n=23) stated they were very satisfied or satisfied with the service they received. A fifth, 21% (n=7) stated they were very dissatisfied with the service they received (shown in Chart 6).

Chart 6: Overall, how satisfied are you with the service you received from the NRPF Team?



Base=34.

All respondents were asked to provide any additional comments they would like to make about the service they received when applying for NRPF. Of the 37 respondents, 24 provided additional comments.

6.2 Service user interviews

Through the contacts made with the advocacy groups, interviews were carried out with four service users who had been through the NRPFs process over the last two years by AFRIL and Project17. Two had been approved for support, one had been turned down and the other was still waiting to hear back from the service. Two clients had approached the service over 12 months ago, whilst the other two were within the last nine months. As the service engages approximately 130 families a year on average this represents a small proportion of total service users

All of the families interviewed were asked about the assessment process they had been through. One client was initially refused support but on representing were provided with subsistence and accommodation at a later date.

An interviewee gave a detailed account of trying to get access to the team and an assessment only to be turned away several times by desk clerks without seeing anyone from the NRPF team. On their third

visit, accompanied by an advocate, they were told that they had to wait to see someone. They reported that they found the environment “very hostile” and that they were interviewed in what they felt was a “very hostile manner”.

All of the clients interviewed stated that they found the questioning hostile and that many of the questions did not seem relevant to their requests for financial support. One client spoke of their child being interviewed separately and returning visibly upset from the experience. All of those interviewed complained they had not been given an assessment report at the end of their assessment.

Clients reported a mixed experience in relation to the emergency temporary housing they were provided with - either being housed or offered housing a long way from their children’s schools and other amenities. One family described being given keys to a room some way from where they were based but had no money to travel to the property.

Both clients who had been approved for support from Lewisham NRPF team reported inconsistencies in the payment of their support. Both stated that the payment date had changed from a Thursday to a Tuesday; however, this had not been communicated to them in advance.

Both families interviewed who were receiving ongoing support were hesitant about contacting the NRPF team if they had any queries. Both gave examples of contacting the team and feeling very uncomfortable about the way they were spoken to. One interviewee was not made aware that they were being re-housed and was forced to get a taxi to the new address without any notice or information from the NRPF team. All those interviewed felt that the communication with the team was poor.

Review of delivery of service

This section reports on the delivery of the NRPF service and draws on consultation with team members.

7.1 Team operation

The team has five caseworkers, two social workers and a project support officer. The line management arrangements are within Strategic Housing and the social workers have professional supervision from managers within Children’s Services. There is no Home Office embedded caseworker as this post was deleted.

The team describe a collaborative approach with a duty system whereby one caseworker is on duty and another named as a “back- up” duty officer. In practice that means that caseworkers will be on duty for two or three days a week. The social workers seek to ensure that one of them is always available for the duty worker so that service user interviews are conducted jointly (noting that additional safeguarding concerns may arise which require the intervention of a qualified social worker). As the team manager is not social work qualified, the social workers have professional supervision from team managers within Children’s Services. These managers do not look at NRPF assessments and it seems to be used for reflective practice. There did not seem to be formal notes available from these reflective practice sessions and it was unclear whether this was an effective arrangement.

Most of the families requesting support present at the office (called walk-ins). The caseworker who sees them on duty follows the case through to its conclusion wherever practicable, whether there is a need for further information or whether support has been agreed pending an assessment. We note that this approach appears to work well and means there is continuity for the service user, however it can mean that new allocations are not spread evenly across the team. In interview, caseworkers and the team manager stated that this is the best approach as the initial interview is such a key interview and therefore it would not be helpful to hand over the case to another worker.

For families where support is declined, if they re-present, they are processed through the duty system again and therefore it is likely that they will be seen by a different worker

The social workers do not usually have cases allocated to them although at present there is one person allocated on account of their vulnerability. The role of the social workers is to carry out assessments in conjunction with caseworkers and follow through on any safeguarding concerns or requests for s20 accommodation. Caseloads are stored on the Council’s SharePoint system. We note that this is not a caseload management system and is rather more of an electronic filing cabinet.

Management are aware that the system is not fit-for-purpose and intend to move to a new electronic system that is being brought in within housing rather than the more obvious solution of using the current Integrated Children’s System (Liquidlogic). The rationale for this was unclear and missed an opportunity to address a number of practice issues which would be helped if the team were recording on the same system as Children’s Services. This issue was raised with senior managers and following discussions with Children’s Social Care it was agreed that cases would be transferred to the integrated children’s system with built-in audit requirements and safeguards

7.2 Team practice

In interview with NRPf team members, the team were clear that the background to the NRPf team was the financial burden on the local authority of the increasing numbers of people seeking support and the need to have clear assessment processes in place. They described a situation in which, prior to the programme, social workers had been overwhelmed by competing demands (in March 2015 there were 15% more child protection plans than in the previous year) and that comprehensive support was often agreed without the kind of scrutiny that would ideally take place. This meant that financial support and accommodation continued without review or the kind of targeted assistance which might have led to access to mainstream benefits or a human rights assessment

This context is informative in terms of the terminology used by team members – the language used was centred on legal compliance rather than “needs-led assessments”. The manager has indicated this elision as an area that needs to be constantly monitored and is clear that caseworkers have the autonomy to exercise their professional judgement.

