

MINUTES OF THE COUNCIL

Wednesday, 2 March 2022 at 7.30 pm

PRESENT: Damien Egan (Mayor), Councillors Tauseef Anwar (Chair), Chris Barnham, Paul Bell, Peter Bernards, Chris Best, Kevin Bonavia, Bill Brown, Juliet Campbell, Suzannah Clarke, Patrick Codd, Liam Curran, Brenda Dacres, Sophie Davis, Amanda De Ryk, Aisling Gallagher, Leo Gibbons, Coral Howard, Mark Ingleby, Liz Johnston-Franklin, Caroline Kalu, Samantha Latouche, Jack Lavery, Jim Mallory, Paul Maslin, Joan Millbank, Hilary Moore, Pauline Morrison, John Muldoon, Jacq Paschoud, John Paschoud, Stephen Penfold, Kim Powell, James Rathbone, James Royston, Sakina Sheikh, Luke Sorba, Eva Stamirowski, James-J Walsh and Susan Wise.

Also joining the meeting virtually:

Councillors Obajimi Adefiranye, Octavia Holland, Silvana Kelleher, Lionel Openshaw, and Jonathan Slater.

NB: Those Councillors listed as joining virtually were not in attendance for the purposes of the meeting being quorate, any decisions taken or to satisfy the requirements of s85 Local Government Act 1972

Apologies for absence were received from Councillor Colin Elliott, Councillor Carl Handley, Councillor Silvana Kelleher, Councillor Olurotimi Ogunbadewa and Councillor Alan Smith.

56. Declaration of Interests

Councillors Susan Wise and James Rathbone declared personal non pecuniary interests in Item 7 as Directors of Lewisham Homes.

Councillor Silvana Kelleher declared a personal non pecuniary interest in Item 7 as a tenant of Lewisham Homes.

57. Minutes

RESOLVED that the minutes of the meeting held on January 19 2022 be confirmed and signed as a correct record.

58. Petitions

Councillor Joan Millbank presented a petition bearing 371 names calling for improved street lighting in the Lower Kitto Road/Hathway Place area, the main walkway through to Telegraph Hill from Nunhead Station.

59. Announcements or Communications

Ukraine

The Mayor reported on efforts being made locally to collect humanitarian aid for delivery to the Ukraine. The Polish centre in Forest Hill was a collection point and already more than four tonnes of supplies had been received.

Obituary

Councillor Joan Millbank reported the death of community activist Paul Moore. He had a long record of dedication to the Trade Union movement and to the Labour Party.

All present observed a minute of silence in memory of Paul Moore.

International Women's Day

Councillor Brenda Dacres reported on the theme for International Women's Day which was due to take place on March 8.

Ellie Scotney

The Speaker recorded the congratulations of the Council to local boxer Ellie Scotney.

Mayor's Recognition Award

The Mayor presented the second ever Recognition Award to Lesley Allen to mark the significant contributions she had made with 'Bring me Sunshine' and the Diamond Club.

Lesley Allen, in accepting the award, detailed her 36 years of working with older people and pledged to keep working to ensure older people remained high on the policy agenda.

Borough of Culture Poetry Creative Challenge

Councillor Brenda Dacres introduced Ryan Robertson, an apprentice based at the Wearside Depot who read out the poem *For Wearside*, by Jacob Sam La Rose.

60. Public questions

61 questions were received from members of the public which were answered by the Cabinet Member indicated. Thirty minutes were made available at the meeting for questioners to raise supplementary questions.

A copy of the questions and answers was circulated separately and can be viewed on the Council website with the meeting papers.

61. Member questions

26 questions were received from Councillors which were answered by the

Cabinet Members and Chair of the Pensions Investment Committee, as indicated. A copy of the questions and answers was circulated separately and can be viewed on the Council's website with the meeting papers.

