



AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 28 JUNE 2022 at 7.05 pm

Civic Suite, Lewisham Town Hall, London SE6 4RU/Remotely

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MEMBERS

Councillor Mark Ingleby	(Chair)	L
Councillor Ese Erheriene	(Vice Chair)	Labour
Councillor Chris Best	Healthier Communities	Co-op Labour Co-op
Councillor Ayesha Lahai-Taylor	Safer & Stronger Communities	L
Councillor Joan Millbank	Labour Group Representative	L
Councillor Stephen Penfold	Housing	L
Councillor James Rathbone	Public Accounts	Labour
Councillor James Royston	Sustainable Development	Co-op Labour
Councillor Luke Sorba	Chair Children and Young People Select Committee	Co-op
Councillor Eva Stamirowski	Labour Group Representative	L

Members are summoned to attend this meeting

Kim Wright
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Monday, 20 June 2022



INVESTOR IN PEOPLE

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

ORDER OF BUSINESS – PART 1 AGENDA

Item No		Page No.s
1.	Minutes	1 - 7
2.	Declarations of Interest	8 - 11
3.	Key Decision Plan	12 - 29
4.	Open Session - Decisions by Mayor and Cabinet on 15 June 2022	30 - 35
5.	Open Session - Decisions by Executive Director of Corporate Resources	36 - 57
6.	Scrutiny Update Report	58 - 62
7.	Exclusion of the Press and Public	63
8.	Closed Session - Decisions by Mayor and Cabinet on 15 June 2022	64 - 66
9.	Closed Session - Decision by Executive Director of Corporate Resources	67 - 83



Lewisham



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Overview and Scrutiny Business Panel

Minutes

Date: 28 June 2022

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to consider minutes of that part of the meetings of the Overview and Scrutiny Business Panel of 22 March 2022, which were opened to the press and public

1. Recommendation

It is recommended that minutes of those parts of meetings of the Overview and Scrutiny Business Panel which were opened to the press and public on 22 March be confirmed and signed.

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

20 June 2022

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 22 March 2022 at 7.05 pm

PRESENT: Councillors Paul Maslin, Octavia Holland, Joan Millbank, John Muldoon, Luke Sorba and Susan Wise.

MEMBER(S) OF THE PANEL ALSO JOINING THE MEETING VIRTUALLY:
None.

APOLOGIES FOR ABSENCE WERE RECEIVED FROM: Councillor Juliet Campbell and Councillor Louise Krupski.

MEMBER(S) UNDER STANDING ORDERS JOINING THE MEETING VIRTUALLY:
Councillor Chris Best, Cabinet Member for Health and Adult Social Care.

NB. The Councillor listed as jointing virtually was not in attendance for the purpose of the meeting being quorate, any decision taken, or to satisfy the requirement of s85 Local Government Act 1972.

OFFICERS(S) ALSO JOINING THE MEETING VIRTUALLY: Executive Director of Community Safety; Director of Communities; Partnership & Leisure; Assistant Chief Executive; Head of Overview & Scrutiny; and Head of Committee Business.

Clerk: Senior Committee Manager (In person).

1. Minutes

The meeting noted that Councillor Wise was unable to send her apologies for absence to the meeting of the Overview and Scrutiny Business Panel held on 8 February 2022 because she was unwell.

An amendment to add the letter “t” to the last word of the last sentence on page 5 of the agenda pack to the Minutes of the Panel meeting held 25 January 2022 was noted.

With the above considerations, the Panel

RESOLVED that minutes of meetings of the Overview and Scrutiny Business Panel held on 8 February 2022 and 25 January 2022, be confirmed as accurate records.

2. Declarations of Interest

There were no interests declared at the meeting.

3. Lewisham & Lee Green's Local Transport Network: Questions & Responses

Councillor Paul Maslin, Chair of the Panel, presented the report. He announced that he had requested that responses to questions raised when the Panel considered a decision taken by the Mayor and Cabinet on 12 January 2022 relating to Lewisham and Lee Green's Local Transport Network (LTN) at its meeting on 25 January 2022 should be submitted for Members to note or comment on.

