

# Overview and Scrutiny



## Sustainable Development Select Committee Agenda

Thursday, 8 September 2022

**7.00 pm,**

Civic Suite

Lewisham Town Hall

London SE6 4RU

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This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed.

### Part 1

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# Sustainable Development Select Committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Thursday, 8 September 2022.

Kim Wright, Chief Executive  
Wednesday, 31 August 2022

<p><b>Members</b></p> <p>Councillor James Royston (Chair)</p> <p>Councillor Edison Huynh (Vice-Chair)</p> <p>Councillor Tauseef Anwar</p> <p>Councillor Liam Curran</p> <p>Councillor Sian Eiles</p> <p>Councillor Aisha Malik-Smith</p> <p>Councillor Oana Olaru</p> <p>Councillor Mark Ingleby (ex-Officio)</p> <p>Councillor Ese Erheriene (ex-Officio)</p>	
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Members of the public are welcome to attend committee meetings. However, occasionally, committees may have to consider some business in private. Copies of agendas, minutes and reports are available on request in Braille, in large print, on audio tape, on computer disk or in other languages.

## Minutes of the Sustainable Development Select Committee

Monday, 27 June 2022 at 7.00 pm

In attendance: Councillors James Royston (Chair), Edison Huynh (Vice-Chair), Liam Curran, Sian Eiles, Aisha Malik-Smith, Oana Olaru and Mark Ingleby (Chair of Overview and Scrutiny)

Also joining the meeting virtually: Councillors Tauseef Anwar and Ese Erheriene

Also present: Timothy Andrew (Scrutiny Manager)

Also present virtually: Patrick Dubeck (Director of Inclusive Regeneration), David Edwards (Environmental Health Manager), Marcus Gayle (Flood Risk Manager), Kplom Lotsu (Head of Capital Programme Delivery), Petra Marshall (Senior Programme Manager), Salena Mulhere (Assistant Chief Executive), Dr Catherine Mbema (Director of Public Health), Martin O'Brien (Climate Resilience Manager) and Dr Eliane Scholastiq Foteu Madio (Air Quality Officer)

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

### 1. Election of Chair and Vice-Chair

- 1.1 **Resolved:** that Councillor James Royston be Chair of the Committee and that Councillor Edison Huynh be Vice-Chair of the Committee.

### 2. Minutes of the meeting held on 17 February 2022

- 2.1 **Resolved:** that the minutes of the meeting held on 17 February 2022 be agreed as an accurate record.

### 3. Declarations of interest

- 3.1 Councillor Curran declared an interest as a Trustee/Director of the Baring Trust (which is managing a £70,000 grant on behalf of the Greater London Authority).
- 3.2 Councillor Ingleby declared an interest as the Chair of the Friends of Grove Park Nature Reserve, which is involved in projects associated with the Baring Trust.

### 4. Responses from Mayor and Cabinet

- 4.1 Councillor Curran asked that his comments on the Council's approach to offsite bio-diversity net gain be noted. Specifically, it was recommended that the approach to the Railway Children urban district park should focus on onsite biodiversity.

4.2 **Resolved:** that the responses from Mayor and Cabinet be noted.

## 5. Flood risk management strategy

5.1 Marcus Gayle (Flood Risk Manager) introduced the report – noting Lewisham’s responsibilities as a lead local flood authority and outlining the approach that had been taken to developing and delivering the new strategy.

5.2 Marcus Gayle and Martin O’Brien (Climate Resilience Manager) responded to questions from the Committee – the following key points were noted:

- An outline business case was being developed for flooding alleviation works on Verdant Lane.
- All options for integrating green spaces and reducing impermeable surfaces into developments would be welcomed and supported.
- Officers had contributed to the development of the Council’s Infrastructure Delivery Plan – with recommendations for the retrofit of sustainable drainage measures across the borough.
- The Council worked with partners to manage flood risk across borough boundaries – particularly through the South East Flood Partnership, the London Drainage Group and the Environment Agency.
- Some information was available regarding underground water sources. To further understanding of the impact of development on underground springs and water flows would require a full hydrological study.
- Proposed developments had to demonstrate how they would mitigate the impact of new building on flood risk. There were some good examples of where this had been successfully achieved.
- Planning policy required that where gardens were paved then the surface should be permeable.
- The definition of risk management authorities was defined in legislation. It was not something that Lewisham could designate or change by itself.
- There was an action in the strategy to support the implementation of small scale sustainable drainage measures and de-paving of gardens.
- The Council had an internal flooding and water management action group of officers (including those from the highways team) – which met quarterly to consider issues related to drainage and flooding.
- A full survey of all the gullies in the borough had been carried out to determine the risk of flooding and to prioritise areas for cleansing.
- Information about flooding and options for reporting flooding incidents were available on the Council’s website.
- The Environment Agency had withdrawn its flooding alleviation plans for Lewisham and Catford because it was unable to develop a viable business case using its model - some of this work had been integrated into the alleviation scheme in Beckenham Place Park.

5.3 In Committee discussions the following key points were also noted:

- Members were concerned about the potential scale of development in some parts of the borough due to the potential flooding risk. The wet woodlands site adjacent to the Hither Green sidings in the Railway

Children Urban National Park was noted as one such location in particular.

- The Council should consider how best to address the issue of front gardens that had been paved over due to the potential flooding risk this posed.

5.4 **Resolved:** The Committee noted the report and agreed that the strategy should be implemented. It was also agreed that the Committee's comments be referred to Mayor and Cabinet as follows –

- The Committee recommends that Mayor and Cabinet should consider the options and resource implications of commissioning a comprehensive survey of underground water sources and streams in the borough. The Committee acknowledges the constrained financial situation facing the Council and it encourages Mayor and Cabinet to consider innovative and collaborative approaches to implementing this recommendation.
- The Committee would welcome additional education and outreach on the issues related to homeowners paving their gardens. This should include updated information on the Council's website about the potential impacts of replacing gardens and green spaces with impermeable paving.

## 6. Air Quality Action Plan 2022-27

6.1 Dr Catherine Mbema (Director of Public Health) introduced a presentation (appended to the minutes) which set out the key issues relating to air quality in the borough as well as the process for developing, and consulting on, the action plan.

6.2 Dr Mbema, Dr Eliane S Foteu Madio (Air Quality Officer) and David Edwards (Environmental Health Manager) responded to questions from the Committee – the following key points were noted:

- The consultation was primarily carried out online due to the restrictions in place due to COVID-19. Officers would like to have done more face to face events.
- The level of response to the consultation was similar to those carried out by other councils.
- A number of responses from the low traffic neighbourhood consultation were also included in the air quality consultation.
- It was recognised that respondents to the consultation were not representative of Lewisham's population.
- Further work would take place engaging with the community about the health impacts of poor air quality. It was intended that this would enable deeper engagement with a broader range of residents.
- Officers in environmental health and the climate resilience team worked closely together.
- There were challenges in sourcing and powering large electric vehicles for use by the Council. Work was taking place to lower emissions from the existing fleet.
- The numbers of new electric vehicle charging points that would be installed in the future would be depend on the available funding.

- The Council's planning department used planning policy to improve the installation of electric vehicle charging points.
- The Greater London Authority set out the structure for air quality action plans across London.
- Work was taking place with officers in the parking team – who had responsibility for enforcing the Council's anti-idling measures.
- Plans were in place to develop more monitoring options and techniques. The use of diffusion tubes for air quality monitoring was standard practice.
- Air quality champions had been recruited initially from parent groups. Work would take place to ensure that champions were from as wide a range of residents as possible.
- Further work would take place to engage young people with the implementation of the strategy.
- The targets in the action plan were limited by the availability of resources.
- The report would be amended to clarify the priority of measures in the report.
- The use of public transport/active travel would be made prominent in the engagement carried out with residents during the implementation of the strategy.

6.3 In Committee discussions the following key points were also noted:

- The Committee would welcome additional information about the expansion of monitoring in the borough. Members recommended that additional monitoring should be carried out at identified hot spots. It was noted that this information would be incorporated in the annual monitoring report for the strategy.
- An easy read version of the strategy would be welcomed – as would additional easy access information about the measures that residents could take to improve air quality.

6.4 Councillor Louise Krupski (Cabinet Member for Environment and Climate) addressed the Committee – highlighting some of the past work that had taken place on air quality campaigns in the borough. She noted that the work had been side tracked by the pandemic but that there would be a renewed energy in working on these initiatives in the coming years.

6.5 **Resolved:** that the report be noted.

## 7. **Assets update**

7.1 Patrick Dubeck (Director of Inclusive Regeneration) introduced the report and presentation. Patrick provided background information (detailing numbers of Council assets) and outlining the Council's approach to different types (community/commercial) assets as well as providing an update on the development of a new strategic asset management plan.

- 7.2 Patrick Dubeck, Kplom Lotsu (Head of Capital Programme Delivery) and Petra Marshall (Senior Programme Manager) responded to questions from the Committee – the following key points were noted:
- Additional work was going to take place to update the agreements with community organisations to ensure that letting arrangements were in line with the Council’s community and voluntary sector lettings policy.
  - There was always a balance to be struck with assets – to ensure that the Council secured financial returns whilst also recognising the benefits of community activities, meanwhile use and additional economic benefits.
  - Successful approaches to regeneration and economic development enabled a balance between different uses.
  - Officers would maintain a consistent and sensitive approach to the review of the use of community assets.
  - When reviewing sites as part of the asset review – officers considered four options:
    - potential for strategic service delivery;
    - redevelopment;
    - disposal to produce a capital receipt;
    - commercial rental.
  - Consideration was also being given to the option for community asset transfer.
  - Development was planned for the place Ladywell site in two separate phases – the first had been agreed and the second was subject to additional feasibility work.
  - Options were being considered for development of the Willow Way site in Sydenham.
  - Work was taking place on options for a unified system of storing records for Council assets.
  - There was validity in ensuring that the Council retained an interest as a freeholder on some sites for redevelopment.
  - It was difficult to measure social value. Consideration would be given to the measures in the community and voluntary sector policy as part of the strategic asset management review.
  - Regular rent reviews and reviews of arrangements with community groups would become part of new leases for community groups in the future.
- 7.3 In Committee discussions the following key points were also noted:
- Members requested additional details about the numbers of vacant commercial properties and on facilities let to community groups on minimal rents.
  - Residents welcomed the meanwhile use of vacant assets for community and creative projects.
- 7.4 Resolved: that the report be noted – and that the– Committee’s comments to the Director of Inclusive Regeneration be summarised as follows -
- The Committee notes the role that the strategic asset management plan should play in identifying opportunities for: local economic hubs, start-ups, creative industry and meanwhile uses. It encourages officers to work with partner organisations to develop a comprehensive and collaborative

approach to assets – particularly in relation to the Council’s policy for local economic development.

**8. Select Committee work programme**

8.1 The Committee discussed its work programme and priorities for the year.

8.2 **Resolved:** that items on employment and recycling and refuse be added to the work programme. It was also agreed that the timing of the item on the local plan would be considered and – that Cllr Eiles would be the Committee’s climate emergency champion.

The meeting ended at 9.30 pm

Chair:

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Date:

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## Sustainable Development Select Committee

### Declarations of Interest

**Date:** 2021-22

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** None specific

**Contributor:** Jeremy Chambers (Director of Law, Governance and Elections)

### Outline and recommendations

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

## 1. Summary

1.1. Members must declare any personal interest they have in any item on the agenda. 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.

1.2. Further information on these is provided in the body of this report.

## 2. Recommendation

2.1. Members are asked to declare any personal interest they have in any item on the agenda.

### 3. Disclosable pecuniary interests

3.1 These 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.

### 4. Other registerable interests

4.1 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.

## 5. Non registerable interests

- 5.1. 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).

## 6. Declaration and impact of interest on members' participation

- 6.1. 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 not 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**
- 6.2. 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 6.3 below applies.
- 6.3. 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.
- 6.4. 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.
- 6.5. 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.

## 7. Sensitive information

- 7.1. 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.

## 8. Exempt categories

- 8.1. 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).

## **9. Report author and contact**

- 9.1. Jeremy Chambers, Director of Law, Governance and Elections [Jeremy Chambers@lewisham.gov.uk](mailto:Jeremy.Chambers@lewisham.gov.uk), 020 83147648



## Sustainable Development Select Committee

### Local Democracy Review update

**Date:** 8 September 2022

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Head of Development Management

### Outline and recommendations

The purpose of this report is to provide the Sustainable Development Select Committee (SDSC) with an update on Local Democracy Review and the direction of travel for a new Statement of Community Involvement.

The Sustainable Development Select Committee is recommended to:

- Note the progress and direction of travel of Local Democracy Review projects and public engagement, and endorse further progression
- Advise officers of any matters it wishes to be considered with regard to the Statement of Community Involvement

## Timeline of engagement and decision-making

July 2006 – adoption of the current Statement of Community Involvement was adopted in July 2006.