When asked about their relationship with clients, they did not agree that service users were treated negatively in the past and they feel that they have been the subject of a lot of unjustified criticisms from external organisations. It was clear from our discussion that the team are tenacious on behalf of service users, seeking to resolve their immigration status and to support families, for example, if there were difficulties with the accommodation provided. We note that they do a difficult job and some of them felt the burden of responsibility to make correct decisions when spending significant amounts of council money and when deciding on the future support for families. Having consulted the select committee report which was the catalyst for setting up the NRPf service this is entirely understandable. A concern over escalating costs is palpable, and clearly signalled, especially at a time when Council resources are severely stretched.

The current team manager considered most of the complaints unjustified and found some of the advocacy groups’ tactics and social media posts inappropriate and counterproductive. He also considered that many clients had been badly advised and ill served by aggressive and premature litigation. He recounted in particular his frustration at having to spend time dealing with lawyers even when the council was still undertaking enquiries and had not refused support. He was of the clear opinion that this was not in the best interests of the families and indicated that he found it easier to respond in a considered manner without such interventions.

Whilst presenting as open to partnership working (this is corroborated to an extent by external parties in the community) he also expressed concern that the team was frequently the subject of unwarranted hostility and that it was unfair local authority staff were effectively being stigmatised for carrying out a difficult but legally prescribed duty.

7.3 Referral Pathways

Most referrals are self-referrals with people presenting to the council offices. Some referrals are processed by the Multi-Agency Safeguarding Hub as the Single Point of Contact for the local authority; if there are no immediate safeguarding concerns then the case would be transferred to NRPf and closed to social care. Given the NRPf team are carrying out assessments under s17 Children Act 1989 it is our firm view that *all* referrals should come from the MASH. This was raised with Senior managers and it was agreed during the review process that this would become the default position. The adjustments necessary will not be burdensome in practice given the NRPf service retains two seconded social workers, and their role has already recently been enhanced. The threshold in the continuum of need document for a Child in Need assessment criteria includes “Clear evidence that a family is destitute” whereas in other local authorities the wording is more about the impact of homelessness, transience or temporary accommodation on the parenting capacity.

If ongoing support is agreed the cases remain the responsibility of the NRPf team and any safeguarding concerns are dealt with by the social workers. This means that social care services are provided to families outside of the Children’s Services recording system. Many local authorities use Children in Need plans for this cohort although they may have different practice standards in relation to frequency of visits or review. In the current recording system there are no plans evident on the casefiles but this deficit can be easily remedied by the agreed integration with Children’s Social Care systems. It is accepted that this cohort as well as intentionally homeless families (a large problem for all social services teams in London) occupy a special status and would not require the same level of support as families presenting with safeguarding needs unrelated to an inability to access housing and welfare entitlements

Families who are assessed as not eligible for support are given advice and guidance and some are signposted to other agencies in relation to their immigration status, financial and accommodation needs. We note that there is limited evidence on the casefiles that support in relation to other needs are

addressed with families or that the cases are stepped down to Early Help. This practice is not congruent with Children's Services practice and means that families may be missing opportunities to receive support as some would benefit from Team Around the Child meetings. Given the current focus on improving prevention remedies this can be easily remedied and would not constitute a step change from existing initiatives such as the commissioning of immigration advice, and tenancy sustainment work. We note also that some of the payments are for rent arrears and that these pragmatic responses at an early stage can both materially reduce distress to families and also afford advantages to the local authority in terms of reducing crisis presentations and more costly s17 expenditure. These are steps in the right direction but practice needs to be reflected in written protocols and procedures.

7.4 Assessments

The approach to assessment has changed over time. At the start of the pilot there was a clear distinction made between eligibility which was the remit of the caseworkers and need assessment which was the responsibility of social care. These distinct assessments were recorded on different systems.

There is no reference to eligibility in the Children Act 1989 although under Working Together 2018, local arrangements should include a thresholds (also known as continuum of need) document so that transparent decisions can be made as to whether the level of need warrants assessment (s17) or enquiries (s47).

Lewisham's continuum of need document includes "clear evidence that a family is destitute" as an indicator that a Child in Need assessment is appropriate, whereas indicators for Targeted Support include:

- NRPF and homelessness,
- temporary accommodation, and
- Families' financial resources seriously compromise child's basic physical needs being met/their general well-being.

Given that the financial support and accommodation for children with NRPF is provided under the s17 duty, it is unclear why these factors are in the Target Support indicators rather than the specialist/acute example indicators. This distinction is different from some other local authorities (for instance the practice in the London Boroughs of Southwark and Barking and Dagenham) where the above indicators are indicators that a Child in Need assessment should be undertaken. This statement in the document seems to support the approach taken by caseworkers to triage families presenting as destitute, in that

they want clear evidence of destitution before carrying out an assessment. It has supported the historic use of the term “destitution assessment” and the current team manager has sought to move away from using this terminology. Given that the emphasis is on Targeted Support for these families, it is unclear why none of the NRPF workers seem to refer anyone to Early Help. It should be noted the current manager does not actually adhere to the notion of a destitution assessment and current practice direction do emphasise a legitimate role for prevention interventions of the kind that would fit with an early intervention model but this is not yet reflected in operational guidance. We understand a full redrafting was delayed pending the conclusion of the review and would recommend these changes are formalised and integrated with the new service model

The current written procedures use the term “Initial assessment” to be carried out by a caseworker with input from the social worker when considered appropriate. The team, when consulted, noted that the current approach to assessments is that they are joint assessments and that the social worker is always present throughout the interviews with the caseworker. As there are only two social workers in the team this is not always the case and, in practice, caseworkers sometimes start interviews then the social worker joins and is present for part of the time.

