



# AGENDA

## OVERVIEW AND SCRUTINY BUSINESS PANEL

**Date: TUESDAY, 29 SEPTEMBER 2020 at 7.05 pm**

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**Remote - via Microsoft Teams**

Members of the public are welcome to observe the meeting via the Council's website at [www.lewisham.gov.uk](http://www.lewisham.gov.uk)

### MEMBERS

Councillor Bill Brown	Chair of Overview & Scrutiny Committee	L
Councillor Sophie Davis	Deputy Chair	L
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 Joan Millbank	Labour Group Representative	L
Councillor Kim Powell	Labour Group Representative	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	Labour Co-op
Councillor Luke Sorba	Chair Children and Young People Select Committee	L

**Members are summoned to attend this meeting**

**Kim Wright**  
**Chief Executive**  
**Lewisham Town Hall**  
**Catford**  
**London SE6 4RU**  
**Date: Monday, 21 September 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.

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**Lewisham**



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## Overview and Scrutiny Business Panel

### Minutes

**Date:** 29 September 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 18 August 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 18 August 2020 be confirmed and signed.

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

**21 September 2020**

# Public Document Pack

## MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday 18 August 2020 at 7pm

PRESENT: Councillors Bill Brown (Chair), Councillor Sophie Davis (Vice Chair), Councillors Peter Bernards, Juliet Campbell, Patrick Codd, Liam Curran, Joan Millbank, John Muldoon, Kim Powell and Luke Sorba.

Also present: Councillors Kevin Bonavia, Alan Hall Sue Hordijkeno and Jacq Paschoud.

### 1. Minutes

RESOLVED that the Minutes of the last meeting held on 21 July 2020 be confirmed as an accurate record

### 2. Declarations of Interest

Councillor Joan Millbank declared a personal interest in Item 3 as a member of Lewisham Local Collaborative which was referred to in the report.

Councillor Sophie Davis declared a personal interest in Item 3 as an appointed member of Voluntary Services Lewisham.

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

This item was presented by the Chief Executive.

The Chair said that discussions had taken place between Business Panel and non-executive councillors. It had been agreed that although scrutiny arrangements would return to business-as-usual in September, some good practices that had been put in place following the covid pandemic should be retained. Members had found the explanatory notes on the key decision plan very useful and also the regular covid update report which brings together a wide range of information in one report with the facility to ask questions in advance of the meeting. The Chief Executive said that over the coming weeks officers would continue to provide the information required by members, bearing in mind that scrutiny meetings would recommence in September.

The Chair referred to the transition period in paragraph 5.2.1 of the report. He asked when the results of the assessments would be available as outlined in this paragraph. The Chief Executive said that in a previous meeting, officers provided information on the lessons learned so far and gave members high level feedback. Future reports would continue to report on lessons learned and the preparations being made for future waves of the virus.

Councillor Muldoon referred to the metrics in paragraph 5.28 of the report. He asked whether there was any evidence regarding data about blood groups He had been reliably informed that those having blood group O, whether rhesus positive or negative, had a 20% less chance of catching

covid 19. The Chief Executive agreed to contact relevant officers to discover whether this data exists.

Councillor Millbank referred to paragraph 6.7 in the report. She said that community hubs provide support to vulnerable residents affected by covid and asked for more information about 'existing resources' which will support these hubs after August 2020.

Councillor Millbank said there are two mental health providers for children and young people in the borough. She asked what the access time is for an interview for psychological help and the length of the waiting lists. The Chief Executive agreed to provide Councillor Millbank with a written response to both of her questions.

Councillor Sorba referred to paragraph 6.6.4 in the report, and asked three questions on behalf of his constituents.

- When are the Temporary Traffic Orders (TTO) likely to expire and when will public consultation start to consider whether they should be made permanent?
- What consultation had taken place with the three emergency services regarding increasing times for response vehicles?
- There were claims on social and business media that some of Lewisham's traffic measures, rather than improving traffic, is displacing the problem. One claim is that traffic, in one part of the borough was being diverted from more affluent areas to poorer areas. He also asked what processes were in place to measure the effect of traffic calming in the borough.

The Executive Director for Housing, Regeneration and the Public Realm responded by saying that the intention is to assess these temporary measures, measure the impact in the local area and then consider whether any permanent changes should be made. Decisions would be evidence based.

The emergency services had been consulted and fully involved with regard to all the measures that had been put in place.

It was hoped that any initial displacement of traffic would eventually lead to a reduction when travellers become used to the changes. Volumes of traffic displacement and reduction would be measured. Any TTO measures made permanent should reduce traffic overall, improve safety when walking or cycling and improve air quality in the borough. The intention was to move traffic onto the main highways away from side roads.

The Head of Highways and Transport said that although it was not this Council's intention, TTOs can be in place for 18 months. Officers continue to monitor the situation and were considering timescales which were being discussed with the cabinet member.

A meeting had been held with the London Ambulance Service and the Police, and a separate meeting with the fire brigade, to ensure that emergency services were fully involved with the consideration of temporary and permanent traffic measures. Discussions had also been held London wide; an emergency service summit had been held with TfL and other London boroughs.

The Head of Highways and Transport said that traffic counts and air quality would be monitored. There is historic data and specific counts were undertaken in July this year and more counts will be undertaken in September 2020. There are some specific air quality monitoring stations around the Lewisham and Lee Green Area. Three are in a permanent position and the information that comes from these stations will be supplemented with additional monitoring stations from other areas in the borough and would form part of the monitoring strategy.

Councillor Curran asked about the numbers of staff who were out of action, affecting their ability to work. He said that he was concerned that planning appear to be understaffed. Ward councillors in Grove Park were concerned about the protection of trees in the Railway Children Urban National Park. The Chief Executive said that generally, across all departments, sickness was low and staff were being encouraged to take leave because there had been work pressures during the pandemic. It was expected that this pressure could rise again in the winter months. Members were also informed that some planning officers had volunteered for front line covid work so staffing levels were not back to normal.

Councillor Codd thanked officers for the response received to the questions he had submitted prior to the meeting. He drew members' attention to the email from the interim Head of Overview and Scrutiny Manager which outlined the seriousness of the shortfall in the budget following covid. A budget report will be considered in September. He referred to paragraph 6.6.4 in the report; there will be a review of the temporary traffic measures and he asked for more information about the purpose of the review. The Executive Director for Housing, Regeneration and the Public Realm said that scrutiny committees will recommence in September. He expected that any evidence would be part of the Sustainable Development Select Committee's work programme and also any future policy. Any significant decisions would be submitted to the Mayor and Cabinet.

Councillor Bernards asked how the money raised from traffic violations would be spent; residents need to be assured that this Council were not attempting to make money from these charges. The Executive Director for Housing, Regeneration and the Public Realm said that traffic monitors are used as a deterrent, not money making devices. The Head of Highways and Transport said that cameras had been positioned where officers could not put a physical barrier. Revenue is ring-fenced to be reinvested in transport.

Councillor Campbell referred to the displacement of traffic which could continue without a reduction in traffic congestion. She asked whether this

Council is doing anything else to encourage the public to reduce the number of car journeys. The Executive Director for Housing, Regeneration and the Public Realm said that in order to encourage residents not to make short journeys, this Council operates bike loan schemes, bike support schemes, and safe walking schemes. Officers were also working with schools to consider alternative ways to bring children to school. The Head of Highways and Transport advised that recently, funding had been received for cycle training. She said that officers were aware that the public need more information about where there are safer routes to travel.

Councillor Campbell asked if air pollution was being monitored in areas where there had been displacement of traffic, which had resulted in rat runs and whether there were extra monitors. The Head of Highways and Transport said that due to cost constraints, air monitors could not be installed on every street. She was working with environmental health to understand the data available and would make decisions based on this information.

The Chair said that critical services had remained stable during this pandemic and he wished to place on record, members' thanks to officers for working so hard to maintain these services.

RESOLVED that

- (i) the update on the Council's response to COVID-19 be noted; and
- (ii) the good practices highlighted by the Chair with regard to explanatory notes on the key decision plan and regular covid updates that had been put in place following the covid pandemic should be retained.

### **Hybrid Meetings**

A report on the possibility of holding Hybrid meetings in Lewisham had been circulated by the Head of Committee Services. The Chair said that it was possible for Hybrid meetings to be held. One of the central issues is health and safety for all those attending and he wanted a risk assessment to be arranged as soon as possible.

Councillor Millbank said that the LGA had undertaken research into hybrid meetings which she considered would be a useful source of information for Lewisham. She said that hybrid meetings offer the opportunity to a wider number of people to 'attend' a meeting.

Councillor Bonavia said that it is important that Lewisham hold hybrid meetings to allow accessibility and participation for the wider community. Officers were working on some logistical issues. Councillor Bonavia said that safety for those who want to attend a meeting physically is paramount but there were practical issues of accessing public buildings safely. He said that hybrid meetings should be ready as soon as possible following risk

assessment. Remote meetings had been held successfully in Lewisham and he would ensure that regular updates were submitted to the Business Panel and Mayor and Cabinet on this issue.

RESOLVED that

- (i) the report be noted and
- (ii) members receive regular updates to ensure that hybrid meetings are ready for implementation at the earliest opportunity.

#### **4. Key Decision Plan**

The Chair drew members' attention to school meals provision. It is an important document which would be submitted to this Panel. Councillor Millbank said that members would be considering whether the provision would be coming in house; comments of the school leaders who do not support that model should be considered.

Councillor Hall said that he could not see the leisure contract on the key decision plan. He asked whether the correct procedures had been carried out when the report was considered in private by the Mayor and Cabinet. The Head of Committee Services confirmed that the report was not on the key decision plan so the urgency procedures were used. He explained the procedure that was followed.

Councillor Hall said that one of the provisions is that the signed notices should be available on the website and on display outside the town hall. He asked whether this had been done. He advised members that UNITE had written to the Mayor asking why the leisure contract report was being considered in private. The Head of Committee Services said that there were changes to procedures following the covid pandemic. He agreed to send Councillor Hall a link to the notices on the website. The provision to post physical notices had been suspended and were no longer a legal requirement until at least May 7 2021. The Chair agreed that members of the public must be able to see openness and transparency for all information and scrutiny within this Council.

Councillor Curran referred to the summary of the Grove Park nature reserve which should have been actioned five years ago. He was concerned that this Council were not putting in the protection required for the 30 acre park. He was concerned that a decision would not be made until September 2020; in the meantime, trees could be damaged. He asked whether a decision could be made any earlier. The Head of Committee Services said that in order to be safe from challenge, Councillor Curran's request could be referred to the Mayor and a lawyer who would consider the stringent test of urgency. It would then be considered by the Chair of this Panel.

RESOLVED that the report be noted.

## **5. Exclusion of the Press and Public.**

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972,

the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule 12(A) of

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

6. Decision taken the Mayor and Cabinet on 12 August 2020 – permission to award a Leisure Management Contract.

7. Decision taken by Executive Director – Abandoned Vehicles Contract.

## **6. Decisions made by Mayor on 12 August 2020- closed session**

There were no decisions identified for further discussion.

## **7. Decision taken by Executive Director- Abandoned Vehicles Contract**

This decision was not identified for further discussion.

The meeting ended at 9.10pm.

Chair

# Agenda Item 2



## Overview and Scrutiny Business Panel

### Declaration of Interest

**Date:** 29 September 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(s) 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:** 29 September 2020

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Chief Executive

### Outline and recommendations

The purpose of this report is to provide an update and assurance to the Overview and Scrutiny Business Panel about the Council's response to COVID-19.

The Overview & Scrutiny Business Panel is recommended to:

- Note this update on the Council's response to COVID-19.

### Timeline of engagement and decision-making

- **30 April 2020:** Council Urgency Committee agreed a programme of Council meetings in light of the Council's focus on responding to the immediate challenges of COVID-19.
- **5 May 2020:** Overview and Scrutiny Business Panel (OSBP) agrees an approach to receive a monthly COVID-19 update item that provides a high-level strategic overview of the Council's response to COVID-19
- **26 May 2020:** [OSBP discusses the first update paper of the Council's response to COVID-19.](#)
- **23 June 2020:** [OSBP discusses the second update paper of the Council's response to COVID-19.](#)
- **21 July 2020:** [OSBP discusses the third update paper of the Council's response to COVID-19.](#)
- **18 August 2020:** [OSBP discusses the fourth update paper of the Council's response to COVID-19.](#)
- **September 2020:** Select Committees resume, agreeing work programmes for the rest of the municipal year.

This report has not been available for five clear working days before the meeting and the Chair is asked to accept it as a late item. This report was not dispatched on Monday 21 September due to officer capacity and the wider pressures of the Council's ongoing response to the COVID-19 pandemic and in order to take account of the views of the Local Democracy Review Working Group meeting on Wednesday 23 September regarding hybrid meetings (**see appendix 1**).

## 1. Summary

- 1.1. The purpose of this report is to provide an update and assurance for the Overview and Scrutiny Business Panel (OSBP) about the Council's ongoing response to COVID-19.
- 1.2. Since the last update report to OSBP in August, select committees have resumed and are in the process of agreeing work programmes for the municipal year. The COVID-19 update agenda item at OSBP was designed as a temporary mechanism during COVID-19 to replace usual scrutiny arrangements during the pandemic when scrutiny committees were wound down. In light of this, and in order to avoid duplication of reporting, efforts and focus - both in supporting and across the eight standing scrutiny bodies - while full scrutiny arrangements are back in place this agenda item will be scaled back to provide a strategic oversight of the management of the response from the Council GOLD lead. This report provides an update on key developments in the ongoing response since the last report regarding the Council's management of the ongoing response to COVID-19 and plans to respond to a second wave.
- 1.3. Appended to this paper (appendix 1) is an update on the potential introduction of hybrid meetings in the future, as discussed by the Local Democracy Review Working Group on 23 September and as requested by the Chair.

## 2. Recommendations

- 2.1. The Overview & Scrutiny Business Panel is recommended to:
  - Note this update on the Council's response to COVID-19.

## 3. Policy Context

- 3.1. The content of this report is consistent with all the Council's corporate priorities (as outlined in the Corporate Strategy 2018-22) as the need to protect the health and wellbeing of all our residents (particularly the most vulnerable) at the current time underpins the delivery of every commitment within the strategy. However, the recommendations are particularly relevant under the priority of:
  - *Delivering and defending: health, social care and support* – ensuring everyone receives the health, mental health, social care and support services they need
- 3.2. The Coronavirus Act (2020) sets out the temporary emergency measures that enable public bodies, such as local authorities, the NHS and police to respond to the COVID-19 outbreak. These measures are wide-ranging and involve the establishment of new powers and duties as well as changes to existing powers and duties.

## 4. Background

- 4.1. On 5 May, OSBP agreed that all formal scrutiny activity be channelled through the Overview and Scrutiny Business Panel, which will receive a standing item at each meeting to provide members and the public with a high-level strategic overview and assurance about the Council's response to COVID-19. Full Overview and Scrutiny Committee and all Select Committees ceased operating and all scrutiny activity was channelled through OSBP and specifically the seven scrutiny chairs.
- 4.2. At the AGM in July, Council agreed that Overview and Scrutiny Committee, six Select Committees (and potentially task and finish groups) all begin again in September,

along with the wider council bodies of planning, licencing, audit etc.

- 4.3. In August, in light of the recommencement of all wider scrutiny bodies, the Chief Executive advised OSBP that officers would consider how best to provide timely information to members through the most relevant channel to avoid duplication of efforts and reporting. The Chief Executive also advised that OSBP would receive further information about planning for a second wave at this meeting.

