

# MINUTES OF THE MAYOR AND CABINET

Wednesday, 6 July 2022 at 6.00 pm

PRESENT: Councillors Damien Egan (Mayor), Brenda Dacres, Chris Barnham, Paul Bell, Sophie Davis, Amanda De Ryk and James-J Walsh.

ALSO PRESENT: Councillor Mark Ingleby, the Chair of Overview and Scrutiny.

Also joining the meeting virtually: Councillor Louise Krupski.

NB: The Councillor listed as joining virtually was 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 Andre Bourne, Councillor Juliet Campbell and Councillor Kim Powell.

## 1. Declaration of Interests

None made.

## 2. Minutes

RESOLVED that the minutes of the meeting held on 15 June 2022 be confirmed and signed as a correct record.

## 3. Matters Raised by Scrutiny and other Constitutional Bodies

Having considered an open officer report, and a presentation by the Cabinet Member for Health and Adult Social Care Paul Bell, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet approve the response to be reported to the Overview & Scrutiny Committee.

## 4. Lewisham Air Quality Action Plan 2022-27

Having considered an open officer report, and a presentation by the Cabinet Member for Environment and Climate Councillor Louise Krupski, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Note the AQAP consultation report;
- Note the new World Health Organization (WHO) air quality guideline for PM2.5;
- Approve the final AQAP 2022-27.

## 5. Future of Housing Management: Options Appraisal

Having considered an open officer report, and a presentation by the Cabinet Member for Housing Management and Homelessness, Councillor Sophie Davis, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- a) Note the findings of the initial review of housing management options;
- b) Approve, subject to consideration of tenant and leaseholder consultation responses, as the Council's preferred option the transfer of housing management functions in-house to the Council in relation to the Council's housing stock (Option 2);
- c) Instruct officers to carry out a financial analysis for the Council to undertake housing management functions and services in relation to its housing stock;
- d) Instruct Officers to undertake a consultation with tenants and leaseholders in relation to the proposal to bring housing management functions and services in-house to the Council (Option 2);
- e) Instruct officers to consider tenant and leaseholder consultation responses and report to the Cabinet on the same, in order to allow Cabinet an opportunity to consider those consultation responses and to enable it to make a decision whether to adopt Option 2 (whether modified as a consequence of the consultation or not) as Council policy;
- f) Inform the Department of Levelling Up, Housing and Communities (DLUHC) of the intention of the Council to consult with tenants and leaseholders on the future of the landlord management service.

## **6. Expansion of Drumbeat School**

Having considered an open officer report, and a presentation by the Cabinet Member for Children's Services and School Performance Councillor Chris Barnham, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Note the results of the period of representation conducted on the proposal to expand Drumbeat School;
- Agree to the proposal that Drumbeat School & ASD Service be expanded from 223 places to 270 places with a modified implementation date of January 2023; Delegate authority to the Executive Director for Children and Young People to procure and award the necessary construction contracts.

## **7. Adding a SEN Resource Base at Edmund Waller Primary School**

Having considered an open officer report, and a presentation by the Cabinet Member for Children's Services and School Performance, Councillor Chris Barnham, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Note the results of the period of representation conducted on the proposal to add a SEN provision at Edmund Waller Primary School;

- Agree to the proposal of an addition of a SEN provision of up to 16 ASD places at Edmund Waller Primary School, with an implementation date of Spring 2023;
- Delegate authority to the Executive Director for Children and Young People to procure and award the necessary construction contracts.

#### **8. Fairlawn School - Change of Age Range**

Having considered an open officer report, and a presentation by the Cabinet Member for Children's Services and School Performance, Councillor Chris Barnham, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Note the results of the period of representation conducted on the proposal to change the age range of Fairlawn Primary School;
- Agree to the proposal that the age range at Fairlawn Primary School changes from 4-11 years old to 3-11 years old from September 2022.

#### **9. Forster Park School - Addition of a SEN provision**

Having considered an open officer report, and a presentation by the Cabinet Member for Children's Services and School Performance, Councillor Chris Barnham, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Note the results of the period of representation conducted on the proposal to add a SEN provision at Forster Park Primary School;
- Agree to the proposal of an addition of a SEN provision of up to 21 ASD/SEMH places at Forster Park Primary School, with an implementation date of Autumn 2022;
- Delegate authority to the Executive Director for Children and Young People to procure and award the necessary construction contracts.

#### **10. Local Flood Risk Management Strategy**

Having considered an open officer report, and a presentation by the Cabinet Member for Environment and Climate, Councillor Louise Krupski, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Approve Lewisham's Local Flood Risk Management Strategy (2022-2027).