62. Budget 2022-23

The Budget proposals were introduced by the Mayor who pointed out that in the four years of his administration and in the eight years prior to that, cuts budgets had been presented. During those twelve years the Council's budget had been slashed from £400m to now £248m and staff numbers had shrunk from 4,000 to 2,500. Year on year financial settlements from the Government hampered effective long term planning

He paid particular thanks to Councillor De Ryk and to the Executive Director for Corporate Resources and her senior staff for their help throughout the budget setting process. He also noted this would be the last budget meeting attended by a number of very experienced Councillors who would be taking decades of experience with them.

The Mayor confirmed that he was proposing a Council Tax rise of 2.99% and that a balanced budget would be achieved without calling upon reserves.

The Mayor further confirmed that he did not intend to vary the budget proposals he had already fully set out at Mayor and Cabinet on February 2 and 9 and which did not require further amendment.

A motion that the proposals be accepted was moved by the Cabinet Member for Finance and Resources, Councillor Amanda De Ryk and seconded by the Chair of the Public Accounts Select Committee, Councillor Mark Ingleby. During the debate on the budget the 5 minute limit on speeches for the Mayor and Councillors De Ryk, Ingleby and Mallory was suspended.

Under the provisions of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was conducted on this item with the following result:

In favour 40

Damien Egan (Mayor), Tauseef Anwar (Chair), Chris Barnham, Paul Bell, Peter Bernards, Chris Best, Kevin Bonavia, Bill Brown, Juliet Campbell, Suzannah Clarke, Patrick Codd, Liam Curran, Brenda Dacres, Sophie Davis, Amanda De Ryk, Aisling Gallagher, Leo Gibbons, Coral Howard, Mark Ingleby, Liz Johnston-Franklin, Caroline Kalu, Samantha Latouche, Jack Lavery, Jim Mallory, Paul Maslin, Joan Millbank, Hilary Moore, Pauline Morrison, John Muldoon, Jacq Paschoud, John Paschoud, Stephen Penfold, Kim Powell, James Rathbone, James Royston, Sakina Sheikh, Luke Sorba, Eva Stamirowski, James-J Walsh and Susan Wise.

Against nil

Abstention nil

RESOLVED that the Council approves the recommendations shown below in respect of the 2022/23 Budget having considered the views of those consulted on the budget, and subject to proper process, as required, Council agrees to:

General Fund Revenue Budget

- (1) note the projected overall variance of £2.9m (or 1.2%) against the agreed 2021/22 revenue budget of £243.100m as set out in section 6 and that any yearend overspend will be met from corporate provisions and reserves;
- (2) endorse the budget reduction measures of £11.835m as per the Mayor and Cabinet meeting of the 2 February 2022, as set out in section 6 and summarised in Appendix Y1 and Y2;
- (3) agree the allocation of £6.500m in 2022/23 be set aside for corporate risks and pressures;
- (4) agree the allocation of £21.329m of resources from the corporate risks and pressures, social care precept, new homes bonus, social care grant, lower tier grant, market sustainability and Fair cost of care grant, services grant and legacy s31 monies in 2022/23 to be invested in funding quantified budget pressures and opportunities, both recurring and once-off and that within this £1.877m is held in corporate provisions for the Executive Director for Corporate Resources to apply as necessary to the identified but as yet unquantified risks as set out in section 6;
- (5) agree a General Fund Budget Requirement of £248.610m for 2022/23 be approved;
- (6) agree to a 2.99% increase in Lewisham's Council Tax element. This will result in a Band D equivalent Council Tax level of £1,421.22 for Lewisham's services and £1,816.81 overall. This represents an overall increase in Council Tax for 2022/23 of 4.2% and is subject to the GLA precept for 2022/23 being increased by £31.93 (i.e. 8.78%) from £363.66 to £395.59, in line with the GLA's budget proposals;
- (7) note the Council Tax Ready Reckoner, which for illustrative purposes sets out the Band D equivalent Council Tax at various levels of increase. This is explained in section 6 and is set out in more detail in Appendix Y4;
- (8) receive the Section 25 Statement from the Chief Finance Officer, attached at Appendix Y5;
- (9) agree the draft statutory calculations for 2022/23 as set out at Appendix Y6;
- (10) note the prospects for the revenue budget for 2022/23 and future years as set out in section 6;

Other Grants (within the General Fund)

(11) note the adjustments to and impact of various specific grants for 2022/23 on the General Fund as set out in section 7

External Audit

(12) accept the Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors for five financial years from 1 April 2023.