Styles differ as to how joint assessments are managed. On some occasions the social worker leads the interview whereas in other cases the caseworker takes the lead. The caseworkers, when consulted, were clear that they were “their” assessments although also stated that they were joint assessments. The social workers emphasised that the assessments were child-centred and they carry out the agency checks, for instance with schools and health visitors, as part of the assessment.

There is an agreed format for the recording of the assessment which is different from the Single Assessment used by Children’s Services and the caseworker completes most of the document with a small section completed by the social worker. The way in which assessments are written up would appear to reflect the current balance of practice - specifically that the caseworker’s assessment is dominant. Therefore the assessments are detailed and thorough in respect of the financial circumstances, housing and immigration status of the families but are fairly cursory so far as information about the child is concerned. The child’s voice is not standardly part of the assessment and there is little sense of the child’s lived experiences. It is unclear whether the impact of trauma and the family history, the possibility of trafficking or exploitation has been considered. Some of the follow-up actions undertaken indicate these risks have been factored in but the summaries do not adequately reflect the safeguarding due diligence and require improvement.

There are situations (for instance because of safeguarding concerns) where the social workers carry out the Children's Services single assessment. The detail in these assessments is fuller in relation to the child's welfare and the parenting capacity. However in our opinion these assessments would still benefit from more detail in relation to the child's lived experiences and the child's outcomes, the impact of the parenting capacity and the impact of diversity. Some local authorities would use the Single Assessment format for NRPF assessments which should ensure that the domains of the Common Assessment Framework are considered.

The recent Human Rights Assessments by contrast were thorough, measured and presented a balanced view by the local authority with clear rationale for their decision making.

Children's Services is rolling out Signs of Safety as an assessment model and it was confirmed by the local authority that the NRPF team is to be included in the training. This is a model of risk assessment which may not seem best fit with the assessment priorities of the NRPF service. However, it is crucial that risk management is considered as part of the assessment and therefore assessments should be informed by this model.

The team manager reads all of the assessments and presented as well informed on particular cases. We note that there is no section for manager's comments or sign-off so that management oversight is not evident on the assessment document. The use of the Single Assessment document would ensure that management oversight is evidenced.

7.5 Embedded Home Office worker

As part of the pilot, an Home Office worker post was included in the team as part of the Service. This was felt to be important as it meant that information on immigration status could be triangulated quickly to inform the assessment.

The Home Office worker is no longer part of the team and this arrangement was ended by senior leaders as it was not felt to be consistent with Lewisham being a Sanctuary Borough. We note that the diversion of spending on the retention of an immigration solicitor was agreed in the aftermath of this decision and provides a better fit with these aspirations. Discussions with the manager and a review of throughput within the caseload indicates this may yield significant savings to the local authority if targeted correctly.

The team have access to NRPF Connect, which is an information management system, however team members advised us that this does not include all the information that the Home Office worker had been able to supply. It is not clear why this is the case. It may be that the Home Office worker was able to undertake a more thorough review of records (for instance using different surnames) and make more links across with other service users.

The current system takes three to ten days to supply information so this can mean that the assessment takes longer. There is no evidence that the Home Office worker made it more likely that support was refused.

Some other London Boroughs have continued to use Home Office workers in their NRPF service. We note that, while the Home Office worker could add value retaining this post would not be consistent with Lewisham's "sanctuary" borough status.

7.6 Management and Quality Assurance

The management style is supportive and professional. Staff development opportunities have been provided aimed at raising awareness of the needs of service users and improving practice, in addition to keeping updated in relation to current case law and legal framework.

Although the manager can be described as "hands-on", the management oversight of the case work needs to be more evidenced on casefiles. The implementation of Liquidlogic will assist with this. In addition, there needs to be other checks and balances including more a systematic approach to file reading and practice observations in addition to formal supervision.

While requests were made to senior leaders, the quality assurance frameworks for Strategic Housing and Children's Services had not been made available to the Review team at the time of reporting. It does not appear that there is a Quality Assurance Framework in place for the service. Given that the team are carrying 517 cases, one option is that these are included in the Quality Assurance Framework for Children's Services as it is essential to include some independent scrutiny of these cases including learning from complaints and legal challenges. Senior leaders need to be clear that there is an infrastructure in place for the service so that there is not over-reliance on the abilities of the manager. There also needs to be some consideration given to succession planning.

8. Conclusions and recommendations

8.1 Conclusions

This review does not find examples in current practice where the decision making was illegal or not justifiable, including the recent Human Rights Assessments. It does find that, in some instances, the tone of the reported discussion and the nature of the questioning may have appeared to be off-putting and had the effect of discouraging service users from re-presenting to the service.

We found many examples of families who found the advice helpful and who found that following the advice helped them to resolve their housing or immigration difficulties. There were families where support was provided and in some of these cases constructive support could have been provided at an earlier stage. There is evidence of more proactive early intervention, but this needs further development and integration with Early Help strategies.

The review found that staff were knowledgeable and experienced but would benefit from more reflective opportunities and a shift away from overly legalistic terminology. In particular, their assessments need to be more child-focused and they need to be more reflective on their use of language.

We note that the process of building bridges and developing more effective relationships with the third sector has commenced but there is still some way to go as there continue to be concerns raised. It is also important however that partner agencies do not raise expectations that service users will receive financial support as this can cause additional distress if that support is not agreed.

We find that there is learning for Senior Leaders as to what checks and balances need to be in place to ensure that service delivery is of high quality and how a learning environment with reflective practice can be promoted with robust escalation of concerns when appropriate. However, there is good practice and we could see that the service is on a journey and has made many advances but some more work is still needed.