#### **11. HMO Article 4 Direction withdraw permitted development rights for change of use from dwellinghouse (Use Class C3) to Small HMO (Use Class C4).**

Having considered an open officer report, and a presentation by the Deputy Mayor and Cabinet Member for Housing Development and Planning, Councillor Brenda Dacres, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Note the contents of the 2022 HMO Review and Evidence Paper;
- Approve the making of a non-immediate Article 4 Direction for the remainder of the borough to withdraw permitted development rights for the change of use from Dwellinghouse (Use Class C3) to Small HMO (Use Class C4);
- Authorise officers to carry out a consultation in accordance with Section 5 of this report;
- Note the financial and legal implications of making the Article 4 Direction set out in Sections 6 and 7.

**12. Article 4 Direction Class E (commercial, business and services) to Use Class C3 (residential)**

Having considered an open officer report, and a presentation by the Deputy Mayor and Cabinet Member for Housing Development and Planning, Councillor Brenda Dacres, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Approve the making of a non-immediate Article 4 Direction that removes permitted development rights for the change of use from commercial, business and service use (Use Class E) to residential use (Use Class C3);
- Authorise officers to carry out consultation in accordance with Section 6 of this report;
- Note the financial and legal implications of making the Article 4 Direction set in Sections 7 and 8.

**13. Catford A205 realignment update (part 1)**

Having considered an open and a confidential officer report, and a presentation by the Deputy Mayor and Cabinet Member for Housing Development and Planning Councillor Brenda Dacres, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

1. Delegate authority to the Executive Director, Housing, Regeneration & Public Realm, in consultation with the Executive Director of Resources to negotiate and subsequently enter into a funding agreement with TfL to cover the use of £10m Housing Infrastructure Fund monies;
2. Approve the increase in spend threshold for the existing Memorandum of Understanding to £356,000;
3. Note the current progress on road design options.

**14. Location Priority Policy**

Having considered an open officer report, and a presentation by the Cabinet Member for Housing Management and Homelessness Councillor Sophie Davis, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Note the comments provided on the report and the proposed policy by Housing Select Committee;

- Approve the refreshed Location Priority Policy.

## **15. Medium Term Financial Strategy**

Having considered an open officer report, and a presentation by the Cabinet Member for Finance and Strategy Councillor Amanda De Ryk, it was **MOVED**, **SECONDED** and **RESOLVED** that the Mayor and Cabinet:

- Note the risks with regards to current year budget reduction measures, the long term impact of Covid and the uncertainty of future government funding; and the potential for this to impact negatively on the budget reduction levels required for 2023/24;
- Agree the 2023/24 to 2026/27 Medium Term Financial Strategy (MTFS) and outline approach being taken to identify budget reduction proposals required to meet the remaining estimated budget gap of £36m over the next four years; and
- Agree the timetable for bringing forward budget reduction proposals and building the 2023/24 budget to Full Council in February/March 2023.

## **16. Financial Monitoring 2022-23**

Having considered an open officer report, and a presentation by the Cabinet Member for Finance and Strategy Councillor Amanda De Ryk, it was **MOVED**, **SECONDED** and **RESOLVED** that the Mayor and Cabinet:

- Note the current financial forecasts and financial risks for the year ending 31 March 2023 and that Executive Directors will continue to work in bringing forward action plans to manage down budget pressures within their directorates.

## **17. Stop Smoking Contract Authority to Procure**

Having considered an open officer report, and a presentation by the Cabinet Member for Health and Adult Social Care, Paul Bell, it was **MOVED**, **SECONDED** and **RESOLVED** that the Mayor and Cabinet agreed to:

- Officers undertaking an open tender exercise to procure the following service:
  - Stop Smoking Contract for a period of three years from January 2023 with an option to extend for a further one + one years at an annual contract value of £368,556 per year, with a total contract cost over 5 years £1,842,780.

## **18. Permission to Tender Specialist Short Breaks**

Having considered an open officer report, and a presentation by the Cabinet Member for Health and Adult Social Care, Paul Bell, it was **MOVED**, **SECONDED** and **RESOLVED** that the Mayor and Cabinet:

- Approve the commencement of the procurement process to tender for Lot 1 and Lot 2 contracts within the Specialist Short Breaks Framework. The contracts cover a three year period with an option to extend for a further two years commencing from 1st September 2022. The estimated contract value of £630,000 per annum and total contract value £3,150,000 over the possible lifetime of the contract (five years).