May 2018 – Mayor Damien Egan promises to launch a review that will make the Council 'even more democratic, open and transparent'

July 2018 – Full Council agrees to establish a Local Democracy Review Working Group consisting of eight councillors. They are tasked with making recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making

September 2018 to January 2019 – the Working Group gathers evidence from a wide range of residents, community groups and local councillors (including an online questionnaire completed by over 700 respondents, workshops at four secondary schools and attendance at over 40 events)

January to March 2019 – the Working Group collects their evidence into a final report, which identifies 57 recommendations for change

March/April 2019 – Mayor & Cabinet and Full Council agree the report and recommendations

April 2019 to March 2020 – the retained Local Democracy Working Group oversees delivery of the recommendations

February 2020 – the Local Democracy Working Group welcomed the direction of travel for recommendations 25-30 which propose improvements to the planning service, including *"If required, the Planning Statement of Community Involvement should be reviewed in line with the democratic standards once developed, and the other relevant recommendations made within this report (#30)"*

June 2020 – temporary changes agreed to the Council's Statement of Community Involvement (SCI) to facilitate virtual meetings for a period of 3 months

September 2020 – temporary changes to the SCI are extended for a period of 6 months due to the ongoing pandemic and consultation on permanent changes to those sections addressing planning policy consultation agreed

December 2020 – permanent changes to the SCI to those sections addressing planning policy consultation approved by Mayor and Cabinet.

February 2021 – update to the Local Democracy Working Group (LDWG) on proposals to increase the openness and transparency around the planning process, particularly focused on effective decision making at planning committees which were endorsed by the LDWG. This included the Planning Service preparing a new SCI following the development of proposals and a period of engagement with amenity societies/community groups and Members.

June 2021 – Community Group meeting to, amongst other matters, update on progress with the LDR work programme

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November 2021 – Community Group meeting to, amongst other matters, update on progress with the LDR work programme

January 2022 – a standalone revision agreed to the SCI at Mayor and Cabinet in relation to Design Review Panels

July 2022 – Community Group Meeting where discussions began on a new working relationship with amenity societies and community groups to begin the period of engagement.

## **1. Summary**

- 1.1. The purpose of this report is to provide the Sustainable Development Select Committee with an update on Local Democracy Review projects and direction of travel for future engagement with the Public and Members before draft proposals for a new SCI are prepared, which will be subject to formal consultation and eventual adoption by Mayor and Cabinet.
- 1.2. A primary objective of the Statement of Community Involvement (SCI) is to set out how the Council will consult on planning applications. The adopted SCI dates from 2006 and is in need of a comprehensive update, given changes in legislation, policy and more modern ways of working and communication. The SCI is a key priority within the Local Democracy Review work programme and an update to it has been agreed as part of the LDWG programme.

## **2. Recommendations**

- 2.1. It is recommended that Sustainable Development Select Committee:
  - Note the progress and direction of travel of Local Democracy Review projects and engagement and endorse further progression
  - Advise officers of any matters it wishes to be considered with regard to the Statement of Community Involvement

## **3. Policy Context**

- 3.1. The content of this report is consistent with the Councils policy framework. The SCI is a legal planning document that sets out how the Council will consult with the public and other stakeholders when preparing statutory development plan and supporting documents, and how long it will consult on planning applications. The SCI also sets out how the Council will fulfil its statutory duty to support neighbourhood planning. The Council must (as a minimum) comply with statutory requirements for consultation set out in relevant legislation and policy including:
  - The Town & Country Planning (Development Management Procedure) (England) Order 2015 – for planning applications

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- The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) – for listed building consents
- Planning and Compulsory Purchase Act 2004 (as amended)
- The Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended)
- Localism Act 2011 (as amended)
- The Neighbourhood Planning (General) Regulations 2012
- Neighbourhood Planning Act 2017
- Environmental Assessment of Plans and Programmes Regulations 2004
- Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020
- National Planning Policy Framework (NPPF) (2019) and National Planning Practice Guidance (NPPG).

#### **4. Background**

- 4.1. The Council adopted its current Statement of Community Involvement (SCI) in July 2006. The SCI forms part of the Local Development Framework and is a legal planning requirement. It sets out the Council's policy for involving and communicating with interested parties in matters relating to the preparation and revision of local development framework documents and the exercise of the authority's functions in relation to planning application consultation.
- 4.2. The Lewisham SCI additionally replicates information found within other adopted Policy documents, namely the Constitution and Scheme of Delegation, setting out the circumstances in which decisions on planning applications will be made by planning committee (rather than officers via delegated powers). It also outlines the processes through which interested parties will be notified of the committee meeting and sets out how they can make verbal representations at the meeting. The current SCI also makes provision for additional community engagement by way of a Local Meeting where 10 or more objections have been received to a planning application.
- 4.3. Since the SCI was adopted in 2006 there have been significant changes to the planning system. These include but are not limited to: changes introduced by the Localism Act 2011; the Neighbourhood Planning Regulations 2012; the Local Planning Regulations 2012; the introduction the new National Planning Policy Framework (NPPF) in 2012, with subsequent updates in 2018 and 2019 respectively. Collectively these changes establish new legal requirements and processes for producing statutory development plan and associated guidance documents. This includes new powers for community groups, formally designated as neighbourhood forums, to prepare neighbourhood development plans, a process which the Council has a statutory duty to support.
- 4.4. The Council launched the Local Democracy Review in 2018 with a Local Democracy Working Group, comprised of 8 Members tasked with making recommendations about how the Mayor and the Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effectiveness in decision-making.
- 4.5. The Local Democracy Working Group in February 2020 included a recommendation that a new SCI is adopted and a review of committee referral

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triggers is also implemented. A copy of the working group papers is appended to this report at Appendix 1.

- 4.6. A new SCI will be subject to formal public consultation when a draft is prepared. Its adoption will require referral to Mayor and Cabinet for approval. Other recommendations from the Local Democracy Working Group refer to internal processes and procedures which can and have been progressed and implemented without formal approval. This paper is primarily to update on the direction of travel for a new SCI, but will also update on how the Planning Service is progressing other recommendations.
- 4.7. Any proposals in relation to committees and the scheme of delegation do not form part of the SCI work stream and are not part of this report. These are matters which will be managed via a review of the Council's Constitution.
- 4.8. The SCI has already been updated to address to prevent delay to the preparation of Lewisham's new Local Plan, which is one of the Council's most important strategic documents, and address a further variation in January 2022 for the requirement to present applications to the Design Review Panel. The rest of the SCI is unaltered from its 2006 adoption.
- 4.9. There is a need to update the SCI as recognised and endorsed by the Local Democracy Working Group, for example, representations must be made in writing by:
  - *By sending a letter or fax to the Council*
  - *By sending an email to the Council*
  - *Online using the appropriate form.*
- 4.10. In the 16 years since the 2006 SCI was adopted, the Planning Service has seen a significant shift in how the public communicate with the Council. There has been a significant reduction in letters received, with the vast majority of communication via direct email. Furthermore, the Planning Service no longer has any fax messaging service. When consulting on planning applications, the Planning Service will send letters to surrounding properties, and will use email to consult local ward councillors and local/statutory consultees.
- 4.11. The SCI provides a "Call In" for Amenity Societies, which triggers a referral to planning committee where a valid planning objection is received (and the officer recommendation is for approval). This is not proposed to change. Community Groups do not have a Call In right, but any comments they make on applications are given full consideration as part of the assessment by an officer. This is also not proposed to change in the SCI. Similarly, Member Call In would remain although it is proposed that it is suggested that this is restricted to within ward boundaries.

## **5. Direction of Travel and next steps**

- 5.1. There are several areas of proposed modernisation and improvement within a new SCI and the wider Planning Service Improvements. The following paragraphs set these out by topic, and how the Planning Service proposes to progress these.

Dealing with repetition

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- 5.2. A key area for update in the SCI will be the removal of repetitious information, namely the Scheme of Delegation and committee processes. These are contained within the Council's Constitution. The role of the SCI is to set out how the Council will consult and engage, whereas the Constitution sets out how the Council makes decisions. The repetition of other Council policies and decision making arrangements, does not allow the Council to work flexibly, nor respond to changing patterns of communication or work practices. This was particularly evident during the Covid-19 Pandemic.
- 5.3. The SCI is proposed to be much more concise and strategic in nature, setting a minimum level of requirement which can be expanded as necessary through via advisory notes hosted on the Council's website. This would enable standards to be set but give the Council greater flexibility to respond quickly should circumstances change. Furthermore, by removing repetition, this would make the document as a whole easier to read and provide clarity on its purpose. The removal of details around the scheme of delegation would not change current working practices. This would mean that when the constitution requires updating, the SCI does not and vice versa.
- 5.4. Any future proposals to committees and the scheme of delegation would form part of the Council's Constitution review which has separate reporting and approval processes to the SCI. A change to the Councils Constitution requiring Full Council approval.
- Reflecting modern ways of working
- 5.5. The current SCI reflects ways of working and communication that was largely paper based. It is proposed to ensure that email and online methods of communication are prioritised, reflecting the changes seen over the last 16 years. References to newsletters and fortnightly meetings to review cases with amenity societies are also proposed to be removed as these are no longer held as well as any other references to working practices which are no longer followed.
- Updating legislation and policy position
- 5.6. Throughout the SCI all legislative and policy references will be updated. This will include the status of the SCI which is now no longer defined by Government as a development plan document.
- Formalising the role our Amenity Societies
- 5.7. A process for formalising the role of amenity societies was endorsed by the LDWG. It is proposed to explore how best to formalise their role and recognise the value that our community groups bring to our decision making whilst ensuring a smooth process that works in the wider public interest. This is subject to engagement with Amenity Societies, community groups and Members outlined in Section 6 of this report.
- Promoting pre-application engagement
- 5.8. Whilst the SCI is unable to force any developer to undertake pre-application engagement, it is a useful document to be clear that there is an expectation that early engagement takes place. As part of this, it is proposed that there is a clear expectation that for major developments, a pre-application Local Meeting is held to inform proposals as they develop.

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## Local meetings

- 5.9. With the requirement to undertake pre-application engagement, it is intended to remove the Local Meeting trigger for planning applications post submission. This is to ensure that discussions take place at a point when there is a chance to influence a scheme.
- 5.10. The Planning Service is committed to progressing other internal service improvements that do not require formal approval, and will update Community Groups and Amenity Societies via the Community Forum.

## 6. Undertaking a period of engagement with the Public and Members

- 6.1. The Planning Service has an established Community Forum. This is a meeting with our Community Groups and Amenity Societies. The purpose of the Forum is to:
- Seek a positive working relationship between the Planning Service and our Community Groups
  - To update on changes to the planning system, policy work and Council Strategies
  - To provide direct feedback to Officers
  - To discuss planning issues thematically
- 6.2. The Planning Service will consult on a draft SCI formally, but also update on its progress via the Community Forum.
- 6.3. The Community Forum is also used to progress internal Local Democracy Review projects, which do not require formal approval.
- 6.4. A Community Forum was held on 26<sup>th</sup> July 2022. Officers briefed on Local Democracy Review projects and stated that the Planning Service is seeking to formally recognise the value of our Community Groups and Amenity Forums in the planning process. Officers are not seeking to impose any formal way of recognising groups, but instead through a period of engagement are seeking to understand how groups in the borough operate and who they represent.
- 6.5. Following the meeting, a questionnaire was sent to all Community Groups and Amenity Societies, with officers seeking to understand how:
- Community Groups/ Amenity Societies are constituted
  - When the group was established and its membership size
  - Their topic(s) and geographical area of interest
  - How they respond to planning applications
  - How does their membership reflect the diversity of the boroughs population
  - How regularly they meet and if membership has a cost.
  - If they are a member of the London Forum of Amenity and Civic Societies
- 6.6. Officers have requested that responses are received by 9<sup>th</sup> September 2022 in order for them to be reviewed ahead of a special Community Forum meeting

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planned for 6th October 2022.

- 6.7. A drop-in session for Members was held on 28<sup>th</sup> July 2022. Two members attended, and an overview of Local Democracy Review projects was presented. Questions were taken regarding plans to promote proactive engagement from developers at pre-application stage. These form an existing work-stream proposal.
- 6.8. A further drop-in session for Members is planned on 6<sup>th</sup> September 2022 and an update will be given to SDSC.
- 6.9. An all Member briefing is planned on 12<sup>th</sup> September 2022 to update on progress of the Local Plan and Local Democracy Review.
- 6.10. The Planning Service will continue with its programme of internal improvements and update the public via the Community Forum.
- 6.11. Further Community Forum meetings are already planned and will be used to discuss how best to recognise Community Groups and Amenity Societies in the planning process, using the results from the questionnaire as a basis for discussion. Updates from the ongoing engagement programme will be presented to Members via informal updates.