8.2 Recommendations

Drawing on the information gathered in the review a number of recommendations have been made.

The recommendations address the concerns about the quality of recording systems, referral pathways, the depth of assessments and their compliance with Children Act 1989, and the practice standards in relation to ongoing support for families and follow up when support is not agreed. During consultation with Senior Leadership team it was agreed there would be immediate implementation of several recommendations, most critically the integration with the MASH pathway and this change in itself will remedy other areas we have identified for improvement. Cumulatively, these point to a seamless integration with other areas of CYP business and ensure the NRPF cohort is subject to the same quality assessment framework and standards of oversight.

- 1 Explore use of other venues for walk-in sessions to see NRPF duty worker.
- 2 Improve the information used by the team to include values, procedures and practices. Information to be available on the website
- 3 Managers to carry out exit interviews with clients (at end of assessment and/or involvement).
- 4 Agree a series of meetings with third sector organisations to improve working relationships and review progress and improvement.
- 5 Case files should be held on the Children's System currently Liquidlogic; implementation to include timescales for historic cases to be uploaded.
- 6 Develop a more comprehensive value base for practice and clear practice standards.
- 7 Introduce reflective practice sessions for the whole team with challenge about language and attitudes.
- 8 As part of the Liquidlogic implementation agree referral pathways (considering whether all referrals go through MASH) and decide whether the Child in Need plans will be used or develop an alternative plan template.
- 9 Amend the wording of the Continuum of Need document to better reflect a needs led approach to homelessness.
- 10 Develop clear practice standards about seeing the child as part of an assessment, sharing the assessment reports with families, frequency of visits to the child and review of the plan.

- 11 Ensure that NRPF workers are clear about step down to Early Help procedures and practice, develop links with the children's workforce and provide information to families about the Early Help offer.
- 12 Assessments to be completed on the Single Assessment format and include a social worker's analysis and recommendations and the manager's comments and sign off.
- 13 Assessment training for whole team to ensure compliance with Children Act 1989 to include Signs of Safety model, impact of trauma, consideration of child's daily lived experiences, impact of parental behaviour and impact of diversity.
- 14 Develop a Quality Assurance framework with clear reporting systems, data collection and scrutiny, case file audits and practice observations including some independent scrutiny.
- 15 Ensure Team Manager has sufficient support and development opportunities with strong links with Children's Services to ensure he is updated with relevant practice learning.
- 16 Develop an action/improvement plan which links clearly to the workforce strategy and has performance and impact measures.

NRPF Action Plan

Organisation Name:	Lewisham Council	Project Contact Person:	Madeleine Jeffrey
Start Date:	17.10.2019	Finish Date:	20.12.2019

Corporate Strategy Links	Method/Task	Start Date	Finish Date	Responsibility	Comments	
Delivering and Defending Giving Children and Young People the Best Start Open Lewisham	1	Exit interviews utilising independent review templates. Conducted by manager but to include a randomised sample completed by VAWG practitioner. Outcomes to feed into performance monitoring and Quality Assurance Process	17.10.2019	Ongoing. Annual reports	FD	
	2	Feasibility study of alternate access points in addition to main walk in. Study to scope options for early intervention and avert crisis presentations. Conclusions to be integrated into HRA strategic planning	17.10.2019	15.12.2019	LG	Walk in Laurence House still remains the most easily accessible
	3	Review of immigration services legal services contract. Review to consider efficacy of extension to Looked After Children to ensure seamless access to public funds whenever possible	17.10.2019	17.11.2019	FD	Current contract is part time. Priority remains the regularisation of Zambrano carers and domestic violence destitution concession
	4	Review independent assessment of immigration advice in Lewisham, and its cost benefits	25.01.2020	18.03.2020		Hogan Lovells impact assessment report timetabled for publication in January 2020.
	5	Online availability of user friendly information on services and rights for NRPF households experiencing financial difficulties. Information to be directly available to service users approaching VAWG (Violence against Women and Girls) services	17.10.2019	18.11.2019	FD	

	6	Take all administrative and financial measures meet the costs of free school meals for children whose parents are affected by the NRPF restriction and receiving subsistence under s17 of the Children's Act 1989	17.10.2019	18.11.2019	FD	Recharge arrangements to be in effect from end date indicated
	7	i) Signs of Safety training for entire NRPF team ii) Modern Slavery training and open day		29.11.2019 09.12.2019	FD/CN	Modern Slavery training agenda to be co-ordinated by VAWG Co-Ordinator
	8	Revised caseworker manual to incorporate NRPF review learning.		22.11.2019	FD	The manual is in addition to and does not supplant existing safeguarding protocols. The VAWG Co-Ordinator will be consulted to ensure cultural fit with the council's Violence against Women and Girls Strategy

Outcomes sought:

Improved safeguarding outcomes and learning to feed into service reviews
 Reduced crisis presentations through improved prevention remedies including appropriate immigration advice
 Transparency in the council's dealings with marginalised groups
 Greater collaborative working with statutory and voluntary stakeholders

Housing Select Committee			
Report Title	New Homes Programme Update	Item No	6
Contributors	Assistant Director Regeneration & Place		
Class	Part 1	Date	30 October 2019

1. Purpose of paper

- 1.1. This report provides an update on progress of the delivery of the new social homes in the Borough.

2. Recommendations

- 2.1. It is recommended that Housing Select Committee review and note the report.

