



AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 26 MAY 2020 at 7.00 pm

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

Enquiries to: Jasmine Kassim 0208 3148577
Telephone: 0208 314 8577 (direct line)
Email: Jasmine.Kassim@lewisham.gov.uk

MEMBERS

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

Members are summoned to attend this meeting

Kim Wright
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Friday, 15 May 2020



INVESTOR IN PEOPLE

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



Lewisham



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ORDER OF BUSINESS – PART 1 AGENDA

Item No		Page No.s
1.	Minutes	1 - 5
2.	Declarations of Interests	6 - 9
3.	Scrutiny of the Council's Covid-19 Response [REPORT TO FOLLOW]	10
4.	Key Decision Plan	11 - 26
5.	Decisions Made by Mayor on 13 May 2020 - open session	27 - 30
6.	Decision by the Executive Director of Housing, Regeneration and Environment on 15 May 2020	31 - 33
7.	Exclusion of the press and public	34
8.	Decisions Made by the Mayor on 13 May 2020 - closed session	35 - 37

FIELD_TITLE



Lewisham



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Overview and Scrutiny Business Panel

Minutes

Date: 26 May 2020

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to consider minutes of that part of the meeting of the Overview and Scrutiny Business Panel of 5 May 2020 which were opened to the press and public

1. Recommendation

It is recommended that the minutes of those parts of the meeting of the Overview and Scrutiny Business Panel which were open to the press and public held on 5 May 2020 be confirmed and signed.

Kim Wright
Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU

15 May 2020

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday 5 May at 7pm

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

1. Minutes

RESOLVED that the Minutes of the last meeting held on 25 February 2020 be confirmed as an accurate record

2. Declarations of Interest

No interests were declared.

3. Scrutiny of the Council's COVID-19 Response

This item was presented by the Chief Executive and the Director for Public Services.

The CE gave the short term proposed approach for Business Panel meetings so the COVID-19 response will be a standing item to ensure assurance and oversight. This will include a summary of the overall regional/local system response to COVID-19, any key developments since the last update, an overview and update on the Council response in relation to critical services and scope for member input and community feedback to the operational response.

The practical response set out in the report aims to strike a balance between allowing well-scrutinised decisions to be made but also ensuring the resources are within Council and remaining available to deliver critical services.

The Director for Public Services summarised the Council's response strategy and objectives for COVID-19. The strategy has been used thoroughly and has helped in identifying priorities. The 3 cores pieces to the response structure are:

The Council Silver Group which focuses on the performance of the Council; the COVID-19 Committee which focuses on the Councils partner services in health, police, etc.; and the Recovery Group which will develop as the country approaches recovery.

The Director for Public Services oversees this structure which reports to the Gold Group chaired by the CE. The CE and the Director for Public Services report to Mayor & Cabinet weekly. The South-East sub-regional group belonging to the London-wide response to COVID-19 is also chaired by the CE.

The critical services identified by the Council and government are being closely monitored and being provided with extra staff and volunteers.

Over 2700 food packages have been delivered in the borough to Lewisham residents. Over 2000 residents have volunteered to support Lewisham Local in the community. Over £30m has been given across businesses in the borough to support them in the crisis. The Council is prepared and equipped to respond to any other emergencies that arise out of the pandemic.

The following questions were asked by Councillors and responded to:

Q1. Can we consider the Overview and Scrutiny Business Panel meeting once a fortnight instead of once a month, as once a month is insufficient to deliver proper scrutiny?

Q2. Has the government asked for figures on our care homes? Do we have an overview of how care homes are coping and any figures from other neighbouring authorities?

Q3. Is there representation for businesses within the 3 partners groups?

Q4. Are we able now to have more up-to-date information regarding care homes as they appear to have been delayed previously?

Q5. What were the discrepancies between the critical services identified by government guidelines and the critical services identified by the Council?

Q6. People eligible for government funding who were unable to receive support due to the emergency of COVID-19 funding, what will happen to their eligibility?

Q7. How confident are the Council in their provision to vulnerable residents who are self-isolating?

Q8. What support is available to those who are experiencing anxiety during this time?

Q9. Is there any information available on the speculation on the phased return to school of primary pupils?

Q10. Are home carers getting the correct amount of PPE? Are there other areas for testing other than Greenwich closer to the Council?

Q11. It has been found that people from BAME backgrounds are more likely to catch and die from COVID-19. Does the Council have any information or guidance as to why this is and what will be done?

A1. The CE stated that there needs to be a balance between providing opportunities for the Overview and Scrutiny to respond appropriately to challenges and dealing with any current responses. Anything more than once per month may put an onerous burden on already under pressure officers to service the Panel and will therefore not enable the Panel to do as well in responding and may take away from the quality of work.

A2/A4. Up-to-date figures from care homes according to their current capacity, death rate and their current coping capabilities can be provided in a report including historic information about the care homes. At this moment, they are coping well. The council has been supporting them as well as they can and providing them with PPE and aiding with testing staff. The Council has been reporting up to government including capacity, discharges, etc. The comparative figures on deaths are not separated from care homes. There are figures available from ONS data regarding the number of deaths in care homes per borough, which can be provided in future reporting.

A3. Business groups are not part of the committees but the Council is in liaison with them over their business grants, contact, and recovery arrangements. Liaison with any groups is in direct response to this incident and in line with the objectives set out in the Strategy.

A5. What they Council determined were priorities and the government viewed as priorities were only mildly different and for there were no differences of significance.

A6. This question can be answered in future reporting now that it has been raised.

A7. The council is reaching everyone it is aware of in the community that needs help. The shielding teams are helping provide food and any other additional support residents need. Approximately 500 residents are being contacted per day.

A8. There is a set of FAQs available on the support line and on the Council website which contains a vast amount of support including those who are experiencing anxiety and any areas available to them where they can receive extra support.

A9. The DfE have been in discussion with a number of boroughs, and their stance and guidance changes on at least a daily basis regarding the re-opening of schools. It is an ongoing discussion. They are clear on needing at least 3 weeks of announcing the reopening of schools and the reopening of schools as it will take some time to equip teachers and schools to enable a safer teaching environment.

A10. There have been local pop-up testing centres available. When the information is available, it is put on the Council website and there communication avenues. PPE was really low and as a result that London set up some emergency arrangements as were these arrangements set up locally so any worker that needs PPE in the care sector, they are provided by the Council.

A11. This significance of this disproportionality requires national conversation. The regional officer for Public Health has been asked to communicate with us on any updates to the research conducted. The Council submitted evidence to parliamentary enquiries in the last week which looked at how COVID-19 effects all people with protected characteristics. Further updates can be provided as they come.

The Chair thanked the Chief Executive and the Director for Public Health.

RESOLVED that the report was noted.

4. Key Decision Plan

The Head of Business and Committee presented this report.

Councillor Codd asked if a report was planned assessing the financial impact on the Council of the Covid-19 pandemic. The Head of Business & Committee stated there was no current listing of such a report in the Key Decision Plan but that the Acting Chief Finance Officer was monitoring the financial impact closely and was likely to report in the near future to Mayor & Cabinet.

RESOLVED that the report be noted.

5. Decisions made by the Mayor on 25 March 2020- open session

Single Equalities Framework

Councillor Juliet Campbell was given an assurance that the comments of the Safer Stronger Communities Select Committee tabled at the Mayoral meeting on March 25 would receive a response agreed by the entire Mayor & Cabinet at a future meeting.

6. Exclusion of the Press and Public.

Agreed.

7. Decisions made by Mayor on 25 March 2020- closed session

There were no decisions identified for further discussion.