## **7. Work to date**

- 7.1. There has been a number of improvements delivered as part of the Local Democracy Review as part of an ongoing review of internal processes.
- 7.2. Planning Committees
  - Use of closed sessions for legal advice – to ensure robust decisions
  - Uploading of Officer presentations with the agenda
  - Preparation and use of committee protocol notes
  - Member training
  - All committees webcast and recorded
- 7.3. Reports
  - All reports (delegated and committee) are written in a new accessible format
- 7.4. Publication of consultation responses
  - All consultation responses are uploaded to the website. This does not include neighbour responses/ objections due to data protection legalisation.
- 7.5. Training
  - Member committee training provided.
  - Specialist training for Climate Change provided. Financial Viability is organised for October 2022 and future sessions will be planned on a range of topics.
- 7.6. Local Requirements List
  - The Local Requirements List have been drafted for public consultation

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(from 5<sup>th</sup> - 22<sup>nd</sup> August 2022) and will be adopted on the w/c 5 September 2022. The Local Requirements lists have been updated to reflect the 2021 London Plan and provide a new local requirement for the submission of a Community Audit. This is a requirement for developers to identify buildings that have community uses/ other uses of social/ economic value. This may include health provision, education, community, play, youth, early years, recreation, sports, faith, criminal justice and emergency facilities.

#### 7.7. Decision Notices

- A review has commenced of Decision Notice templates, with a proposal to simplify and amend to accessible formats. The first draft is now being reviewed by officers and will be tested in a back office system before further drafting of other decision templates is carried out.

### 8. Financial implications

- 8.1. There are no financial implications anticipated based on the current direction of travel. This will be reviewed as draft proposals are formulated following further engagement with the Public and Members.

### 9. Legal implications

- 9.1. The Equality Act 2010 (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 function, 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 persons who do not share it

- 9.2. The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, 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.

- 9.3. 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

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reason would be of evidential value. The statutory code and the technical guidance can be found at:

<https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>

9.4. There are no legal implications. This report seeks to update on a direction of travel and engagement with the public and Members. There are no draft proposals at present.

## **10. Equalities implications**

10.1. Changes to the SCI will have equalities implications. These will be considered in full as draft proposals are prepared. This report seeks to update on a direction of travel and engagement with the public and Members. There are no draft proposals at present.

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

11.1. There are no climate change or environmental implications. This will be reviewed as draft proposals are formulated following further engagement with the Public and Members.

## **12. Crime and disorder implications**

12.1. There are no crime and disorder implications. This will be reviewed as draft proposals are formulated following further engagement with the Public and Members.

## **13. Health and wellbeing implications**

13.1. There are no health and wellbeing implications. This will be reviewed as draft proposals are formulated following further engagement with the Public and Members.

## **14. Background papers**

14.1. Lewisham Statement of Community Involvement

<https://lewisham.gov.uk/myserVICES/planning/policy/ldf/statement-of-community-involvement>

## **15. Glossary**

<b>Term</b>	<b>Definition</b>
Statement of Community Involvement	The SCI forms part of the Local Development Framework and is a legal planning requirement. It sets out the Council's policy for involving and communicating with interested parties in matters relating to the preparation and revision of local development framework documents and the exercise of the authority's functions in relation to planning applications.

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Term	Definition
Amenity Society	A group set up with a specific interest in built environment conservation and heritage. Linked to a specific conservation area.
Community Group	A group set up with a specific interest to represent a community with a defined area of interest to promote benefit residents.
Residents Association	A group set up who live in a particular area, could be a street, collection of local streets or a single development site who have a specific interest in their local area.

## 16. Report author and contact

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## 18. Comments for and on behalf of the Director of Law, Governance and HR

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## Local Democracy Working Group

### Proposals for Planning (Recommendations #25-30)

**Date:** 10 February 2021

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Director of Planning

### Outline and recommendations

The purpose of this report is to update the Local Democracy Working Group (LDWG) on proposals to increase the openness and transparency around the planning process, particularly focused on effective decision making at planning committees.

The report sets out the interim changes that have been introduced as a result of the COVID-19 pandemic and proposals that have been developed following the February 2020 LDWG meeting and the response to the options presented there. On the basis of the information gathered and the outcome of the LDWG meeting, proposals have been prepared around three key themes:

- Decision making
- Consultation and engagement with public
- Communication

## Timeline of engagement and decision-making

**May 2018** – Mayor Damien Egan promises to launch a review that will make the Council *'even more democratic, open and transparent'*

**July 2018** – Full Council agrees to establish a Local Democracy Review Working Group consisting of eight councillors. They are tasked with making recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making

**September 2018 to January 2019** – the Working Group gathers evidence from a wide range of residents, community groups and local councillors (including an online questionnaire completed by over 700 respondents, workshops at four secondary schools and attendance at over 40 events)

**January to March 2019** – the Working Group collects their evidence into a final report, which identifies 57 recommendations for change

**March/April 2019** – Mayor & Cabinet and Full Council agree the report and recommendations

**April 2019 to March 2020** – the retained Local Democracy Working Group oversees delivery of the recommendations

**February 2020** – the Local Democracy Working Group welcomed the direction of travel for recommendations 25-30

**June 2020** – temporary changes agreed to the Council's Statement of Community Involvement (SCI) to facilitate virtual meeting and introduce a temporary change to the scheme of delegation to introduce changes to cases that are referred to planning committee.

**September 2020** – temporary changes to the SCI are extended for a period of 6 months due to the ongoing pandemic and consultation on permanent changes to those sections addressing planning policy consultation agreed

**December 2020** – permanent changes to the SCI to those sections addressing planning policy consultation approved by Mayor and Cabinet.

## 1. Summary

- 1.1. The purpose of this report is to outline the proposals for the delivery of the planning recommendations.

## 2. Recommendations

- 2.1. The Local Democracy Working Group is:

Recommended to note the changes that have already been implemented:

- Use of closed sessions in planning committees for legal advice
- Uploading of PowerPoint officer presentations for planning committee Members

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- The preparation and use of committee informal protocol notes
- The use of external planning training to support planning committee members
- Permanent changes to the plan making sections of the SCI, following public consultation
- The temporary covid-19 related planning changes and the learning from those

Recommended to agree:

- Changes and improvements to the Planning web pages
- Officers progress updates to the Local Information Requirements to require the submission community audit to accompany every major development
- The development of a weekly list of applications for ward Cllrs to replace direct notifications
- The introduction of regular pre-application reviews for strategic cases (virtual)
- Preparation and updating of informal written protocols for how committees are undertaken to aid with public understanding and perception
- Officers develop and set up a programme of member training and engagement
- Greater use of the existing planning IT system to enable the public to monitor planning application progress
- New acknowledgement letters prepared to be emailed when an application is received
- Development of public consultation advice for developers and landowners for publication
- Prepare proposals for a new SCI and any necessary associated changes to undertake engagement with relevant stakeholders including:
  - A period of engagement with community groups as to how best to formally recognise them
  - A period of engagement with Members and the public regarding possible revisions to planning committees

Recommended to agree further development by officers of:

- The approach to the automatic publication of letters of objection to follow the latest legal guidance

### 3. Policy context

3.1. The recommendations of the Local Democracy Review are consistent with all the Council's corporate priorities (contained within the new Corporate Strategy 2018-22). Effective decision-making underpins the delivery of every commitment within the strategy and we will continue to work closely with our residents to understand the differing needs of our diverse community. However, the recommendations are particularly relevant under the priorities of:

- *Open Lewisham* – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us

## 4. Background

- 4.1. The recommendations of the Local Democracy Review around planning were grouped together under the theme of Openness and Transparency in the final report of the review. However in planning the delivery of the recommendations, it became clear that although there were strong elements of openness and transparency and public involvement in the planning process, delivery of them had the strongest y to the rest of the recommendations grouped under the Effective Decision Making theme. This enables the synergies between the work focused on councillors' roles and responsibilities and various other forms of council meetings to be reviewed by LDWG champions in the round. The recommendations state that:

*Communications policies for licensing and planning need to be updated in line with the democratic standards being developed to include effective digital communication. More effective and timely use of electronic communications should be a key focus, including an improved presence on the website and the online publication of notices (#25)*

*Clearer information should be provided to councillors, citizens, applicants and objectors about the role and power of planning and licencing committee and local councillors (#26)*

*The most appropriate way to provide professional support and guidance to councillors responsible for planning decisions should be further explored (#27)*

*A consistent, proportionate approach should be adopted to the provision of submissions and objections to planning and licensing committees. Full provision with suitable redaction should be the standard approach, with summaries also provided where appropriate (#28)*

*Ward members should be notified of all relevant applications and decision-making processes in a timely and appropriate manner (#29)*

*If required, the Planning Statement of Community Involvement should be reviewed in line with the democratic standards once developed, and the other relevant recommendations made within this report (#30)*

## 5. Work to Date

- 5.1. A series of meetings, a site visit, research and benchmarking took place prior to the LDWG meeting of February 2020. Those activities have included:
- site visit to LB Brent (Local Planning Authority of the Year 2019, RTPA Awards for Planning Excellence)
  - attending Future of London community engagement forum
  - meeting with Planning officer focus group
  - meeting with resident/local amenity groups
  - meeting with Council lawyers who support planning
  - assessment of current ways of working/engagement within Planning (including comparison with other boroughs planning committees and review of website)
  - meeting between Cllr Davis and Planning Committee Chairs
  - meeting with strategic planning committee
  - 'secret shopper' planning objection

- attending a local Planning meeting
- 5.2. Future actions after the February meeting included attending a community forum meeting, ward assembly and meetings between Cllr Davis, Planning and IT to discuss ICT requirements and communication officers to discuss support requirements
- 5.3. Since that meeting, progress with future actions stalled due to the COVID-19 pandemic and the need to redirect resources to supporting the Council's response. However, the pandemic required some urgent temporary changes which reflected some of the emerging options and suggestions from Members as part of the LDWG.

## 6. Learning from COVID-19

- 6.1. The current unprecedented public health emergency means there has been a need to review and adapt existing processes in relation to Local Meetings and Planning Committee Meetings which are set out in the Council's Statement of Community Involvement (SCI) and the scheme of delegation set out in the Council's Constitution. Changes agreed in June 2020 enabled the Council to continue to fulfil its statutory duty to determine the full range of planning applications, including applications relating to critical major regeneration or housing schemes.
- 6.2. In response to the Covid-19 pandemic, the emergency temporary modifications to the Council's Statement of Community Involvement (SCI) agreed by Mayor and Cabinet were (unless schemes are to be refused):
- Threshold for applications being required to go to Planning Committee for decision 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
- 6.3. The temporary changes to the Council's Statement of Community Involvement were accompanied by parallel changes to the scheme of delegation which were agreed at Strategic Planning Committee. These were reviewed on 3rd September and a 6 month extension was agreed due to the continued need to operate virtual meetings.
- 6.4. Similarly, the public health emergency has meant that there was a need to review and adapt existing processes in relation to the preparation of planning policy documents which are set out in the SCI. This includes Local Development Documents that form part of the Council's statutory development plan. Furthermore, a review and update of existing processes is required to ensure the SCI appropriately reflects the latest legislation, national planning policy and guidance, having regard to changes introduced since the 2006 SCI was adopted.

- 6.5. Since their introduction in June 2020, the Planning Service have been applying the increased scheme of delegation threshold. At the time of writing this report 41 decisions had been made by officers where there were 3 or 4 objections, 22 of which that would have otherwise had been determined at committee as the recommendation was for approval. The schemes have largely been small scale developments. The adjusted threshold has saved approximately 3 weeks on average that would normally be required for the process a committee meeting report preparation and a review of the decisions has shown that in most cases, issues raised were able to be successfully overcome via the imposition of conditions. The Planning Service have not seen an increase in complaints as a result of changes and the high quality of decision making has been retained.
- 6.6. Schemes with 5-9 objections or an amenity society objection have been subject to a Chair's Review meeting to determine whether a decision should be made by officers or committee. The Chair's Review meetings do not take a decision on if the planning application itself should be approved or refused, only who will be the decision maker for the application, based on a short presentation of the scheme and an overview of the material planning considerations/key issues. Following representations from amenity societies and feedback from the Council's Business Panel, a new field has been used on the Planning public access system to note the outcome of CRM meetings to ensure transparency on where a final decision would be taken. 47 schemes have been subject to this route with developments ranging from variations of conditions to development of a 6 storey building. 76% of schemes have been referred to officers to determine a development under delegated powers, with the remainder being decided by committee. In many instances, issues raised were able to be successfully overcome through the introduction of conditions. Those cases where more fundamental in principle objections were raised were more likely to be referred to planning committee. Reviews of the decisions made by officers has shown that the high quality of decision making and full and transparent analysis of objections in light of national, regional and local planning policies has still happened. Particular concerns were raised by amenity societies regarding the risk of harm to heritage assets in the Borough as a result of the automatic referral right to planning committees being removed. Officers have not seen evidence of this and remain confident that the decisions made have continued to appropriately protect and reflect the Borough's heritage assets.
- 6.7. Virtual planning committee meetings have been operating successfully in terms of public participation and decision making. They have been resource intensive, requiring additional officer support than would be needed for an in person meeting but the quality of decision making has been retained. An initial backlog of planning cases required regular meetings of all the planning committees but once cleared, the Planning Service have seen a reduction in cases requiring a committee decision due to the operation of the temporary scheme of delegation and Chair's Review meetings.
- 6.8. In order to ensure virtual committee meetings are conducted in an orderly fashion it has been necessary to introduce a new requirement for public speakers (including applicants and/or their agents) to register their intention to speak 24 hours in advance of the meeting so that the IT department can arrange for them to be invited to the meeting. Public speakers are also now required to submit their intended verbal statements in advance of the meeting as a precaution to ensure that their views can still be taken into account by the Planning Committee in the event that their verbal presentation is cut short due to technical difficulties. Both measures have been operating well and people have been taking part in virtual committees. Following early issues with attendees being able to operate their own technology successfully, additional support for members of the public in the form of a pre-committee test have also been introduced. These have been well received.