Councillor Joan Millbank stated that the report omitted a response to aspects of Question 2, where Members speculated about a lack of consistency relating to the impact on the work of the Council's transport policy and the Lee Green LTN in the event of a change of personnel serving as Cabinet Member for Environment and Transport. In response, the Chair informed the Panel that there had been an email correspondence requesting a response from the Mayor on the matter.

RESOLVED that the report be noted.

4. Key Decision Plan

The Head of Committee Business asked Members to note the report, and stated that there would be no decision-making by the Mayor and Cabinet until after the local elections in May 2022.

RESOLVED that the report be noted.

5. Open Session - Decision by Mayor and Cabinet on 9 March 2022

Councillor Paul Maslin, the Chair of the Panel, informed the meeting that he had received a request from Councillor Mark Ingleby for Members to consider the decision taken by the Mayor and Cabinet on 9 March 2022 relating to "Permission to Procure Home Care".

Councillor Maslin welcomed Councillor Chris Best who was attending the meeting virtually in her capacity as Cabinet Member for Health and Adult Social Care. It was noted that the Executive Director of Community Services was also present virtually to respond to questions Members might have.

In addressing the meeting, Councillor Ingleby outlined his understanding of the proposals upon which the Mayor and Cabinet decision was based, and informed the meeting that the questions he would be asking stemmed from the perspective of the Public Accounts Select Committee, which had been examining adult social care and its economies, and the potential for local supply chains. Considering that, Councillor Ingleby enquired whether the neighbourhood provision would be delivered via an in-house team within the local economy or by external providers. He stated that if via external contractors, whether the operations would be based in London, and if so whether it would be close enough in terms of distance to the borough for effective delivery to Lewisham residents.

In response to questions by Councillor Ingleby, the Executive Director informed the Panel that he could not guess the outcome of the procurement process, but that he was aware that the Council considered the potential for insourcing of home care services about three years ago. The Panel was advised that the findings from that exercise highlighted a significant cost differential between insourced services versus externally purchased services, and that the Council would undertake a similar exercise to ensure a fair and transparent procurement process as part of the current review. Following on from that, the Executive Director advised the Panel to note that there would be some impediments to insourcing all home care provision regardless of the cost, and against the backdrop of the duties of local authorities to create a diverse market for social care for those who wished to have services organised for them by their councils, and those who would prefer to organise their own services.

Continuing with his response, the Executive Director advised the Panel that home care providers tended to be registered for operation through local branches to deliver to residents. Thus, it was likely for workforce to be based locally, in particular that the Council was committed to support residents through the 'Proud to Care' Lewisham initiative campaign aimed at developing a better recognition of the social care workforce by comparing pay rates and working conditions with colleagues in the National Health Service (NHS).

Councillor Best added that the Council would be contributing to the integrated programme as a much-valued partner in adult social care, and would work towards the parity of esteem as part of its aspiration to secure competitive pay rates with the NHS. Councillor Best asked the Panel to note that the Council was already paying the London living wage, and had signed up to UNISON's Ethical Care Charter.

Continuing with her submission, Councillor Best expressed her appreciation for the services provided by local care workers, particularly during the Covid-19 pandemic. She stated that although there were headlines about shortage of nurses during the pandemic, there were no shortage of local carers. However, to further its work, the Council would benchmark with other providers across Southeast London, with a view to develop a new workforce strategy to combine with its own integrated care system.

The Executive Director further responded to a follow-up question by Councillor Ingleby, advising the Panel that the Council's current providers were small local firms who would be seeking new contracts as part of the re-procurement. It was stated that the Council would expect new interested providers to also be Lewisham-based organisations.

Following a question by Councillor Sorba, the Executive Director confirmed to the Panel that the Council's contract with Newton Europe was a defined piece of work, and not part of the current re-procurement work.

Considering a further suggestion by Councillor Luke Sorba about the Northumbria model of integrated health and social care, the Executive Director informed the Panel that the approach was innovative. However, adapting a similar structure in

Lewisham would be challenging because it would require a significant investment and realignment of the NHS systems in Southeast London.