8. Decision taken by Executive Director- Rough Sleeping Initiative STA

This decision was not identified for further discussion.

Agenda Item 2



Overview and Scrutiny Business Panel

Declaration of Interest

Date: 26 May 2020

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

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

1 Personal interests

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

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

2 Disclosable pecuniary interests are defined by regulation as:-

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

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

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

(3) Other registerable interests

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

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

(4) Non registerable interests

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

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

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

(6) Sensitive information

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

(7) Exempt categories

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

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

Agenda Item 3



Overview and Scrutiny Business Panel

Scrutiny of the Council's Covid-19 Response

Date: 26 May 2020
Key decision: No
Class: Part 1
Ward(s) affected: All
Contributors:

Outline and recommendations

Members to note that this report is TO FOLLOW

REPORT TO FOLLOW



Overview and Scrutiny Business Panel

Key Decision Plan

Date: 26 May 2020

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to receive a draft copy of the statutory Key Decision Plan and an explanatory appendix

1. Recommendation

It is recommended that the Business Panel receives and comments on the draft Key Decision Plan

FORWARD PLAN OF KEY DECISIONS

Forward Plan June 2020 - September 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
February 2020	Smarter Technology Phase 2 Project Equipment Rollout	13/05/20 Mayor and Cabinet	Richard Hawkes and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		
April 2020	Youth Services Contract Extension	13/05/20 Mayor and Cabinet	Catherine Bunten, Commissioning Manager and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
April 2020	CYP Specialist Short Breaks Contract Extension	13/05/20 Mayor and Cabinet	Catherine Bunten, Commissioning Manager and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
April 2020	Preferred Provider Framework CYP Personalised Care and Support Contract Extension	13/05/20 Mayor and Cabinet	Catherine Bunten, Commissioning Manager and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
April 2020	Request for Section 106 monies for delivery of affordable homes as part of the Council's Precision Manufactured Homes (PMH) Programme	13/05/20 Mayor and Cabinet	Julia Robins, BLE Planning Manager and Councillor Paul Bell, Cabinet Member for Housing		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
May 2020	Business Support during Covid 19 pandemic	13/05/20 Mayor and Cabinet	Paul Moore, Interim Director for Regeneration and Place and Councillor Joe Dromey, Cabinet Member for Culture, Jobs and Skills (job share)		
October 2019	Private Sector Housing Borough-wide Licensing Review of Implementation Timetable	26/05/20 Overview and Scrutiny Business Panel	Fenella Beckman, Head of Private Sector Housing Agency and Councillor Paul Bell, Cabinet Member for Housing		
May 2020	Council's response to Covid 19 - Financial update	10/06/20 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
April 2020	Excalibur Phase 3 Land Assembly and Construction	10/06/20 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Paul Bell, Cabinet Member for Housing		
January 2020	Parks and Open Spaces Strategy 2020-2025	10/06/20 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Councillor Sophie McGeevor, Cabinet Member for Environment and Transport		
February 2020	Dry recycling award report	10/06/20 Mayor and Cabinet	Wendy Nicholas, Strategic Waste 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
			Environment Manager and Councillor Sophie McGeevor, Cabinet Member for Environment and Transport		
February 2020	Approval to proceed with Procurement - Digitisation of Records - Council Wide	10/06/20 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		
December 2019	Achilles Street Estate Land Assembly Parts 1 & 2	10/06/20 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Paul Bell, Cabinet Member for Housing		
May 2020	Building for Lewisham Programme Update	10/06/20 Mayor and Cabinet	Karen Barke, Head of Strategic Development and Councillor Paul Bell, Cabinet Member for Housing		
May 2020	Learning Disability Services - Request for Specific Contract Extensions	10/06/20 Mayor and Cabinet	Joanne Lee, Contracts Monitoring Officer and Councillor Chris Best, Deputy Mayor and Cabinet Member for Health and Adult Social Care		
May 2020	Final Outturn 2019/20	10/06/20 Mayor and Cabinet	Selwyn Thompson, Head of Financial Services and Councillor Amanda De		

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
			Ryk, Cabinet Member for Finance and Resources		
May 2020	Delivery of Early Help in Lewisham	10/06/20 Mayor and Cabinet	Catherine Bunten, Commissioning Manager and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
May 2020	CCTV IP Upgrade	10/06/20 Mayor and Cabinet	Gary Connors, Head of Crime, Enforcement and Regulation and Councillor Brenda Dacres, Cabinet Member for Safer Communities		
February 2020	Sports pitch leases - TenEmBee Sports Club and Abbotshall Healthy Lifestyle Centre	09/07/20 Mayor and Cabinet	James Lee, Director of Strategy, Partnerships and Improvement, Director of Culture and Community Development (jobshare) and Councillor Andre Bourne, Cabinet member for Culture, Jobs and Skills (job share)		
January 2020	Settlement on outstanding litigation case regarding non-payment of an affordable housing contribution at 99 Plough Way Parts 1 & 2	09/07/20 Mayor and Cabinet	Emma Talbot, Head of Planning and Mayor Damien Egan, Mayor		
February 2020	SELCHP Extension parts 1 & 2	09/07/20 Mayor and Cabinet	Wendy Nicholas, Strategic Waste 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
			Environment Manager and Councillor Sophie McGeevor, Cabinet Member for Environment and Transport		
December 2019	Additions of new buildings to Local List St Lukes Church	09/07/20 Mayor and Cabinet	Joanna Ecclestone, Senior Conservation Officer and Mayor Damien Egan, Mayor		
April 2020	Sanctuary Strategy	09/07/20 Mayor and Cabinet	Natasha Valladares, Projects and New Supply Strategy Manager and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		
October 2019	Contract Award for Stage 2 of Greenvale School Expansion Project	09/07/20 Mayor and Cabinet	Pauline Maddison, Interim Executive Director Children and Young People and Councillor Chris Barnham, Cabinet Member for School Performance and Children's Services		
May 2020	Besson Street Business Plan update	09/07/20 Mayor and Cabinet	Monique Wallace, Planning Manager, Strategic Housing and Councillor Paul Bell, Cabinet Member for Housing		
December 2019	Approval of the draft Lewisham	15/07/20	Kevin Sheehan,		

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
	Local Plan for public consultation	Council	Executive Director for Housing, Regeneration & Environment and Mayor Damien Egan, Mayor		
April 2020	Approval of the Local Development Scheme (Update)	15/07/20 Council	David Syme, Strategic Planning Manager and Mayor Damien Egan, Mayor		
February 2020	Urgency Committee Referral Annual Pay Statement	15/07/20 Council	David Austin, Acting Chief Finance Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
February 2020	Renewal of Pension Administration IT System	16/09/20 Mayor and Cabinet	Ian Andrews, IT Procurement and Supplier Manager and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		
October 2019	Preferred Tender for Travel and Transport Programme	16/09/20 Mayor and Cabinet	Mark Bursnell and Councillor Brenda Dacres, Cabinet Member for Safer Communities		
November 2019	Approval to appoint operator for concessions contract at the lake, Beckenham Place Park	16/09/20 Mayor and Cabinet	Alison Taylor, Project Manager, Capital Programme Delivery and Councillor Sophie McGeavor, Cabinet Member for Environment and Transport		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
April 2020	Adoption of the Housing Strategy 2020-26	16/09/20 Mayor and Cabinet	Michael Moncrieff, Housing Policy & Partnerships Manager and Councillor Paul Bell, Cabinet Member for Housing		
April 2020	Revised Statement of Licensing Policy	16/09/20 Mayor and Cabinet	Lisa Hooper, Crime, Enforcement & Regulation Manager and Councillor Andre Bourne, Cabinet member for Culture, Jobs and Skills (job share)		
October 2019	Adoption of the Catford Regeneration Masterplan Framework	16/09/20 Mayor and Cabinet	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Mayor Damien Egan, Mayor		
February 2020	Award of London Borough of Culture Programme Delivery Partner	16/09/20 Mayor and Cabinet	Liz Dart, Head of Culture and Community Development and Councillor Andre Bourne, Cabinet member for Culture, Jobs and Skills (job share)		
April 2020	Adoption of the Homelessness and Rough Sleeping Strategy	16/09/20 Mayor and Cabinet	Michael Moncrieff, Housing Policy & Partnerships Manager and Councillor Paul Bell, Cabinet Member for Housing		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
February 2020	Revised Statement of Licensing Policy	30/09/20 Council	Lisa Hooper, Crime, Enforcement & Regulation Manager and Councillor Eva Stamirowski		
December 2019	Friendship Agreement Pokhara	30/09/20 Council	David Austin, Acting Chief Finance Officer and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		
April 2020	Refugee Resettlement Support Service Contract Award	18/11/20 Mayor and Cabinet	Madeleine Jeffery, Director of Housing and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		
October 2019	Mayow Road Supported Living Service Parts 1 & 2	09/12/20 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		