3. Background

- 3.1. The Lewisham Housing Strategy 2015-2020 contains four priorities:
- Helping residents at times of severe and urgent housing need
 - Building the homes our residents need
 - Greater security and quality for private renters
 - Supporting our residents to be safe, healthy and independent in their home
- 3.2. London faces one of the most significant housing shortages since the end of the Second World War. In line with our strategy priorities, Lewisham Council acknowledges the challenges faced by our residents and is committed to tackling those with the greatest housing need.
- 3.3. In July 2012 the Council embarked on a programme to build 500 new social homes in response to a series of on-going housing policy and delivery challenges, most notably an enduring under-supply of new affordable homes available to the Council to meet housing demand.
- 3.4. This programme delivered the first Council homes to be built in Lewisham for a generation. The Council has now began an ambitious housebuilding programme for the 2018-2022 period which, thanks in part to grant funding from the Mayor of London, will see a further 20 developments coming forward. This programme will be known as the *Building for Lewisham* Programme.

4. New Homes update

Completed units

- 4.1 The next new Council homes on the Dacre Park site are expected to

be ready for letting in November 2019. These will provide 5 family-sized homes for households on the Council's housing register.

Tenders

- 4.2. Seven tenders have been issued for 156 new Council homes:
- Hawke Tower & Rawlinson House have been returned. Start on site is due in December (2 units)
 - Kenton Court & Knapdale contract will be awarded in December 2019 with a start on site in March 2020 (42 units)
 - Precision Manufactured Homes (PMH) contract to be awarded in February 2020 with a start in site in April (112 units)
- 4.3. Four tenders to be issued in October/November for Eddystone Tower, Silverdale, Grace Path and Algernon (20 units)

Building for Lewisham – Package A

- 4.4. Architects have been appointed for 3 packages. Employers Agent (EA) tender submissions are being evaluated and will be appointed later in October. Technical and legal due diligence has commenced.

Ladywell

- 4.5. Architects have been appointed and Employers Agent to be appointed in October.
- 4.6. Site investigations have commenced.

Achilles Street engagement and estate regeneration ballot

- 4.7. On 18 September 2019, Mayor and Cabinet approved the proposed Landlord Offer to residents of the Achilles Estate in New Cross in advance of a vote by eligible residents on the develop plans for the area.
- 4.8. The Landlord Offer was published on 2 October 2019 with a copy hand delivered to every eligible voter. Officers spoke to available residents on doorsteps over a number of days to talk through the offer and to answer any questions. The weekly Bring it to the Table events have continued on the estate, giving residents further opportunities to engage in the process. Translated copies of the Landlord Offer have been provided where required.
- 4.9. The principles of the final Landlord Offer are:

For Council Tenants

- will be entitled to an offer of a new modern home on the rebuilt estate.

- will have priority if you choose to move off of the estate.
- the new build rent will not change.
- if a household is overcrowded, they will be offered a new home that is the right size for their family.
- will receive a Home Loss compensation payment, which is currently £6,400 and all reasonable moving costs will be paid for.
- There will be a dedicated team to help with the move.

For residents in Temporary Accommodation

- will be entitled to an offer of a new council owned home for social rent on the rebuilt estate if you remain part of the Achilles community.
- the new home will be the right size for their family.
- reasonable moving costs will be paid for.
- there will be a dedicated team to help with the move.

Resident Leaseholders

- will be entitled to an offer of a new home on the rebuilt estate
- if they choose to remain in homeownership on the new estate, they will be able to invest the equity from their current home.
- If the value of the new home is more than the equity, no rent will be charged on any unowned equity.
- will receive 10% of the market value of your current property as Home Loss compensation and all reasonable moving costs will be paid for, including legal and surveyors fees.
- there will be a dedicated team to help you with the move.

- 4.10. The ballot opened on 18 October and closes on 11 November 2019. The ballot is being managed by the independent Electoral Reform Services. The result will be announced before 18 November.
- 4.11. If the majority of votes cast are in favour of the proposed redevelopment of the Achilles Street Estate, work will commence in conjunction with Lewisham Homes to deliver a scheme that will see between 100-150 new council homes for Lewisham families in housing need.
- 4.12. Following Business Panel on 1 October 2019, it was mooted that Housing Select Committee securitise progress on the regeneration and be provided with regular updates should residents vote in favour of regeneration as part of the ballot.
- 4.13. Officers welcome this approach and will produce bi-monthly updates as part of a standing item to be included in future iterations of this New Homes Programme Update.

Bampton Estate

- 4.12. On 3 October 2019, Members of Planning Committee unanimously voted to grant planning permission to build 39 new Council homes on the Bampton Estate.
- 4.13. Working with our delivery agent Lewisham Homes, this accommodation will provide homes for residents who are over 55 years of age at London Affordable Rent levels.
- 4.14. Works are expected to start on site summer 2020 and completion is expected Spring 2022.

118 Canonbie Road

- 4.15. The Council has submitted a planning application for 118 Canonbie Road to deliver 6 new homes as temporary accommodation. The mix of 2 and 3 bed self-contained homes will provide homeless families with safe a secure local accommodation.
- 4.16. The development will increase the supply of genuinely affordable homes, replacing a disused structure with a new and modern building.
- 4.17. A decision on the planning application is expected in November 2019. If approved, start on site is forecast for March 2020 and completion in Summer 2021.