## 5. Lewisham Council's response to COVID-19

- 5.1. On 11 March, the Council activated emergency measures to respond to COVID-19. Council Gold and a borough-wide COVID Committee Groups were established, both working to a shared strategy and objectives as set out in previous reports to OSBP. An incident response team was established to support on the response to COVID-19.
- 5.2. In March 2020, the Council, and as part of a pan-London agreed position, identified a set of critical services that were to be the focus of maintaining delivery above all other services throughout the COVID-19 pandemic.
- 5.3. The Council has also defined a number of new initiatives and work streams that have arisen from the COVID-19 pandemic response as critical services in themselves. New measures such as Shielding and key Public Health initiatives have been classed as critical. Staff from across the organisation were 're-deployed' to critical services in order to best support residents during lockdown.
- 5.4. In accordance with central government guidance, the Council supported the easing of lockdown measures, supporting businesses to operate safely, and to ensure the gradual reopening of some services which were forced to close in the early stages of the pandemic.
- 5.5. Since the last report to OSBP, the Council, along with all other London Boroughs, agreed to join the pan-London temporary arrangements for the provision of mortuary facilities and mortuary management, in advance of a potential second wave of the COVID-19 pandemic. [More detail is available in the report to Mayor and Cabinet on 16 September.](#)
- 5.6. On 9 September, the Prime Minister announced the central government would "boost the enforcement capacity of local authorities by introducing COVID-secure marshals to help ensure social distancing in town and city centres". Throughout the first wave, Council staff have been supporting social distancing measures in parks and open spaces and this will continue throughout the second wave. Additional capacity and support will be provided by deployed staff if necessary.
- 5.7. On 20 September, the government announced a new package to support and enforce self-isolation. From 28 September, people are required by law to self-isolate; those breaching the rules will be fined, and those on lower incomes will be supported by a payment of £500. Local authorities are required to set up these self-isolation support schemes. Council officers are currently preparing to administer the scheme.

## 6. Second wave planning

- 6.1. At the end of September 2020, following several weeks of increasing case numbers, the UK faces a second wave of COVID-19, with vast areas of the country under "local lockdown" and renewed restrictions in place for the whole of England and the devolved nations.
- 6.2. The incident response team conducted a 'lessons learned' exercise to identify what went well and where there are areas for improvement regarding the response to the first wave of COVID-19. These lessons learned form the foundation of Lewisham's developing recovery plan and have informed preparations for a second wave. The Council has reviewed and updated its response structure, strategy and objectives for a

second wave.

#### Strategy

- We will work together with our partner agencies to prevent, minimise and respond to further outbreaks of Covid 19 and continue the recovery process for our communities, businesses and staff.

#### Objectives

- To provide support to the vulnerable
- To take action to prevent or minimise further outbreaks
- Managing resourcing to meet the needs of emergency and maintain essential public services
- To provide support to our responding partner agencies who are protecting and preserving life
- To provide support to Lewisham businesses and communities
- To inform and reassure through communication and engagement
- To provide community leadership/reassurance
- Minimise disruption to infrastructure and business
- To facilitate recovery and the return to normality

### **Risk Register – issues of concern and mitigation**

- 6.3. In planning for responding to the “second wave” of COVID-19 one of the critical elements to consider is risk. A risk register for south east London boroughs has been developed that provides the strategic overview of the risks for a second wave of the epidemic. Based on this, we have developed a borough-specific risk assessment. This is a live working document and will be regularly updated to reflect the situation as it progresses.
- 6.4. This risk register has been used to develop our local planning and response arrangements. It has also been used to identify key indicators about COVID-19 and the effectiveness of our response arrangements.

### **COVID-19 Outbreak Plans – to prevent and limit the spread of COVID-19**

- 6.5. The Council Gold group and borough-wide Health Protection Board continues to regularly review a mass of local, regional and national data on Covid 19 including infection rates, testing, contact tracing, hospital admissions, admissions to intensive care units and deaths. This data provides the current status, how effective the government measure are, how effective any local measures are and provides an early warning for local action.
- 6.6. There is London Outbreak Plan which was produced by the London Transition Board. The plan’s containment and escalation framework sets out how London responds to outbreaks of COVID-19.
- 6.7. The Council also has its own Lewisham Outbreak Plan which sets out the actions we will take locally to respond to outbreaks. The plan has four trigger points for further action as the situation worsens, each of which has its own action card. [The plan was published on the Lewisham Council website on 30 June 2020 and is available here.](#)

## **Maintaining critical services – ensuring we continue to deliver key services**

- 6.8. During the first wave, the Council was able to maintain its critical services throughout lockdown. In some cases services were supported with volunteer staff where demand was high or absence was an issue. The performance of critical service delivery is closely monitored by the Council's Gold Group through a daily dashboard of data. The data monitoring dashboard indicates if and when a critical service is struggling due to high demand or absence which will prompt action to provide resources to ensure the continued delivery of critical service.

## **Providing specialist services – new services to respond to COVID-19**

- 6.9. In the first wave of COVID-19 the Council set up some new services to respond to specific requirements e.g. shielding. In some cases these specialist services have continued (e.g. emergency provision of PPE) and in others they have been paused (e.g. shielding).
- 6.10. The Council is now preparing to re-establish these specialist services for the second wave. They will be supported by deployed staff from across the organisation.

## **COVID Action Team – supporting critical and specialist services**

- 6.11. As with wave one, services will be prioritised for the purposes of responding to COVID for the second wave. The list of critical services is being reviewed in light of the likely response requirements of the second wave and lessons learned from the first.
- 6.12. In response to the first wave the Council set up a volunteering scheme which was successful. The volunteering scheme was one of the key success factors in the Council's response to COVID, the scheme has been reviewed and developed to ensure greater resilience for deployed staff. Staff from non-critical services will be deployed to the COVID-19 Action Team to support critical services and the Council's response to wave two. The COVID Action Team replaces the Council's volunteer scheme and is staffed by officers from non-critical services areas that have been deployed to support the Council's response.

## **Horizon scanning – what's the current status?**

- 6.13. A range of data is being used to inform us of the current status of COVID-19 in the community, our response to it and our ability to provide specialist services plus maintain critical service delivery. The Council collects and reviews data on a daily basis. In addition a further set of data is provided to the London Transition Management Group on a weekly basis.
- 6.14. The data sets for London and the Council are currently being reviewed based on what was informative from wave one, the South East London risk assessment and what's believed will be key indicators going forwards.

## **Do the plans work? – testing the arrangements**

- 6.15. In September, the Council took part in a south east London Boroughs exercise to test the strategic COVID-19 response at borough and cross borough level. It provided an opportunity to validate the COVID-19 outbreak planning/procedures for local authorities, health authorities and key stakeholders across the Sub Region.
- 6.16. The Council did identify actions and key learning points that are being followed up to make our arrangements more robust. In addition, at a local level we are running through a series of scenarios with partners, testing our response to outbreaks in some of the more complex settings in the Borough. For example funerals, housing estates, pubs, schools, offices etc.

## **Staff Support – health and wellbeing support for Council staff**

- 6.17. In April, the Council launched its staff support hub as an organisational resource to support the wellbeing of Council staff during the COVID-19 pandemic and beyond. The hub is hosted online to ensure it is accessible to all staff, and our partners, and not just those who are office based.
- 6.18. As well as advice and guides for staff and managers in matters such as remote working, the hub includes signposting to offers of coaching, mental health first aid and a series of learning and development trainings. External support and resources are also included that promote and support wellbeing.

## **7. Financial implications**

- 7.1. The Council is facing extraordinary in-year financial pressures due mainly to the need to ensure that throughout the COVID-19 pandemic the Council continues to protect its residents and maintain front line critical services. This has resulted in an estimated COVID-19 impact of £60m with a funding gap of up to £20m and service overspending of £17m. More detail on the Council's finances and the impact of Covid is provided in the separate 'Finance stabilisation budget update' report currently before scrutiny ahead of the Mayor & Cabinet meeting on the 7 October.
- 7.2. Taking the estimated costs and lost income considerations of the Covid 19 response and additional support from government into account, the Council has sufficient reserves to meet these financial commitments at present. While the impact of the Covid 19 response may reduce the Council's financial resilience to face future shocks, it is the section 151 officer's assessment that the circumstances do not require consideration of a section 114 notice (in consultation with the Head of Paid Service and the Monitoring Officer) at this time.

## **8. Legal implications**

- 8.1. The Coronavirus Act 2020 received Royal Assent on 25 March this year. It gives the Government emergency powers to combat the COVID 19 pandemic. The provisions of the Act are time-limited for two years, though this period may be shortened by ministerial direction. In addition the Act is subject to Parliamentary review every 6 months.
- 8.2. The Act enables the Government to restrict or prohibit public gatherings, control or suspend public transport, order businesses such as shops and restaurants to close, temporarily detain people suspected of COVID-19 infection, suspend the operation of ports and airports, enrol medical students and retired healthcare workers in the health services, relax regulations to ease the burden on healthcare services, and assume control of death management in particular local areas.
- 8.3. Many of its provisions are specific to local government. For example the Act temporarily suspends local authorities' legal duty to meet the care needs of all people who are eligible under the Care Act 2014. Instead, councils will have a duty to provide care only if necessary to avoid breaching a person's rights under the Convention of Human Rights (ECHR). However as set out in the report, the Council has not sought to rely on any of the easements to the Care Act allowed in the Coronavirus Act.
- 8.4. The Act also makes provisions for elections and annual general meetings to be deferred and for council meetings to be held remotely.
- 8.5. A number of directions have been made to legislative provisions using the Coronavirus provisions. For example, the Secretary of State issued a direction on 31 March 2020 to Ofqual about the calculation of students' GCSE, AS and A level results and on 9 April in respect of technical qualifications though many of the government's intentions for local government have been expressed through non statutory guidance. Whilst having

no statutory force, the Council would be well advised to have regard to this guidance, and only departing from it with good reason, particularly bearing in mind that the Secretary of State retains the power to issue directions if necessary.

- 8.6. Under Section 17 Crime and disorder Act 1998 the Council has a duty in the exercise of its functions to consider the impact of all their functions and decisions on crime and disorder in their local area.
- 8.7. Section 12 of the Health and Social Care Act inserted a new section 2B into the NHS Act 2006 to give a local authority a new duty to take such steps as it considers appropriate to improve the health of the people in its area. The steps in this report are consistent with that duty.
- 8.8. Under S3 Local Government Act, 1999 the Council must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This duty remains even in these exceptional circumstances.

## 9. Equalities implications

- 9.1. There is emerging evidence that suggests a disproportionate impact of COVID-19 on groups with protected characteristics. National research shows there are significant health inequalities affecting Black African and Caribbean communities, which are perpetuated by inequalities in the wider determinants of health such as housing, employment and education. These have been exacerbated by COVID-19 and may underpin some of the excess deaths in these populations.
- 9.2. Lewisham Council and Birmingham City Council are partnering to conduct a review gather insights on health inequalities within Black African and Caribbean communities in Birmingham and Lewisham asking 'how do we break the cycle of inequality?'. The Council has also submitted evidence to the Women and Equalities Committee about the different and disproportionate impact that the Coronavirus – and measures to tackle it – is having on people with the protected characteristics under the Equality Act.
- 9.3. The Council plans to supplement this work with an extensive impact assessment of COVID-19 on the borough, with a focus on those with protected characteristics.
- 9.4. 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.
- 9.5. 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
- 9.6. 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.
- 9.7. 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 members, bearing in mind the issues of relevance and proportionality. They 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.

9.8. 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>

9.9. 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

9.10. The essential guide provides an overview of the equality duty requirements

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty
- Equality objectives and the equality duty
- Equality information and the equality duty

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

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

## **10. Climate change and environmental implications**

10.1. There are no direct climate change and environmental implications arising from this report.

## **11. Crime and disorder implications**

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

## 12. Health and wellbeing implications

- 12.1. There are no direct health and wellbeing implications arising from this report, however it should be acknowledged that COVID-19 presents a serious threat to the health and wellbeing of Lewisham's residents, as it does across the world. The Council's response and recovery objectives are rooted in promoting good public health and safety for Lewisham's residents.

## 13. Background papers

- 13.1. [Overview and Scrutiny Business Panel 5 May 2020 - Scrutiny of the Council's COVID-19 Response](#)
- 13.2. [Overview and Scrutiny Business Panel 26 May 2020 - Scrutiny of the Council's COVID-19 Response](#)
- 13.3. [Overview and Scrutiny Business Panel 23 June 2020 – Scrutiny of the Council's COVID-19.](#)
- 13.4. [Overview and Scrutiny Business Panel 21 July 2020 – Scrutiny of the Council's COVID-19.](#)
- 13.5. [Overview and Scrutiny Business Panel 18 August 2020 – Scrutiny of the Council's COVID-19](#)

## 14. Glossary

Term	Definition
Council Gold	A gold/silver/bronze command structure is a hierarchy used by the emergency services and other public sector organisations (including local authorities) to manage the response to major incidents. Gold command is responsible for formulating a strategy for dealing with the incident and has overall control of resources.
COVID-19	Coronavirus disease (COVID-19) is an infectious disease caused by a newly discovered coronavirus. The two main symptoms of COVID-19 are a high temperature and a new, persistent cough, and loss or change in sense of smell or taste.
Local Democracy Review	The Local Democracy Review was a Councillor-led review of local democracy in Lewisham, which made recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making.
Overview and Scrutiny Business Panel	Lewisham has two Business Panels (sub-committees of the Overview and Scrutiny Committee).  Overview & Scrutiny Business Panel is made up of the chair and vice-chair of the Overview and Scrutiny Committee, the chair of each of the Select Committees, and two other non-Executive councillors.

Term	Definition
	<p>The main functions of Business Panel are reviewing key decisions once they have been taken (potentially “calling in” key decisions that have been made but not yet implemented); coordinating and approving the overall scrutiny work programme; and allocating scrutiny work in the event that it crosses the remit of more than one scrutiny body.</p> <p>Three parent governors and two diocesan representatives sit on the Education Business Panel, alongside the councillors that make up the regular Business Panel. The Education Business Panel reviews.</p>
Shielding	Those who are at the greatest risk of severe illness and have been advised to shield by the NHS.

## 15. Report author and contact

- 15.1. If there are any queries about this report, please contact Charlotte Parish, Principal Officer – Policy, Service Design and Analysis, by phone (020 8314 6101) or by email [charlotte.parish@lewisham.gov.uk](mailto:charlotte.parish@lewisham.gov.uk).



## Overview and Scrutiny Business Panel

### **Hybrid Meetings Update (Appendix 1 to Covid 19 update report)**

**Date:** 29 September 2020

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Director of Law, Governance and HR

### **Outline and recommendations**

This report forms part of the regular COVID19 updates provided to the Business Panel. It sets out the current position in respect of the Council moving hold hybrid (public) committee meetings as business as usual.

## Timeline of engagement and decision-making

On the 18<sup>th</sup> August 2020 Business Panel Members received a briefing note on the possibility of moving to hybrid meetings.

On Wednesday 23 September 2020 the Local Democracy Working Group considered a report as part of its on-going local democracy review work programme in respect of the Council moving to hybrid (public) meetings.

### Summary

- 1.1. This report provides an update on the current position regarding the possibility of holding hybrid (public) committee meetings as business as usual.
- 1.2. Business Panel is asked to note the current position.

### 2. Recommendations

- 2.1. There are currently no immediate recommendations. However, the Business Panel is invited to consider, discuss and provide comments.

### 3. Policy Context

- 3.1. The Council's Corporate Strategy 2018-22 sets out 7 corporate priorities that drive decision making in the Council. Lewisham's corporate priorities have been agreed by full Council and they are the principal mechanism through which the Council's performance is reported:

1. Open Lewisham
2. Tackling the housing crisis
3. Giving children and young people the best start in life
4. Building an inclusive local economy
5. Delivering and defending: Health, Social Care and Support
6. Making Lewisham greener
7. Building safer communities

- 3.2. Effective decision-making underpins the delivery of every commitment within the corporate strategy and the Council works closely with our residents to understand the differing needs of our diverse community. Hybrid meetings are particularly relevant to the Open Lewisham priority.