- 6.9. The SCI makes provision for Local Meetings where 10 or more objections have been received to a planning application. These meetings are an opportunity for the community to find out more about proposals which may affect them and to ask officers and applicants questions about the planning application. As it is no longer possible to hold face to face public meetings, a new electronic format for Local Meetings has been taking place to fulfil the same important role of community engagement. To date, this has largely relied on external IT support rather than a Council system, however progress is being made with an in house solution. 8 local meetings have taken place since June and have enabled public participation through an online meeting. A good level of public participation has been achieved and there has been no evidence of a reduction in engagement due to these measures.
- 6.10. To avoid delays to postal deliveries, wherever possible, notification of Local Meetings (in their revised electronic format) and Planning Committee Meetings have been made by email. Where an individual's or group's email address has not been given, the Council has continued to communicate with them via post. This has been operating successfully.
- 6.11. At this time, libraries remain closed, as does the Planning Information office. The SCI notes that these locations are available to view planning applications, committee agendas and decisions. As these locations are not currently available the SCI was updated to make it clear how the public can access this information such as via the Council website. The Planning Service have seen no indication that this has reduced participation in the planning process through the pandemic.
- 6.12. Officers consider that the temporary working arrangements and delegations have been operating successfully, albeit it is recognised that there has been much concern from amenity societies that their role in decision making has been weakened. Good quality decisions are being made under delegated powers on the most straightforward cases, with the cases being considered by planning committee being more complex or nuanced. The temporary measures have enabled the Planning Service to continue to issue decisions, engage with the public and reduce the committee backlog that had grown at the beginning of lockdown. The measures have not been found to give rise to concerns regarding the proper consideration of planning issues.
- 6.13. The pandemic has necessitated a level of change and adjustment to the Planning Service that has been unprecedented. Whilst the period has been challenging, it has shown that changes in how the service engages and undertakes the planning process in new ways, using technology has not disenfranchised the community. It is also evident that irrespective of where a decision is made, good quality decision making has been preserved throughout. Safeguards have been introduced through increased member involvement via Chair Review Meetings and call-in rights for ward Cllrs have also been retained throughout, ensuring proper democratic accountability remains at the heart of the planning process in Lewisham. This period has also shown that there is a need for flexibility in processes to enable the Council to respond to changes in circumstances.

## 7. Proposals

- 7.1. There are a number of detailed direct responses and actions to the local democracy

review recommendations that have been formed based on the feedback and research to date and the learning during COVID-19. These fall under three key themes of consultation and engagement, decision making and IT/website. This report reflects on the proposals under these broad themes.

- 7.2. The local democracy review process and recommendations were expected to be achieved within existing resources wherever possible (given the Council's ongoing budget savings process). Following the COVID-19 pandemic, the Council's financial position has worsened. It is therefore necessary to look at opportunities to make savings as part of this process wherever possible. This is particularly important for the Planning Service as income levels have reduced significantly with a projected overspend of c.£1m as of December 2020. Whilst this is not the driving force behind any proposal, this has influenced the proposals with this paper.

### Consultation and engagement

- 7.3. To aid greater transparency and trust in the planning process, good consultation and engagement with the public is key. Having undertaken the activities in part 5 of this report, it is clear that early engagement is vital along with clear guidance and a meaningful chance for communities to get involved in planning. Many feel that current planning engagement takes place too late in the process and can therefore feel tokenistic. The rationale that underpinned the options for improvement were to undertake earlier and therefore more meaningful engagement with the public. This aligns with the emerging findings from delivery of the wider consultation and engagement recommendations that approaches to early and meaningful engagement need to be better embedded across the organisation.

### Current practice

- 7.4. All Councillors are notified of each planning application made in their ward. The public are consulted by letter (or automatically by email if an interest in a particular street is registered on the public access system) and local meetings are offered where more than 10 objections are received to a planning application. Amenity societies are consulted on applications in their area and any applications that they object to are automatically referred to planning committee. Letters that are received are not automatically published, instead being made available if requested after being redacted.

### COVID-19 temporary changes

- 7.5. Due to the demands of resourcing virtual planning committees, the automatic call in right for amenity societies has been temporarily changed. This means that instead of an automatic referral to planning committee, an amenity society objection results in a Chair's Review meeting to determine where a decision is made. Greater use is also being made of electronic correspondence to reduce the need for officers to attend the office to handle post. Local meetings have been held virtually and many developers have been using online forums for pre-application meetings with good attendance being achieved

### Proposal

- 7.6. The LDWG agreed that officers should progress proposals to improve early engagement that is developer led. It is proposed that there is a greater emphasis on early engagement by promoting pre-application consultation with local communities, led by applicants/developers in accordance with a Lewisham public engagement

protocol. Evidence of engagement and details of feedback would form part of the planning submission and would be a material planning consideration. Developers would also be expected to undertake a community audit to support any planning application affecting community assets, including open space, noting the facilities/uses on a site and how they are used and valued by the public. Setting this requirement will help to signpost the importance of meaningful community engagement at the earliest stage of the design process for schemes of all scales. Coupled with the proposed reduction of planning committees, this will assist ward Members to have more time to take part in those early discussions and help shape and advocate for their communities. This is intended to address comments by the public and Members regarding the frustration felt when input is requested at too late a state when an application is submitted and a scheme is designed.

- 7.7. For all major applications, early engagement would include a pre-application public meeting to undertake public consultation when there is a chance to influence scheme design. This would replace the existing local meeting requirements based on number of objections to ensure that the earlier engagement can be resourced and no local meetings would be held for minor schemes. Improved guidance would need to be produced for the public and developers to ensure that the expectations of these meetings are clearly set.
- 7.8. Ward Cllrs would continue to be consulted on all applications in their ward but via a 'weekly list' showing the previous three weeks of planning applications.
- 7.9. Pre-application planning committee reviews would be undertaken for strategic schemes using a virtual format. In addition, the Council would develop a new Statement of Community Involvement and review of who is consulted as part of planning applications, how they are contacted and when. This would also review the role of and relationship with amenity societies. It is recommend that a period of engagement between the Council, Members and amenity societies/community groups takes place to explore this further and consider options for how best to formalise their role, recognise the value that our community groups bring to our decision making whilst ensuring a smooth process that works in the wider public interest.
- 7.10. Learning from COVID-19 suggests that an SCI which is a high level document that sets out minimum requirements with further details expanded via advisory notes as necessary hosted on the Council's website would enable standards to be set but give the Council greater flexibility to respond quickly should circumstances change.
- 7.11. One area that the Planning Service continue to keep under review is the automatic publication of letters received in response to planning applications. Guidance from the Planning Advisory Service and ICO continues to be awaited. Until that time, the Council's approach is based on the interim advice which recommends against automatic uploads.

## Outputs

In order to deliver this proposal, the following outputs would be delivered:

- A new SCI following the development of proposals and a period of engagement with amenity societies/community groups and Members,
- A public engagement protocol,
- A weekly list of planning applications for ward Cllrs to replace direct notifications,
- Regular pre-application reviews for strategic cases (virtual)

- Change Local Information Requirements to include a requirement to submit a community audit for major schemes
- Continue to review the automatic publication of letters of objection to follow the latest legal guidance.

### Decision making

- 7.12. The majority of planning decisions are made by officers using their delegated powers. Prior to the temporary emergency measures, for applications where there were three or more objections, those involving the loss of a pub or departures from the development plan, decisions are made by a planning committee.
- 7.13. Lewisham has one of the highest numbers of planning committees in London (three committees and strategic planning committee) and also one of the lowest triggers for referral through to planning committee. There have been occasions where training has had a low attendance and Members wider roles can make it difficult to make time to undertake a full review of planning reports. Feedback suggested that we need better and earlier engagement with Members who are on Planning Committees. This feedback recognised that this will require greater time commitment from Members and officers who support committees so changes would be needed to the number of meetings and types of applications that are taken to Planning Committee to support that type of change.
- 7.14. As discussed above, Lewisham has four planning committees and 31 Members who are involved in making planning decisions; committees A, B and C and Strategic Planning Committee (SPC). There are no set thresholds for which cases which go to A, B or C versus SPC, but generally the largest scale schemes go to SPC. The local democracy review feedback noted frustration and confusion from both Members and the public about roles, responsibilities and transparency of how decisions are made. In response to this, some immediate changes have been trialled at committees.
- 7.15. The rationale for the proposal below is to give a greater sense of fairness in terms of the type of cases that come to committee and the process of how decisions are made, enable better decision making by ensuring that sufficient time is available for those Members who are on committees for training and ensure that Members still have the opportunity to appropriately advocate for all their communities and effectively fulfil the wider range of responsibilities members have.

### Current practice

- 7.16. For planning committee members, training is held at the beginning of each new election cycle with optional training carried out from time to time. Reports have been refreshed to make them more accessible. Greater use is being made of confidential legal advice to Members as required during meetings along with providing electronic copies of all objections/support letter as confidential agenda items. Planning case PowerPoint presentations are also now provided in advance to Members.

### COVID-19 temporary changes

- 7.17. Changes to the scheme of delegation has meant cases with 3-4 objections have been decided by planning officers under delegated powers. Schemes with 5-9 objections or an amenity society objection have been taken to a Chair's Review meeting where a decision is made by a planning committee chair on whether a scheme is decided by committee or under delegated powers. Member training and briefings have been undertaken virtually with high levels of attendance and engagement and protocols

and standard scripts prepared for committees and chairs to assist with virtual committees.

### Proposal

- 7.18. It is proposed to increase the threshold of objections that would trigger a committee referral to at least 5 objections to mirror the emergency temporary measures. It is also considered that Chair's Review meetings for those schemes with more than 5 objections should become a permanent feature of the scheme of delegation as an added safeguard. The temporary changes have demonstrated that good decision making has been safeguarded whilst ensuring that only the most complex and sensitive schemes are referred to planning committee. It is not proposed to alter Member call-in powers.
- 7.19. As a result of this and the likely reduced referrals to committee, it is proposed to review the structure, frequency and resourcing of planning committees. This review would also take in to account any changes needed to enable the Planning Service to refocus resource to support the increased early engagement activities and any freeing up of time for Members to assist with their wider roles and requests for earlier engagement.
- 7.20. Written guidance for Members would be retained and kept up to date with guidance also prepared to more clearly explain what is expected at a planning committee for publication on the Council's website. This will aid transparency for those who wish to participate in the decision making process.
- 7.21. Training for Members would be mandatory and held (virtually or as a hybrid meeting) at least annually to improve understanding and also help with public perception of good quality decision making.

### Outputs

In order to deliver this proposal, the following outputs would be delivered:

- Consult on the adoption of permanent changes to the scheme of delegation and the permanent use of Chair's Review meetings.
- Prepare and update informal written protocols for how committees are undertaken to aid with public understanding and perception.
- Set up a programme of member training and engagement.

### Communication

- 7.22. The planning system is complex and accessing good quality information is therefore vital to ensuring that the planning process is as transparent as possible. This is important for applicants as well as the public (including interest groups) and includes policy information, information on process and information on individual planning applications. Feedback has been almost universal that the current web pages are difficult to find and navigate and that those who are interested in planning application progress can be unsure of planning application stages and where applications are in the system. The rationale for the options are to provide more and better information that is easily understood and to make the process more transparent. simplifying the

website to bring out the key information

Covid-19 temporary changes

- 7.23. The COVID-19 pandemic has shown the importance of good, regular and clear communications. The Planning Service have been keeping the planning pages on the web site up to date with the latest changes to service delivery and has adapted some of the information that is updated on the public access system to show the progress of cases.