Mayow Road Warehouse

- 4.18. The Council has submitted a planning application for our proposal to redevelop the Mayow Road Warehouse into 32 new council homes. The proposal will deliver 26 family-sized homes for homeless families. These will consist of self-contained flats with two and three bedrooms, all with their own private amenity space.
- 4.19. The development will also deliver six supported living homes for residents with learning disabilities and/or autism, helping them to remain in borough and live more independent lives. This will be supported by 24-hour on-site care and support staff.
- 4.20. The application will be presented to Planning Committee on 31 October 2019. If approved, start on site is forecast for March 2020 and completion in Summer 2021.

5. Financial implications

- 5.1. This report recommends that the Housing select committee notes the update on the new homes programme and the progress of specific schemes within the programme. These are a mixture of General Fund and Housing Revenue Account funded schemes.
- 5.2. The Council's current 30 year financial model for the Housing Revenue

Account (HRA) includes provision for the HRA contribution to the delivery of the HRA Social Units from the New Homes Better Places programme. It has also set-aside £800k of resources to fund the current feasibility work being undertaken on the Package A sites.

- 5.3. The HRA financial model is being regularly updated to assess the financial viability of the overall programme to ensure resources are available to complete the proposed developments. This would include the need to update cash-flow forecasts and assess the availability of resources to deliver the developments as currently planned.
- 5.4. Both HRA and General fund schemes will be delivered through the combined use of available balances, grants, capital receipts, s106 funding and prudential borrowing.
- 5.5. The financial implications of the schemes associated with the 1,000 homes programme will be reported on individually as and when they are sufficiently developed and brought forward for approval by Mayor and Cabinet. This will include an analysis of the optimal funding method for delivery.
- 5.6. As noted above, work continues on refining all of the modelling assumptions that have been used to date, including financial viability for all schemes. Mitigation actions against unviable projects could include developing cross-subsidy into the schemes by using a mixed approach to delivery such as reducing the overall social element, introducing shared ownership and/or private sales or securing additional sources of funding.
- 5.7. It should also be noted that if any of the proposed schemes in the programme become financially unviable and are not progressed, costs incurred up to that point will need to be written-back to GF and/or HRA revenue as abortive costs.
- 5.8. This will be reported on as and when proposals are sufficiently developed and the final scheme outlines brought forward for approval by Mayor and Cabinet.

6. Legal implications

- 6.1 The Council has a wide general power of competence under Section 1 of the Localism Act 2011 to do anything that individuals generally may do. The existence of the general power is not limited by the existence of any other power of the Council which (to any extent) overlaps the general power. The Council can therefore rely on this power to carry out housing development, to act in an “enabling” manner with other housing partners and to provide financial assistance to housing partners for the provision of new affordable housing.

- 6.2 Most of the proposals referred to in this report are at a very early stage of development. Detailed specific legal implications will be set out in subsequent reports to Mayor and Cabinet. Section 105 of the Housing Act 1985 provides that the Council must consult with all secure tenants who are likely to be substantially affected by a matter of Housing Management. Section 105 specifies that a matter of Housing Management would include a new programme of maintenance, improvement or demolition or a matter which affects services or amenities provided to secure tenants and that such consultation must inform secure tenants of the proposals and provide them with an opportunity to make their views known to the Council within a specified period. Section 105 further specifies that before making any decisions on the matter the Council must consider any representations from secure tenants arising from the consultation. Such consultation must therefore be up to date and relate to the development proposals in question.
- 6.3 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.4 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 6.5 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 9.3 above.
- 6.6 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 6.7 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/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

7. Equalities implications

7.1. The provision of new social housing in the borough has a positive equalities impact. Households on the Council’s Housing Register are more likely to have a protected characteristic than the wider population as access to the register is limited to those most in housing need.

8. Crime and Disorder implications

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

9. Environmental implications

9.1. Any environmental implications from the delivery of new homes are considered and addressed on a scheme by scheme basis through the design and planning process. There are therefore no additional environmental implications arising directly from this report.

For further information please contact Freddie Murray, Assistant Director Regeneration & Place on 0208 314 3914.

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Housing Select Committee			
Title	Select Committee work programme		
Contributor	Scrutiny Manager	Item	7
Class	Part 1 (open)	30 October 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 in order to agree 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.