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

7. Private Sector Housing Boroughwide Licensing Review of Implementation Timetable

This report follows on from the 11 March Mayor and Cabinet report on the introduction of two new licensing schemes in Lewisham which was approved. In light of current Covid-19 pandemic, this report recommends the Executive Director for Housing, Regeneration and Environment pause the implementation of the new Additional Licensing Scheme. This is in line with government guidance issued in March 2020. In addition, the fees will need to be agreed by the Licensing Supplementary Committee for approval at an appropriate time.

8. Council's Response to Covid 19 – Financial Update

This report is for M&C to note the estimated financial impact to date of the Covid 19 response on the Council's budget and funding received from government.

The Covid 19 response has required a focus on certain Council services and these have incurred additional costs, including but not limited to; social care, shielding and community support, and bereavement services. The Council is also losing income as the government's lockdown continues, across the tax base (businesses and residents), commercial and charged for services, and the housing revenue account. The risks to service budgets and the Council's wider financial standing are considered.

The Council has received funding from the government in broadly three categories: 1) schemes the government has introduced for local authorities to administer; 2) funding for the additional costs of scaling up services locally to respond effectively; and 3) monies to facilitate cash flow through the early part of the financial year while the full implications for local authorities tax bases and other income are assessed.

The report summarises these and updates on reporting to government.

9. Excalibur Phase 3

The Excalibur Estate in Catford is a large scale estate regeneration scheme in conjunction with L&Q. It is currently across 5 phases, 2 of which have been delivered. The scheme has currently stalled due to viability issues and we are working with L&Q and the GLA to rectify this. The Phase 3 land is ready for development and so it is key that work recommences as soon as possible to deliver the new homes. There are a relatively small number of secure tenants and resident freeholders in the remaining two phases. The condition of the current properties are poor and continuing to deteriorate. The report seeks to include additional land to be used for social housing, to be delivered by L&Q. Inclusion of this land will allow for all of the remaining residents to be rehoused into the new homes to be built in Phase 3. Not only will this move our residents into modern homes quicker, but it will also open up phases 4 and 5 to be combined and therefore deliver further new homes quicker than if they were to remain separate. The Part 2 report seeks an increase in budget as well.

10. Sports Leases - TenEmBee Sports Club and Abbotshall Healthy Lifestyle Centre

This report sets out the terms and conditions for the letting of leases for two sports grounds in the Borough to community organisations - TenEmBee Sports Club in Downham and Abbotshall Healthy Lifestyle Centre in Catford South.

11. Parks and Open Spaces Strategy 2020-2025

This report sets out the context, vision, and themes contained within the Parks and Open Space Strategy 2020-2025. The strategy has been developed as a tool to identify, communicate, map out and monitor a series of actions to protect, maintain, and enhance parks and gardens, allotments, nature reserves, churchyards and highways enclosures owned or maintained by the London Borough of Lewisham. The strategy seeks to protect our existing parks and open space and to ensure the quality of provision meets the needs of Lewisham's growing population. At the core of the strategy is the ambition that our parks and open spaces become: "the heart and lungs for Lewisham, connecting active, healthy, and vibrant local communities.

12. Renewal of Pension Administration IT System

This report seeks to establish a new contract for the critical Pensions Administration system, including the additional Member Self-Service functionality with the incumbent Heywoods Limited whose current contract expires in October 2020 . The recommendation is to establish the new contract for an additional five year period.

13. Dry Recycling Award Report

The report recommends that Mayor & Cabinet award the contract for the processing, sorting and selling of Lewisham dry recycling to Bywaters (Leyton) Ltd for a period of 5 + 2 years.

14 suitors expressed an interest in the contract. Only Bywaters (Leyton) Ltd. returned a tender bid.

Bywater's gate fee quoted in the pricing schedule is a figure per tonne. The figure is based on processing cost, composition of Lewisham dry recycling and global market prices for each material. The fee is subject to variations depending on the level of contamination. At the highest level of contamination (i.e. 21% and over), the price rises to a higher figure per tonne.

Based on current usage of 16,000 tonnes, the minimum contract price has been estimated at a stated figure.

The gate fee will be reviewed by Bywaters and Council Officers on a quarterly basis where depending on the usage, contamination levels and global market prices may vary.

14. Approval to proceed with Procurement – Digitisation of Records - Councilwide

This report seeks the approval of Mayor and Cabinet to proceed with full procurement of a Council-wide scanning and storage solution, via an already approved National Framework Agreement for Document Management Services (preferred procurement option). The contract is scheduled to spend over a stated sum (with an estimated value); subject to scrutiny in the Full Business Case to be

presented to Lewisham Executive Management Team once the contract has been awarded to the preferred Supplier.

15. Achilles Street

The Achilles Street Estate in New Cross is the next large scale estate regeneration scheme and the first one to be delivered by Lewisham Homes. The estate was the subject of the Council's first estate ballot under the GLA ballot rules. Residents overwhelmingly voted in favour of the development with 72.8% voting 'yes' with a turnout of 92%. Following the successful ballot, the Council has been working with Lewisham Homes to continue delivering the scheme. Part of the work has required further statutory consultation with residents. This report provides the details of the outcome of that further consultation and formal permission to continue with the work. The report also requests permission for Demolition Notices to be served (under delegation) to prevent any further sales of properties under the Right to Buy as well as permission to start the decant process. The accompanying Part 2 report will seek the full budget for land acquisition including leasehold buybacks and commercial interests.

16. Building for Lewisham Programme Update

London is in the grip of a severe housing shortage. In Lewisham alone, there are currently more than 2000 families in temporary accommodation, of which over 700 people are in nightly paid accommodation. Launched in January 2020, the Building for Lewisham Programme will help to address this by delivering new social homes across the borough. This report provides an update on the schemes considered within the programme and proposes additional and replacement schemes to be included. The report will also detail the emerging new internal governance procedures being used to mitigate risk across the programme. Part 2 of the report will update on the financial position and seek recommendations to extend certain budgets and approve new budgets for additional schemes to be added to the programme.