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

### 4. Background

- 4.1. The purpose of this report is to provide an update for Business Panel on the current position regarding the possibility of holding hybrid (public) committee meetings.

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- 4.2 During the coronavirus pandemic, the government temporarily removed the requirement for local authorities to hold public meetings physically present in person.
- 4.3 From the 4<sup>th</sup> April 2020, local authorities were given powers to hold public meetings virtually until and including 6<sup>th</sup> May 2021. (Pursuant to regulation 5 of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 [“the 2020 flexibility regulations”], made under s. 78 of the Coronavirus Act 2020.)
- 4.4 Until the 4<sup>th</sup> July 2020, there was confusion and conflicting views as to whether it was lawful for local authorities to hold some form of hybrid or blended public committee meetings.
- 4.5 The Government decided to revoke the previous regulations known as “*The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020*” (“the first restrictions regulations”) and the subsequent four sets of amending regulations (“the amending regulations”), and to consolidate any remaining provisions (from the first restrictions regs as some remained in force) into “*The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020*” – herein after will be referred to as the Regs - came into force on the 4<sup>th</sup> July 2020 and, for the time being, remain in force.
- 4.6 With the relaxation of lockdown, it has been mooted to hold some form of hybrid/blended meetings where some Councillors are physically present.

## 5. Hybrid meetings

### **What is meant by a hybrid or blended (public) committee meeting.**

- 5.1 A hybrid meeting is any meeting (whether it’s just Councillors or Councillors and public), which has some people in physical attendance and others participating virtually, at the same time.
- 5.2 It is sometimes referred to as a blended or integrated meeting. Technically, two people will need to be physically present for it to be considered a hybrid meeting.
- 5.3 The key question that needs to be asked for a meeting to be deemed as a hybrid meeting is – do the public, Councillors and the press all have the choice of being able to attend in person (to view) and/or participate in a meeting that is being held in a Council building.
- 5.4 If not, then there is no difference to holding the meeting remotely in a virtual location.

### **Provisions relating to hybrid/blended meetings and full meetings under the Regs.**

- 5.5 There are no provisions under the regulations that prevent more than 30 individuals meeting inside a Council building; however, it is clear from the guidance that the government still expects use of the virtual meeting provisions where possible.
- 5.6 It is a matter for each authority whether it wishes to conduct hybrid/blended meetings and/or full meetings, provided it can satisfy the principles laid out in the following:
- government’s [core public health guidance](#) regarding health and hygiene
  - the [social distancing restrictions](#)
  - [working safely during the coronavirus](#) in offices and contact centres and to ensure employees are safe to return to work – ‘safer workplaces’ guidance

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- any local lockdown areas or restrictions

5.7 It is clear from the Covid-19 guidance (updated 31<sup>st</sup> July 2020), for the safe use of a Council building in respect of public meetings taking place, that government still expects the continued use of the video or telephone conferencing technology – below is an extract from the relevant guidance -

**“.....3c: Meetings**

*We continue to recommend that where meetings can take place digitally, without the need for face-to-face contact, they should do so. Where Council buildings need to be used for physical meetings, these meetings must be managed within the social distancing guidance and principles set out above.*

- [Working safely during coronavirus \(COVID-19\): Offices and contact centres](#)

*The principles set out in the ‘Safer workplaces’ guidance apply, but are not limited to:*

- *meetings of civic, political or community groups (e.g. parish Council meeting, ward meeting of political party; charity board of trustees)*
- *MP or Councillor surgery/drop-in sessions*
- *public meetings and local consultations (e.g. planning)*

*Local authorities in England still have the [powers](#) to hold public meetings virtually, by using video or telephone conferencing technology....”*

5.8 Holding such meetings lawfully, during the pandemic will mean that each Council will need to address the public health concerns and in particular the Council’s health and safety legal obligations. These relevant statutory obligations are pursuant to the Health and Safety at Work etc Act 1974, Ss. 2, 3 and 4 which provide statutory obligations owed by the Council to our staff, contractors, and any other persons coming onto our property/buildings for the purposes of any such meeting.

5.9 This is an ongoing statutory duty of care placed upon the Council. Given the Covid 19 situation, the need for risk assessments will be crucial, as will the method used by the Council on an “as and when basis” to address the potential risk of serious harm to persons coming onto Council property/buildings to attend and/or to be involved with facilitating such hybrid meetings.

5.10 Further, given that holding hybrid meetings will mean that some persons will be physically attending Council premises for the meeting, the implications of the Equality Act 2010 will also need to be addressed. The s. 149 duty (“having due regard”) within the context of Covid 19 particularly needs consideration. Whilst Covid 19 is still present, the implications of an increased risk of Covid in particular for our BAME communities and for others with recognised characteristics that are particularly vulnerable and so at heightened risk, should be noted for the purposes of holding hybrid meetings.

5.11 It is therefore for each local authority to determine what is appropriate in their special circumstances, taking legal advice as necessary.

### **Current position at Lewisham:**

- 5.12 It is clear that under the Covid-19 guidance (updated 31<sup>st</sup> July 2020), for the safe use of a Council building, that operators of Council buildings will have discretion over when they consider it safe to open for activity permitted by legislation and may decide to remain closed at this stage if they are not able to safely facilitate the relevant guidelines. Accordingly, the Council decided to close all Council buildings other than Laurence House until the end of March 2021.
- 5.13 Some Councillors have mooted the desire to move to holding hybrid meeting within the parameters of the legislation and guidance in the present Covid 19 situation.
- 5.14 After carrying out an options appraisal under the current circumstances, the Council could accommodate a maximum capacity of 29 people (in total) in the Council chamber in the civic suite, to be able to safely hold a hybrid (public) meeting, which of course is currently closed. In any event, even if the Council were minded to re-open the civic suite to hold hybrid meetings it would not be feasible and would be susceptible to potential (high) risks.
- 5.15 Protecting everyone's health and wellbeing is paramount and the Council must keep the number of people in shared spaces to a minimum, to avoid the risk of spreading COVID-19.
- 5.16 Government afforded local authorities 'the meeting flexibilities' to help redeploy its resources to deal with the pandemic and ensure essential business continues, whilst upholding democratic principles and protecting the health and safety of Cllrs, officers and the public, in line with official public health guidance.

### **Short term (interim) option - Laurence House**

- 5.17 There is a possibility that some Council meetings could take place in the form of a virtual/blended fashion could take place at Laurence House. Some Councillors could physically be present in the building subject to current public health guidance (such as the social distancing rules), whilst others remain on a video/teams place.
- 5.18 This option has been identified as a possible solution for the short term – a virtual plus option. However, the Council would need to consider the logistics and balance its continued duty to safeguard the staff. The government is clear that no one should feel obliged to work in a workplace they consider to be unsafe.
- 5.19 Accordingly, Members will be aware that the Council has put in place measures for staff (those not working in critical services) to continue to work from home until the end of March 2021 and therefore, this option would not have officer support at Laurence House. Of course, officers will continue to support remotely.

### **Longer term position - the Role of the Local Democracy Review Working Group**

- 5.20 As we move to the next phases of Covid-19 and the road to recovery, it is clear that the Council's intention is to move to holding hybrid/blended/integrated committees meetings, which is underpinned by the outcomes of the Local Democracy Review (LDR).

The delivery of that work programme was paused and has been extended until January

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2021. However, the Working Group held a meeting on the 23<sup>rd</sup> September 2020 and considered a report for the Council moving to hybrid (public) committee meetings as the (new) business as usual as part of its on-going local democracy review work programme.

Members recognised the benefits of hybrid meetings, both for Councillors (ability to balance Council, ward and other commitments e.g. attending virtually for committee agenda items whilst at ward meetings) and residents (allowing people who can't attend in person to participate).

The LDR Working Group agreed to oversee the Council facilitating lawfully and safely the holding of hybrid/ blended/ integrated committee meetings.

It will be for the LDR Working Group to agree the parameters, the timetable and the processes, including understanding the risks, resource implications, consider lessons learnt to date (IT glitches and behaviours/etiquette), and to put in place appropriate member support/training.

A further report will be provided at its next meeting to consider the logistics and the resources implications.

5.21 For information there is a preliminary benchmarking paper attached as appendix A – Council benchmarking for virtual plus/some format of hybrid-fashion committee meetings

5.22 There is also a preliminary IT options appraisal attached as appendix B for your information.

## **6. Financial implications**

6.1. There are no specific additional financial implications to be noted at present.

## **7. Legal implications**

7.1. These are included within the body of this Report.

## **8. Equalities implications**

8.1. These are included within the body of this Report.

## **9. Climate change and environmental implications**

9.1. There are no direct climate change or environmental implications arising from the implementation of the recommendations in this report.

## **10. Crime and disorder implications**

10.1. There are no direct crime and disorder implications arising from the implementation of the recommendations in this report.

## **11. Health and wellbeing implications**

11.1. There are no direct health and wellbeing implications arising from the implementation of the recommendations in this report.

## 12. Relevant and linked reports

12.1 On the 18<sup>th</sup> August 2020 the Business Panel Members received a briefing note on hybrid meetings as part of the Covid 19 update.

12.2 The Local Democracy Working Group considered a report on hybrid meetings on Wednesday 23 September 2020

## 13. Background papers

None

## 14. Glossary

Term	Definition
Local Democracy Review	The Local Democracy Review was a Councillor-led review of local democracy in Lewisham, which made recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making.
Members	Members (or Councillors) are elected by the community to decide how the Council should carry out its various activities. They represent the wider public interest as well as all individuals living within the area that they have been elected to serve.
Overview & Scrutiny	Overview and scrutiny is the way in which Mayor and Cabinet (the 'Executive'), officers and external organisations are held to account for the decisions that they make. It is led by Councillors who are not members of the Executive. They also influence policy development and investigate issues of local concern, making recommendations for improvement.
Overview & Scrutiny Work Programme	An annual programme of work setting out the matters which the select committees will scrutinise over the year.
Overview & Scrutiny Business Panel (OSBP) and Education OSBP	<p>Lewisham has two Business Panels (sub-committees of the Overview and Scrutiny Committee).</p> <p>OS Business Panel is made up of the chair and vice-chair of the Overview and Scrutiny Committee, the chair of each of the Select Committees, and two other non-Executive Councillors.</p> <p>The main functions of Business Panel are reviewing key decisions once they have been taken (potentially "calling in" key decisions that have been made but not yet implemented); coordinating and approving the overall scrutiny work programme; and allocating scrutiny work in the event that it crosses the remit of more than one scrutiny body.</p> <p>Three parent governors and two diocesan representatives sit on the Education Business Panel, alongside the Councillors that make up the regular Business Panel. The Education Business Panel reviews (and can call-in) key decisions that are education matters.</p>

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**15. Report author and contact**

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## Overview & Scrutiny Business Panel

**Report title: Update on temporary measures to support safer walking and cycling in response to the COVID 19 pandemic.**

**Date:** 29 September 2020

**Key decision:**

**Class:**

**Ward(s) affected:** All

**Contributors:** Kevin Sheehan, Executive Director Housing, Regeneration & Environment  
Alex Crush, Transport Policy and Development Manager

### Outline and recommendations

Following a report to Overview and Scrutiny Business Panel in May 2020, this report provides an update on the measures to support safer walking and cycling in response to the COVID 19 pandemic. The primary aim of the measures is to facilitate those walking and cycling to do so safely, whilst also maintaining social distancing.

The Overview & Scrutiny Business Panel is asked to receive and comment on the update report.

## Timeline of engagement and decision-making

The Overview and Scrutiny Panel considered a report on 26 May 2020. Following that a delegated decision was taken by the Executive Director for Housing, Regeneration & Environment on 2 June 2020.

All measures outlined in this and previous reports are consistent with the longer term objectives of the borough's Transport Strategy and Local Implementation Plan 2019-2041, which was agreed by Mayor & Cabinet in January 2019.

### 1. Summary

- 1.1 The purpose of this report is to provide an update on the temporary transport measures to support pedestrians and cyclists during the COVID 19 pandemic. The primary aim of those measures is to facilitate those people walking and cycling, to do so safely whilst maintaining social distancing. The package of interventions will help support the recovery from this crisis, whilst also being in alignment with a wider range of longer term policy objectives.

### 2. Recommendations

- 2.1 The Overview & Scrutiny Business Panel is asked to receive and comment as necessary on the contents of this report.

### 3. Policy Context

- 3.1 In response to the COVID-19 pandemic, DfT and TfL have asked local authorities to act quickly to introduce schemes to create more space for walking and cycling, whilst also maintaining social distance. In response a growing number of local authorities across the UK and beyond are considering which measures to put in place to help people safely make the essential trips they need to on foot or by bicycle.
- 3.2 This is within the context of a range of pertinent issues, which are summarised below, with further detail provided in section 4 of the 26 May 2020 report:
  - the need to retain social distancing guidelines for some time;
  - an observed increase in speeding/dangerous driving on the road network;
  - limitations on public transport capacity due to social distancing requirements;
  - potential public concern over the use of public transport;
  - a likelihood of increased car trips as restrictions are lifted;
  - an encouragement from central and local government that journeys are kept local, and that these are made on foot or by bicycle where possible;
  - A high proportion of footways that are not wide enough to safely accommodate social distancing practices
  - the potential to combine trip purposes where possible to minimise exposure (e.g. physical exercise such as walking/cycling with a trip to the shops);

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- a need for people to maintain good physical and mental health, increasing resilience against COVID-19 symptoms
  - and a need for residents who may have been impacted financially to feel that they have viable low cost transport options available to them.
- 3.3 The measures implemented to date are consistent with both the DfT guidance and TfL's London Streetspace Programme (see Background Document 1). The primary objective of these measures is to protect public health and safety during the COVID-19 pandemic. This will help to support the recovery from this crisis whilst also being in alignment with a wider range of existing policy objectives.
- 3.4 The Council's over-arching policies can be found in the Corporate Strategy 2018-2022 (see Background Document 2). The Council's transport policy objectives can be found in the Lewisham Transport Strategy & Local Implementation Plan 2019-2041 (LIP3) and are summarised below (see Background Document 3).
- Travel by sustainable modes will be the most pleasant, reliable and attractive option for those travelling to, from and within Lewisham
  - Lewisham's streets will be safe, secure and accessible to all
  - Lewisham's streets will be healthy, clean and green with less motor traffic
  - Lewisham's transport network will support new development whilst providing for existing demand.

## 4. Emergency transport measures in response to COVID-19

- 4.1 The emergency transport measures in response to COVID-19 fall within four projects. The schemes that have been implemented as part of each of these projects are summarised below:

### Project 1: Creating more pedestrian space in busy public places, at pressure points

- 4.1.1 Officers identified a number of locations on high streets and at park entrances where the existing conditions meant that it was difficult for pedestrians to comply with social distancing due to limited footway widths and/or shop queuing systems, and intervention was considered necessary.
- 4.1.2 Measures have been implemented in the following locations:
- **Deptford High Street** – temporary barriers were introduced on the eastern side of Deptford High Street between the A2 and Giffin Street and the western side of Deptford High Street between Giffin Street and Deptford Train Station in order to create more pedestrian space. Unfortunately the temporary barriers were regularly moved out of position which resulted in safety concerns and the measures becoming unmanageable and they were therefore removed. Officers are currently investigating alternative options to create additional pedestrian space.
  - **Blackheath Village** - A pedestrian one-way system has been temporarily introduced through Blackheath Village between the pedestrian crossing outside Blackheath Station and the pedestrian crossing at the junction of Tranquil Vale and Montpelier Vale, to enable access to shops and maintain social distancing. The footway on the western side (on the station side) accommodates pedestrians travelling northbound (towards Montpelier Vale), and the footway on the eastern side of the road accommodates pedestrians travelling southbound (towards the station).