Proposals

- 7.24. Changes have been introduced to web page management which now sits with IT. Staff within planning will be now able to update the planning web pages directly, ensuring that there is greater control over content and a better ability to respond to customer demands. Staff will be trained in the short term and after that point, it is proposed to refresh and update guidance pages and reintroduce some useful guides to help those participating in the planning process.
- 7.25. The current planning service IT system would remain but opportunities for more information to be input in to the existing fields to give more detail about how an application is progressing will be explored. Greater use of existing communication methods such as the Council wide twitter feed would be promoted to publicise key planning matters, as is already happening with the draft local plan. Letters would be sent to applicants notifying them when their application is received (as opposed to waiting until valid) and this would set out information on the overall process.
- 7.26. Longer term proposals for the replacement of the planning IT system are still in place but held in abeyance due to current capacity, risk given full reliance on remote working and proposals for wide scale digital changes outlined in the Planning White Paper.

Outputs

In order to deliver this proposal, the following outputs would be delivered:

- Updated content on the planning website
- Greater use of the existing system to be able to monitor planning application progress
- New letters prepared to be emailed when an application is received

## 8. Conclusion

- 8.1. Recommendations #25-30 of the LDR required that key aspects of engagement with planning process were reviewed with a desire to increase transparency and understanding.
- 8.2. Having undertaken a review of the current process, meeting with various groups who engage with the service, visiting Brent Council to review best practice, undertaken benchmarking, learnt from the emergency temporary COVID-19 changes and had endorsement of the direction of travel from the LDRWG, there are series of proposals. The working group are asked to agree the proposal which seeking to make better use of the Council's website and existing IT systems to provide better

and more user friendly advice and information, provide a more front loaded planning process where early (and therefore more meaningful) engagement is sought as opposed to a reliance on meetings during the formal process and changing practices for planning committees to facilitate good, transparent decision making.

8.3. The key actions/outputs proposed to deliver on these recommendations are:

- A new SCI following the development of proposals and a period of engagement with amenity societies/community groups and Members,
- A public engagement protocol,
- A weekly list of planning applications for ward Cllrs to replace direct notifications,
- Regular pre-application reviews for strategic cases (virtual),
- Change Local Information Requirements to include a requirement to submit a community audit for major schemes,
- Continue to review the automatic publication of letters of objection to follow the latest legal guidance,
- Consult on the adoption of permanent changes to the scheme of delegation and the permanent use of Chair's Review meetings,
- Prepare and update informal written protocols for how committees are undertaken to aid with public understanding and perception,
- Set up a programme of member training and engagement,
- Updated content on the planning website,
- Greater use of the existing system to be able to monitor planning application progress,
- New letters prepared to be emailed when an application is received.

8.4. Resourcing for this work and exact timescales will be dependent on the need to respond to the current pandemic. However, it is intended to progress these actions at the earliest opportunity.

## 9. Financial implications

9.1. The Local Democracy Review was delivered with a budget of £10k, primarily by using existing expertise and resources within Corporate Policy. No further budget was allocated for the delivery of the 57 recommendations and there is an expectation that implementation will be achieved within existing resources wherever possible (given the Council's ongoing budget savings process).

## 10. Legal implications

10.1. The Equality Act 2010 (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.

10.2. In summary, the council must, in the exercise of its function, 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 persons who do not share it
- 10.3. The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, 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.
- 10.4. 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/publication-download/technical-guidance-public-sector-equality-duty-england>

## **11. Equalities implications**

- 11.1. There are likely to be equalities implications given the greater use of technology and virtual meetings. Some implications are likely to be positive as technology can aid greater participation for hard to reach groups or those with mobility issues who may find attending a meeting in person more difficult. Others may find it more difficult to engage using digital means. Implications will be kept under review as proposals are developed and consultation undertaken (where relevant).

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

- 12.1. Greater use of electronic communication methods, will reduce the need for paper based correspondence.

## **13. Crime and disorder implications**

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

## **14. Health and wellbeing implications**

- 14.1. There are no specific health and wellbeing implications arising from this report.

## **15. Background papers**

- 15.1. LDWG report, February 2020

## **16. Glossary**

Term	Definition
ICO/Information Commissioners Office	The Information Commissioner’s Office. The UK’s independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.
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.
Local Democracy Working Group (LDWG)	The Local Democracy Working Group is a group of eight councillors who are responsible for implementing the recommendations of the Local Democracy Review during 2019/20.
Statement of Community Involvement (SCI)	The SCI forms part of the Local Development Framework and is a legal planning requirement. It sets out the Council’s policy for involving and communicating with interested parties in matters relating to the preparation and revision of local development framework documents and the exercise of the authority’s functions in relation to planning applications.

## 17. Report author and contact

- 17.1. If there are any queries about this report then please contact Emma Talbot 020 8314 9051.

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## Sustainable Development Select Committee

### **Report title: Update on Environmental Crime Enforcement Team**

**Date:** 8<sup>th</sup> September 2022

**Key decision:** No.

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Seamus Adams – Head of Commercial Operations and Development

### **Outline and recommendations**

The purpose of this report is to update the Sustainable Development Select Committee on the progress of the Environmental Crime Enforcement Team in tackling fly tipping and irresponsible waste management.

Sustainable Development Select Committee is asked:

- To note and comment on the contents of this report and supporting presentation.

### **Timeline of engagement and decision-making**

Approval of Hybrid Enforcement Team – Mayor and Cabinet February 2021

## **1. Summary**

- 1.1. This report presents an overview of the current activities and performance of the Environmental Crime Enforcement Team in tackling fly tipping and irresponsible waste management.

## **2. Recommendations**

- 2.1. To note and comment on the contents of this report and supporting presentation.

## **3. Context**

- 3.1. In order to tackle the increasing amount of fly tipping and associated anti-social behaviour occurring in the Borough, an innovative and cost effective solution was required.
- 3.2. The solution was to work with NSL, the Council's parking enforcement contractor, to provide 6 officers and back office functions to support the existent Lewisham Waste Enforcement team.
- 3.3. The combined team, now known as The Environmental Crime Enforcement Team (ECET), have made a positive contribution to tackling those engaged with fly tipping and anti-social behaviour.

## **4. Background**

- 4.1. The Council is committed to making Lewisham cleaner and greener by working to protect and improve the local environment, where everyone can enjoy clean streets and benefit from a clean street environment.
- 4.2. Mayor and Cabinet agreed in February 2021 for a 6 month pilot between the Council and NSL to create a Hybrid Enforcement team that would target fly tipping and the issuance of fixed penalty notices for littering and fly tipping offences.
- 4.3. The Environmental Crime Enforcement Team provide a highly visible, re-assuring presence on the streets, tackling fly tipping and littering, and promoting responsible waste management and behaviour change.
- 4.4. The legislation used is primarily Sections 87 of the Environmental Protection Act 1990 for littering and 33 of the Environmental Protection Act 1990 for fly tipping. Payment of a fixed penalty notice is an opportunity to discharge liability to further enforcement action.
- 4.5. The Environmental Crime Enforcement Team have issued over 2200 fixed penalty notices since August 2021 to the time of writing this report with £200,000.00 of income and a payment rate of 56%. The income is spent on providing the service.
- 4.6. The team are pro-active, collaborative and supportive and work with other Council services and external agencies, Met Police, Environment Agency etc.
- 4.7. The team use the 4 E's approach – Engagement, Education, Encouragement and Enforcement, and have received relevant training to carry out their duties respectfully, effectively and proportionately.
- 4.8. The team manage their statutory functions – abandoned vehicles, forecourt licensing etc. as well as the fly tipping programme. They also have access to re-deployable CCTV equipment which is used effectively to trace owners of vehicles used in fly tipping incidents. Unfortunately CCTV isn't so useful in identifying individuals dumping rubbish.
- 4.9. The team is deployed effectively by using intelligence gathered from reports made on the Love Clean Streets App, from residents and from the Wearside Depot Cleansing team. Over 28,000 reports of fly tipping were made on the Love Clean Streets App from August 2021 – August 2022. The team cannot respond to every report, but fly tips are cleared routinely by the street cleansing service and any evidence found is passed back

to the Enforcement team for a decision on action.

- 4.10. The Environmental Crime Enforcement Team is issuing nearly 200 fixed penalty notices per month. The income is ring-fenced to the service. There is a discount for early payment of the fixed penalty notice. It isn't lawful to prosecute for non-payment of a fixed penalty notice, in this circumstance the person would be referred for prosecution of the original offence.
- 4.11. An escalation process has recently been put in place to encourage payment of outstanding fixed penalty notices. There is no formal appeals procedure against a fixed penalty notice, but mitigation is taken into account, and due lawful process is followed.
- 4.12. The Environmental Crime Enforcement Team have been supported by a communication campaign that promotes Cleaner Lewisham and responsible waste management..
- 4.13. The next phase of the communication campaign is focused on 'casual' fly-tipping among residents – highlighting the impact of even very small instances of fly-tipping in the borough, particularly in terms of the money wasted on clearing it up, that could go to other local services.
- 4.14. A recent channel insight survey carried out for the Communication team (using a representative sample of residents) found a 53% awareness rating of the Cleaner Lewisham campaign – much higher than usual for this sort of campaign.

## **5. Financial implications**

- 5.1. There are no direct financial implications arising from the recommendations in this report. Income from the receipt of fixed penalty notice payments is ringfenced and put back into the service.

## **6. Legal implications**

- 6.1. The service must comply with current legislation when dealing with environmental crime. Legislation authorises the issue of fixed penalty notices by the Council as an alternative to prosecution for littering and fly-tipping offences. If the recipient of the fixed penalty notice fails to pay the penalty, the Council may then prosecute for the original offence.

## **7. Equalities implications**

- 7.1. Cleaner streets benefit everyone.
- 7.2. When conducting PACE investigative interviews with those suspected of environmental crime, any special needs will be taken into account prior and during the interview process.

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

- 8.1. Changing peoples behaviour and encouraging responsible waste management are key drivers of the enforcement approach being taken.
- 8.2. Reducing the amount of waste left illegally on Lewisham's streets will improve the local street environment, reduce the costs and environmental impact of collection and disposal, and is congruent with Lewisham's Waste Management Strategy.

## **9. Crime and Disorder implications**

- 9.1. The actions taken by the Environmental Crime Enforcement Team are proportionate and follow due process. Waste crime is on the increase across the UK and the ECET follow data sharing protocols with external agencies to pass and receive relevant information concerning waste crime.

## **10. Health and wellbeing implications**

- 10.1. The actions taken by the Environmental Crime Enforcement Team will contribute to a positive impact on the wellbeing of people living and working in the Borough, which will
- 10.2. be beneficial to all.

## **11. Report author(s) and contact**

- 11.1. Seamus Adams. Seamus.adams@lewisham.gov.uk
- 11.2. Comments for and on behalf of the Executive Director for Corporate Resources
- 11.3. Shola Ojo]
- 11.4. Provide the name of the author of the financial implications.
- 11.5. Comments for and on behalf of the Director of Law, Governance and HR
- 11.6. Melanie Dawson
- 11.7. Provide the name of the author of the legal implications.

## **12. Appendix 1**

- 12.1. Presentation: Environmental Crime Enforcement Team – Update



## Environmental Crime Enforcement Team – Update

A visible re-assuring presence on the streets of Lewisham tackling fly tipping and littering, and promoting responsible waste management and behaviour change.