17. Learning Disability Services – Request for Specific Contract Extensions

A report asking for extensions to a number of learning disability contracts because of COVID-19

18. Final Outturn 2019/20

The financial outturn position of the Council's services for 2019/20. This includes the service directorates, the HRA, Schools and the Capital Programme'

19. Delivery of Early Help in Lewisham - Contract for Family Support with Core Assets Ltd

This report seeks Mayor and Cabinet approval to give notice on the contract for Family Support with Core Assets Ltd in order to develop in house provision.

20. CCTV IP Upgrade

This report is to request for the pre-tender authorisation for the procurement of a supplier to upgrade the CCTV cameras and control room equipment. This report sets out the business case for the procurement of a supplier to upgrade the cameras and control room equipment, which are analogue and are no longer fit-for-purpose and have come to the end of their serviceable lives. It considers the options for the procurement of a supplier to replace the IP (digital) equipment and the commercial aspects of and budgets/ costs associated with the contract.

25. Greenvale School Expansion Project

The report seeks approval from Mayor and Cabinet to enter into a construction contract for the expansion of Greenvale Special School onto an annexe site in Mayow Road. As well as containing the financial information relating to the land to be transferred.

30. Preferred Tender for Travel and Transport Programme

A procurement exercise was undertaken over October – November 2019, to select a preferred contractor for the Travel and Transport Programme on a ‘payment by the savings achieved’ basis. The outcome of the tendering process was that only one bid was received. The moderation meeting convened to evaluate the bid concluded that the bid failed to score consistently above the threshold for several of the criteria and that overall, the bid failed to demonstrate value for money for the Council.

A number of options for taking the Programme forward outside of a comprehensive second tendering exercise have been discussed by the officer Transport Board. These have included procuring specific elements of the Travel and Transport Programme, for example e-procurement, where the in-house resource would benefit from external support and help the Council achieve significant savings to achieve a balanced budget for the service.

The advent of the Covid-19 pandemic from March 2020, has meant the suspension of most travel and transport services for children and vulnerable adults and a redirection of officer resources to other priorities. Consequently, a worked up solution on how to proceed with the procurement for the Programme has not yet been finalised into a proposal that can be considered by the M&C.

31. Approval to Appoint Operator for Concessions Contract at the Lake, Beckenham Place Park

This report seeks the approval of Mayor & Cabinet to award a new five year concession contract for the operation of swimming and boating activities at Beckenham Place Park lake.

32. Adoption of the Housing Strategy

The purpose of this report is to review the responses to the recent consultation on the draft Lewisham Housing Strategy and to agree a new Housing Strategy. The new Housing Strategy is proposed to last from 2020-26, and will shape the direction of the housing service over this period. The strategy will be supported by a regularly

reviewed action plan that sets out how the service and partners will achieve the goals of the strategy.



Overview and Scrutiny Business Panel

Decision made by the Mayor on 13 May 2020

Date: 26 May 2020

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to consider decisions taken by the Mayor & Cabinet held on 13 May 2020 in open session

1. Recommendation

To consider a decision taken by the Mayor on 13 May 2020, which will come in to force on 27 May 2020 unless called in by the Overview & Scrutiny Business Panel on 26 May 2020.

2. Background

- 2.1 The Mayor and Cabinet considered the following decision 13 May 2020.
- 2.2 The notice of the decision in respect of this report is attached below.
- 2.3 Under the provisions of Standing Orders Part IV E 14, Members may call in an executive decision within 7 days. If this report is not called in, the decision will come into force on 27 May 2020:
 - i. Covid-19 Recovery: Business Rates, Business & Resident Support.



NOTICE OF DECISIONS MADE BY THE MAYOR

The Mayor made the following decisions on May 13 2020. All recommendations shown were approved by the Mayor.

The decision will become effective on May 27 2020 unless called in by the Overview & Scrutiny Business Panel (OSBP) on May 26 2020. Should an earlier date for holding an OSBP meeting be identified, this will be communicated to all Members of the Council.

1. Covid-19 Recovery: Business Rates, Business & Resident Support.

Having considered an officer report, and a presentation by the jobshare Cabinet Member for Culture, Jobs & Skills, Councillor Joe Dromey, the Mayor and Cabinet agreed that:

- (1) the broad package of support to business and residents set out together with the specific recommendations indicated below be approved;
- (2) Across all areas of income collection for the next three months note the Council's general approach be noted and endorse the following be endorsed:
 - a. Generate invoices based on existing agreements and charges unless specifically waived;
 - b. Hold the sending of any reminders for payments due on bills raised; with communications emphasising payment flexibility for business those struggling to pay and not referencing enforcement action;
 - c. Invite all customers, businesses or residents, to contact the Council early to discuss any financial difficulties they may be facing as a result of Covid-19;
 - d. Offer flexibility to vary payment schedules to waive charges for up to three months and reset future payments to recover the monies due thereafter.
 - e. Delegate authority to the Executive Director for Housing, Regeneration and Environment in consultation with the Acting Chief Finance Officer to scope the recommended options, implement processes and eligible accessibility criteria.

(3) the Executive Director for Housing, Regeneration and Environment in consultation with the Acting Chief Finance Officer be authorised to introduce temporary top-up to emergency loans to support families with unexpected Covid-19 bereavement costs, to bridge the circa 7 week delay in obtaining the £1,000 DWP 'funeral expenses payment'; this is subject to the outcome of the current all Borough's representation to DWP to reduce delays in processing applications.

(4) the Executive Director for Housing, Regeneration and Environment in consultation with the Acting Chief Finance Officer be authorised to implement the following proposals as part of a comprehensive package of support to help protect Lewisham business and jobs:

(5) For Council commercial tenants - if requested by the tenant and having checked on a case by case basis that they have availed themselves of other available government support, to:

a. At least defer all commercial rents due up to a 3-month period - essentially terms would be agreed to recover the rent over a longer period.

b. Allow flexibility for officers to discount or forego commercial rents due for small and medium-sized enterprises (SMEs with fewer than 250 employees, and a turnover of less than £50 million) who have not received business rates relief or grants, voluntary groups and charities – initially - up to a 3-month period,

c. Consider in June on whether to defer or forego rent for a further quarter for businesses that - still remain vulnerable to imminent closure.

At an estimated cost to the Council from loss of income of up to £800k.

(6) For commercial waste customers - where appropriate for those not trading (e.g. excluding supermarkets), agree an initial three-month free-period on annual waste collection charges from the 1 April 2020; and if requested, defer payments for 3-months for SMEs who are still trading (e.g. shops) at an expected cost to the Council from loss of income of up to £500k.

(7) For Licenced premises - provide leniency on when the statutory premises licencing fee is paid, not to suspend premises for non-payment of license fees, not to chase on non-payment – but continue to invoice premises for their annual fees as normal. Council will provide a 3 month grace period after the Covid-19 lockdown regulations cease before chasing payments and suspending premises.

(8) For Commercial tenants paying service charges - If requested, defer charges due from Forest Hill Business Centre and Bow Arts Trust for up to a 3-month period, with consideration in June for a further quarter deferral - essentially terms would be agreed to recover the full service charge over a later or longer period.

(9) For Market Traders - endorse the agreed blanket approach to cease all fees and charges to support Lewisham Markets & Traders without charge penalty or loss of pitch for the first quarter at an expected cost to the Council from loss of income from all markets across Lewisham of £225k.

(10) For Business parking - endorse the four month blanket reduction on annual business parking permits from the 1 April 2020 at an expected cost to the Council from loss of income of £130k.

(11) For Shop Forecourt licences - cease all fees and charges to support Lewisham business owners without charge, penalty, or loss of shop forecourt licence for the first quarter at an expected cost to the Council from loss of income from all licensed shops of £35k.