The Panel a statement made by Councillor Muldoon about the Council's duties under the Care Act 2014 and on the matter, the Executive Director stated that the Council had arrangements that would enable self-funders to use its services for domiciliary care and residential nursing care. However, the majority of residents had opted to make their own arrangements with the Council because of the benefit of a better price, quality monitoring and effective oversight of service delivery.

On behalf of the Panel, the Chair thanked the Cabinet Member and the Executive Director for their contributions.

RESOLVED that the report be noted.

6. Open Session - Decision by the Executive Director of Corporate Services

Councillor Paul Maslin, Chair of the Panel, informed the meeting that he had received a request from Councillor Mark Ingleby for Members to consider the decision taken under delegated authority by the Executive Director of Corporate Services regarding "Contract Award Approval for Beckenham Park Place".

In addressing the meeting, Councillor Ingleby stated that in 2014/15, Phoenix Housing Association (Phoenix) suggested planting ideas in Downham fields, with an initiative to include local participation but that the Council did not allocate budget for the work since the expectations were placed on housing associations. Commenting on that background information, Councillor Ingleby highlighted the context to questions he wished to raise by quoting paragraph 3.6 of the report upon which the Mayor and Cabinet decision was based as follows: "At London-wide level, the Mayor of London's Environment Strategy 2018 brings together approaches to every aspect of London's environment, integrating the following areas: air quality, green infrastructure, climate change mitigation and energy, waste, adapting to climate change, ambient noise and low carbon circular economy". Considering that, and the potential for the local circular economy to complement the Council's current plans and vision, with increasing focus on climate change emergency, Councillor Ingleby enquired whether the Council would consider the suitability of Beckenham Place Park East project for managed horticulture or, adapt the social idea of community involvement of creative ideas for a more specialised allotment project likened to the Phoenix's approach.

In response, the Director of Communities, Partnership and Leisure advised the Panel that the Beckenham Place Park environment was on a flood plain. However, as he was not a horticulturalist expert, he would enquire from the architects and provide a response on the suitability of the grounds.

Councillor Ingleby provided a subtext to the response, commenting that food growing initiatives had a potential for local involvement and creative ideas.

RESOLVED that the report be noted.

7. Scrutiny Update Report

The Panel received an update report by the Head of Overview and Scrutiny who confirmed that the final arrangements for Select Committee meetings for the current administration had taken place. It was noted that the final reports of task and finish groups had also been submitted to the Mayor and Cabinet.

The Head of Overview and Scrutiny invited Select Committee chairs to comment on their respective committees, and also reported that the Chief Executive of the New Economics Foundation attended the final meeting of the Overview and Scrutiny Committee which considered the Future Lewisham priority “An Economically Sound Future”. The Panel noted that the Chief Executive of the New Economics Foundation spoke to Members about sustainable local economic growth, and that the meeting also received an update on the residents’ experience programme, in which some scrutiny Members had participated.

Councillor John Muldoon informed the Panel about challenges in securing a quorum at the two last meetings of the Healthier Communities Select Committee. Councillor Muldoon suggested that it was appropriate for Members to give equal importance to attendance of scrutiny meetings as those of the executive.

The Panel also noted confirmation from Councillor Ingleby that he would be circulating a report to Labour Group Members about the work of the Public Accounts Select Committee (PASC) since he became a chair in July 2021. Councillor Ingleby stated that there had been a progression in work relating to income generation commercialisation. Councillor Ingleby stated that it would be useful for the Council to consider the capital programme, social value, and asset optimisation during the next administration, not only for PASC, but other committees as well.

Councillor Millbank enquired about the future workings of task and finish groups, drawing attention to the fact that they were set up subject to a review.

Councillor Wise commented that the task and finish groups had completed some very interesting work in a short space of time, and that Members were kept interested. However, those groups and select committees, while working separately but complementary to each other, had placed a lot of burden on Members. Councillor Wise suggested that during the next administration, the chair of the Constitutional Working Party should consider a review into the number of meetings that would require Members’ attendance, commenting that she had never experienced such a high expectation during her 24 years as a councillor.