It should be noted that a number of other options, including removal of guard rail

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and also traffic operating one way in alternate directions through the use of temporary signals, were also considered. However, the former risks creating safety issues and the latter would create increased congestion through the village.

- **Coulgate Street** –A timed closure to through traffic between 8am and 10pm has been implemented through the use of temporary barriers. This has provided businesses with space in which to put tables and chairs, therefore extending their capacity and supporting economic recovery.
- Suspension of parking bays and / or loading bays have also been implemented in the following locations in order to create more space for pedestrians: Sangley Road, Foxberry Road, Dartmouth Road, Staplehurst Road, Hither Green Lane and Wells Park Road.

4.1.3 In the May 2020 report Luxmore Gardens was identified as one of the locations where interventions were considered necessary and measures would be implemented. It was intended that parking on one side of Luxmore Street, which currently has footway parking on both sides of the street making it difficult to safely practice social distancing, would be suspended. Unfortunately the funding bid to TfL to progress this scheme was not successful as it did not meet their criteria and therefore this scheme has not been implemented. However, if further funding becomes available, this will be progressed.

#### 4.2 Project 2: Creating quieter and safer residential streets for walking and cycling by introducing modal filters

4.2.1 A 'modal filter' is a road closure that stops motor vehicles, but which still allows pedestrians, cyclists (including electric cargo cycles) and powered two wheelers through. These are used to create safe routes for pedestrian and cycle use through the removal of the majority of through traffic. It should be noted that the initial tranche of 'filters' were not intended to stop every rat-run, but focus on some of the key routes. All locations will have exemptions for emergency service vehicles, and public transport services where applicable.

4.2.2 An initial tranche of locations were identified where rat running has historically been identified as an issue, and where it was feared higher volumes of traffic would be likely to re-emerge. This is based on traffic data, resident complaints, and/or officer observations. The footways in these locations are also below 3m.

4.2.3 The first phase of locations were introduced at George Lane, Silverdale and Bishopsthorpe Road, Glenbow Road, Scawen Road, South Row and Kitto Rd. Due to issues arising following implementation the modal filters at South Row and Kitto Road are currently suspended.

4.2.4 A low traffic neighbourhood (LTN) has also been implemented in the Lewisham and Lee Green area. This includes a number of modal filters throughout the area, using planters and bollards in some locations and automatic number plate recognition (ANPR) cameras at locations which are on priority emergency service routes and bus routes.

#### 4.3 Project 3: Creating more space for pedestrians and cyclists along key corridors

These measures primarily seek to increase space for cyclists, but also seek to provide extended footway space for pedestrians. To date, no schemes have been delivered as part of this project due to challenges in meeting the TfL criteria as a result of constraints on carriageway widths and a need to avoid significant civil works.

However, elements of the TfL criteria are now seemingly being relaxed so these schemes are currently being revisited. The schemes that are currently under consideration are routes along the Brookmill Road / Thurston Road corridor and Baring Road.

#### 4.4 Project 4: School streets to allow social distancing outside schools when they reopen

4.4.1 School streets are streets or parts of streets that are closed to vehicular traffic for part of the day at school pick up and drop off times, when schools are open. This will provide a safe area for children entering or leaving the school during these periods, facilitating the ability to socially distance at the school gates, where feasible.

4.4.2 Schools have been prioritised based on a range of criteria, with highest priority given to those with footway widths below 3m, higher traffic volumes, higher pupil numbers, and school support for the programme.

4.4.3 The following school streets were implemented during week commencing 14 September 2020 at the following schools;

- Adamsrill Primary School;
- Deptford Green School;
- Kelvin Grove Primary School;
- Prendergast Ladywell School,
- Sir Francis Drake Schools; and
- Ashmead Primary School

4.4.4 At the time of writing this report school streets are due to be implemented at Conisborough College, Tidemill Academy, John Ball Primary School and All Saints Church of England Primary School in week commencing 21 September 2020. There are also plans being progressed to introduce more school streets in the coming weeks.

## 5. Monitoring

5.1 To ensure we have a clear understanding on the impact of our measures we have committed to a comprehensive monitoring programme. The measures have been and will continue to be kept under review and will be lifted or amended if they are not considered to be addressing the challenges that have arisen due to the pandemic and contributing at all to the policy objectives set out in the May 2020 report.

5.2 Traffic counts and air quality monitors will be positioned to ensure that the impacts on the surrounding road network are captured and that there is an understanding of the extent to which traffic may be displaced to other routes, particularly the distributor road network (i.e. the A and B roads). The traffic counters will also pick up any changes in cycling levels.

5.3 In addition the Council will liaise with other key stakeholders to understand the impact on bus journey times and emergency service response times.

5.4 It should be noted that there is a need to strike a balance between capturing the main impacts of the schemes, whilst being mindful of costs and the urgent need to get schemes delivered as quickly.

5.5 With regard to the analysis of the data this will need to be undertaken in the wider context and also give consideration to other factors that could have an impact on travel behaviour and traffic levels and patterns, such as any emergency road works undertaken on the network and any re-introduction of restrictions affecting travel.

5.6 For the Lewisham and Lee Green LTN the monitoring strategy was published, which

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gives details of where the automatic traffic counters and air quality monitors are or will be placed (see background document 4).

## 6. Lessons Learned

- 6.1 Throughout the process of implementing these measures a number of lessons have been learnt and will be applied to the next stages of implementation. A number of these lessons are associated to the context in which these measures are being delivered, for example the pace in which they are being introduced, the scale of change being delivered in a short timescale and that such measures are being delivered across London.
- 6.2 As set out in section 3 of this report and in the previous May 2020 report, local authorities across the country are being asked to deliver schemes that create more space for walking and cycling in a short timeframe. This in turn has meant that in London there is significant levels of demand for the same type of equipment and infrastructure, such as temporary barriers and signage. This in turn has had an impact on delivery timescales. In future this will need to be carefully taken into account when programming the works and communicating timescales for delivery.
- 6.3 The level of non-compliance with the measures by drivers has been unexpected and has been an issue across London Boroughs. For example, it was not expected that drivers would mount the footway to drive around any physical barriers in the carriageway and this behaviour was not factored into the original design of the modal filters. As a result of this behaviour designs had to be modified and bollards were installed on the footway. Going forward compliance levels will be anticipated and included in the designs of the measures from the outset.
- 6.4 As well as the non-compliance not being anticipated the level of vandalism to the equipment was also not anticipated. In future we need to be prepared for vandalism and implement measures to prevent that as much as possible, such as collars on the ANPR cameras and ensuring that extra stock is available so that equipment can be quickly replaced.
- 6.5 Whilst there is a need to strike a balance with regard to the extent of signage put in place, so as not to cause confusion for road users with too much information, it is recognised that additional advanced warning signage is beneficial. This will be taken forward when future measures are implemented however it should be noted that signage is often ignored.

## 7. Approach to communications

- 7.1 Given that measures are being rolled out at pace there is a need to be responsive to the questions and issues that are being raised by the community and respond to them in a timely way. So far in this context we have established weekly Commonplace updates and people will receive these if they have signed up to receive the project news. In addition, we have also included information regarding these measures in the weekly Lewisham email updates, news updates on the website and via social media.
- 7.2 It is important that the measures that are being delivered are set in the London-wide context and within the Council's wider policy objectives and that the Council also proactively provides facts and up to date information to address some misinformation on the proposals. This has begun to be addressed through wider communications, which includes a newsletter distributed to households (see background paper 5), blogs and media relations.

- 7.3 As part of this programme of works it is necessary that a clear and consistent way for people to raise concerns and share feedback is established. It is recognised that there is further work to be undertaken in relation to this and that currently, as a result of previous work and engagement that has been undertaken as part of the usual programme of transport schemes, there is a lot of information available to people that may be inconsistent and be confusing. To address this a rationalisation of websites and digital information needs to be completed with clear information issued about where people go to for information and how they log their comments / concerns.

## 8. Summary of next steps

- 8.1 Since the implementation of the measures the schemes and their impacts have continued to be discussed with Ward Members and feedback from the public has continued to be received and reviewed. This feedback will carry on being reviewed and used to inform the next stages of the projects.
- 8.2 In line with the monitoring strategy, traffic counts and air quality monitoring will be undertaken. In addition any impact on bus journey times will be discussed with TfL and any impact on response times will be discussed with the Emergency Services.
- 8.3 This feedback and data collection will be used to inform whether changes are required to the existing schemes and what additional measures are required in the wider area to mitigate negative impacts that have resulted from the introduction of the measures.
- 8.4 Consideration will also be given to whether the temporary traffic orders should be converted to an experimental traffic order, which would facilitate a statutory and non-statutory public consultation. Should an ETO be put in place further data collection and a public consultation with residents would take place during this period to evaluate how the scheme has operated and if the measures should therefore be made permanent. A review and final decision would be undertaken after 6 months.

## 9. Financial implications

- 9.1 There are no financial implications directly arising from this report. However, the following information may be of interest to the Committee:
- 9.1.1 The Department for Transport (DfT) has agreed a financial settlement of £45 million for TfL covering a period to mid-October. This allows TfL to work with London Boroughs to roll out measures as part of the London Streetspace Programme.
- 9.1.2 TfL has withdrawn the majority of transport funding previously allocated to boroughs for 2020/21, with the exception of any 'sunk' costs already incurred. All remaining funding has been reallocated to boroughs who were in a position to rapidly implement temporary transport interventions in response to the issues outlined above.
- Officers have submitted funding bids to TfL and have secured funding from the London Streetspace Programme for measures included within projects two, three and four. In addition funding has been secured from the DfT Emergency Active Travel Fund (tranche 1), for measures within project 2, and the Re-opening high streets safely fund, for measures in project 1. This brings the total available funding to £1.07m. Some additional funding has also been secured to restart the Council's cycle training programme.
- 9.1.3 The Council is currently waiting to hear the outcome of the funding bid for tranche 2 of DfT's Emergency Active Travel Fund, which TfL submitted for London. This could make further funding available, but the outcome of this funding bid and the implications for funding beyond 2020/21 is currently unknown.

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## 10. Legal implications

10.1 The Legal implications as outlined in the 26 May 2020 Overview and Scrutiny Business Panel report are still applicable. Any further Legal implications that arise from undertaking the next steps will be addressed in the appropriate decision report.

## 11. Equalities implications

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

11.2 Section 149 of the Equality Act 2010 (“the Act”) imposes a duty that the Council must, in the exercise of its functions, have due regard to:-

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.3 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

11.4 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.

11.5 The equalities implications of the measures were set out in the previous OSBP report and any further equalities implications that arise from undertaking the next steps will be addressed in the appropriate decision report.

## 12. Climate change and environmental implications

12.1 There is a legal requirement on the local authority to work towards air quality objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part. Encouraging more journeys to be made by walking and cycling rather than private transport will help to protect against a car based recovery from the COVID-19 pandemic, and the negative impacts associated with vehicular traffic. Keeping traffic and congestion to a minimum will help maintain the improved air quality that has been experienced under lockdown conditions. This will, in turn, help in achieving the objectives set out in the Council’s Air Quality Action Plan (see background paper 6) and Climate Action Plan.

12.2 Any climate change and environmental implications that arise from undertaking the next steps will be addressed in the appropriate decision report.

## 13. Crime and disorder implications

13.1 A number of the modal filter locations and equipment have been subject to criminal damage. Officers have liaised with the Council’s Strategic Community Safety Services Manager and with the Police on these issues, particularly in relation to incidents where we have information that could assist in identifying the individuals that caused the damage.

13.2 Any crime and disorder implications that arise from undertaking the next steps will be

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addressed in the appropriate decision report.

## 14. Health and wellbeing implications

- 14.1 The health and wellbeing implications of the measures were set out in the previous OSBP report and any further implications that arise from undertaking the next steps will be addressed in the appropriate decision report.

## 15. Social Value implications

- 15.1 The social value implications of the measures were set out in the previous OSBP report and any further implications that arise from undertaking the next steps will be addressed in the appropriate decision report.

## 16. Background papers

1. London Streetspace Plan: interim guidance for boroughs (TfL May 2020)  
<http://content.tfl.gov.uk/lsp-interim-borough-guidance-main-doc.pdf>
2. Corporate Strategy 2018-2022  
<http://councilmeetings.lewisham.gov.uk/documents/s61022/Draft%20Corporate%20Strategy%202018-2022.pdf>
3. Transport Strategy and Local Implementation Plan 2019-2041 (LIP3)  
<https://lewisham.gov.uk/inmyarea/regeneration/transport-and-major-infrastructure/local-implementation-plan>
4. Monitoring Strategy - Lewisham and Lee Green LTN -  
<https://lewishamcovidresidentialstreets.commonplace.is/schemes/proposals/monitoring-strategy-lewisham-and-lee-green-update/details>
5. Lewisham and Lee Green Low Traffic Neighbourhood newsletter -  
<https://lewisham.gov.uk/documents?query=lewisham%20and%20lee%20green%20low%20traffic%20neighbourhood&sort=score>
6. Lewisham Air Quality Action Plan (2016-2021)  
<https://www.lewisham.gov.uk/myserVICES/environment/air-pollution/Documents/LewishamAirQualityActionPlanDec2016.pdf>

## 17. Glossary

The table below includes a glossary of terms, abbreviations and acronyms used in this report

Term	Definition
COVID-19	Coronavirus disease (COVID-19) is an infectious disease caused by a newly discovered coronavirus
DfT	Department for Transport
EHRC	Equality and Human Rights Commission

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Term	Definition
EAA	An Equalities Analysis Assessment (EAA) is undertaken when making changes to the way a service is being delivered to ensure that the Council is meeting its obligations in relation to the Equality Act 2010 and the Council's equality objectives
Equality Act 2010	The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.
ETO	An Experimental Traffic Management Order is a legal order made by a Local Authority which manages the behaviour of all road user where consultation is carried out after the order becomes live, with the restrictions already in place. This type of order may be in place for up to 18 months.
Highways Act 1980	An Act of the Parliament of the United Kingdom dealing with the management and operation of the road network in England and Wales
LLW	London Living Wage
Modal filter	a road closure that stops motor vehicles, but which still allows pedestrians and cyclists (including electric cargo cycles) and powered two wheelers through
Modal shift	The change from one mode of transport to another, such as from car to bicycle or public transport.
NHS	National Health Service
RTRA 1984	The Road Traffic Regulation Act 1984 is an Act of Parliament in the United Kingdom, which provides powers to regulate or restrict traffic on UK roads, in the interest of safety
School street	Streets or parts of streets that are closed to vehicular traffic for part of the day at school pick up and drop off, while schools are open
TfL	Transport for London
TLRN	Transport for London Road Network – a network of roads for which Transport for London is the Highway Authority
TMA	The Traffic Management Act 2004 (TMA) is an act of parliament <b>that</b> was introduced to tackle congestion and disruption on the road network. The TMA places a duty on local authorities to make sure <b>traffic</b> moves freely and quickly

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Term	Definition
	on their roads and the roads of nearby authorities
TMO	A Traffic Management Order (TMO) is a legal order made by a Local Authority which manages the behaviour of all road users and which is consulted on prior to restriction being made live
TTO	A Temporary Traffic Order (TTO) is an order made by a Local Authority to restrict or prohibit traffic on the road for road works, where there is a likelihood of danger to the public or to allow litter and cleaning duties to be carried out. Normally requires a notice of intent for at least 7 days before
TTRN	A Temporary Traffic Regulation Notice (TTN) is a notice which may be use to immediately put into effect a TTO where it appears to a Local Authority that the restriction or prohibition should come into force without delay
Zero carbon	Achieving net zero carbon dioxide emissions by balancing carbon emissions with carbon removal or simply eliminating carbon emissions altogether

## 18. Report author and contact

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## Overview and Scrutiny Business Panel

### Key Decision Plan

**Date:** 29 September 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 October 2020 - January 2021

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

Anyone wishing to make representations on a decision should submit them in writing as soon as possible to the relevant contact officer (shown as number (7) in the key overleaf). Any representations made less than 3 days before the meeting should be sent to Kevin Flaherty 0208 3149327, the Local Democracy Officer, at the Council Offices or [kevin.flaherty@lewisham.gov.uk](mailto:kevin.flaherty@lewisham.gov.uk). However the deadline will be 4pm on the working day prior to the meeting.