(12) a 'Lewisham backs Business' Task Force, comprising lead Members, representatives from the local business community, industry, and officers be established to develop and coordinate a whole Council response to supporting business and jobs recovery quickly and inclusively from the disruption of Covid 19.

**Kim Wright,
Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU.
May 15 2020**



Overview and Scrutiny Business Panel

Decisions made by the Director of Housing, Regeneration and Environment

Date: 26 May 2020

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Head of Law, Governance and HR/Director of Financial Services

Outline and recommendations

Members are asked to consider decisions taken by the Executive Director of Housing, Regeneration and Environment on 15 May 2020

1. Recommendation

To consider decision taken by the Executive Director of Housing, Regeneration and Environment on 15 May 2020, which will come in to force on 27 May 2020 unless called in by the Overview & Scrutiny Business Panel on 26 May 2020.

2. Background

2.1 The Executive Director considered the following decision on 15 May 2020.

2.2 The notice of the decisions made in respect of this report is attached below.

2.3 Under the provisions of Standing Orders Part IV E 14, Members may call in an executive decision within 7 days. If this report is not called in the decision will come into force on 27 May 2020:

- i. Review of the Implementation Timetable for the Additional Licensing Scheme

**Chief Officer Confirmation of Report Submission
Cabinet Member Confirmation of Briefing**

Report for: Mayor

Mayor and Cabinet

Mayor and Cabinet (Contracts)

Executive Director

Information

Part 1

Part 2

Key Decision

Title of Report

Delegated Report to the Executive Director for Housing, Regeneration and Environment

Originator of Report

Fenella Beckman

Ext. 48632

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	X	
Legal Comments from the Head of Law	X	
Crime & Disorder Implications	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework	X	
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed:



Councillor Paul Bell

Date: 15/05/2020

Signed :



Kevin Sheehan Executive Director for Housing, Regeneration and Environment

Date: 15th May 2020

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	



Delegated Report to the Executive Director for Housing, Regeneration and Environment

Review of the Implementation Timetable for the Additional Licensing Scheme

Date: 14th April 2020

Key decision: N/A

Class: N/A

Ward(s) affected: All

Contributors: Head of Law, Governance and HR
Director of Financial Services

Outline and recommendations

This report follows on from the 11th March Mayor and Cabinet report on the introduction of two new licensing schemes in Lewisham which was approved. Following on from that meeting, the Executive Director is now asked to agree to the following recommendations relating to the implementation of the new Additional Licensing Scheme:-

- 1.1. Note the impact of Covid-19 on the timetable for the rollout of the new Additional Licensing Scheme for HMOs as outlined in section 6;
- 1.2. Note that as the 26th March Licensing Supplementary Committee meeting was cancelled the fees for both of the new Licensing Schemes have not been agreed;
- 1.3. Approve the request to pause all activities, in particular the public facing activities, that are required as part of the implementation of the new Additional Licensing Scheme;
- 1.4. Resubmit the Licensing Schemes Fees and Charges report to the Licensing Supplementary Committee for approval at an appropriate time following the end of the pandemic;
- 1.5. Determine a revised timetable to launch the Additional Licensing Scheme once the scheme's fees and charges have been approved; and
- 1.6. Advertise to bring into force the designation once the launch date and the implementation timetable has been agreed.

Timeline of engagement and decision-making

- 27 Feb 2019** Lewisham's Corporate Strategy 2018-2022 published. "Tackling the housing crisis" is a key priority and the strategy includes a commitment to implement a full borough-wide licence scheme to crack down on rogue landlords.
- 06 Mar 2019** Housing Select Committee expressed its strong support for an application to be made to the Secretary of State for Housing Communities and Local Government for approval to implement a Selective Licensing Scheme.
- 24 Apr 2019** The Mayor and Cabinet agreed that:
- officers undertake a public consultation on the proposal for a new additional licensing scheme and for a selective licensing scheme (as split via the designations) which will require approval from the Secretary of State, and
 - if the new additional licensing scheme and the selective licensing schemes are agreed, the council will incur costs of up to £400,000 to introduce the schemes, which will be wholly recoverable from licencing fees.
- 28 May 2019**
– Public Consultation for revised additional licensing scheme and the new selective licensing scheme.
- 21 Aug 2019**
- 11 Mar 2020** Mayor and Cabinet agrees to introduce an Additional Licensing Scheme and delegate authority to the Executive Director for Housing, Environment and Regeneration to finalise the application for a Selective Licensing scheme and submit to the Secretary of State.
- 17 Mar 2020** The decision was made to cancel all non-statutory Council and committee meetings following the Covid-19 pandemic.
- 19 Mar 2020** Licensing Supplementary Committee meeting is cancelled due to Covid-19 pandemic. This means the fees for the Licensing Schemes have not been formally set.

1. Summary

- 1.1. On 11th March 2020, Mayor and Cabinet considered a report, “Borough-wide Licensing: Consultation responses and proposals to introduce new licensing schemes”. The report’s recommendations which included seeking agreement to introduce an Additional Licensing Scheme and delegate authority to the Executive Director for Housing, Environment and Regeneration to finalise the application for a Selective Licensing scheme and submit to the Secretary of State were approved.
- 1.2. On 12th March 2020, Covid-19 was declared a pandemic by the World Health Organisation. On 23rd March the Prime Minister placed the UK under lockdown with fines handed out to anyone who leaves their home for anything other than to go to work, buy food and medicine or to exercise. This has significantly impacted the council’s ability to progress the activities needed to launch the new additional licensing schemes and to work on the application for the Selective Licensing scheme as priority and focus is on supporting our residents and businesses, ie, tenants, managing agents and landlords, as well as our homeless, rough sleepers, those vulnerable in shared accommodation to tackle the challenges of Covid-19.
- 1.3. The Government has published emergency legislation to protect tenants during this time and has reinforced that where possible landlords should ensure that tenants continue to be 100% safe and secure in their homes.
- 1.4. Officers are therefore seeking the Executive Director’s agreement to pause the implementation of the Additional Scheme until such a time that the Lead Member for Housing and the Executive Director for Housing, Regeneration and Environment agree that the process can restart/go ahead.
- 1.5. This report relates specifically to the approval to introduce an Additional Licensing Scheme in Lewisham agreed at the Mayor and Cabinet meeting on 11th March 2020. At that meeting, the Mayor delegated authority to progress the application for the Selective Licensing Scheme to the Executive Director for Housing, Regeneration and Environment so the delegated authority is already in place.

2. Recommendations

This report follows on from the 11th March Mayor and Cabinet report on the introduction of two new licensing schemes in Lewisham which was approved. Following on from that meeting, the Executive Director is now asked to agree to the following recommendations relating to the implementation of the new Additional Licensing Scheme:-

- 2.1. Note the impact of Covid-19 on the timetable for the rollout of the new Additional Licensing Scheme for HMOs as outlined in section 6;
- 2.2. Note that as the 26th March Licensing Supplementary Committee meeting was cancelled the fees for both of the new Licensing Schemes have not been agreed;
- 2.3. Approve the request to pause all activities, in particular the public-facing activities, that are required as part of the implementation of the new Additional Licensing Scheme;
- 2.4. Resubmit the Licensing Schemes Fees and Charges report to the Licensing Supplementary Committee for approval at an appropriate time following the end of the pandemic;
- 2.5. Determine a revised timetable to launch the Additional Licensing Scheme once the scheme’s fees and charges have been approved; and

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Page 36

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- 2.6. Advertise to bring into force the designation once the launch date and the implementation timetable has been agreed.