Dedicated Schools Grant and Pupil Premium Schools Block

(13) note that the provisional Dedicated Schools Grant allocation of £221.069m be the Schools' Budget (Schools Block) for 2022/23 covering both maintained schools and academies;

(14) agree (as recommended by Schools Forum) the once-off transfer of circa £0.7m of Dedicated Schools Grant to the High Needs Block;

(15) agree (as recommended by Schools Forum) the once-off transfer of £0.15m to fund the shortfall in the School Improvement and Brokerage Grant; Central Schools Services Block (CSSB)

(16) note the construct and allocation of £3.693m for the CSSB block allocation for 2022/23, significantly reduced from the £4.261m 2021/22 allocation; High Needs Block (HNB);

(17) note the provisional HNB £67.608m to support the Council's statutory duty with regards Special Education Needs (SEN). This is a net increase of £5.54m relative to 2021/22, The HNB will be finalised in March for deductions arising for institutions funded by the Education and Skills Funding Agency (ESFA);

Early Years Block (EYB)

(18) note the provisional Dedicated Schools Grant allocation of £24.12m to the block; and that the Department for Education has increased funding for "3 and 4 year old" from £5.76 to £5.93 (i.e. 17p per hour), and hourly rate for 2 year olds increase from £6.66 to £6.87, an 3% increase (i.e. 21p per hour) for 2022/23.

Pupil Premium

(19) note that the pupil premium will continue in the 2022/23 financial year. The funding rates in the year will be same as 2021/22 and the funding is based on data over a six year census period. It is expected that the DfE will provide updated final allocations in summer 2022;

Social Care Levy Grant

(20) note the new grant to support the increased costs of the 1.25% increase in schools National Insurance contributions of £8.8m. Housing Revenue

Account

(21) note the consultation report on service charges to tenants' and leaseholders in the Brockley area, presented to area panel members on 10th November 2021, as at Appendix X3;

(22) note the consultation report on service charges to tenants' and leaseholders and the Lewisham Homes budget strategy presented to area panel members on 24 November 2021 as attached at Appendix X4;

(23) agree to set an increase in dwelling rents of 4.1% (an average of £4.07 per week) – as per the formula rent calculations outlined in section 9;

(24) agree to set an increase in the hostels accommodation charge by 4.1% (or £3.27 per week), in accordance with formula rent calculations;

(25) approve the following average weekly increases/decreases for dwellings for:

(a) service charges to non-Lewisham Homes managed dwellings (Brockley) to ensure full cost recovery and 5.90% inflationary uplift for 2022/23;

- caretaking 5.90% (£0.29)
- grounds 5.90% (£0.13)
- communal lighting 5.90% (£0.08)
- bulk waste collection 5.90% (£0.09)
- window cleaning 5.90% (£0.01)
- tenants' levy 0.00% (£0.00)

(b) service charges to Lewisham Homes managed dwellings:

- caretaking 4.00% (£0.27)
- grounds 4.00% (£0.09)
- window cleaning 8.00% (£0.01)
- communal lighting 20.00% (£0.21)
- block pest control 15.00% (£0.27)
- waste collection 0.00% (£0.00)
- heating & hot water 10.00% (£1.05)
- tenants' levy 0.00% (£0.00)
- bulk waste disposal 4.00% (£0.03)
- sheltered housing 0.00% (£0.00)

(c) approve the following average weekly percentage changes for hostels and shared temporary units for;

- service charges (hostels) – caretaking etc.; no change
- energy cost increases for heat, light & power; no change
- water charges increase; no change