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

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

**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
June 2020	<b>Sydenham Park Foot Bridge - Single Tender Action</b>	29/09/20 Overview and Scrutiny Business Panel	Gillian Redrup, Senior Engineer and Councillor Sophie McGeevor, Cabinet Member for Environment and Transport		
June 2020	<b>Contract to refurbish premises at 43 and 45 Bromley Road</b>	29/09/20 Overview and Scrutiny Business Panel	Adam Platts, Project Manager and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
February 2020	<b>Award of London Borough of Culture Programme Delivery Partner</b>	29/09/20 Overview and Scrutiny Business Panel	Liz Dart, Head of Culture and Community Development and Councillor Andre Bourne, Cabinet member for Culture, Jobs and Skills (job share)		
June 2020	<b>Options appraisal of the security contract</b>	07/10/20 Mayor and Cabinet	Chris Damri, SGM Asset Strategy and Technical Support and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
February 2020	<b>Renewal of Pension Administration IT System</b>	07/10/20 Mayor and Cabinet	Ian Andrews, IT Procurement and Supplier Manager and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		

**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
October 2019	<b>Contract Award for Stage 2 of Greenvale School Expansion Project</b>	07/10/20 Mayor and Cabinet	Pinaki Ghoshal, Executive Director for Children & Young People and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
April 2020	<b>Sanctuary Strategy</b>	07/10/20 Mayor and Cabinet	Paul Aladenika, Service Group Manager, Policy Development and Analytical Insight and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		
June 2020	<b>School meal provision</b>	07/10/20 Mayor and Cabinet	Fiona Gavin, Senior Contracts Officer and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
June 2020	<b>School kitchen equipment maintenance contract</b>	07/10/20 Mayor and Cabinet	Fiona Gavin, Senior Contracts Officer and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
August 2020	<b>Article 4 Direction in Deptford</b>	07/10/20	Joanna Ecclestone,		

**FORWARD PLAN – KEY DECISIONS**

<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
	<b>High Street Conservation Area</b>	Mayor and Cabinet	Senior Conservation Officer and Councillor Paul Bell, Cabinet Member for Housing & Planning		
September 2020	<b>100 in 100 Apprenticeship Training provision</b>	07/10/20 Mayor and Cabinet	Charlotte Rowley, Apprenticeship Coordinator and Councillor Joe Dromey, Cabinet Member for Culture, Jobs and Skills (job share)		
September 2020	<b>Financial Monitoring</b>	07/10/20 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
September 2020	<b>Leisure Management Arrangements parts 1 &amp; 2</b>	07/10/20 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)		
December 2019	<b>Approval of the draft Lewisham Local Plan for public consultation</b>	28/10/20 Council	Kevin Sheehan, Executive Director for Housing, Regeneration & Environment and Councillor Paul Bell, Cabinet Member for Housing & Planning		

**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	<b>Approval of the Local Development Scheme (Update)</b>	28/10/20 Council	David Syme, Strategic Planning Manager and Councillor Paul Bell, Cabinet Member for Housing & Planning		
August 2020	<b>Besson Street update</b>	11/11/20 Mayor and Cabinet	Monique Wallace, Planning Manager, Strategic Housing and Councillor Paul Bell, Cabinet Member for Housing & Planning		
June 2020	<b>Extension of Resurfacing and Footways Contract</b>	11/11/20 Mayor and Cabinet	Tom Henry, Engineering Manager, Transport Division and Councillor Sophie McGeevor, Cabinet Member for Environment and Transport		
June 2020	<b>Amending Lewisham Homes Articles of Association</b>	11/11/20 Mayor and Cabinet	Michael Moncrieff, Housing Policy & Partnerships Manager and Councillor Paul Bell, Cabinet Member for Housing & Planning		
December 2019	<b>Additions of new buildings to Local List St Lukes Church</b>	11/11/20 Mayor and Cabinet	Joanna Ecclestone, Senior Conservation Officer and Mayor Damien Egan, Mayor		
June 2020	<b>Former Ladywell Leisure Centre site - Update</b>	11/11/20 Mayor and Cabinet	Karen Barke, Head of Strategic Development		

**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
			and Councillor Paul Bell, Cabinet Member for Housing & Planning		
February 2020	<b>Approval to proceed with Procurement - Digitisation of Records - Council Wide</b>	11/11/20 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		
June 2020	<b>Highway term Contract tender award</b>	11/11/20 Mayor and Cabinet	Tom Henry, Engineering Manager, Transport Division and Councillor Sophie McGeevor, Cabinet Member for Environment and Transport		
April 2020	<b>Revised Statement of Licensing Policy</b>	11/11/20 Mayor and Cabinet	Lisa Hooper, Crime, Enforcement & Regulation Manager and Councillor Andre Bourne, Cabinet member for Culture, Jobs and Skills (job share)		
April 2020	<b>Adoption of the Homelessness and Rough Sleeping Strategy</b>	11/11/20 Mayor and Cabinet	Michael Moncrieff, Housing Policy & Partnerships Manager and Councillor Paul Bell, Cabinet Member for Housing & Planning		
April 2020	<b>Adoption of the Housing Strategy 2020-26</b>	11/11/20 Mayor and Cabinet	Michael Moncrieff, Housing Policy &		

**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
			Partnerships Manager and Councillor Paul Bell, Cabinet Member for Housing & Planning		
September 2020	<b>Catford Regeneration Partnership Ltd Business Plan 2020-21</b>	11/11/20 Mayor and Cabinet	Kplom Lotsu, SGM Capital Programmes and Mayor Damien Egan, Mayor		
September 2020	<b>Building for Lewisham Package A s105 &amp; demolition budget approval</b>	11/11/20 Mayor and Cabinet	Karen Barke, Head of Strategic Development and Councillor Paul Bell, Cabinet Member for Housing & Planning		
September 2020	<b>SELCHP extension report</b>	11/11/20 Mayor and Cabinet	Wendy Nicholas, Strategic Waste and Environment Manager and Councillor Sophie McGeavor, Cabinet Member for Environment and Transport		
September 2020	<b>Lewisham Housing Allocations Policy Review</b>	11/11/20 Mayor and Cabinet	Michael Moncrieff, Housing Policy & Partnerships Manager and Councillor Paul Bell, Cabinet Member for Housing & Planning		
September 2020	<b>Acquisition of property to use as Temporary Accommodation</b>	11/11/20 Mayor and Cabinet	Julie Nash and Councillor Paul Bell, Cabinet Member for Housing & Planning		

**FORWARD PLAN – KEY DECISIONS**

<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
February 2020	<b>Revised Statement of Licensing Policy</b>	25/11/20 Council	Lisa Hooper, Crime, Enforcement & Regulation Manager and Councillor Eva Stamirowski		
September 2020	<b>Closure of Council Accounts</b>	25/11/20 Council	Selwyn Thompson, Head of Financial Services and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
June 2020	<b>Conversion of 77 Amersham Road and 114-116 Manor Avenue to temporary housing</b>	09/12/20 Mayor and Cabinet	James Masini, Regeneration and New Supply Manager and Councillor Paul Bell, Cabinet Member for Housing & Planning		
October 2019	<b>Mayow Road Supported Living Service Parts 1 &amp; 2</b>	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		
September 2020	<b>Somerville Redevelopment</b>	09/12/20 Mayor and Cabinet	Rachel Dunn, Housing Policy and Partnerships Manager and Councillor Paul Bell, Cabinet Member for Housing & Planning		
September 2020	<b>Schools Minor Works Programme 2020</b>	09/12/20 Mayor and Cabinet	Kplom Lotsu, SGM Capital Programmes 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 Chris Barnham, Cabinet Member for Children's Services and School Performance		
November 2019	<b>Approval to appoint operator for concessions contract at the lake, Beckenham Place Park</b>	13/01/21 Mayor and Cabinet	Gavin Plaskitt, Programme Manager and Councillor Sophie McGeevor, Cabinet Member for Environment and Transport		
June 2020	<b>Climate emergency action plan update</b>	03/02/21 Mayor and Cabinet	Martin O'Brien, Climate Resilience Manager and Councillor Sophie McGeevor, Cabinet Member for Environment and Transport		
August 2020	<b>Occupational Health EAP contract</b>	10/03/21 Mayor and Cabinet	David Austin, Acting Chief Finance Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		

**FORWARD PLAN – KEY DECISIONS**

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

## **1. Sydenham Park Footbridge**

That the Executive Director for Housing, Regeneration and Environment gives approval to a single tender action to appoint CML Ltd as lead contractor, with Topbond PLC as a subcontractor, for the replacement of the main span of Sydenham Park Footbridge, CML Ltd hold a Network Rail Principal Contractor License which is necessary to obtain access railway to undertake the replacement.

## **2. Contract to refurbish premises at 43 and 45 Bromley Road**

This report is to seek agreement to tender a contract to refurbish Council premises at nos. 43 and 45 Bromley Road in order to reinstate a young care leavers' facility and a training and support base for Lewisham's foster carers. 43 and 45 Bromley Road are large Victorian semi-detached properties. The young care leavers' facility will be a dedicated hub for care leavers to attend. The Support and Training Hub for foster carers will be used as a facility which will support the recruitment, training and retention of foster carers. The contract opportunity will be advertised through the London Tenders Portal.

## **3. Award of London Borough of Culture Programme Delivery Partner**

The purpose of the report is to appoint a cultural organisation to be our main programme delivery partner for Lewisham London Borough of Culture 2022. This follows an open call in March 2020 when appointment was put on hold owing to Covid 19. The programme delivery partner will work alongside an enhanced Culture Team within the council and a number of smaller delivery partners to develop and deliver the Borough of Culture programme.

## **4. Options Appraisal for Security Contracts**

Mayor & Cabinet approved an extension of the current security contract with CIS until Dec 2020 at Oct 2019 M&C, subject to an options appraisal to determine whether to insource or re-tender the contract. The Mayor & Cabinet paper will detail that options appraisal and make a recommendation.

## **5. 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.

## **6. 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.

## **7. Sanctuary Strategy**

This report presents Lewisham's Sanctuary Strategy for approval. The Strategy and approach, draw from the principles of City of Sanctuary and the Council's equalities

duties and processes to form a cohesive approach which will see action plans developed across Council services to deliver sanctuary across the business. The strategy sets out the equalities perspective of the sanctuary work. Sanctuary is thematic equalities issue – it relates to a group of individuals who will all have at least one protected characteristics under the Equality Act 2010, and who often have intersectionality of protected characteristics. Sanctuary is ultimately about reducing the marginalisation of refugees, asylum seekers and migrants.

## **8. School Meal Provision**

Previous approval was given to pursue an insource model for the schools catering contract. However, as insufficient numbers of school leaders support the model, we will now need to consider whether we continue to provide an outsource option to the remaining schools and seek M&C approval if required.

## **9. School Kitchen Equipment Maintenance Contract**

This contract supports the school meals contract maintaining kitchen equipment in order to deliver school meal provision.

## **10. Article 4 Direction Deptford High Street Conservation Area**

Consideration of the report published with the agenda papers of the Mayoral meeting held on March 25 2020.

## **11. 100 in 100 Apprenticeship Training Programme**

This report seeks permission from Mayor and Cabinet to award a contract to deliver three cohorts of apprenticeship training to a training provider starting at the end of October 2020 over a period of 18 months following completion of the approved procurement exercise via the Yorkshire Purchasing Organisation (YPO) purchasing framework.

## **12. Financial Monitoring**

To set out the financial forecasts for 2020/21 as at end of September 2020.

## **13. Leisure Management Arrangements**

Details of the financial settlement relating to the Leisure Management Contract award agreed at Mayor & Cabinet in August.

## **14. Approval of the Draft Lewisham Local Plan for Public Consultation**

The Local Plan sets out the long-term development strategy for the Borough and is one of the Council's most important documents. It makes provision for new housing, employment and other development needs including the necessary infrastructure to support good growth. It has a key role in implementing the spatial aspects of the Council's Corporate Strategy.

A new local plan is being prepared to respond to Lewisham's local requirements and to reflect national and London Plan policy changes that have emerged in recent years.

The purpose of this report is to provide Council with the information needed to consider the key outcomes sought by the new Lewisham Local Plan; and to endorse the proposals contained in the Regulation 18 stage "main issues and preferred approaches" document (Draft Local Plan) for statutory public consultation.

## **15. Approval of the Local Development Scheme Update**

## **16. Besson Street Update**

A project update following the granting of planning permission by the Strategic Planning Committee.

## **17. Extension of Resurfacing and Footways Contract**

The highways major resurfacing and footways contracts are tendered separately to the main highways term contract as these are currently capital funded. Both these contracts expire on the 31st March 2021 but allow for a year's extension to each of these contracts. This report is for the Council to approve the extensions where proposed by Officers .

## **18. Amending Lewisham Homes Articles of Association**

A report seeking approval from Mayor & Cabinet to make a number of changes to the Articles of Association by which Lewisham Homes is incorporated. This includes but is not limited to changes in how the board is composed and governed, some changes in terminology and definition and other procedural matters.

## **19. Additions of New Building to Local List – St Lukes Church**

Consideration of a proposal to add a church in Deptford to the Local List.

## **20. Former Ladywell Leisure Centre site – Update**

This report will include Ladywell S105, appropriation for planning purposes, registering of the land/stopping up and the recognition of scheme to allow submission for Planning along with a Procurement approach for Tendering the contracts.

## **21. 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

## **22. Highway term Contract tender award**

The current main highways' term maintenance and planned works contract with F M Conway comes to an end on the 31 March 2021. The Council tendered a new contract for this service for a period of 5 years plus up to 3 years extension, and this report is for the Council to approve the contract award.

## **25. 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.

## **29. Lewisham Housing Allocations Policy Review'**

The Allocations Policy outlines the priorities by which social housing is allocated, and procedures to be followed in assessing housing need. This paper will ask Mayor and Cabinet to agree a public consultation on proposed changes to the Housing Allocations Policy.

## **30. Acquisition of Property to use as Temporary Accommodation**

Acquisition of property in the Blackheath Ward to use as temporary accommodation to assist with the current Housing need.

## **31. Conversion Sites – 77 Amersham Road and 114-116 Manor Avenue**

This report relates to potential opportunities in various locations across the borough for converting properties for use as temporary housing for homeless households. The report sets out the properties, the early design work and the viability based on those designs. The report will request a budget to complete design work, submit planning applications (where applicable) and a budget to complete the work.

## **35. Somerville Redevelopment**

The demolition of the existing sheltered block, houses and garages at Wellington Close; redevelopment of the site to provide 23 London Affordable Rental homes (15 x 2 bed and 8 x 3 bed).

## **36. School Minor Works**

Approval of a programme of building works; delegated authority to enter into a works contract; approval to procure a SMWP service contract and approval to extend the existing SMWP service contract for additional year.