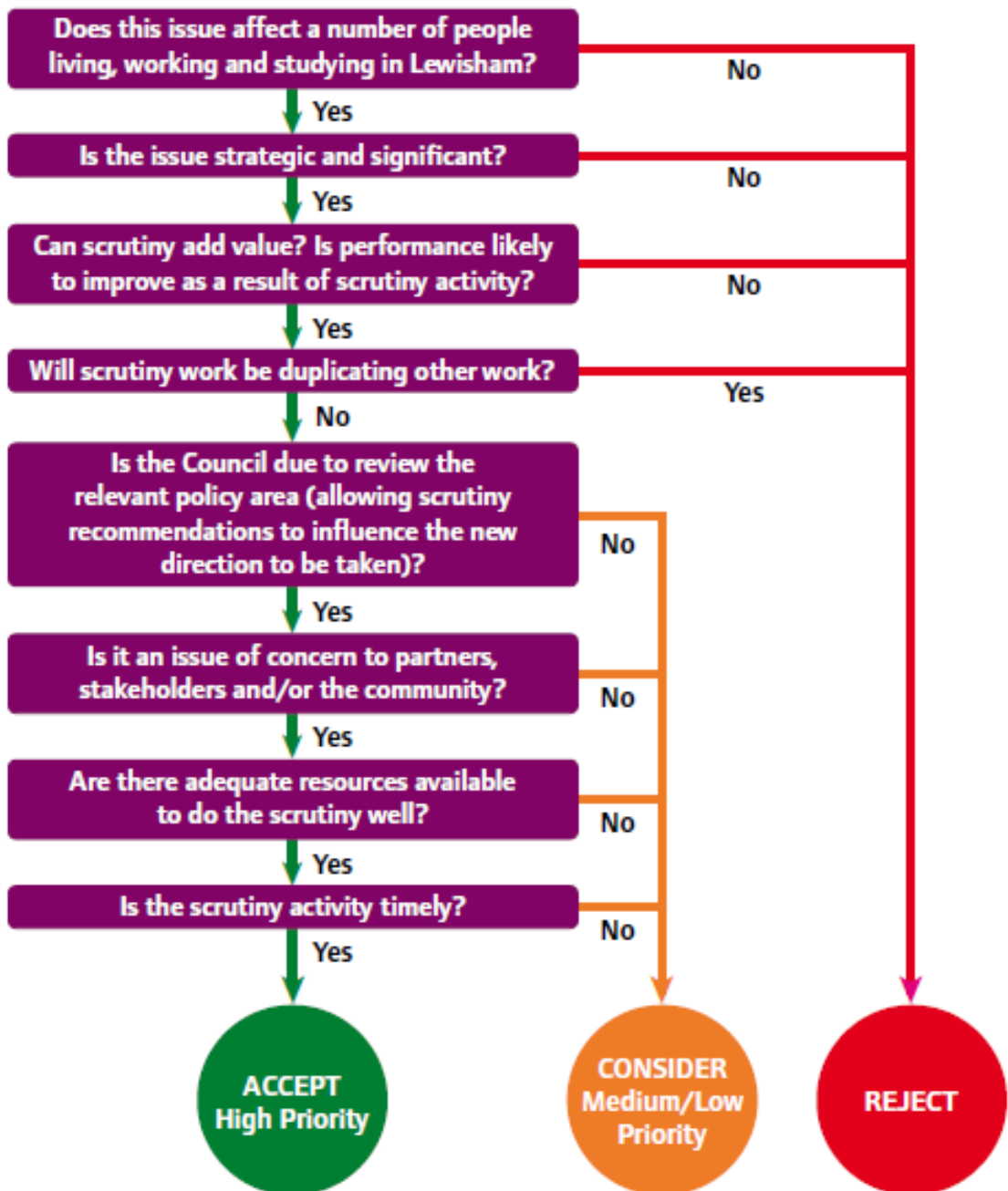
3. Recommendations

- 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 1 May meeting.
- 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.

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 on 16 December 2019.
- 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	Relevant Corporate Priority	Priority
Lettings update and overcrowding	Standard item	<i>Tackling the housing crisis</i>	High
Resident engagement in housing development	In-depth review	<i>Tackling the housing crisis</i>	High
Lewisham Housing Strategy	Standard item	<i>Tackling the housing crisis</i>	High
Housing and mental health update	Standard item	<i>Tackling the housing crisis</i>	High

6. Referrals

6.1 Below is a tracker of 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. Information items

7.1 Some potential work programme items might be low priority and may only require a briefing report for information to be produced for the committee to note and will not need to be considered at a formal committee meeting.

7.2 Below is a tracker of the information items received by the committee:

Item	Date received
Lewisham Homes briefing note on fire doors	14th May 2019

8. Financial Implications

There are no financial implications arising from this report.

9. 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.

10. Equalities Implications

10.1 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.

10.2 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.

10.3 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.

11. Date of next meeting

The date of the next meeting is Monday 16 December 2019.

Background Documents

Lewisham Council's Constitution

Centre for Public Scrutiny: the Good Scrutiny Guide

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

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FORWARD PLAN OF KEY DECISIONS

Forward Plan October 2019 - January 2020

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. 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.

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
September 2019	Brexit Update	10/10/19 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Mayor Damien Egan, Mayor		
August 2019	Future of Dek Hub workspace	10/10/19 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Joe Dromey, Cabinet Member for Culture, Jobs and Skills (job share)		
August 2019	Financial Forecasts	10/10/19 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		
April 2019	Future options for the Parks Service	10/10/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Councillor Sophie McGeevor, Cabinet Member for Environment and Transport (job share)		
August 2019	LIP annual spending submission for 2020/21	10/10/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Councillor Brenda Dacres, Cabinet Member for Environment and Transport (job share)		

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
August 2019	Permission to Extend Obesity Services Contract	10/10/19 Mayor and Cabinet	Tom Brown, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor and Cabinet Member for Health and Adult Social Care		
September 2019	Recommissioning Older Adults Day Services part 1 & part 2	10/10/19 Mayor and Cabinet	Tom Brown, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor and Cabinet Member for Health and Adult Social Care		
September 2019	LIP Annual Spending Submission 2020/21	10/10/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Councillor Brenda Dacres, Cabinet Member for Environment and Transport (job share)		
September 2019	Surrey Canal Triangle Land Sale Agreement and CPO Indemnity Agreement	10/10/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Mayor Damien Egan, Mayor		
September 2019	Dry Recyclables Contract Award	10/10/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment 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 Brenda Dacres, Cabinet Member for Environment and Transport (job share)		
August 2019	Request for Extension and Variation of Family Support Contract	15/10/19 Overview and Scrutiny Business Panel	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
September 2019	Ladywell Playtower: progress update	30/10/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Mayor Damien Egan, Mayor		
August 2019	Consultation: Proposal to Transfer Management of 5 Community Centres to Lewisham Homes	30/10/19 Mayor and Cabinet	Tom Brown, Executive Director for Community Services and Councillor Jonathan Slater, Cabinet Member for Community Sector		
May 2019	Approval for Single Tender action for Counter Fraud Hub	30/10/19 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
May 2019	Performance Monitoring	30/10/19 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Kevin Bonavia,		