3. Policy Context

- 3.1. **Lewisham Council Corporate Strategy:** - The implementation of the Additional Licencing Schemes directly supports a number of our corporate strategies and policies. A summary of how the Additional Licensing Scheme supports our key strategies is set out below:-

- *The Corporate Strategy 2018-2022:* Tackling the housing crisis so that everyone has a decent home that is secure and affordable; Improved standards across all housing sectors; Building safer communities so that every resident feels safe and secure living here as we work together towards a borough free from crime
- *The Housing Strategies* (both 2015-20 and draft 2020-26 currently out for public consultation): Greater security and quality for private renters (current Housing Strategy); Promoting health and wellbeing by improving our residents' homes (current Housing Strategy); Improving the quality, standard and safety of housing (draft 2020-26 strategy);
- *Safer Lewisham Plan:* reduction in harm and vulnerability is identified as a critical as part of an overall prevention, intervention and enforcement approaches.
- *MOPAC Police and Crime Plan 2017-21:* The safer Lewisham Partnership has committed to working to the Mayor's Office for Policing and Crime (MOPAC) Police and Crime Plan. This advocates a multi-disciplinary and problem-solving approach between the council and the police, using all the powers and resources at our disposal to tackle and prevent antisocial behaviour (ASB).
- *Sustainable community strategy 2008-20:* being a safer borough, where people feel safe and live free from crime, antisocial behaviour and abuse.

- 3.2. **The Coronavirus Act 2020:** - This Act received royal assent and became law in the UK on 25th March 2020. The Act grants the Government emergency powers to manage the Coronavirus Pandemic and provides the legal basis for the 'lockdown' of citizens and businesses. The Act allows the government the discretionary power to limit or suspend public gatherings, to detain individuals suspected to be infected by Covid-19, and to intervene or relax regulations in a range of sectors to limit transmission of the disease, ease the burden on public health services, and assist healthcare workers and those financially affected.

- 3.3. Its scope ranges from the food supply chain to the management of the deceased, to technical amendments needed to loosen up requirements and obligations around issues such as authorisations, vetting, and home schooling. There are various measures to facilitate boosting staff numbers for healthcare and social services; provisions in relation to workers' rights and entitlements; powers to enforce social distancing, powers to facilitate remote operation of the court system, provisions in relation to the emergency financial support measures, provisions in relation to local authorities and in relation to business and residential tenancies. All of the provisions in the Act are time-limited for two years and not all the provisions came into force immediately. Measures can also be suspended and reactivated later. It will also be possible to extend or end the provisions of the Act, depending on the scientific evidence.¹

¹ Adapted from Insights – The UK Coronavirus Act: an overview – 31st March 2020

- 3.4. **Non Statutory Guidance:** - The Government published non-statutory [guidance](#)² at the end of March 2020 for local authorities on enforcing standards in rented properties during the Covid-19 outbreak. The purpose of the guidance is to advise local authorities on how to effectively enforce standards in rented properties and meet their legal obligations as well as supporting landlords and tenants through the challenges of the Covid-19 pandemic.
- 3.5. Within the guidance Government has advised that ‘where local authorities are in the process of introducing non-mandatory licensing schemes, but these are not yet in force, they should consider:
- Pausing these at an appropriate point, in line with the advice on proactive and reactive work.
- 3.6. The government guidance further states that for proactive and reactive work:
- Local authorities should consider suspending all non-urgent proactive work where there is not a duty to carry this out, for example, scheduled targeted action or inspections of licensable properties, and prioritising reactive work, e.g. complaints from tenants.
 - A triage system may be used to ensure the most serious risks are prioritised and vulnerable tenants are protected.
 - If you are using proactive action specifically to protect vulnerable tenants, you will need to consider carefully whether you continue with this work. Any decision to continue or suspend proactive action should be made based on an assessment of risk at the most.
- 3.7 This is not a statutory guidance issued under section 9 of the Housing Act 2004. The guidance is intended to provide a recommended approach for local authorities, taking into account the Covid-19 outbreak and current public health guidance. Local authorities are not required to have regard to the guidance under section 9(2) of the Act. However, Lewisham is proposing to follow the advice set out in this guidance and so as the Additional licensing scheme is not fully implemented, this is an appropriate point for us to pause implementation.

4. Background

The impact of Covid-19 on service provision

- 4.1. The UK was lockdown on the evening of 23rd March 2020. Staff were asked to work from home wherever possible and the provisions set out in the Coronavirus Act 2020 were introduced. From that point onwards the Council shifted its focus to supporting residents and businesses through the pandemic and reallocating resources to deliver the critical services.
- 4.2. In conjunction with the local government representative bodies and inline with other London boroughs, Lewisham has identified its critical services for prioritisation during the Pandemic. Within the Housing Needs division these critical services include:-
- Emergency repairs;
 - Critical housing safety (fire safety, gas safety); and
 - Emergency housing provision.

² Covid-19 (Coronavirus) and the enforcement of standards in rented properties

Emergency Repairs

- 4.3. The council is working closely with our social housing stock suppliers to ensure emergency repairs are undertaken as a matter of priority.

Emergency Housing Provision

- 4.4. The Council is working tirelessly to support our most vulnerable residents and respond to the challenges we face as a result of the current coronavirus outbreak. As a result, we have temporarily suspended choice based lettings to enable us to provide emergency housing to those who are vulnerable and at most risk of being affected by the outbreak. Officers are now focussed on direct-matching of properties for our most vulnerable clients, with a particular focus on vulnerable households who are currently sharing facilities, urgent safeguarding cases, rough sleepers and emergency cases.
- 4.5. We have secured access to additional units through Goldsmiths, University of London, who have linked us to providers of their student accommodation. We are also progressing the procurement of Morton House working with colleagues in the Regeneration Division.
- 4.6. We are also preparing for a possible spike in referrals from hospital discharges as they need to move people who have recovered well enough to leave the hospital as quickly as possible.

Critical Housing Safety

- 4.7. The Council continues to prioritise protecting tenants from danger in their home by ensuring that landlords are dealing with anything that might put their tenants at risk in particular any Category 1 hazards as well as ensuring that properties have all the required health and safety certificates. Licensing officers and the Rogue Landlord officers are giving advice to residents and to landlords in relation to housing safety. Whilst we are no longer carrying out routine licensing inspections, we will continue to inspect high-risk properties where this is possible without compromising residents' safety.

Support for Landlords and Managing Agents

- 4.8. The coronavirus pandemic is impacting every aspect of our lives, creating uncertainty and fear amongst both renters and landlords. Renters in the private sector, who may struggle to pay their rent if they cannot work, or lose their income, as a result of the virus pandemic, will understandably be concerned. Landlords, who in turn may be unable to meet their mortgage obligations, or who are simply unsure how to respond to their renters' plight, are likewise bound to be affected by the current situation.
- 4.9. The Private Sector Housing Agency continues to support landlords and tenants during these difficult times. In the light of recent government guidance, we have revised our licensing and disrepair enforcement services policy to work with landlords to provide safe and habitable housing for renters in Lewisham during these difficult times.
- 4.10. This temporary policy acknowledges the financial and practical difficulties that landlords may find themselves operating under. It specifically advises landlords and their agents to gather evidence of their attempts to carry out their repair obligations. We will accept that there may be circumstances in which they will be unable to carry out essential and urgent repairs. The policy reminds landlords that while we will be sympathetic, pragmatic and understanding, the evidential burden of establishing that they have a reasonable excuse rests with them. It advises landlords and their agents about the type of evidence they should collate to establish this.
- 4.11. In line with other good practice and following Government's lead, the Council will defer payment of licensing fees where landlords and their agents are in genuine financial hardship as a result of the effects of Covid-19. The policy advises landlords about the

sort of evidence they should collate to obtain a deferment.