In response to concerns raised, the Assistant Chief Executive clarified that the requirement for attendance at meetings remained that members should be present physically to be part of the quorum formation. She acknowledged that the arrangements had been challenging, but that scrutiny ought to be workable for proper oversight to take place. Thus, there would be choices for Members to make during the next administration as to which vehicles of scrutiny to utilise. Notwithstanding that, the Panel was advised that there was no obligation for Overview and Scrutiny to appoint task and finish groups, as such a formation was

a choice. Therefore, there would be no requirement to amend the Council's constitution if those groups were not to continue in the next administration.

The Head of Overview and Scrutiny added that a survey would be sent to Members and officers who had taken part in task and finish groups to complete, and the findings would be used to inform scrutiny practice going forward.

RESOLVED that the report be noted.

Agenda Item 2



Overview and Scrutiny Business Panel

Declarations of Interest

Date: 28 June 2022

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive

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).

Agenda Item 3



Overview and Scrutiny Business Panel

Key Decision Plan

Date: 28 June 2022

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Committee Business

Outline and recommendations

Members are asked to receive a draft copy of the statutory Key Decision Plan with an explanatory explanation for items listed.

1. Recommendation

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

**FORWARD PLAN OF KEY DECISIONS
INTERNAL CIRCULATION ONLY**

Forward Plan – June 2022 – August 2022

This Plan sets out the key decisions the Council expects to take in forthcoming months. All key decisions should appear in the Plan for at least 28 days before consideration by either Mayor & Cabinet or an Executive Director for delegated key decisions.

Comments on this document should be sent to Kevin Flaherty 0208 3149327 or kevin.flaherty@lewisham.gov.uk

A “key decision”* means an executive decision which is likely to:

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

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
28/06/22 Executive Director for Corporate Services	Award of Corporate Estate Maintenance Programme Phases 1 & 2 works contract		Akweley Badger Project Officer, Capital Programme Delivery and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy	Improvement works to corporate buildings
28/06/22 Executive Director of Community Services	Statutory Funeral Provision Contract	£343,000 approx (over 5 years duration)-cost and volume. Anticipated annual spend? £ 68,600 approx	Tristan Brice Associate Director, Community Support and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care	To seek approval for a 3 year contract with the option to extend for an additional 2 years.
28/06/22 Executive Director for Corporate Services	Catford Library Winslade Way works – Contract Award	£377,000	Kplom Lotsu, Head of Capital Programmes and Councillor Andre Bourne, Cabinet Member for Culture	The relocation of Catford Library to Catford shopping centre will support the releasing of space for the move of Holbeach front line services in to the ground floor and realise savings. It will also support increased footfall in the town centre and provide a more central location for the library.
28/06/22 Executive Director of Corporate Services	Digital Infrastructure – Fibre Wayleave	This is a cost neutral – cost recovery model. Whilst LBL will receive >£500,000, this will cover the costs associated with the use of the council's infrastructure and the team managing the fibre project.	Joseph Chambers, Public Digital Lead Digital Solutions IT and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy	The report outlines how, following in the steps of other London boroughs, Lewisham Council have developed a wayleave agreement to deliver full- fibre broadband into social housing. The process by which the council engage with fibre providers is informed by the Electronic Communication
28/06/22 Chief Executive	Procurement of Learning and Development Services Provider	Below £500k	Courtney Richards (Head of Learning, Talent, resourcing) and Councillor Kim Powell,	Seeking authority to procure services

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
			Cabinet Member for Businesses, Jobs and Skills	
28/06/22 Executive Director of Corporate Services	Expert Assessors services for Concessionary Award Schemes	TBC	Claire Pierpoint Concessionary Awards & Pupil Support Team Manager and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care	To seek approval from the Executive Director for Corporate Resources to procure the Expert Assessor services for the Concessionary Awards Team (CAT) Subject to approval from the Executive Director for Corporate Resources these services will be procured through an open tendering exercise via the London Tenders Portal
28/06/22 Executive Director of Corporate Services	Procurement of a replacement Housing Management System and implementation of a Customer Relationship Management System.	£1-2m expected expenditure	Chris Bayley Head of Digital Solutions IT & Digital Services and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy	Outcome of exercise to replace the incumbent Housing Management System with a new Customer Relationship Management System
06/07/22 Mayor & Cabinet	Building for Lewisham Budget requirements parts 1 & 2	Awaited	James Ringwood Senior Development and Land Manager and Councillor Brenda Dacres, Deputy Mayor	Relates to Home Park and Edward Street developments
06/07/22 Mayor and Cabinet	Permission to Procure (Stop Smoking Contract)	£368,556 P/A	Danny Waites, Public Health Commissioning Manager and Councillor Juliet Campbell, Cabinet Member for	To conduct an open tender exercise to procure the following service: Stop Smoking Service Contract Core Contract for a period of three years from April 2023 with an option to extend or a further one + one years.
06/07/22 Mayor and Cabinet	Response to Task and Finish Group – Digital Inclusion for Adults with Learning Difficulties		Andrea Benson Improvement Programme Manager Service Development	A response to a referral made at Mayor & Cabinet on March 9