(d) approve an increase in garage rents by 4.9% (£0.77 per week) for Brockley and Lewisham Homes residents as outlined in Appendix X6;

(e) note that the budgeted expenditure for the Housing Revenue Account (HRA) for 2022/23 is £304.0m, split £94.4m revenue and £209.6m capital, which includes the decent homes and new build programmes;

(f) agree the HRA budget strategy savings proposals in order to achieve a balanced budget in 2022/23, as attached at Appendix X1;

Treasury Management Strategy

(26) approve the prudential indicators and treasury indicators, as set out in section 10;

(27) approve the Annual Investment Strategy and Creditworthiness Policy, set out in further detail at Appendix Z2;

(28) approve the Investment Strategy as set out in section 10;

(29) approve the Minimum Revenue Provision (MRP) policy as set out in section 10;

(30) agree to delegate to the Executive Director for Corporate Resources authority during 2022/23 to make amendments to borrowing and investment limits provided they are consistent with the strategy and there is no change to the Council's authorised limit for borrowing;

(31) approve the overall credit and counterparty risk management criteria, as set out at Appendix Z2, the proposed countries for investment at Appendix Z3, and that it formally delegates responsibility for managing transactions with those institutions which meet the criteria to the Executive Director for Corporate Resources;

(32) approve a minimum sovereign rating of AA- for non-UK investments;

Capital Programme

(33) note the capital programme position and approve the 2022/23 to 2024/25 Capital Programme of £600.4m as set out in section 11 and Appendix W1.

63. Update to the Constitution - Scrutiny Executive Protocol

Councillor Susan Wise, moved that the recommendations be approved and this was seconded by Councillor Kevin Bonavia and it was:

RESOLVED that

(1) the Scrutiny-Executive Protocol be appended to the Constitution, and

(2) the actions taken by the Council's Monitoring Officer to give the Constitution legal effect be noted.

64. Aldermanic Protocol

Councillor Susan Wise, moved that the recommendations be approved and this was seconded by Councillor Kevin Bonavia. Following a contribution from Councillor Brenda Dacres, it was:

RESOLVED that

- (1) The Protocol shown at Appendix 1 be adopted;
- (2) The Constitution be amended to include the revision shown at Appendix 2; and
- (3) Existing statutory powers to confer the titles of Alderman and Alderwoman be noted and the addition of a title of Alder be made in accordance with existing equality commitments.

65. Motions

Motion 1 Food Poverty

The first motion was moved by Councillor John Muldoon and seconded by Councillor Coral Howard. The motion was then put to the vote and declared to be unanimously carried.

RESOLVED that the following motion be agreed:

Lewisham Council congratulates the 2021 Labour Party Conference for unanimously calling for right to food to be enshrined in UK law and that the Labour Party embeds a right to food policy in its next General Election Manifesto. We also note the Mayor of London (in his London Food Plan 2018) requests boroughs to consider 'the collective right to a fair and sustainable food system'.

Given that the recommendations for the National Food Strategy omits the right to food, and the White Paper is imminent, we request that officers prepare a report for a future meeting of the Mayor & Cabinet to consider that addresses the possibility of Lewisham Council to:

1. Become a 'Right to Food borough'
2. Join [the Right to Food campaign](#)
3. Call on local MPs and Mayor Damien Egan, to write to the relevant Minister to call for the right to food to be incorporated into the National Food Strategy White Paper.
4. Develop the new Local Food Poverty Action Plan using a rights-based approach (right to food strategy).

5. Appoints a Cabinet Member to oversee the right to food strategy.

Motion 2 Homelessness Motion

The second motion was moved by Councillor Peter Bernards and seconded by Councillor Paul Bell. The motion was then put to the vote and declared to be unanimously carried.

RESOLVED that the following motion be agreed:

Lewisham Council notes that thousands of families are facing evictions and repossessions as measures to protect families put in place during COVID have ended. Not only that as Universal Credit is reduced; the furlough scheme ends; and electricity and gas prices rise the poorer and vulnerable members of our community face a real reduction in their incomes.