- 4.12. We remain available to provide telephone and email advice and support to landlords. This includes posting regular updates on the council's website and circulating emails to landlords.

Support for Tenants and Residents

- 4.13. We remain committed to ensuring that tenants are safe in their homes, and their and others' safety is not compromised by being made homeless.
- 4.14. We have publicised the government guidance on evictions to both landlords and tenants in partnership with our housing needs colleagues.
- 4.15. Our Rogue Landlord Team continue to provide telephone advice and will intervene in incidents of unlawful eviction and harassment. The Rogue Landlord Team have been kept very busy with casework coming directly from our tenants who are being harassed as well as cases of illegal evictions. There has also been an increase in casework referred from Councillors and senior managers.
- 4.16. We have been forced to scale back property inspections resulting from complaints of disrepair and to prioritise only those where the hazards are an imminent and serious risk to residents, or where residents are vulnerable. We will make use of video and photographs to triage these cases.
- 4.17. We will work with our housing needs and private sector procurement colleagues to arrange alternative housing for tenants whose property cannot be repaired because of a lack of available workmen.

5. Rationale for pausing the schemes

- 5.1. Due to the current pandemic, the PSHA team will not be able to implement the new additional scheme as detailed in the report submitted to the Mayor and Cabinet on 11 March 2020. The need for social distancing means officers will need to enter homes only when it is necessary to do so and doing standard licensing visits is not deemed sufficiently necessary for officers to do. Not being able to undertake standard licensing visits means the licensing of properties cannot happen.
- 5.2. The Licensing Supplementary Committee that was due to consider the Fees and Charges report in respect of the Additional and Selective Licensing Schemes has not met as their meeting was cancelled. This means the fees for both schemes have not been formally set and without set fees, we will not be able to charge landlords the money. So once again if we cannot charge then we cannot issue licences.
- 5.3. Council resources have been re-assigned to work on Covid-19 responses and this has impacted on the implementation plan as key partners eg Comms team/Webteam are no longer available to provide support. In addition to this staff working on the BWL project have been in self-isolation due to the pandemic. This has meant we have been unable to meet the key milestones for implementing the scheme, in particular, obligations relating to advertising the designation.
- 5.4. The current economic uncertainty does not provide a conducive environment for the Council to be launching a scheme that could be viewed as asking landlords to pay for licences at a time when it is recognised that landlords incomes may be impacted due to the economic downturn and tenants facing redundancies or furloughing. This is not the right time to launch a scheme that essentially adds to a landlord's overheads.

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Page 40

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6. Proposed plan for Additional HMO scheme

6.1. The proposal is to pause the launch of the Additional HMO Scheme in line with government guidance on new licensing schemes. The Licensing and Housing Enforcement Team will continue to make service improvements in line with the original plan to ensure operational readiness for when the scheme is reinstated.

Activities on Hold

6.2. This report proposes is to pause the following activities;

6.2.1. Activities planned for the week of Mar 26th 2020 (seven days from the decision)

- We are required to publish a notice within the designated area within seven days of the designation being confirmed. This means publishing notices regarding the designation on noticeboards within council buildings and other public spaces. With the current lockdown very few residents are likely to see the notices, thereby
- Publishing on the council website the notice regarding the designation. The decision is driven by Covid-19 taking prime focus in all housing communications. Publishing the notice on designation would take resources and focus away from Covid-19 at this critical time.

6.2.2. Activities planned for the week of Apr 2nd 2020 (fourteen days from the decision)

- We are required to notify all those consulted on the proposed designation within two weeks of the designation being confirmed. This has not taken place as the 11th of March Mayor and Cabinet decision stood at the point when we had moved resources and focus to prepare for the challenges of Covid-19.
- Publishing feature article and news stories in news channels both online and offline, flyers to key events, social media updates and e-mail to stakeholders. As above these activities will take resources and focus away from Covid-19 at this critical time. Additionally, with all non-critical events cancelled producing flyers at this time would not be the best use of council finances.

6.2.3. Delaying recruitment activities planned from April 2020 as new staff form the largest costs of implementing the scheme. With no revenue to balance these costs, the Council would not be in a position to recover these costs.

Scheme Costs

6.3. We will limit the cost to the scheme by placing the above activities on hold.

Scheme Launch

6.4. We will revisit the launch dates for the scheme when the Executive Director of Housing Regeneration and Environment agrees that the time is right following consultation with the Lead Member for Housing.

6.5. We will provide the public with a minimum of three months notice on scheme launch dates. This will be supported by extensive advertising and an early bird scheme will be available to encourage landlords to apply for their licences at the beginning of the five year scheme.

7. Financial implications

7.1. This report asks the Executive Director for Housing, Regeneration and Environment to note the impact of Covid-19 on the timetable for the rollout of the new Additional Licensing Scheme for HMOs and that the meeting of the Licensing Supplementary committee which was due to consider the report was cancelled.

- 7.2. It further requests approval to pause the decision to take the additional licencing scheme public on 4 August 2020. As such, as this is only a delay in implementation and all activity on recruitment and other initiatives to implement the scheme have been put on hold, there are no direct financial implications arising from the report as costs have not yet been incurred.
- 7.3. The income and expenditure associated to the implementation of the additional licencing scheme will be deferred until a revised launch date for the additional scheme has been agreed and fees levels have been approved by the Licencing Supplementary Committee.

8. Legal implications

An 'additional' licensing scheme designation needs 'general approval' and consultation is required

HMO Licensing Schemes

- 8.1 The Housing Act 2004 provides local authorities with the power to impose different types of licensing schemes for houses in multiple occupation, ("HMO"s). HMO's governed by Part 2 of the Housing Act 2004 are generally defined as premises which are 3 or more storeys high, contain 5 or more people in 2 or more households and contain shared facilities. There is a statutory requirement for every HMO to be licensed by a local authority. This is 'mandatory' licensing.
- 8.2 Part 2 of the Housing Act 2004, gives local authorities power to introduce licensing schemes for HMO's that are not covered by mandatory licensing schemes, and / or which go beyond the national mandatory regime. For each type of different statutory licensing scheme, the definition of an HMO is modified accordingly.
- 8.3 Designations require either 'General Approval' (for 'additional' licensing schemes) or the approval of the Secretary of State by confirmation (for 'Selective' licensing schemes). The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selection of Other Residential Accommodation (England) General Approval 2015, revoked the former 2010 General Approval provisions, such that 'General Approval' is deemed to be granted for additional licensing schemes, subject only to confirmation by the local authority that it has consulted persons, likely to be affected by them, (s. 56(3)(a) of the 2004 Act,) for not less than 10 weeks. Designations may last no longer than 5 years from the date on which they come into force.

Additional Licensing Schemes

- 8.4 An authority may, pursuant to s. 56 of Part 2 of the 2004 Act, designate either the whole of its area or a part of its area as subject to 'additional licensing' in relation to a description of HMO's specified in its express designation. When exercising power under s. 56, local authorities must ensure that exercise of their power is consistent with their overall housing strategy, seek to co-ordinate their approach to homelessness, empty properties, and to antisocial behaviour affecting the private rented sector, not make a designation unless they have considered whether there are other effective measures dealing with the problem, and consider that the designation will significantly assist them to deal with the problem.
- 8.5 On 26th March 2020, the Coronavirus Act 2020 came into force. The Covid -19 (Coronavirus) and the enforcement of standards in rented properties, was published in March 2020, expressly stated as being non-statutory guidance issued under s.9 of the Housing Act 2004. ["Guidance".] This Guidance is intended to provide a recommended approach for Local Authorities taking into account, the Covid -19 outbreak and current public health guidance. A link to the Guidance is provided within para. 3.2 of this report.