## Operational Focus

- Everyone benefits from a clean and tidy street environment
- Our targeted enforcement activities are derived from reports/complaints/Intelligence
- The team are pro-active, collaborative and supportive
- 4 E's approach – Engagement, Education, Encouragement, Enforcement
- Over 2200 Fixed Penalty Notices issued
- FPN and Community Protection Warnings issued for flyposting offences
- 12 cases ready for Court – guilty verdicts will raise profile of enforcement activity



## Operational Focus

- The Team use deployable CCTV cameras at known hot spots
- CCTV is best used to observe fly tipping from vehicles – registration numbers are good evidence
- It isn't so useful in identifying individuals
- Operation CUBO – traffic stops to identify illegal waste carriers
- Operation NEO – Night time enforcement against businesses without waste contracts
- Working with Met Police and Environment Agency
- Working collaboratively with Wearside Cleansing Team



# Operation CUBO

August 10 2022

Joint initiative with Met Police

Roadside vehicle stops

Road Traffic Offences – MPS

Waste Carrier offences -LBL



# Operation CUBO

Total of 51 vehicles stopped

2 vehicles failed to produce waste carriers licence on demand – investigations ongoing

6 Duty of Care Notices issued – failing to produce documents upon request

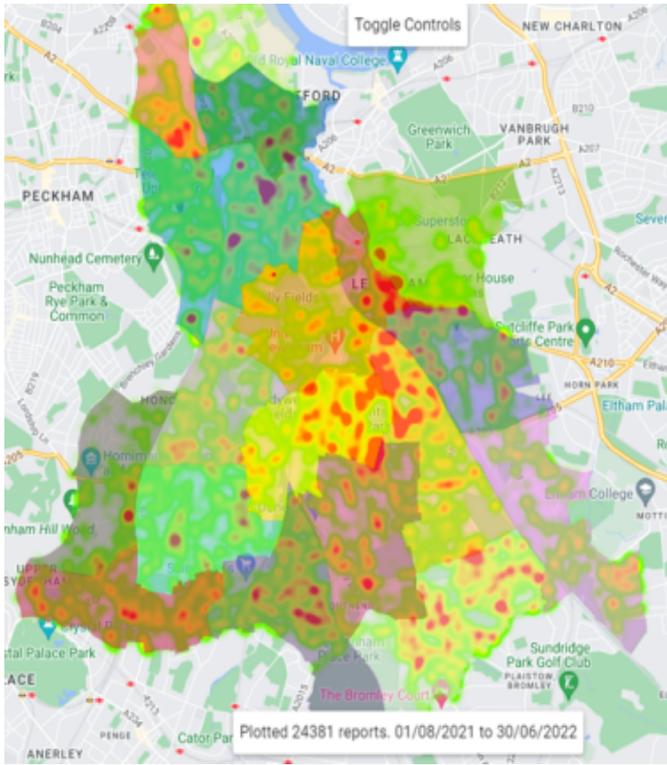
FPN's to be issued if Notice not complied with

Intention to have Operation CUBO quarterly or more frequently dependent on resources

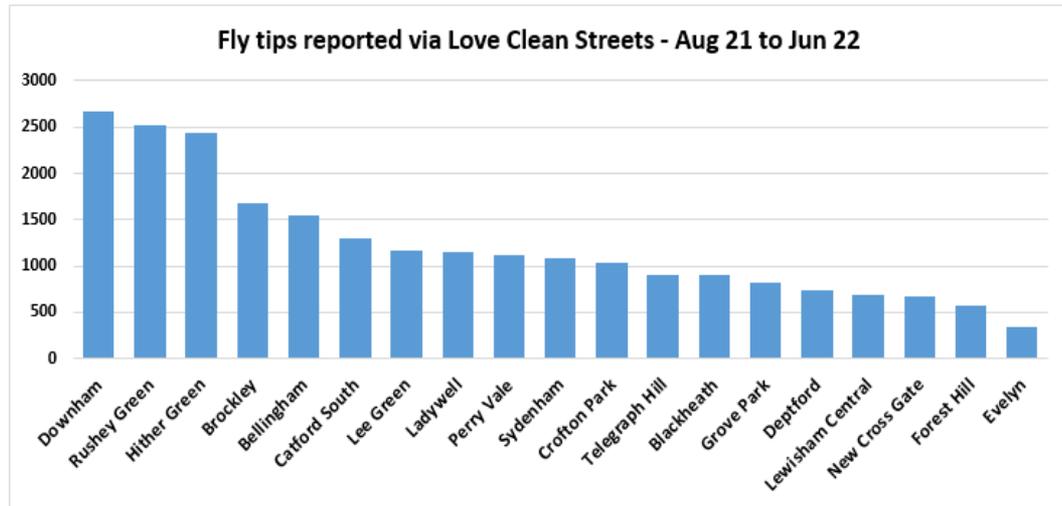
Word of mouth between illegal waste carriers an effective deterrent



# Fly tipping



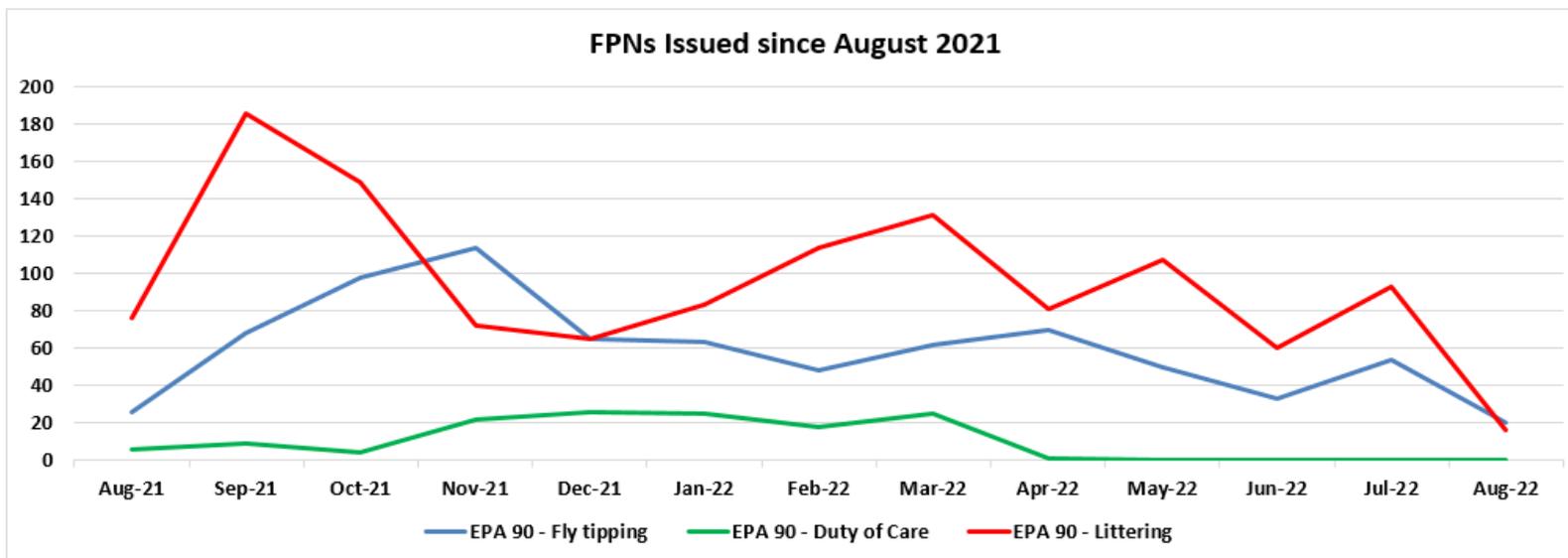
Over 28,000 reports of fly tipping reported via Love Clean Streets app



# Performance Data August 2021 – Aug 2022



FPN Performance - Monthly Comparison														
Issue Month	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Total
No of FPNs Issued	117	266	252	213	163	172	182	220	162	174	105	161	44	2231
% of FPNs Paid	3%	41%	68%	51%	64%	52%	53%	45%	65%	60%	66%	55%	93%	56%
Income Recovered	£341	£14,345	£27,140	£21,735	£19,290	£14,910	£15,975	£14,880	£21,100	£18,285	£10,710	£16,065	£6,170	£200,946



# Summary of Hybrid Team

## Quantitative

Aug 21 – Aug 22

2,231 fixed penalty notices issued for environmental offences

56% payment rate

Current Receipts: £200,000 – put back into service

975 Warning signs deployed in fly tipping hot spot areas

## Qualitative

Residents approaching the Enforcement Officers to compliment the team

Community groups requesting more warning signs in local hotspot areas

Businesses acknowledge that action is being taken to curb unauthorised waste deposits

Word of mouth about enforcement proving to be effective

# Way Forward

- Continue with the Hybrid Enforcement Team and review progress in 6 months
- Review the locations of re-deployable CCTV and invest in more cameras
- Work with other Agencies (MPS, Environment Agency) to tackle waste crime
- Utilise public support – reports/intelligence via Cleaner Lewisham App
- Refreshed Communications campaign – New signage/information leaflets
- Pursue non-payment of FPN's

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## Sustainable Development Select Committee

### Select Committee Work Programme Report

**Date:** 8 September 2022

**Key decision:** No.

**Class:** Part 1 (not restricted)

**Wards affected:** Not applicable

**Contributor:** Timothy Andrew (Scrutiny Manager)

### Outline and recommendations

This report gives Committee members an opportunity to review the Committee's work programme and make any necessary changes.

The Committee is asked to:

- Review the work programme attached at Appendix B.
- Consider the items for the next meeting and specify the information required.
- Look at the forward plan of key decisions at Appendix E to consider whether there are any items that should be considered for further scrutiny.

### Timeline of decision-making

27 June 2022 - Draft Sustainable Development Select Committee work programme 2022/23 agreed by Committee

19 July 2022 - Work programme 2022/23 – agreed by Business Panel

## 1. Summary

- 1.1. The Committee proposed a draft work programme at the beginning of the municipal year. This was considered alongside the draft work programmes of the other select committees and agreed by Business Panel on 19 July 2022.
- 1.2. The work programme should be reviewed at each meeting to take account of changing priorities.

## 2. Recommendations

- 2.1. The Committee is asked to:
  - Review the work programme attached at Appendix B.
  - Consider the items for the next meeting and specify what evidence is required, including being clear about the information the committee wishes to be included in officer reports.
  - Look at the forward plan of key decisions at Appendix E to consider whether there are any items for further scrutiny.

## 3. Work programming

- 3.1. When reviewing the work programme the Committee should consider the following:  
The Committee's terms of reference
- 3.2. The Committee's areas of responsibility, include, but are not limited to:
  - monitoring the provision of the Council's planning, regeneration and environmental services functions;
  - scrutinising the delivery of the Council's refuse and recycling services;
  - the development of key planning policies and the performance of the Council's activities to meet the climate challenge as well as examining other key Sustainable Development related matters.
  - The Committee also has a role in engaging and reflecting the views of residents in relation to sustainable development-related matters. This includes, for example, the provision of the Council's parks and green spaces services, street lighting and jobs, business support and employment functions.

Whether any urgent issues have arisen that require scrutiny
- 3.3. If the Committee becomes aware of an issue requiring further scrutiny, it should consider the prioritisation process (Appendix C) and the Effective Scrutiny Guidelines (Appendix D) before deciding on its priority.  

Whether a meeting is the most effective means for scrutinising the issue
- 3.4. Committee members should consider whether there are alternative methods for gathering information or receiving updates on issues of interest. For example, would a briefing, written summary or review of exiting material be more appropriate and effective?  

Whether there is space in the Committee's work plan to consider the item
- 3.5. Members should consider which work programme items could be removed or rescheduled to make space for the full consideration of more important issues.

Whether the item links to the priorities set out in the corporate strategy

3.6. The [Corporate Strategy for 2018-2022](#) set out the following priorities:

- [Open Lewisham](#) - Lewisham is a welcoming place of safety for all, where we celebrate the diversity that strengthens us.
- [Tackling the housing crisis](#) - Everyone has a decent home that is secure and affordable.
- [Giving children and young people the best start in life](#) - Every child has access to an outstanding and inspiring education, and is given the support they need to keep them safe, well and able to achieve their full potential.
- [Building an inclusive local economy](#) - Everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
- [Delivering and defending: health, social care and support](#) - Ensuring everyone receives the health, mental health, social care and support services they need.
- [Making Lewisham greener](#) - Everyone enjoys our green spaces, and benefits from a healthy environment as we work to protect and improve our local environment.
- [Building safer communities](#) - Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

3.7 A new Corporate Strategy is currently in development, which will include a refreshed set of priorities and will describe how the Council intends to address the social, economic and environmental challenges facing the borough up to 2026. Once this is in place, the Committee may wish to review its work programme in light of the new strategy.

3.8 The Committee should also note and take into account the four strategic themes of the borough's Covid-19 recovery plan, Future Lewisham, which support what we want for every single resident and that we know are what we need to focus on locally: an economically sound future; a healthy and well future; a greener future; and a future we all have a part in.

#### 4. The next meeting

- 4.1. The following items are scheduled for the next meeting. For each item, the Committee should clearly define the information and analysis it wishes to see in officer reports. If the Committee has designated one of its members as a climate change champion, that member should work with the Chair to ensure that officers are given appropriate steers in relation to the reports, to ensure they include relevant climate change considerations.
- 4.2. The Committee should also consider whether to invite any expert witnesses to provide evidence, and whether site visits or engagement would assist the effective scrutiny of the item.

Agenda Item	Review type
Budget cuts	Standard item
Controlled parking zone programme	Policy development

## 5. Scrutiny between meetings

5.1. This is a list of scrutiny activity, including briefings, visits and engagement, that has taken place outside of the Committee meetings:

- Chair's meetings with officers in planning; public realm and parks services.

## 6. Referrals

6.1. This is a list of referrals made by the Committee this municipal year:

Referral title	Date of referral	Date considered by Mayor and Cabinet	Response due at Committee
Flood risk management strategy	27-06-22	06-07-22	N/A

## 7. Financial implications

7.1. There are no direct financial implications arising from the implementation of the recommendations in this report. Items on the Committee's work programme will have financial implications and these will need to be considered as part of the reports on those items.

## 8. Legal implications

8.1. In accordance with the Council's Constitution, all scrutiny select committees must devise and submit a work programme to the Business Panel at the start of each municipal year.