## **19. Permission to Tender Personalised Care and Support Framework Agreement**

Having considered an open officer report, and a presentation by the Cabinet Member for Children's Services and School Performance, Councillor Chris Barnham, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Approve the commencement of the procurement process to provide Children and Young People Personalised Care and Support for children with complex health needs, personal care needs and short breaks needs. The Framework will consist of four lots:
  - Lot A: Personalised Care and Support delivered by Children's Nurses;
  - Lot B: Personalised Care and Support delivered by Carers;
  - Lot C: Personalised Care and Support delivered by Support Workers; and
  - Lot D: Mentoring, buddying, support for challenging behaviour and children with ASD diagnosis.
- The estimated value of the care provided by providers across all three lots on the framework is approximately £2,750,000 per annum, and a total contract value £13,750,000 over the possible lifetime of the contract (four years).

## **20. Learning Disability Framework - Permission to procure contracts for Supported Living Services and Contract Extensions**

Having considered an open officer report, and a presentation by the Cabinet Member for Health and Adult Social Care, Councillor Paul Bell, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- a) Initiate two procurement exercises under the Framework Agreement for the Provision of Services to Adults with Learning Disabilities as follows:
  - 1) The recommissioning of 10 existing supported living contracts services coded as Project LDF3 to be carried out this year (2022);
  - 2) The recommissioning of 12 existing supported living contract services coded as Project LDF4 to be carried out early 2023;

b) Agree extensions of 6 months for specified contracts included in LDF3 and LDF4, as set out at section 2.2 in this report. The total cost of extensions at 2022/23 contract prices is £1,685,478.27.

## **21. Virement of Main Grants Funding 2022-25**

Having considered an open officer report, and a presentation by the Cabinet Member for Health and Adult Social Care, Councillor Paul Bell, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet agree:

- The recommended Main Grants funding allocation to Voluntary Services Lewisham of £90,000 per year agreed at Mayor and Cabinet on 22nd February 2022 be re-allocated to Age UK Lewisham and Southwark as the organisation identified and selected by VSL trustees to carry on its work;
- The one-off NCIL grant of £63,878 is transferred to Age UK.

## **22. Permission to procure New Hope Housing Project**

Having considered an open officer report, and a presentation by the Cabinet Member for Health and Adult Social Care, Councillor Paul Bell, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Give approval for officers to procure service provision for the New Hope Supported Housing Project for the period of 1 April 2023 to 31 March 2026, with an option to extend for a further two years at a total cost of £2,070,000.

## **23. Permission to procure Lewisham Wellbeing Service**

Having considered an open officer report, and a presentation by the Cabinet Member for Health and Adult Social Care, Councillor Paul Bell, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Approve the extension of contract with BLG Mind for the provision of Lewisham Community Wellbeing Service from 9th February until 31st March 2023 at a cost of £76,712.32;
- Approve the procurement of a new Lewisham Wellbeing Service for the period of 1st April 2023 to 31st March 2026 (with an option to end for a further two years) with total contract value of £2.8m.

## **24. Permission to procure the Lewisham Dementia Hub**

Having considered an open officer report, and a presentation by the Cabinet Member for Health and Adult Social Care, Councillor Paul Bell, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Approve the extension of contract with BLG Mind for a period of 50 days from 9th February 2023 until 31st March 2023 at a cost of £39,726.03;

- Approve the procurement of a new Lewisham Dementia Hub contract for the period of 1st April 2023 to 31st March 2026, with an option to extend for up to a further two years at a total cost of £1.45m.

## **25. Annual Complaints Report**

Having considered an open officer report, and a presentation by the Cabinet Member for Finance and Strategy, Councillor Amanda De Ryk, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet note:

1. The contents of the report;
2. That single service Stage Two Complaints and all Members enquiries will be responded to and dealt with by the responsible service directly and not via the Corporate Complaints team. Only multifaceted, Stage Two complaints and enquiries to be handled by Corporate Complaints team. This has been successfully piloted in the Planning Service;
3. That a new Members portal for members to log and monitor their enquiries and/or complaints from their constituents will be implemented in July 2022;
4. That complaints are now being discussed bi-monthly at the Corporate Assurance Board to focus on areas requiring improvement. The Director of Resident and Business Services attends this meeting;
5. That this year as well as improving our responsiveness in dealing with complaints and enquiries, we need to continue to use the learning from complaints to address service delivery issues and to help prevent complaints arising in the first place.