## **37. 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.

### **38. Climate Emergency Action Plan update**

The Climate Emergency Action Plan agreed on the 11 March 2020 (item 282) included proposals for Mayor and Cabinet to undertake an annual review of progress.



## Overview and Scrutiny Business Panel

### Decisions made by Mayor and Cabinet

**Date:** 29 September 2020

**Key decision:** Yes

**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 at a meeting of the Mayor and Cabinet held on 16 September 2020 in open session

#### 1. Recommendation

To consider decisions taken by the Mayor on 16 September 2020, which will come in to force on 30 September 2020 unless called in by the Overview & Scrutiny Business Panel on 29 September 2020.

#### 2. Background

2.1 The Mayor and Cabinet considered the following decisions 16 September 2020:

- i. Health & Care Recovery Plan
- ii. Approval of Lewisham Homes Business Plan
- iii. Small Sites Small Builders GLA Funding - second submission
- iv. Corporate Energy Contracts
- v. Catford Regeneration Programme Approval of Phase 1
- vi. Lease of Abbotshall Playing Fields
- vii. Declaration of Grove Park Nature Reserve LNR
- viii. Catford Town Centre Regeneration Masterplan Framework
- ix. Review of Statement of Community Involvement during Covid-19 Pandemic

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 decisions will come into force on 22 July 2020.



## NOTICE OF DECISIONS MADE BY THE MAYOR & CABINET

The Mayor and Cabinet made the following decisions on 16 September 2020. All recommendations shown were agreed by a 7-0 or 8-0 vote of voting members in attendance.

The decisions below will become effective on September 30 2020 unless called in by the Overview & Scrutiny Business Panel on September 29 2020.

### **1. Health & Care Recovery Plan**

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

(1) the content including the priorities set out in the Lewisham Health and Care Partners System Recovery Plan.

(2) the significant risk of the potential for increased pressures due to winter and also any further spike in Covid-19 cases and the action to be taken in the event of a second wave be noted; and

(3) the proposed activity against each priority will be dependent on the resources that are available and the financial sections of the plan outline the financial challenges that all parts of the system are facing.

### **2. Approval of Lewisham Homes Business Plan**

Having considered an open officer report, and a presentation by the Cabinet Member for Housing, Councillor Paul Bell, the Mayor and Cabinet agreed that: the business plan for 2020/21 be approved.

### **3. Small Sites Small Builders GLA Funding - second submission**

Having considered an open officer report, and a presentation by the Cabinet Member for Housing, Councillor Paul Bell, the Mayor and Cabinet agreed that:

(1) a total of £1,310,000 grant funding be accepted from the GLA Small Sites Small Builders Programme (Round Two) to carry out specified works on four Council housing projects on Council land as set out in

Section 4;

(2) authority be delegated to the Executive Director for Housing, Regeneration and Public Realm to agree the terms of and enter into individual grant agreements with the GLA for each project; and

(3) Should any project set out in Section 4 not proceed, authority be delegated to the Executive Director for Housing, Regeneration and Public Realm to agree a substitution project and to agree the terms of and enter into any replacement grant agreement required.

#### **4. Corporate Energy Contracts**

Having considered an officer report, and a presentation by the Mayor, the Mayor and Cabinet agreed that the overall approach to corporate energy contracts be noted.

#### **5. Catford Regeneration Programme Approval of Phase 1**

Having considered an open officer report, and a presentation by the Cabinet Member for Housing, Councillor Paul Bell, the Mayor and Cabinet agreed that:

(1) Match-funding to the GLA Good Growth Fund in the sum of £1.65M be approved to be funded from the Council's General Fund Capital Programme;

(2) authority be delegated to the Executive Director for Housing, Regeneration and Public realm in conjunction with the Director of Law to agree to the terms of and enter into the GLA's Good Growth Grant Agreement and to agree a strategy and programme in conjunction with the GLA and to further commence procurement of a suitable consultancy team to support the project via the ADUP framework.

(3) The transfer of S.106 funding in the sum of £1,515,537, originally proposed for the delivery of a footbridge between Doggett Road and the Barratt's development on the former Catford Greyhound Stadium site be approved to deliver public realm and accessibility improvements to Catford Stations as set out; and

(4) authority be delegated to the Executive Director for Housing, Regeneration and Public Realm to agree the procurement strategy and appointment of a suitable contractor to construct the Catford Stations scheme.

#### **6. Lease of Abbotshall Playing Fields**

Having considered an officer report, and a presentation by the job-share Cabinet Member for Culture, Skills and Jobs, Councillor Andre Bourne, the Mayor and Cabinet agreed that:

(1) a lease of 25 years of Abbotshall Playing Fields shown on an attached plan be offered to Abbotshall Healthy Lifestyle Centre at a concessionary, peppercorn rent subject to:

(a) there being no objection arising from the statutory advertising of the proposal as set out with any objections to be reported back to Mayor and Cabinet for consideration; and

(b) the proposal being notified to the Secretary of State under Section 77 of the School Standards and Framework Act and there being no objection from the Secretary of State.

(2) authority be delegated to the Executive Director for Community Services, in consultation with the Director of Inclusive Regeneration and the Director of Law, Governance & HR to negotiate and agree the terms of the lease referred to above.

## **7. Declaration of Grove Park Nature Reserve LNR**

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

(1) the contents of this report and the formal response from Natural England's Local Team that consultation is complete be noted; and

(2) Grove Park be declared a Local Nature Reserve and the Director of Legal, Governance and HR be authorised to proceed with the making of the necessary declaration and the insertion of a public notice in appropriate local press and on the Council's website.

## **8. Catford Town Centre Regeneration Masterplan Framework**

Having considered an open officer report, and a presentation by the Cabinet Member for Housing, Councillor Paul Bell, the Mayor and Cabinet agreed that:

(1) the Draft Catford Town Centre Framework be endorsed for consultation;

(2) the release of the Draft Catford Town Centre Framework for broadly-based public consultation be approved and reported back to Mayor and Cabinet in Spring 2021;

(3) the Executive Director of Housing, Regeneration and Public Realm, be authorised in consultation with the Cabinet Member for Housing and Planning, to undertake all steps to progress the public consultation and to progress the related workstreams set out in this report;

(4) the Phase 1 delivery projects be noted as early and positive investment projects and consider specific recommendations to advance these as set out in a separate report on this Mayor and Cabinet agenda;

(5) the Executive Director of Housing, Regeneration and Public Realm, in consultation with the Executive Director for Corporate Services and with the Cabinet Member for Housing and Planning, be authorised to undertake all steps to progress work needed to report back to Mayor and Cabinet on potential delivery mechanisms – including potential partnership approaches and approaches to funding and phasing;

(6) the Executive Director of Housing, Regeneration and Public Realm, in consultation with the Executive Director for Corporate Services and with the Cabinet Member for Housing and Planning, be authorised to undertake all steps to progress work needed to report back to Mayor and Cabinet on a strategy for Civic Accommodation/the Catford Campus;

(7) the Executive Director of Housing, Regeneration and Public Realm, in consultation with the Executive Director for Corporate Services and with relevant Cabinet Members be authorised to continue to bid for external funding opportunities where they arise to support essential investment in Catford and enable the aims of the draft Framework (within the current delegation framework); and

(8) the continued development of the scheme be authorised to re-align the A205 in order to enable the Draft Catford Framework, including working with TfL to reach agreement on matters of technical detail and with TfL and DfT in relation to funding.

## **9. Review of Statement of Community Involvement during Covid-19 Pandemic**

Having considered an open officer report, and a presentation by the Cabinet Member for Housing, Councillor Paul Bell, the Mayor and Cabinet agreed that:

(1) temporary modifications be authorised to the Council's Statement of Community Involvement (SCI) for a further 6 month period to enable the following:

Threshold for applications being required to go to Planning Committee for decision to be raised from 3 to 5

- Any application with an amenity society objection to be subject to case review with Chair to determine whether it is referred to planning committee for a decision

- Any application with 5-9 objections to be subject to case review with Chair to determine whether it is referred to planning committee for a decision
- Invitations to planning committee meetings and other communications and information (including publication of agendas) relating to planning committee meetings be carried out electronically wherever possible
- Make it explicit that people wishing to speak at planning committee meetings will need to register to speak in advance of the meeting and will need to submit written copies of their speeches in advance of the meeting
- A new online format for Local Meetings to be developed and implemented
- Make any necessary amendments regarding the publication of agendas and decisions

(2) changes be reviewed again at the end of the 6 month period referred to.

(3) the contents of the draft Addendum to the SCI (Appendix 1), and the reasons for these amendments, as set out in Section 4 be noted; and

(4) the draft Addendum to the SCI (Appendix 1) be approved for non-statutory public consultation.

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

**17 September 2020**



## Overview and Scrutiny Business Panel

### Decision made by the Executive Director for Community Services on 17 September 2020

**Date:** 29 September 2020

**Key decision:** Yes

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Chief Executive / Head of Business and Committee

### Outline and recommendations

Members are asked to consider a key decision taken by the Executive Director of Community Services on 17 September 2020 – open session

#### 1. Recommendation

To consider a key decision taken by the Executive Director of Community Services on 17 September 2020, which will come in to force on 30 September 2020, unless called in by the Overview and Scrutiny Business Panel on 29 September 2020.

#### 2. Background

2.1 The Executive Director made the following key decision on 17 September 2020:

- Appointment of Programme Delivery Partner for London Borough of Culture 2022

2.3 Under the provisions of Standing Orders Part IV E 14, Members may call in an executive decision within 7 days. If the report is not called in the decision to be made will come into force on 30 September 2020.



## **Executive Director Community Services**

### **Report title: Appointment of Programme Delivery Partner for London Borough of Culture 2022**

**Date:** 20 September 2020

**Key decision:** Yes.

**Class:** Part 1.

**Ward(s) affected:** All Wards

**Contributors:** Director of Culture, Libraries and Learning

### **Outline and recommendations**

The purpose of this report is to seek permission from the Executive Director for Community Services to appoint a Programme Delivery Partner to work with the council to deliver our creative programme for London Borough of Culture 2022.

The Executive Director for Community Services is recommended to approve the appointment of the Albany as a Programme Delivery Partner for Lewisham London Borough of Culture 2022. The agreement value is £225k.

## Timeline of engagement and decision-making

A funding bid was submitted to the GLA in October 2019 and funding was awarded on 11 February 2020. A delegated authority report to the Executive Director for Community Services to seek permission to undertake an open call to find a programme delivery partner was approved on 27 February 2020.

### 1. Summary

- 1.1. On 11 February 2020 the GLA named Lewisham as London Borough of Culture 2021. Due to the impact of Covid 19 on the public and cultural sectors it has been agreed with the GLA to postpone Lewisham London Borough of Culture to 2022. Lewisham Council will receive £1.35m towards a cultural programme for the year. The programme will be delivered by an enhanced Culture Team within the council working with a group of specialist delivery partners. An open call to find a programme delivery partner closed on 16 March 2020. This report seeks permission to appoint the Albany as the first of these delivery partners that will support a number of strands of the proposed programme.
- 1.2. The value of the agreement is £225k.

### 2. Recommendations

- 2.1. The Executive Director for Community Services is recommended to approve the appointment of the Albany as Programme Delivery Partner for Lewisham London Borough of Culture 2022 at a value of £225k.

### 3. Policy Context

- 3.1. The contents of this report support the council's corporate strategy 2018-2022 priorities as follows:
- 3.2. *Open Lewisham: Lewisham is a welcoming place of safety for all, where we are strengthened by our diversity* – One of the key strands of Lewisham's Borough of Culture programme is a celebration of the borough's diversity and our status as a Sanctuary Borough.
- 3.3. *Giving children and young people the best start in life* – we will be giving every Year 7 pupil in Lewisham a creative careers intervention to ensure all our young people have equal access to careers in one of the largest sectors of London's economy.
- 3.4. *Building an inclusive local economy* – we will be using culture to give a voice to some of our most marginalised communities.
- 3.5. *Making Lewisham Greener* – we will be using culture to raise awareness of the Climate Emergency and inspire people to take action.

### 4. Background

- 4.1. In May 2019 the GLA put out a call for applications to the second round of their Borough of Culture Scheme. Waltham Forest was the first council to be named

London Borough of Culture in 2019 followed by Brent in 2020. After an extensive engagement and bid development period, Lewisham Council submitted a bid in October 2019. On 11 Feb 2020 the GLA announced that Lewisham Council had won the title of London Borough of Culture 2021 and would be awarded £1.35m of GLA funding towards delivery of a year of cultural activity as outlined in the bid.

- 4.2. In late March 2020 as the impact of Covid 19 became clearer, a joint decision was taken by the GLA and Lewisham Council to postpone Lewisham Borough of Culture to 2022. Mobilisation for the year was paused so that the Culture Team could support Covid response. It is now necessary to restart the mobilisation plan in order to prepare for the programme to commence in January 2022.
- 4.3. The mobilisation plan has been approved by the Executive Management Team to recruit additional officers to enhance the in-house Culture Team and to appoint a number of specialist delivery partners. The first of these is the Programme Delivery Partner who will support the council by taking the lead on developing and delivering 5 strands of the creative programme.

## 5. Services Required and Selection Process

- 5.1. The council was seeking an organisation with extensive knowledge of Lewisham's cultural sector and diverse communities, substantial experience of developing and producing multi art-form programmes and a strong track record of securing funding from trusts and foundations, earned income and sponsorship.
- 5.2. The organisation will lead several areas of the creative programme and will be responsible for:
  - 5.2.1. Project development – detailed development of the initial projects ideas in the bid. This will need to be done in consultation with key stakeholders and the council's culture team and be in line with the outline bid budget.
  - 5.2.2. Fundraising – the programme delivery partner will be responsible for securing £550,000 of match funding for the creative programme in the form of grants from trusts, foundations, lottery distributors etc, sponsorship, earned income such as box office and ancillary income.
  - 5.2.3. Project delivery – commissioning artists and arts organisations, issuing contracts, identifying venues, applying for licences as required, recruiting staff etc.
  - 5.2.4. Marketing & Sales – devising and delivering marketing campaigns for ticketed events and managing box office and ticket sales.
  - 5.2.5. Event management – event planning, risk assessments, venue management, technical support and production management.
  - 5.2.6. Community Engagement and audience development – ensuring the widest possible reach for all Borough of Culture projects and events. Recruiting participants. Attracting diverse audiences.
  - 5.2.7. Monitoring and Evaluation – ensuring projects are monitored and evaluated in line with Lewisham's Borough of Culture 2021 outcomes framework.

Other options for resourcing Borough of Culture programme delivery were considered. The council does not have the in-house capacity to deliver a programme of this scale. A mixed approach of enhancing the in-house team and working with external delivery partners will provide the best mix of skills and experience. The services being sought fall outside of the OJEU requirements and therefore do not apply. An open call for a delivery partner was used. This describes the profile of the type of organisation the council is seeking to partner with and the services we need them to provide. The call also outlines the criteria for selecting the successful partner and the weighting. This

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document is attached at Appendix A.

5.3. The delivery timetable is as follows:

Activity	Date
Executive Director approval to tender	27 Feb 2020
Call for Partner published	28 Feb 2020
Deadline for submissions	16 March 2020
Executive Director Decision	20 September 2020
Call in period	20-29 September 2020
Partner mobilisation	October - December 2020
Funding Agreement ends	Feb 2023

## 6. Submissions

- 6.1. Sixty one organisations requested the application pack but only two submissions were received. One of these submissions was not made on the application form and did not address the full criteria so was not eligible for scoring. It did however, contain some interesting proposals and the Culture Team will ensure that this organisation is made aware of all future opportunities to get involved in the programme. A full application was received from the Albany and this was assessed against the criteria as detailed below.
- 6.2. The Albany's application fully met all criteria and achieved a score of three out of three in each category.