## 9. Equalities implications

9.1. Equality Act 2010 brought together all previous equality legislation in England, Scotland and Wales. The Act included a new public sector equality duty, replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9.2. The Council must, in the exercise of its functions, have due regard to the need to:

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

9.3. There may be equalities implications arising from items on the work programme and all activities undertaken by the Select Committee will need to give due consideration to this.

## 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. However, in February 2019 Lewisham Council declared a Climate Emergency and proposed a target to make the borough carbon neutral by 2030. An action plan to achieve this target was subsequently agreed by Mayor and Cabinet (following pre-decision scrutiny by the Sustainable Development Select Committee)<sup>1</sup>. The plan incorporates all areas of the Council's work. Items on the work programme may well have climate change and environmental implications and reports considered by the Committee should acknowledge this.

## **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. Items on the Committee's work programme may have crime and disorder implications and these will need to be considered as part of the reports on those items.

## **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. Items on the Committee's work programme may have health and wellbeing implications and these will need to be considered as part of the reports on those items.

## **13. Report author and contact**

If you have any questions about this report please contact: Timothy Andrew (Scrutiny Manager) 020 8314 7916 [timothy.andrew@lewisham.gov.uk](mailto:timothy.andrew@lewisham.gov.uk)

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<sup>1</sup> See <https://lewisham.gov.uk/TacklingTheClimateEmergency> for a summary of the Council's work in this area.

## **Appendix A**

### **Sustainable Development Select Committee Terms of Reference**

The following roles are common to all select committees:

#### **(a) General functions**

- To review and scrutinise decisions made and actions taken in relation to executive and non-executive functions
- To make reports and recommendations to the Council or the executive, arising out of such review and scrutiny in relation to any executive or non-executive function
- To make reports or recommendations to the Council and/or Executive in relation to matters affecting the area or its residents
- The right to require the attendance of members and officers to answer questions includes a right to require a member to attend to answer questions on up and coming decisions

#### **(b) Policy development**

- To assist the executive in matters of policy development by in depth analysis of strategic policy issues facing the Council for report and/or recommendation to the Executive or Council or committee as appropriate
- To conduct research, community and/or other consultation in the analysis of policy options available to the Council
- To liaise with other public organisations operating in the borough – both national, regional and local, to ensure that the interests of local people are enhanced by collaborative working in policy development wherever possible

#### **(c) Scrutiny**

- To scrutinise the decisions made by and the performance of the Executive and other committees and Council officers both in relation to individual decisions made and over time
- To scrutinise previous performance of the Council in relation to its policy objectives/performance targets and/or particular service areas
- To question members of the Executive or appropriate committees and executive directors personally about decisions
- To question members of the Executive or appropriate committees and executive directors in relation to previous performance whether generally in comparison with service plans and targets over time or in relation to particular initiatives which have been implemented
- To scrutinise the performance of other public bodies in the borough and to invite them to make reports to and/or address the select committee/Business Panel and local people about their activities and performance
- To question and gather evidence from any person outside the Council (with their consent)
- To make recommendations to the Executive or appropriate committee and/or Council arising from the outcome of the scrutiny process

#### **(d) Community representation**

- To promote and put into effect closer links between overview and scrutiny members and the local community
- To encourage and stimulate an enhanced community representative role for overview and scrutiny members including enhanced methods of consultation with local people
- To liaise with the Council's ward assemblies so that the local community might participate in the democratic process and where it considers it appropriate to seek the views of the ward assemblies on matters that affect or are likely to affect the local areas, including accepting items for the agenda of the appropriate select committee from ward assemblies.

- To keep the Council's local ward assemblies under review and to make recommendations to the Executive and/or Council as to how participation in the democratic process by local people can be enhanced
- To receive petitions, deputations and representations from local people and other stakeholders about areas of concern within their overview and scrutiny remit, to refer them to the Executive, appropriate committee or officer for action, with a recommendation or report if the committee considers that necessary
- To consider any referral within their remit referred to it by a member under the Councillor Call for Action, and if they consider it appropriate to scrutinise decisions and/or actions taken in relation to that matter, and/or make recommendations/report to the Executive (for executive matters) or the Council (non-executive matters).

**(e) Finance**

- To exercise overall responsibility for finances made available to it for use in the performance of its overview and scrutiny function.

**(f) Work programme**

- As far as possible to draw up a draft annual work programme in each municipal year for consideration by the overview and scrutiny Business Panel. Once approved by the Business Panel, the relevant select committee will implement the programme during that municipal year. Nothing in this arrangement inhibits the right of every member of a select committee (or the Business Panel) to place an item on the agenda of that select committee (or Business Panel respectively) for discussion.
- The Council and the Executive will also be able to request that the overview and scrutiny select committee research and/or report on matters of concern and the select committee will consider whether the work can be carried out as requested. If it can be accommodated, the select committee will perform it. If the committee has reservations about performing the requested work, it will refer the matter to the Business Panel for decision.

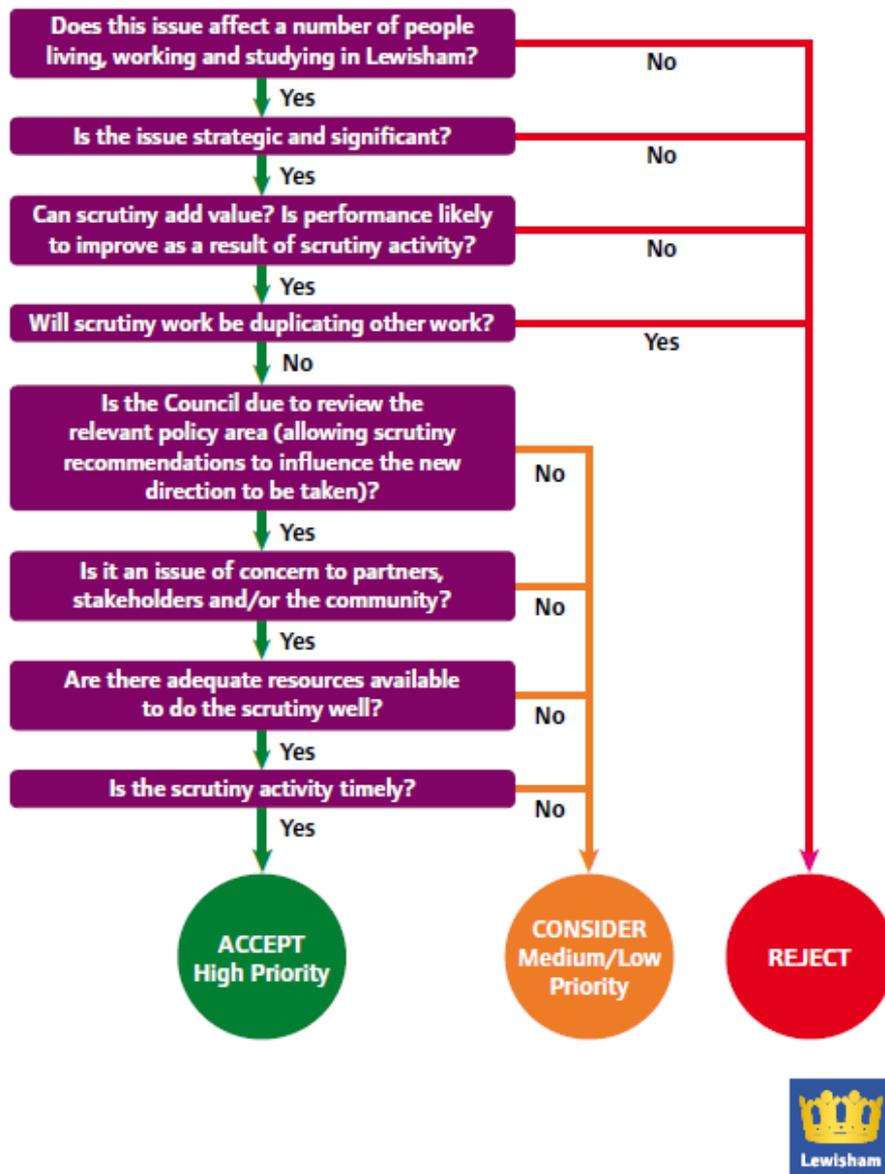
In addition to the general terms of reference outlined above, the Sustainable Development Select Committee has the following specific terms of reference:

- to examine issues relating to the protection of the environment including 'green' issues such as the conservation of natural resources, air quality, energy efficiency and conservation and/or the reduction of all types of pollution and make recommendations to the Mayor and Cabinet as appropriate;
- to comment and consult on and make recommendations to the Mayor and Cabinet in relation to the following:
  - i. sustainable development, economic development, business support, employment and training;
  - ii. the formulation of the Council's planning policies, (including the preparation of the Council's Local Development Documents and other local plans for the use and development of land, but excluding planning control and building control functions);
  - iii. highways, parking, traffic and transport, and urban regeneration;
  - iv. the environment including waste disposal, environmental health, street and market trading (but not the granting of licences and related matters);
  - v. public protection, refuse collection and disposal, street cleaning, consumer protection, cemeteries and crematoria;
  - vi generally to examine the performance of the Mayor and Cabinet in relation to the matters listed at (i) to (v) above.
- the review and scrutiny of the exercise by risk management authorities of flood risk management and coastal erosion risk management affecting the area.

## Appendix C

The flowchart below is designed to help Members decide which items should be added to the work programme. It is important to focus on areas where the Committee will influence decision-making.

### Scrutiny work programme – prioritisation process



## Appendix D

### 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).

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**Sustainable Development Select Committee work plan 2022-23**

Item	Type	Priority	20-Jun-22	08-Sep-22	30-Nov-22	10-Jan-23	07-Mar-23
Flood risk management strategy	Performance monitoring	CP6					
Air quality action plan	Policy development	CP6					
Asset management	Policy development	CP6, CP4					
Planning service: local democracy review	Policy development	CP6, CP4					
Environmental crime enforcement team update	Performance monitoring	CP6					
Controlled parking zone programme	Policy development	CP6, CP4					
Budget cuts	Standard item	All					
Local plan update	Policy development	CP6, CP4					
Climate emergency action plan	Performance monitoring	CP6					
Parks and open spaces update	Policy development	CP6					
Implementation of the transport strategy: walking cycling and healthy neighbourhoods	Performance monitoring	CP6					

Information items

Article 4 directions	Information	CP6					
Annual parking report	Information	CP6					
Biodiversity action plan update	Information	CP6					
Reduction and recycling plan	Information	CP6, CP4					
Markets	Information	CP4					
Employment, jobs and skills	Information	CP6, CP4					
The regeneration of Catford Town Centre update	Information	CP6, CP4					
Major planning developments update (incl Bakerloo line)	Information	CP6, CP4					

## Corporate Priorities

### Priority

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

## FORWARD PLAN OF KEY DECISIONS

### Forward Plan September 2022 - December 2022

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 Emma Aye-Kumi, the Local Democracy Officer, at the Council Offices or [emma.aye-kumi@lewisham.gov.uk](mailto:emma.aye-kumi@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.

November 2021	<b>Award of Corporate Estate Maintenance Programme Phases 1 &amp; 2 works contract</b>	28/06/22 Executive Director for Housing, Regeneration & Environment	Akweley Badger, Project Support Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
May 2022	<b>Catford Library Winslade Way works - Contract Award</b>	28/06/22 Executive Director for Corporate Services	Kplom Lotsu, SGM Capital Programmes and Councillor Andre Bourne, Cabinet Member for Culture and Leisure (job		

**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
			share)		
January 2022	<b>Contract for Statutory Funeral Provision</b>	28/06/22 Executive Director for Community Services	Corinne Moocarme, Joint Commissioning Lead, Community Support and Care, Community Services, LBL and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
June 2022	<b>Digital Infrastructure Fibre Wayleave</b>	28/06/22 Executive Director for Corporate Services	and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
May 2022	<b>Expert Assessors services for Concessionary Award Schemes</b>	28/06/22 Executive Director for Corporate Services	and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
June 2022	<b>Expert Assessors Services for Concessionary Award Services</b>	28/06/22 Executive Director for Corporate Services	and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
May 2022	<b>Procurement of a replacement Housing Management System and implementation of a Customer Relationship Management System.</b>	28/06/22 Executive Director for Corporate Services	and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
May 2022	<b>Procurement of Learning and Development Services Provider</b>	28/06/22 Executive Director	and Councillor Amanda De Ryk, Cabinet Member		

**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
		for Corporate Services	for Finance and Strategy		
June 2022	<b>Procurement of Replacement Housing Management System and implementation of Customer Relationship Management System</b>	28/06/22 Executive Director for Corporate Services	and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
June 2022	<b>Authority to procure ASD Post Diagnosis Parent Support</b>	19/07/22 Executive Director for Children and Young People	and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
June 2022	<b>Authority to Procure Mediation and Disagreement Resolution Service</b>	19/07/22 Executive Director for Children and Young People	and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
June 2022	<b>Authority to procure SEN and Disabilities Advice and Support Services</b>	19/07/22 Executive Director for Children and Young People	and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
June 2022	<b>Authority to Procure SEN Transport - Dynamic Purchasing System Licence</b>	19/07/22 Executive Director for Children and Young People	and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
June 2022	<b>Authority to procure Specialist Short Breaks - Mentoring Programme</b>	19/07/22 Executive Director for Children and	and Councillor Chris Barnham, Cabinet Member for Children's		