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Page 42

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- 8.6 Paragraph 4 of this report sets out the Local Authorities Housing priorities to address the recommended approach for Local Authorities taking into account the Covid-19 outbreak and the current public health guidance.

Commitment to Equality

- 8.7 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.

- 8.8 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

- 8.9 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 above.

- 8.10 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. 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.

- 8.11 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:

- [Equality Act - Codes of Practice](#)
- [Equality Act - Technical Guidance](#)

- 8.12 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](#)

- 8.13 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:

- [Public Sector Equality Duty Guidance](#)

9 Equalities implications

- 9.1 With respect to the Council's Comprehensive Equalities Scheme 2016-20, the proposals described in the Appendix A – Mayor and Cabinet Report – **11 March 2020** make a clear contribution to the following equality objectives:
- Tackling victimisation, discrimination and harassment
 - Improving access to services
 - Closing the gap in outcomes between citizens
 - Increasing mutual understanding and respect within and between communities
 - Increasing participation and engagement
- 9.2 Although socio-economic status is not a characteristic protected under the Equality Act 2010, it is part of the lived experience of all characteristics protected under the Equality Act. As such, the proposals described in this report will make a specific contribution to tackling socio-economic inequality; particularly as it affects low-income households, people with learning disabilities, those who do not speak English as a first language and others whose circumstances increase their risk of vulnerability to exploitation.
- 9.3 As part of the councils Covid-19 reponse, the Housing Needs Division is working tirelessly to support our most vulnerable residents and respond to the challenges we face as a result of the current coronavirus outbreak. Officers are focussed on direct matching of properties for our most vulnerable clients, with a particular focus on vulnerable households who are currently sharing facilities, urgent safeguarding cases, rough sleepers and other emergency cases such as hospital discharges.

10 Climate change and environmental implications

- 10.1 The licensing schemes will identify climate and environmental issues not already known such as energy performance, fly-tipping and waste management issues directly linked to properties in the PRS.
- 10.2 A coordinated approach will be taken to engage with landlords. Inspections will focus on the eradication of category 1 and 2 hazards on cold and thermal efficiency, especially for vulnerable residents.
- 10.3 Inspections of these properties will be conducted on a risk basis including analysis of potential poor standards in the stock and will work to address poor standards including damp and cold.
- 10.4 Our officers will be trained to provide advice on potential issues relating to energy efficiency, root damage, subsidence and light.
- 10.5 Undertake targeted work with all landlords and using landlord forums to promote energy efficiency, including engaging with landlord accreditation schemes that promote energy efficiency.

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- 10.6 Support a new PRS renters union across the sector to provide a forum for renters; allowing us to raise awareness of the Climate Emergency and measures to tackle it and the union to flag up specific concerns to be addressed
- 10.7 The licensing and enforcement team is committed in support Lewisham’s climate change initiative by supporting the climate initiative team in
- developing a programme to target high-risk streets and neighbourhoods with tailored advice including the publication and promotion of initiatives,
 - assessing the actions and investment needed to get all buildings in the PRS to an average of EPC B and in identifying energy inefficient properties,
 - exploring the potential to provide a discount on the licence fees based on their EPC rating
- 10.8 As part of the Covid-19 response, the licensing and enforcement team is committed to tackling environmental issues should they arise as per the temporary licensing and enforcement policy published for the Covid-19 emergency.
- It specifically advises landlords and their agents to gather evidence of their attempts to carry out their repair obligations
 - The policy reminds landlords that while we will be sympathetic, pragmatic and understanding, the evidential burden of establishing that they have a reasonable excuse rests with them.
 - It advises landlords and their agents about the type of evidence they should collate to establish this developing a programme to target high-risk streets and neighbourhoods with tailored advice including the publication and promotion of initiatives.

11 Crime and disorder implications

- 11.1 One of the objectives of the proposed schemes includes tackling ASB and crime. The scheme will identify crime and disorder issues as a result of inspections and investigation. This may result in an increase in anti-social behaviour casework, which is investigated primarily by the Council’s Crime, Enforcement & Regulation Service.
- 11.2 The Private Sector Housing Agency will tackle ASB and crime through active and robust enforcement working in partnership with a range of internal and external agencies including the Crime Enforcement and Regulation Service and Police.
- 11.3 The Council must ensure that the selective licensing scheme is consistent with the authority’s overall Housing Strategy and must seek to continue to adopt a coordinated approach in dealing with Homelessness, ASB and empty properties. The Council in its Housing Strategy is committed to working in partnership with the landlords and tenants of the PRS which represent the second-highest tenure in the Borough.
- 11.4 In response to the Covid-19 pandemic, we remain committed to ensuring that tenants are safe in their homes, and their and others’ safety is not compromised by being made homeless. Our rogue landlord team continue to provide telephone advice and will intervene in incidents of unlawful eviction and harassment.

12 Health and wellbeing implications

- 12.1 A key component of delivering the scheme outcomes is the promotion of careers in PRS housing to young people. We will create additional opportunities to promote careers in housing and environmental health to young people, to create a long-term pipeline of

qualified officers.

- 12.2 A poorly managed private rented detracts from the look and feel of the street and this will put off residents of all sectors from remaining in the Lewisham, regardless of tenure. A good quality private rented offer will encourage residents to stay in the borough, in turn creating sustainable communities.
- 12.3 Housing has a huge influence on our mental health and wellbeing. Those who are vulnerable – elderly or young, isolated, without a support network, and adults with disabilities – are more likely to be affected. Poor housing conditions have a long-term impact on health, increasing the risk of severe ill-health or disability by up to 25 per cent during childhood and early adulthood. Children living in crowded homes are more likely to be stressed, anxious and depressed, have poorer physical health, and attain less well at school. An improvement in property conditions is expected to lead to a general improvement in residents living conditions and their health.
- 12.4 As part of the temporary Covid-19 licensing and enforcement policy, we are no longer carrying out routine licensing inspections. We will continue to inspect high-risk properties where this is possible without compromising residents' safety. We remain available to provide telephone and email advice and support to landlords. This includes posting regular updates on the council's website and circulating emails to landlords.

13 Background papers

- 13.1 Appendix A – [Mayor and Cabinet Report – 11 March 2020](#)

14 Glossary

Term	Definition
Coronavirus	Coronavirus” is defined in the Act as meaning severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (the virus itself) and “coronavirus disease” means Covid-19 (the official designation of the disease which can be caused by coronavirus).

15 Report author and contact

- 15.1 For further information please contact Fenella Beckman (Head of Private Sector Housing Agency) on fenella.beckman@lewisham.gov.uk or 0208 314 8632.



Overview and Scrutiny Business Panel

Exclusion of the Press and Public

Date: 26 May 2020

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to note items that will be considered in closed session

Recommendation

It is recommended that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule 12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006:-

Decision made by the Mayor on 13 May 2020

- i. Allocation of Section 106 Monies to support the delivery of new affordable, wheelchair compliant homes at Home Park as part of the Council's Precision Manufactured Homes Programme
- ii. Equipment for Smarter Tech Phase 2
- iii. Permission to extend current Youth Services contract
- iv. Permission to extend current Specialist Short Breaks contract – Ravensbourne Project
- v. Permission to extend current Children & Young People's Personalised Care and Support Framework Agreement

Agenda Item 8

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

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