Criteria	Comment	Score
Artistic & Community Track Record	<ul style="list-style-type: none"> <li>The Albany have been based in Lewisham for over 100 years, have 26 resident arts and community organisations and work with over 230 different local groups each year. They were the delivery partner for Lewisham's Cultural Impact Award in the first round of Borough of Culture and managed the Age Against the Machine festival of creative ageing with the council and a wide range of partners. The application provided evidence of local, national and international arts partnerships.</li> <li>The Albany is a highly successful local organisation with a national and international reputation. The organisation has strong leadership and a staff team with a broad range of expertise. The organisation has the highest percentage of BAME staff (41%) for any major funded arts organisation in the country. The application gave numerous examples of successful co-productions with communities and cultural</li> </ul>	3

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	<p>organisations. In the last three years they have made connections with 18 countries spanning 5 continents.</p> <ul style="list-style-type: none"> <li>• The Albany have invited to lead national projects and have won critical acclaim and awards for their work. They have a strong track record of supporting emerging artists including Kate Tempest whose ground-breaking production 'Brand New Ancients' they co-commissioned in 2012.</li> <li>• The Albany demonstrated that they share our values in relation to London Living Wage, equalities and environmental sustainability. They provided their Equality Action Plan that addresses all the protected characteristics as well as socio-economic disadvantage. They are rated 'strong' by Arts Council England, reached the 'Gold Standard' and been awarded an Outstanding Attitude Award for their efforts to improve accessibility for disabled people.</li> <li>• The Albany fully embraces the opportunity that Borough of Culture provides to Lewisham, its creative sector and its residents.</li> </ul>	
Approach to Delivery	<p>The Albany's Chief Executive and Artistic Director – Gavin Barlow will personally lead the organisation's work on Borough of Culture with a mixed team of existing staff and new recruits. They will use their excellent track record of partnership working and co-production to develop the programme with local, regional and international partners. Their application provided milestones for the development and delivery of the programme strands and a sound methodology. They will work closely with the Lewisham Council Culture Team on delivery to co-ordinate fundraising, marketing and engagement activity. The application provided strong evidence of their track record and expertise across all aspects of delivery.</p>	3
Financial Management and Fundraising Track Record	<ul style="list-style-type: none"> <li>• At the end of financial year 2018/19 the Albany had reserves of £245,497, approximately 10% of their turnover. They have strong financial management systems and have experience of managing multi-million pound contracts.</li> <li>• The Albany has raised just over £1.5m over the last two years from a wide range of sources. They have made 77 applications and have succeeded their target success rate.</li> <li>• In 2018/19 60% of the Albany's turnover was from earned income and they have substantial experience of marketing and sales.</li> </ul>	3

- 6.3. As the application was made before the full impact of Covid 19 was known, further due diligence has taken place with the Albany in relation to the impact of lockdown on their financial viability and their ability to adapt to meet the changed timetable for Borough of Culture. The Albany have made full use of the government furlough scheme and have managed to retain all of their staff, although they are holding a number of vacancies. They have accessed several covid emergency funding pots and made appropriate changes to financial planning. They anticipate retaining a reasonable level of reserves at the end of the financial year. The Albany have confirmed that they are able to adapt to the new timetable for London Borough of Culture.

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## 7. Financial implications

- 7.1. This report seeks approval for the appointment of the Albany as Programme Delivery Partner for Lewisham London Borough of Culture 2022. The contract value is £225,000.
- 7.2. Lewisham council has been awarded £1.35m by the GLA towards London Borough of Culture. The total expenditure for the year is anticipated to be £3m. This will be funded through a once off budget uplift of £500k, £600k additional funding to be provided by Lewisham Council through alignment of existing budgets, income generation and fundraising. £550k of funding to be raised by the Programme Delivery Partner. The £225,000 fee for delivery of this contract will be taken from the GLA funding.

## 8. Legal implications

- 8.1 The Council's Constitution contains requirements about how to procure and manage contracts. These are in the Contract Procedure Rules (Constitution Part IV). Some of the requirements in those Rules are based on the procurement Regulations (Public Contracts Regulations 2015) with which the Council must comply. This contract falls under the Light Touch Regime under the Regulations, which relates to services such as health, social and related services, such as culture. Given the value of the contract the Regulations do not apply. The requirements of the Contract Procedure Rules have been satisfied by an open tender procedure. As a Category B contract, it is for the Executive Director to take a decision on the award of the contract.
- 8.2 The report seeks approval to award a contract to the Albany to help deliver the creative programme for the London Borough of Culture 2022. The report sets out the procurement process undertaken and the rationale for awarding the contract to the Albany.
- 8.3 This decision is a Key Decision under the Constitution as it has a value of more than £200,000. It is therefore required to be contained in the current Key Decision Plan.
- 8.4 The Equality Act 2012 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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.
- 8.5 The duty continues to be a "have regard duty", and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

- 8.6 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled 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:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-actcodes-ofpractice-and-technical-guidance/>

- 8.7 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
- Equality objectives and the equality duty
- Equality information and the equality duty

- 8.8 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

<http://www.equalityhumanrights.com/advice-and-guidance/public-sectorequalityduty/guidance-on-the-equality-duty/>

## 9. Equalities implications

- 9.1. The Lewisham Borough of Culture bid was developed and designed to be inclusive. To give a voice to our most marginalised communities, to celebrate our diversity, to challenge the inequality of opportunity for BAME people and disabled people within the cultural sector. The council is in the process of establishing a Culture and Diversity Advisory Forum to act as an expert panel providing advice on the development of the Borough of Culture Programme. The Albany have a strong track record for equalities. They have an Equality Action Plan that addresses all the protected characteristics as well as socio-economic disadvantage. They are rated ‘strong’ by Arts Council England, reached the ‘Gold Standard’ and been awarded an Outstanding Attitude Award for their efforts to improve accessibility for disabled people.

## 10. Climate change and environmental implications

- 10.1. One of the main strands of Lewisham Borough of Culture 2021 is Climate Emergency. The year’s programme includes a number of projects designed to raise awareness of climate emergency and to galvanise people into action. Lewisham’s delivery of Borough of Culture will need to exemplify our determination to reduce our carbon footprint. The organisation appointed to be our Programme Delivery Partner will need to demonstrate how they will work with us to achieve that.

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## 11. Crime and disorder implications

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

## 12. Health and wellbeing implications

12.1. The Lewisham Borough of Culture outcomes framework includes health and wellbeing outcomes which will be used to measure the success of the year.

## 13. Social Value implications

13.1. Social value through this contract will be focussed around local labour, jobs and business opportunities within the cultural sector. The Albany will be expected to work with sole-traders and small emerging arts organisations as part of the supply chain and as training and capacity building.

## 14. Background papers

14.1. Report to Executive Director Community Services to seek permission to tender for Programme Delivery Partner for London Borough of Culture.

## 15. Glossary

Term	Definition
GLA	Greater London Authority

## 16. Report author and contact

16.1. Liz Dart, Director of Culture, Libraries and Learning, [liz.dart@lewisham.gov.uk](mailto:liz.dart@lewisham.gov.uk)

### Decision:

I hereby give approval to the appointment of The Albany as Programme Delivery Partner for the Lewisham London Borough of Culture 2022 at a value of £225k.



Tom Brown \_\_\_\_\_  
Executive Director for Community Services

Date: 17 September, 2020

# Agenda Item 8



## Overview and Scrutiny Business Panel

### **Work Programmes: Overview and Scrutiny Select Committees 2020 – 21**

**Date:** 29 September 2020

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Assistant Chief Executive (Overview and Scrutiny Manager)

### **Outline and recommendations**

Business Panel is asked to review and approve the proposed contents of the work programmes of the Overview and Scrutiny Select Committees (attached at Appendix B) as discussed and agreed by members of those committees.

The work programmes of the following committees will be submitted separately as, at the time of agenda despatch, they have not yet met: Children and Young People; Healthier Communities; and Public Accounts Select Committees.

## Timeline of engagement and decision-making

The Select Committees discussed and agreed their draft work programmes at the following meetings:

- 9 September 2020 – Safer Stronger Communities Select Committee
- 15 September 2020 – Sustainable Development Select Committee
- 15 September 2020 – Housing Select Committee
- 21 September 2020 – Children and Young People Select Committee
- 23 September 2020 - Healthier Communities select Committee
- 24 September 2020 – Public Accounts Select Committee

Business Panel is being asked to review and approve the proposed contents of the work programmes at its meeting on 29 September 2020.

### 1. Summary

- 1.1. The Select Committees have each met and agreed a draft annual work programme. Business Panel is asked to consider and agree the proposed work programmes of each of the Select Committees.

### 2. Recommendations

- 2.1. Business Panel is asked to review and approve the proposed contents of the work programmes of the Overview and Scrutiny Select Committees (attached at Appendix B) as discussed and agreed by members of those committees.
- 2.2. An addition to Appendix B will be despatched on a supplementary agenda once the Children and Young People; Healthier Communities; and Public Accounts Select Committees have met.

### 3. Policy Context

- 3.1. The Council's Corporate Strategy 2018-22 sets out 7 corporate priorities that drive decision making in the Council. Lewisham's corporate priorities have been agreed by full Council and they are the principal mechanism through which the Council's performance is reported:
1. Open Lewisham
  2. Tackling the housing crisis
  3. Giving children and young people the best start in life
  4. Building an inclusive local economy
  5. Delivering and defending: Health, Social Care and Support
  6. Making Lewisham greener
  7. Building safer communities
- 1.5 The Select Committees devise annual work programmes which cover areas of business that fall within, and contribute towards achieving, all corporate priorities. The implementation of the attached work programmes will therefore have implications for all policy areas.
- 1.6 The Select Committees have tried to make sure that their work programmes reflect the diversity of Lewisham's communities and that the views of residents are fairly represented in scrutiny processes. Any recommendations arising from scrutiny work carried out this year, will support the Council's corporate strategy and reflect the needs of local residents.

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## 4. Background

- 4.1 In accordance with the Overview and Scrutiny procedure rules outlined in Part IV E of the Council's Constitution, the Overview and Scrutiny Business Panel is required to:

*Consider the proposed work programmes of each of the Select Committees and devise a co-ordinated overview and scrutiny work programme which avoids duplication of effort and facilitates the effective conduct of business.*

- 4.2 The Business Panel may amend the work programme of any of the Select Committees to secure the most effective use of committee time and Council resources and to prevent overlaps. However, the Business Panel will not normally amend work programme unless it is necessary to ensure the effective conduct of Council business. Once the Business Panel has approved the select committee work programme, the Select Committee will implement it.
- 4.3 It has been agreed that each Select Committee will meet five times a year, and no longer conduct in-depth reviews, to allow capacity for task and finish groups to be established, which will carry out in-depth investigations into topical issues. However, normal scrutiny processes were suspended between the end of March 2020 and the start of September 2020 to allow the Council to focus on the emergency response to the Covid 19 pandemic. Therefore each Select Committee will only meet 4 times this municipal year. The establishment of Task and Finish Groups is currently being discussed.

## 5. The review of the approach to scrutiny

- 5.1. As a result of the findings of the Local Democracy Review, the Local Democracy Working Group, on 18 December 2019, recommended some changes to the existing practice and approach to scrutiny. The changes were as follows:

- Each Select Committee will meet five times per year.
- Each Select Committee will have six members apart from the Children and Young People Select Committee which will have eight members plus five statutory parent governor and diocesan representatives.
- Each Select Committee will look at no more than three (ideally two) substantive items per meeting.
- Select Committees will specify what information they would like to see in officer reports to ensure they meet expectations.
- The Select Committees will not conduct ongoing in-depth reviews but will look at items in an in-depth way. (Methods of conducting in-depth scrutiny might include, but will not be limited to: inviting expert witnesses / representatives of user groups to attend meetings to provide evidence; arranging site visits to collect evidence; carrying out engagement activity to inform discussion at meetings).
- Each Select Committee will aim to conclude its business within two hours. (If, in exceptional circumstances, standing orders are suspended to allow the meeting to continue beyond two and a half hours to allow urgent business to be concluded, the meeting should continue for no longer than a further 30 minutes<sup>1</sup>.)
- If they are required, the Select Committees will receive information reports (reports to note) outside of the formal meeting cycle. The report will be emailed to

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<sup>1</sup> This is because meetings over three hours, late in the evening, are not effective because it is difficult for everyone to maintain concentration and make valuable contributions.

Committee Members with any questions put to the report author for a written response, via the Scrutiny Manager.

- Task and Finish Groups will be established to look into topical issues of concern and conduct in-depth scrutiny over a set period of time.

## **6. Select Committee Work Programme Setting 2020-21**

6.1. In developing their work programmes for 2020-21, the Select Committees have considered:

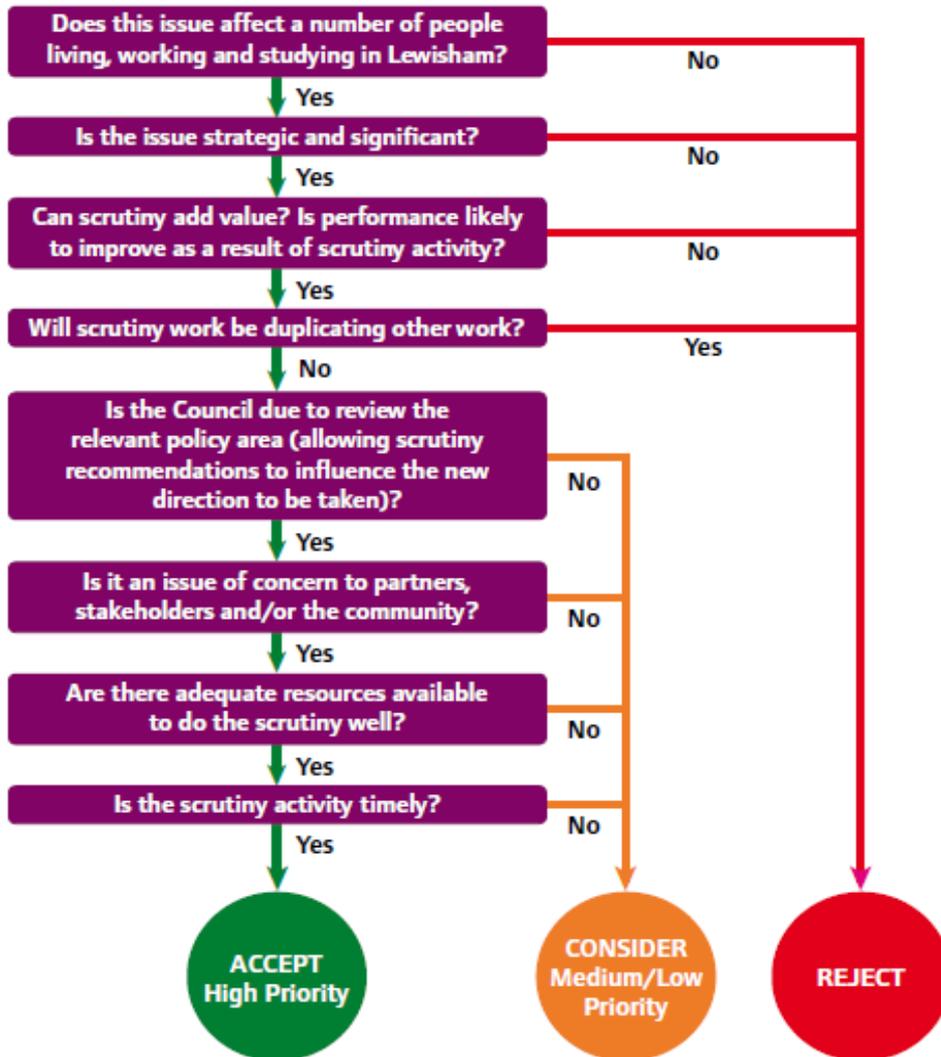
- regular items, e.g. annual budget scrutiny
- topics recommended for scrutiny by select committees at the end of the 2019-20 municipal year
- topics recommended for scrutiny by senior officers based on recent and future developments
- suggestions from individual members
- decisions due to be made by Mayor and Cabinet
- issues suggested by members of the public.