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
			Cabinet Member for Democracy, Refugees & Accountability		
August 2019	Cleaning Contract Extension	30/10/19 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
August 2019	Security Contract Extension	30/10/19 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
August 2019	Domiciliary Care Provision	30/10/19 Mayor and Cabinet	Tom Brown, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor and Cabinet Member for Health and Adult Social Care		
August 2019	CCTV Monitoring Contract	30/10/19 Mayor and Cabinet	Tom Brown, Executive Director for Community Services and Councillor Joani Reid, Cabinet Member for Safer Communities		
May 2019	New Cross Area Framework + Station Opportunity Study Supplementary Planning Document	30/10/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Mayor Damien Egan, Mayor		

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
February 2019	Insurance Renewal	30/10/19 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
September 2019	Surrey Canal Triangle Design Framework Draft Supplementary Planning Document	30/10/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Mayor Damien Egan, Mayor		
September 2019	Early Help Support Services - Review and Permission	30/10/19 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
September 2019	2020/21 Budget Cuts	30/10/19 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
September 2019	Acquisition of land at Pool Court. parts 1 & 2	30/10/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Mayor Damien Egan, Mayor		
September 2019	Private Sector Housing Borough-wide Licensing	30/10/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Housing, Regeneration & Environment and Councillor Paul Bell, Cabinet Member for Housing		
September 2019	Contract Award Report for Extra Care Service at Conrad Court	30/10/19 Mayor and Cabinet	Tom Brown, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor and Cabinet Member for Health and Adult Social Care		
September 2019	Old Town Hall works - permission to tender	30/10/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Mayor Damien Egan, Mayor		
September 2019	Community Toilets Scheme Contract	30/10/19 Mayor and Cabinet	Tom Brown, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor and Cabinet Member for Health and Adult Social Care		
September 2019	Lewisham Gateway - Variations to the Development Agreement	30/10/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Mayor Damien Egan, Mayor		
June 2019	Disposal of former Wide Horizon Sites in Wales & Kent'	30/10/19 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and		

FORWARD PLAN – KEY DECISIONS

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			Mayor Damien Egan, Mayor		
September 2019	Instruments of Government	30/10/19 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
June 2019	Adopting a Residents Charter for Lewisham	20/11/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Councillor Paul Bell, Cabinet Member for Housing		
April 2019	Contract Award Tier 2/3 Drug Services/Shared Care	20/11/19 Mayor and Cabinet	Tom Brown, Executive Director for Community Services and Councillor Joani Reid, Cabinet Member for Safer Communities		
September 2019	Retention of Right to Buy Receipts	20/11/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Councillor Paul Bell, Cabinet Member for Housing		
September 2019	Adoption of Draft Conservation	20/11/19	Kevin Sheehan,		

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	Area Appraisal, Boundary Change and Article 4 Direction for Deptford High Street and St Paul's Conservation Areas	Mayor and Cabinet	Executive Director for Housing, Regeneration & Environment and Mayor Damien Egan, Mayor		
September 2019	School Meals Options	20/11/19 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
September 2019	Draft Housing Strategy 2020-25	20/11/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Councillor Paul Bell, Cabinet Member for Housing		
September 2019	Polling District Review	27/11/19 Council	Kath Nicholson, Head of Law and Councillor Leo Gibbons		
September 2019	Dockless Bikes bye-law	27/11/19 Council	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Councillor Brenda Dacres, Cabinet Member for Environment and Transport (job share)		
September 2019	Constitutional Update	27/11/19	Kath Nicholson, Head of		

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
		Council	Law and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		
September 2019	Preferred Tender for Travel and Transport Programme	11/12/19 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Councillor Brenda Dacres, Cabinet Member for Environment and Transport (job share)		
September 2019	Re-commissioning of Healthwatch & NHS Complaints Advocacy Services	11/12/19 Mayor and Cabinet	Tom Brown, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor and Cabinet Member for Health and Adult Social Care		
September 2019	Contract Award for Stage 2 of Greenvale School Expansion Project	11/12/19 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
September 2019	Schools Minor Works Programme 2020	11/12/19 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham, Cabinet		

FORWARD PLAN – KEY DECISIONS					
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			Member for School Performance and Children's Services		
September 2019	Precision Manufactured Housing (PMH) Procurement	15/01/20 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Councillor Paul Bell, Cabinet Member for Housing		
September 2019	Mayow Road Supported Living Service Parts 1 & 2	15/01/20 Mayor and Cabinet	Tom Brown, Executive Director for Community Services and Councillor Chris Best, Deputy Mayor and Cabinet Member for Health and Adult Social Care		
September 2019	Budget 2020-21	05/02/20 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
September 2019	Budget Update	12/02/20 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
September 2019	Precision Manufactured Housing (PMH) Procurement Process Outcome and Decision	12/02/20 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and		

FORWARD PLAN – KEY DECISIONS					
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			Councillor Paul Bell, Cabinet Member for Housing		
September 2019	Budget 2020-21	26/02/20 Council	David Austin, Acting Chief Finance Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
September 2019	Lewisham Climate Emergency Action Plan	11/03/20 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Councillor Sophie McGeevor, Cabinet Member for Environment and Transport (job share)		
September 2019	Adoption of the Catford Regeneration Masterplan Framework	25/03/20 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Mayor Damien Egan, Mayor		

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