**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
		Young People	Services and School Performance		
May 2022	<b>Meliot Centre Relocation Contract Award</b>	19/07/22 Executive Director for Housing, Regeneration & Environment	and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
June 2022	<b>Approval for Contract Award - Works contract for the former Catford Constitutional Club Pt1 &amp; P2</b>	14/09/22 Mayor and Cabinet	Iqbal Iffat, Project Manager Capital Programme Delivery and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning		
May 2022	<b>Approval for s106 monies to go to Deptford Challenge Trust</b>	14/09/22 Mayor and Cabinet	and Councillor Kim Powell, Cabinet Member for Businesses, Jobs and Skills		
May 2022	<b>Approval for the Local Development Scheme (LDS)</b>	14/09/22 Mayor and Cabinet	David Syme, Head of Strategic Planning and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning		
May 2022	<b>Approval of the Lewisham Local Plan - Regulation 19 Proposed Submission document for public consultation</b>	14/09/22 Mayor and Cabinet	David Syme, Head of Strategic Planning and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for		

<b>FORWARD PLAN – KEY DECISIONS</b>					
<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>
			Housing Development and Planning		
August 2022	<b>Authority to Procure NHS health checks provision</b>	14/09/22 Mayor and Cabinet	Jason Browne, Public Health Commissioning Manager and Councillor Kim Powell, Cabinet Member for Businesses, Jobs and Skills		
February 2022	<b>BfL Programme - Approval to enter into contract</b>	14/09/22 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
June 2022	<b>Carer Information Advice and Support Services - permission to procure</b>	14/09/22 Mayor and Cabinet	Joanne Lee, Contracts Monitoring Officer and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
June 2022	<b>Catford Regeneration Partnership Ltd Update</b>	14/09/22 Mayor and Cabinet	Kplom Lotsu, SGM Capital Programmes and Councillor Kim Powell, Cabinet Member for Businesses, Jobs and Skills		
June 2022	<b>Lewisham and Lee Green LTN Monitoring Update</b>	14/09/22 Mayor and Cabinet	Zahur Khan, Director of Public Realm and Councillor Louise Krupski, Cabinet Member for Environment and		

**FORWARD PLAN – KEY DECISIONS**

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Climate		
January 2022	<b>Lewisham Autism Strategy</b>	14/09/22 Mayor and Cabinet	Polly Pascoe, Integrated Commissioning Manager and Councillor Chris Best		
August 2022	<b>Lewisham Homes Business Plan</b>	14/09/22 Mayor and Cabinet	Fenella Beckman, Director of Housing and Councillor Sophie Davis, Cabinet Member for Housing Management and Homelessness		
June 2022	<b>Maximising Wellbeing of Carers</b>	14/09/22 Mayor and Cabinet	Tristan Brice, Associate Director, Community Support and Care and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
June 2022	<b>Permission to Procure for refurbishment works and registered provider for Supported Accommodation for Young People for Site 1 and Site 2</b>	14/09/22 Mayor and Cabinet	Kevin Chadd, Senior Planning Lawyer and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
June 2022	<b>Permission to procure for the provision of Temporary Agency Staff/Managed Service Provider</b>	14/09/22 Mayor and Cabinet	Karin Courtman, Service Manager, Family Support and Intervention and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		

**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>
May 2022	<b>Permission to Procure new registered provider for supported accommodation and building management (Northover and Amersham).</b>	14/09/22 Mayor and Cabinet	and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
June 2022	<b>Reduction and Recycling Plan 2023-2025</b>	14/09/22 Mayor and Cabinet	Wendy Nicholas, Strategic Waste and Environment Manager and Councillor Louise Krupski, Cabinet Member for Environment and Climate		
August 2022	<b>Request to extend three Children and Family Centre contracts and client record system for 12 months from 1 April '23 - 31 March '24</b>	14/09/22 Mayor and Cabinet	Caroline Hirst, Joint Commissioner, Children and Young People's Services and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
June 2022	<b>To approve the procurement strategy for a Lewisham based Healthwatch service</b>	14/09/22 Mayor and Cabinet	Tristan Brice, Associate Director, Community Support and Care and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
May 2022	<b>Watergate Special School Expansion budget approval and approval to procure</b>	14/09/22 Mayor and Cabinet	Iqbal Iffat, Project Manager Capital Programme Delivery and Councillor Chris Barnham, Cabinet Member for Children's		

<b>FORWARD PLAN – KEY DECISIONS</b>					
<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>
			Services and School Performance		
June 2022	<b>Young Mayor's Budget 2021-22</b>	14/09/22 Mayor and Cabinet	Katherine Kazantzis, Principal Lawyer and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
	<b>Award of Corporate Estate Maintenance Programme Contract 2, Phase 1</b>	27/09/22 Executive Director for Housing, Regeneration & Environment	Akweley Badger, Project Support Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
	<b>Award of Corporate Estate Maintenance Programme Contract 3, Phase 1</b>	27/09/22 Executive Director for Housing, Regeneration & Environment	Akweley Badger, Project Support Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
June 2022	<b>Approval of the Lewisham Local Plan (Regulation 19 'Proposed Submission' document for public consultation</b>	28/09/22 Council	David Syme, Head of Strategic Planning and		
June 2022	<b>Catford Regeneration Partnership Limited (CRPL) - Update</b>	28/09/22 Council	Kplom Lotsu, SGM Capital Programmes and		
June 2022	<b>Catford Regeneration Partnership Ltd Update</b>	28/09/22 Council	Kplom Lotsu, SGM Capital Programmes and Councillor Kim Powell,		

<b>FORWARD PLAN – KEY DECISIONS</b>					
<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>
			Cabinet Member for Businesses, Jobs and Skills		
June 2022	<b>Approval to procure - Beckeham Place Park Eastern side works</b>	05/10/22 Mayor and Cabinet	Adam Platts, Project Manager and Councillor Andre Bourne, Cabinet Member for Culture and Leisure (job share)		
	<b>Authority to Procure Adult Weight Management Services: Universal offer; Targeted offer</b>	05/10/22 Mayor and Cabinet	Iain McDiarmid and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
June 2022	<b>BfL Appropriation for Planning purposes</b>	05/10/22 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Sophie Davis, Cabinet Member for Housing Management and Homelessness		
June 2022	<b>BfL Programme - Approval to enter into contract</b>	05/10/22 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Sophie Davis, Cabinet Member for Housing Management and Homelessness		
	<b>Brownfield Land Release Fund (BLRF)</b>	05/10/22 Mayor and Cabinet	Monique Wallace, Planning Manager, Strategic Housing and Councillor Brenda		

<b>FORWARD PLAN – KEY DECISIONS</b>					
<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>
			Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning		
June 2022	<b>Church Grove - Lease of Affordable Housing Units</b>	05/10/22 Mayor and Cabinet	Angela Bryan, Strategic Development Officer and Councillor Sophie Davis, Cabinet Member for Housing Management and Homelessness		
June 2022	<b>Consultation on a borough-wide Public Space Protection Order</b>	05/10/22 Mayor and Cabinet	and Councillor Andre Bourne, Cabinet Member for Culture and Leisure (job share)		
	<b>Contract for Microsoft Licences - EMT approval to use framework. Mayor and Cabinet to note procurement and delegate authority for award to ED of Corporate Resources.</b>	05/10/22 Mayor and Cabinet	Philippa Brewin and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
June 2022	<b>Highways Planned and Unplanned Maintenance Contract</b>	05/10/22 Mayor and Cabinet	Zahur Khan, Director of Public Realm and Councillor Louise Krupski, Cabinet Member for Environment and Climate		
June 2022	<b>Lewisham Education Strategy</b>	05/10/22 Mayor and Cabinet	Angela Scattergood, Director of Education Services, Education Standards and Inclusion and Councillor Chris		

**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
			Barnham, Cabinet Member for Children's Services and School Performance		
May 2022	<b>Lewisham Play Strategy 2022 - 2027</b>	05/10/22 Mayor and Cabinet	Sara Rahman and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
	<b>Microsoft Office 365 E5 licencing (part 2 report)</b>	05/10/22 Mayor and Cabinet	Wendy Carr and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
May 2022	<b>On Street Advertising Contract Variation and Extension</b>	Not before 05/10/22 Mayor and Cabinet	and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
June 2022	<b>Part 1 - Recommendation for the delivery of Extra Care Services at Hazlehurst Court, Catford</b>	05/10/22 Mayor and Cabinet	Heather Hughes, Joint Commissioner, Learning Disabilities and Councillor Juliet Campbell, Cabinet Member for Communities, Refugees and Wellbeing		
June 2022	<b>Public Realm Call Off Framework</b>	Not before 05/10/22 Mayor and Cabinet	Louise McBride, Head of Highways & Transport and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and 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
June 2022	<b>Public Realm Framework contract award</b>	05/10/22 Mayor and Cabinet	Zahur Khan, Director of Public Realm and Councillor Louise Krupski, Cabinet Member for Environment and Climate		
June 2022	<b>Service Charge Policy</b>	05/10/22 Mayor and Cabinet	Fenella Beckman, Director of Housing and Councillor Sophie Davis, Cabinet Member for Housing Management and Homelessness		
June 2022	<b>Treasury Management Strategy Mid-Year Review</b>	05/10/22 Mayor and Cabinet	David Austin, Director of Corporate Services and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
	<b>Walsham - Budget Requirement</b>	05/10/22 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning		
	<b>Award of a Contract for Microsoft Licences.</b>	Not before 11/10/22 Executive Director for Corporate Services	Philippa Brewin and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
June 2022	<b>Accommodation Procurement</b>	02/11/22	Fenella Beckman,		

**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
	<b>Strategy</b>	Mayor and Cabinet	Director of Housing and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning		
June 2022	<b>Award of Contract (Stop Smoking Service)</b>	02/11/22 Mayor and Cabinet	Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning and Councillor Juliet Campbell, Cabinet Member for Communities, Refugees and Wellbeing		
June 2022	<b>Highways and Traffic Works Partnering Contract</b>	02/11/22 Mayor and Cabinet	Zahur Khan, Director of Public Realm and Councillor Louise Krupski, Cabinet Member for Environment and Climate		
August 2022	<b>Management of Parks and Open Spaces</b>	02/11/22 Mayor and Cabinet	James Lee, Director of Communities, Partnerships and Leisure and		
	<b>Oak Hill Nursery expansion of Commercial Lease into Designated Children Centre</b>	02/11/22 Mayor and Cabinet	Michael Grant, Early Intervention Business Manager and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		

**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 2022	<b>Part 1 - Notification of the transfer of Conrad Court Extra Care Housing</b>	02/11/22 Mayor and Cabinet	Beate Hellawell, Scrutiny Manager and Councillor Juliet Campbell, Cabinet Member for Communities, Refugees and Wellbeing		
June 2022	<b>Permission to Tender Lawrence House Ground Floor Refurbishment Works</b>	02/11/22 Executive Director for Housing, Regeneration & Environment	Gavin Plaskitt, Programme Manager and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
June 2022	<b>Right to Buyback 2</b>	02/11/22 Mayor and Cabinet	Kathy Freeman, Executive Director for Corporate Resources and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning		
	<b>Award of Corporate Estate Maintenance Contract Phase 2</b>	15/11/22 Executive Director for Housing, Regeneration & Environment	Akweley Badger, Project Support Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
June 2022	<b>Approval to appoint operator for concessions contract at Beckenham Place Park Lake</b>	Not before 01/12/22 Mayor and Cabinet	Vince Buchanan, Green Spaces Contracts Manager and Councillor Andre Bourne, Cabinet Member for Culture and Leisure (job share)		

<b>FORWARD PLAN – KEY DECISIONS</b>					
<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>
June 2022	<b>Parts 1 &amp; 2 - Recommendation regarding the delivery of Extra Care Services by Housing 21 at Cinnamon Court Deptford</b>	07/12/22 Mayor and Cabinet	Beate Hellowell, Scrutiny Manager and Councillor Juliet Campbell, Cabinet Member for Communities, Refugees and Wellbeing		
June 2022	<b>Building for Lewisham Budget requirements Pt1 &amp; Pt2</b>	11/01/23 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning		
June 2022	<b>Council Tax Base Report 2023/24</b>	11/01/23 Mayor and Cabinet	Katharine Nidd, Strategic Procurement and Commercial Services Manager and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
August 2022	<b>Financial Monitoring Period 8</b>	11/01/23 Mayor and Cabinet	Nick Penny, Head of Service Finance and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		

**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>