6.2. In choosing topics to be added to their work programme, Members have taken account of the scrutiny prioritisation process (please see below), which supports members in identifying priorities and managing workloads and the guidelines for effective scrutiny (Appendix A).

6.3. The draft work programmes attached at Appendix B reflect the discussions held at the first round of select committee meetings and present a broad and varied programme of scrutiny over the next few months, focussed on key policy issues, for Business Panel to consider.

6.4. In order to increase public participation in scrutiny, the committees may ask members of the public to contribute to in-depth scrutiny work by submitting evidence via the council website: [Open Overview and Scrutiny Investigations](#).

## Scrutiny work programme – prioritisation process



### 7. Financial implications

- 7.1. The work programmes will be managed within existing budgets. However, formal recommendations to the Mayor arising out of any specific work items within the respective work programmes will be evaluated in the usual way through the process of formal reports.

### 8. Legal implications

- 8.1. In accordance with the Council's Constitution, the Overview and Scrutiny Business Panel is required to consider and co-ordinate an overview and scrutiny work programme which avoids duplication and facilitates the effective conduct of business across the scrutiny select committees. Once the Business Panel has approved the overall work programme, the select committees will implement it.

### 9. Equalities implications

- 9.1. There may be equalities implications arising from items listed in the select committee work programmes and all activities undertaken by the select committees in discharging

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these items will need to give due consideration to this.

- 9.2. The delivery of the Council's equalities objectives is to be achieved through the delivery of all of the Council's strategies, plans and procedures. As such, all select committees, when planning their work programmes and scrutinising items, should bear in mind the delivery of the Council's equality objectives.
- 9.3. The Select Committees have tried to make sure that their work programmes reflect the diversity of Lewisham's communities and that the views of residents are fairly represented in scrutiny processes. Any recommendations arising from scrutiny work carried out this year, will support the Council's corporate strategy and reflect the needs of local residents.

## 10. Climate change and environmental implications

- 10.1. There are no direct climate change or environmental implications arising from the implementation of the recommendations in this report.

## 11. Crime and disorder implications

- 11.1. There are no direct crime and disorder implications arising from the implementation of the recommendations in this report.

## 12. Health and wellbeing implications

- 12.1. There are no direct health and wellbeing implications arising from the implementation of the recommendations in this report.

## 13. Background papers

- 13.1. Work programme reports to the following meetings:
- 9 September 2020 – Safer Stronger Communities Select Committee
  - 15 September 2020 – Sustainable Development Select Committee
  - 15 September 2020 – Housing Select Committee
  - 21 September 2020 – Children and Young People Select Committee
  - 23 September 2020 - Healthier Communities Select Committee
  - 24 September 2020 – Public Accounts Select Committee

## 14. Glossary

Term	Definition
Local Democracy Review	The Local Democracy Review was a councillor-led review of local democracy in Lewisham, which made recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making.
Members	Members (or councillors) are elected by the community to decide how the Council should carry out its various activities. They represent the wider public interest as well as all individuals living within the area that they have been elected to serve.

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Overview & Scrutiny	Overview and scrutiny is the way in which Mayor and Cabinet (the 'Executive'), officers and external organisations are held to account for the decisions that they make. It is led by councillors who are not members of the Executive. They also influence policy development and investigate issues of local concern, making recommendations for improvement.
Overview & Scrutiny Work Programme	An annual programme of work setting out the matters which the select committees will scrutinise over the year.
Overview & Scrutiny Business Panel (OSBP) and Education OSBP	<p>Lewisham has two Business Panels (sub-committees of the Overview and Scrutiny Committee).</p> <p>OS Business Panel is made up of the chair and vice-chair of the Overview and Scrutiny Committee, the chair of each of the Select Committees, and two other non-Executive councillors.</p> <p>The main functions of Business Panel are reviewing key decisions once they have been taken (potentially "calling in" key decisions that have been made but not yet implemented); coordinating and approving the overall scrutiny work programme; and allocating scrutiny work in the event that it crosses the remit of more than one scrutiny body.</p> <p>Three parent governors and two diocesan representatives sit on the Education Business Panel, alongside the councillors that make up the regular Business Panel. The Education Business Panel reviews (and can call-in) key decisions that are education matters.</p>
Select Committee	Lewisham has six Select Committees (sub-committees of the Overview and Scrutiny Committee), each made up of non-Executive councillors and responsible for scrutinising a specific service area. Select Committees gather evidence to help them review policies and performance and make recommendations to improve outcomes for residents.

## 15. Report author and contact

- 15.1. Charlotte Dale, Overview and Scrutiny Manager, 0208 31 48286, [charlotte.dale@lewisham.gov.uk](mailto:charlotte.dale@lewisham.gov.uk)

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## **Appendix A: Effective Scrutiny Guidelines**

**At Lewisham we:**

### **1. Prioritise**

It is more effective to look at a small number of key issues in an in-depth way, than skim the surface of everything falling within scrutiny's remit. We try to focus on issues of concern to the community and/or matters that are linked to our corporate priorities. We only add items to the work programme if we are certain our consideration of the matter will make a real and tangible difference.

### **2. Are independent**

Scrutiny is led by Scrutiny Members. Scrutiny Members are in charge of the work programme and, for every item, we specify what evidence we require and what information we would like to see in any officer reports that are prepared. We are not whipped by our political party or unduly influenced by the Cabinet or senior officers.

### **3. Work collectively**

If we collectively agree in advance what we want to achieve in relation to each item under consideration, including what the key lines of enquiry should be, we can work as a team to question witnesses and ensure that all the required evidence is gathered. Scrutiny is impartial and the scrutiny process should be free from political point scoring and not used to further party political objectives.

### **4. Engage**

Involving residents helps scrutiny access a wider range of ideas and knowledge, listen to a broader range of voices and better understand the opinions of residents and service users. Engagement helps ensure that recommendations result in residents' wants and needs being more effectively met.

### **5. Make SMART evidence-based recommendations**

We make recommendations that are based on solid, triangulated evidence – where a variety of sources of evidence point to a change in practice that will positively alter outcomes. We recognise that recommendations are more powerful if they are:

- Specific (simple, sensible, significant).
- Measurable (meaningful, motivating).
- Achievable (agreed, attainable).
- Relevant (reasonable, realistic and resourced, results-based).
- Time bound (time-based, time limited, time/cost limited, timely, time-sensitive).

## Safer Stronger Communities Select Committee 2020/21

Work Item	Type of review	Strategic Priority	Delivery deadline	9th-Sep	1st-Dec	14th-Jan	1st-Mar
Stabilisation budget	Standard Item	CP1-CP7	Sep-20				
Confirmation of Chair and Vice-Chair	Constitutional requirement	CP1	Sep-20				
Select Committee Work Programme 2020/21	Constitutional requirement	CP1,CP4 and CP7	Sep-20				
Equalities in-depth review	Performance monitoring	CP1	Sep-20				
Stop and Search and Prevent review response and update	Performance monitoring	CP1 + CP7	Dec-20				
Update from Local Police	Standard Item	CP7	Dec-20				
Violence Against Women and Girls Strategy	Standard Item	CP1 and CP7	Jan-21				
YOS progress and challenges inc. lessons from COVID response	pre-decision	CP7	Jan-21				
Voluntary Sector response to COVID	in-depth review	CP1,CP3, CP5 and CP7	Jan-21				
Safe Lewisham Plan	Performance monitoring	CP7	Mar-21				
Local Assemblies Review and future inc. NCIL	performance monitoring/in-depth review	CP1	Mar-21				
Lewisham Libraries- Future and Transformation inc annual report	Performance monitoring	CP1	Mar-21				

### Information Reports, briefings and minutes

Equalities Data Digest	Performance monitoring	CP1 + CP7	on-going				
Public Health Approach to Violence Reduction	Performance monitoring	CP7	on-going				
Changes to the Probation service update	Pre-decision	CP1	on-going				

	Item completed
	Item on-going
	Item outstanding
	Proposed timeframe

## Housing Select Committee work programme 2020/21 - draft work programme

Item	Type	Priority	Delivery	15-Sep	18-Nov	28-Jan	09-Mar
Confirmation of Chair and Vice Chair	Constitutional req	CP2	Sep				
Financial stabilisation - budget update and medium term plan	Standard item	CP2	Sep				
The Impact of COVID-19 on Housing	Standard item	CP2	Sep				
Housing Strategy 2020-26 and Homelessness and Rough Sleeping Strategy 2020-22	Standard item	CP2	Sep				
Work programme 2020-21	Constitutional req	CP2	Sep				
Budget cuts proposals	Standard item	CP2	Nov				
Overcrowding referral	M&C response	CP2	Nov				
Allocations policy review	Standard item	CP2	Nov				
Homelessness	Standard item	CP2	Jan				
Shared ownership	Standard item	CP2	Jan				
Fire safety	Performance monitoring	CP2	Mar				
TBC	Standard item	CP2	Mar				

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Information reports, briefings and visits	Type	Priority	Delivery				
Lewisham Homes annual report and business plan	Performance monitoring	CP2	Sep				
Regenter B3 annual report and business plan	Performance monitoring	CP2					
Annual lettings plan	Performance monitoring	CP2					
Rent and service charge increases	Performance monitoring	CP2					
New homes programme updates	Performance monitoring	CP2					

	Item completed
	Item on-going
	Proposed timeframe

**Sustainable Development Select Committee work plan 2020-21**

Item	Type	Corporate priority	15-Sep-20	12-Nov-20	19-Jan-21	03-Mar-21
Financial stabilisation - budget update and medium term plan	Standard item	All				
Catford Town Centre Regeneration: masterplan framework	Performance monitoring	CP2,4,6				
Railway Children urban national park: neighbourhood plans and environmental protection	Standard item	CP6				
Response to the impact of COVID-19 on local business	Performance monitoring	CP6				
Budget cuts (incorporating a focus on the Public Realm division)	Standard item	All				
Planning policy: delivery of affordable housing in new developments	Policy development	CP2				
Climate Emergency Action Plan	Policy development	CP6				
Healthy neighbourhoods	Standard item	CP6				

Information items

Waste and recycling update	Information	CP6				
Implementation of the air quality action plan	Information	CP6				
Annual parking report	Information	CP6				
Flood risk management	Information	CP6				March
Cycling	Information	CP6				March

**Children and Young People Select Committee 2020/21**

**Programme of Work**

Work Item	Type of item	Strategic Priority	21-Sep	26-Nov	21-Jan	04-Mar
Election of the Chair and Vice-Chair	Constitutional requirement					
Select Committee work programme 2019/20	Constitutional requirement	CP3				
Stabilisation Budget	standard item	CP3				
Children's Social Care update	Performance monitoring	CP3 & CP5				
Early Help	policy development	CP3 & 5				
BAME school attainment, inc diversity of governing bodies	standard item	CP3				
Budget and cuts proposals	standard item	CP3&5				
Elective Home Education, inc unregulated education settings	standard item	CP3				
CAMHS transformation plan	performance monitoring	CP3&5				
SEND - transition between young people and adult services	Performance monitoring	CP3&5				
Safeguarding, inc child exploitation	standard item	CP3, 5 & 7				
How living in temporary accommodation affects children and young people - 6 month follow up	In-depth review	CP3				

**CS**  
Briefings and visits

Education Strategy	Policy development	CP3				
Young Mayor and Advisors	Verbal update	CP3 & CP5				
Impact of GCSE/ A Level results algorithm on Lewisham pupils	Standard item	CP3				
Children's Social Care Improvement Plan	Performance monitoring	CP3 & CP5	replaced by CSC update			
Annual Report on Attendance and Exclusions	Performance monitoring	CP3	cannot report on full academic year due to COVID-19 school closures			
Annual Schools Standards Report 2019/20 (primary, secondary, post 16 and AP)	Performance monitoring	CP3	cannot report on full academic year due to COVID-19 school closures			
Safeguarding Services 6-monthly Report	Performance monitoring	CP3 & CP5	replaced by Safeguarding with a focus on child exploitation			
Corporate Parenting and LAC Annual Report	For information	CP3 & CP5				
Safeguarding annual report (formerly LSCB)	Performance Monitoring	CP3 & CP5				

	Item completed
	Item on-going
	Item outstanding
	Proposed timeframe
	Item added

## Healthier Communities Select Committee work programme 2020/21

Item	Type	Priority	Delivery	23-Sep	11-Nov	13-Jan	25-Feb
Confirmation of Chair and Vice Chair	Constitutional req	CP5	Sep				
Work programme 2020-21	Constitutional req	CP5	Sep				
Financial stabilisation - budget update and medium term plan	Standard item	CP5	Sep				
Lewisham system recovery plan	Standard item	CP5	Sep				
Leisure centres performance management	Standard item	CP5	Sep				
Safeguarding referral	M&C response	CP5	Sep				
Budget cuts proposals	Standard item	CP5	Nov				
The scope of the Birmingham and Lewisham African & Caribbean Health Inequalities Review	Standard item	CP5	Nov				
Pathology arrangements	Standard item	CP5	Nov				
Care homes and market stability	Standard item	CP5	Jan				
Health and social care workforce	Standard item	CP5	Feb				
Health and wellbeing priorities	Standard item	CP5	Feb				

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Information reports, briefings and visits	Type	Priority	Delivery				
Lewisham Adult Safeguarding Board (LASB) annual report	Performance monitoring	CP5	Sep				
Lewisham and Greenwich NHS Trust (LGT) quality account	Performance monitoring	CP5					
South London and Maudsley NHS Trust (SLaM) quality account	Performance monitoring	CP5					
Adult Learning Lewisham (ALL) annual report	Performance monitoring	CP5					
Migrant charging update	Performance monitoring	CP5					
Annual public health report	Performance monitoring	CP5					

	Item completed
	Item on-going
	Proposed timeframe

**Public Accounts Select Committee Work Programme 2020-21**

Item	Type of item	Corporate priority	24-Sep-20	03-Dec-20	02-Feb-21	17-Mar-21
Income generation and commercialisation review 2019-20	In-depth review	All	Final report			
Financial stabilisation - budget update and medium term plan	Performance monitoring	All				
Children's social care	Standard item	All, CP3				
Budget cuts proposals	Performance monitoring	All				
Council budget 2021-22	Policy development	All				
Cost pressures in the Public Realm division	Standard item	All, CP6				
Capital programme	Standard item	All				
Financial forecasts 2020-21	Performance monitoring	All				

Information items

Annual complaints report	Information	All		October		
Reserves update	Information	All		November		
Asset strategy update	Information	All		November		
Income generation and commercialisation update	Information	All			January	
Audit Panel update	Information	All				March

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



## Overview and Scrutiny Business Panel

### Exclusion of the Press and Public

**Date:** 29 September 2020

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** Various

**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:-

Decisions made by the Mayor and Cabinet on 16 September 2020:

- i. Catford Regeneration Programme Station and Good Growth
- ii. Catford Town Centre Masterplan Framework
- iii. Request for Section 106 monies to support delivery of affordable homes at Sydenham Hill - Mais House.

Decisions made by officers:

- i. Decision made by Executive Director of Corporate Resources & Deputy Section 151 Officer on 17 September 2020
- ii. Decision made by Executive Director of Regeneration and Public Realm on 4 September 2020

# Agenda Item 10

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

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of the Local Government Act 1972.

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# Agenda Item 13a

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

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