## **26. New Cross Road Acquisition (part 1)**

Having considered an open and a confidential officer report, and a presentation by the Deputy Mayor and Cabinet Member for Housing Development and Planning, Councillor Brenda Dacres, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Approve the freehold acquisition of land from Southern Grove shown on the attached plan in Appendix 1 and funding for Lewisham Homes to enter in to a building contract to deliver 35 new homes at 52-54 New Cross Road as set out in the Part 2 Report;
- Agree that the land and the subsequent development on the land is to be acquired from Southern Grove and will be appropriated for housing purposes under Part II of the Housing Act 1985; and
- Delegate authority to the Executive Director for Housing, Regeneration and Public Realm to agree the final terms of the freehold acquisition.

## **27. Building for Lewisham Home Park & Edward Street (part 1)**



Having considered an open and a confidential officer report, and a presentation by the Deputy Mayor and Cabinet Member for Housing Development and Planning, Councillor Brenda Dacres, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Note the updates on the schemes at Home Park and Edward Street following the main contractor Caledonian Modular Ltd (CML) entering administration;
- Note the options considered by officers following CML entering administration;
- Approve the recommendation to negotiate a Pre-Construction Services Agreement (PCSA) with the JRL Group to proceed with the necessary remedial work on the modules and on site works at Home Park and Edward Street to prepare both the modules and sites for assembly;
- Delegate authority to the Executive Director for Housing, Regeneration and Public Realm in consultation with the Executive Director for Corporate Resources and Director of Law, Governance and Elections to approve the terms of and to enter into the PCSA subject to it being within the parameters as set out in the accompanying Part 2 report;
- Note that, subject to the approval of the recommendations at 2.3 and 2.4, that officers will work towards entering a main contract for completion of the two projects with this being presented to Mayor and Cabinet in the autumn for approval;
- Approve the recommendation to extend the appointments of the consultant team to provide the support required to deliver the remedial works and site works; and
- Approve the associated budgets as set out in the accompanying Part 2 report.

## **28. Besson Street: Annual Business Plan Update (part 1)**

Having considered an open and a confidential officer report, and a presentation by the Deputy Mayor and Cabinet Member for Housing Development and Planning, Councillor Brenda Dacres, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet agreed to:

- The fifth annual Besson Street Business Plan attached as Appendix A to the Part 2 report; and
- Delegate authority to the Executive Director for Corporate Resources and Executive Director for Housing, Regeneration and Environment to implement the Besson Street Business Plan once finalised, including agreeing that the Final Viability Test has been achieved provided that the Council's Red Lines have been met with the exception of the minimum internal rate of return (IRR) which may be equal to or greater than 6% instead of the 7% as set out in the Joint Venture Agreement;
- Approve the replacement of Katharine Nidd by Patrick Dubeck as a Member Representative on Lewisham Grainger Holdings LLP and Besson Street LLP and as a Director of Besson Street Second Member Limited; and

- Enter into a Deed of Indemnity with Patrick Dubeck in respect of the appointments referred to in recommendation 2.4 above.

**29. Contract Extension for Housing 21 for the delivery of Extra Care Services at Cinnamon Court and Cedar Court (part 1)**

Having considered an open and a confidential officer report, and a presentation by the Cabinet Member for Health and Adult Social Care, Councillor Paul Bell, it was MOVED, SECONDED and RESOLVED that the Mayor and Cabinet:

- Agree a nine month extension on the current contract with Housing 21 at Cedar Court and Cinnamon Court from 1st July 2022 till 31st March 2023 for extra care services at Cedar Court Grove Park and Cinnamon Court Deptford;
- Note that a further report outlining the assurance of quality improvements and sustainability, and the exploration of alternative ways of delivering the service will be reported back to Mayor and Cabinet in November 2022.

**30. Exclusion of Press and Public**

It was agreed that in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012 and under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the remaining items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**31. Catford A205 realignment update (part 2)**

Recommendations agreed in the open part of the meeting.

**32. New Cross Road Acquisition (part 2)**

Recommendations agreed in the open part of the meeting

**33. Building for Lewisham Home Park & Edward Street (part 2)**

Recommendations agreed in the open part of the meeting.

**34. Besson Street: Annual Business Plan Update (part 2)**

Recommendations agreed in the open part of the meeting.

**35. Contract Extension for Housing 21 for the delivery of Extra Care Services at Cinnamon Court and Cedar Court (part 2)**

Recommendations agreed in the open part of the meeting.

**36. Notting Hill Genesis - Changes to the Provision of Extra Care Housing at Conrad Court, Surrey Quays and Hazelhurst Court, Catford**

The recommendations were agreed.