The Council welcomes The Wellbeing of Future Generations Bill being brought through parliament by the Big Issue's founder Lord John Bird. The draft legislation currently lays out plans for a public consultation to set national wellbeing goals – measures of how the country is faring in terms of environmental, social, economic and cultural wellbeing. Public bodies, including government departments, will then be held accountable on how they hit those goals. If the Bill became legislation, it would require public bodies to consider how decisions made now affect future needs, and tackle persistent problems such as poverty, homelessness, health inequalities and climate change.

The Council resolves to:

1. Write to the relevant Secretaries of State asking them to keep people in their homes and in sustainable jobs by using the following measures:
 - (a) HM Government to pay off £360m in rent arrears
 - (b) Suspend no-fault evictions until a Renters' Reform Act is passed
 - (c) Permanently reinstate the £20 increase to Universal Credit and extend the increase to all appropriate "legacy" benefits
 - (d) Improve access to Discretionary Housing Payment
 - (e) Unfreeze Local Housing Allowance
 - (f) Improve support for financial literacy education
 - (g) Invest to create new green jobs.

2. Express its support for the Wellbeing of Future Generations Bill.

Motion 3 Carbon Advertising

The third motion was moved by Councillor Stephen Penfold and seconded by Councillor Aisling Gallagher. The motion was then put to the vote and declared to be unanimously carried.

RESOLVED that the following motion be agreed:

This council notes:

- That it is possible for local authorities to implement advertising policies against specific products if they consider them to be harmful to the amenity of an area. This Council notes that the Greater London Authority (GLA), which controls Transport for London (TfL) property, were able to enact a Healthier Food Advertising Policy in 2018 prohibiting High Fat, Sugar or Salt (HFSS) food advertising on TfL property. Council planning departments will be able to advise on how to restrict the use of 'deemed consent' under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 including writing to the relevant Secretary of State.
- That Lewisham Council currently holds an Advertising Concession Agreement with Clear Channel UK involving the upkeep and maintenance of bus stops across the borough, many of which include advertising panels.
- That advertising prohibitions and restrictions already exist regarding all tobacco products and e-cigarettes, guns and offensive weapons, breath testing and products designed to mask the effects of alcohol, 'pyramid schemes', 'obscene material' as well as other rules regarding marketing to children, high fat sugar and salt products, medical and health claims, religion, financial products, and pornography.
- That a double-sided digital bus stop advertising screen uses four times the electricity of the average British home.
- That a climate emergency was declared by this council on 27 February 2019, which included a commitment to do everything within their power to make Lewisham carbon neutral by 2030.

This council believes:

- That the purpose of advertising is to stimulate demand for goods and services.
- That some advertising content undermines the council's objectives regarding public health, air pollution and sustainable consumption. For example, High Fat Sugar and Salt products undermine health objectives, petrol and diesel car adverts, especially for Sports Utility Vehicles, undermine climate and air quality objectives and airline advertising undermines carbon emission reduction targets.

This council resolves:

- To review its Advertising Concession Agreement[s] as soon as possible, to investigate the possibility of amending the current set of prohibitions and restrictions during the term of the agreement to include products that contribute to climate change and air pollution.
- If the above is not possible, to begin work on a new policy, to take effect when the Advertising Concession Agreement is next renewed.
- For officers to produce a briefing with a view to investigating a Low Carbon Advertising Policy as part of the council's planning policies, to apply to bus stops, billboards and advertising spaces in the city within the jurisdiction of the local planning area.
- To investigate the legality and desirability of amending the local plan in the foreseeable future to investigate whether planning applications for all new digital advertising screens in Lewisham can be resisted due to the high electricity use of those technologies or, if that is not logistically possible, to investigate the legality and desirability of including such a presumption in the next local plan.

The meeting closed at 10.05pm following agreement to a motion without notice to suspend the Constitution's guillotine provision.