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
			Adult Social Care and Councillor Paul Bell Cabinet Member Health and Adult Social Care	
06/07/22 Mayor and Cabinet	Learning Disability Framework - Request for permission to procure contracts for Supported Living services through call off from the Framework and related contract extensions	This procurement covers approximately £5.4 million or 38.6% of the total annual value of services covered by Framework contracts.	Joanne Lee joint Commissioner and Councillor Paul Bell Cabinet Member Health and Adult Social Care	This report recommends the procurement of 22 supported living contract for adults with learning disabilities and / or autism. Each contract will be for a period of four years. These contracts are currently funded through the Package & Placement Budget. The Council procures contracts totalling in value approximately £14 million per annum across the service categories covered by the Framework Agreement:
06/07/22, Mayor & Cabinet	Housing Infrastructure Funding (HIF) – Catford A205 Realignment	LBL have committed £3.7m capital match funding to deliver the road. LBL have approval to spend £150k on design costs governed through an MoU between LBL and TfL. LBL have expended £300k on design costs to date. LBL are required to spend an additional £110k on further design work by the end of the financial year but further design work is likely required. MoU approved expenditure needs to be increased to £500k to allow for	Charlotte Harrison, Catford Regeneration Programme Consultant and Councillor , Cabinet Member for	Report sets out progress on road realignment designs, spend to date under MoU and need to increase funding threshold, key spend and programme dates for HIF and an update on securing the remaining funding stack. Key risks and mitigations will also be reviewed.

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
		costs already incurred this year and additional design fees. The back-to-back grant agreement with TfL will cover the full £10m		
06/07/22 Mayor & Cabinet	Notting Hill Genesis - Changes to the Provision of Extra Care Housing at Conrad Court Deptford and Hazelhurst Court, Catford	The Council has contracts with NHG to the value of £740K per annum at Conrad Court and £550K per annum at Hazelhurst Court	Heather Hughes, Joint Commissioning Lead Complex Care & Cllr Paul Bell Cabinet Member for Health and Adult Social Care	The ECH contracts at Conrad Court awarded in October 2019 is due to expire in Sept 2022. The contract is for 700 hours a week care and support in an accommodation based service. The Contract at Hazelhurst Court, run in Partnership with Phoenix Housing (the landlord) is due to expire in October 2022. This report sets out recommendations and options for future commissioning
06/07/22 Mayor and Cabinet	Request for Approval to Waive Contract Procedure Rules for the Extra Care Housing Support Contract for Cinnamon Court, Deptford and Cedar Court Grove Park.	£404,560 a year for each of the two schemes (£809,120 a year for both).	Heather Hughes, Joint Commissioning Lead Complex Care and Cllr Paul Bell, Cabinet Member for Health and Social Care	Housing 21 is both the landlord and support provider at Cinnamon and Cedar Court. The existing contract for these services is due to expire in June 2020. This report is to seek agreement to negotiate a new contract with them.
06/07/22 Mayor and Cabinet	Location Priority Policy		Ella McCarthy, Partnership, Strategy and Insight Manager and Councillor Sophie Davis Cabinet Member for Housing Management and Homelessness	Requesting approval for a decision on the way in which the council determines which households are prioritised for temporary accommodation based on their need and the area of the property.
06/07/22 Mayor and Cabinet	New Cross acquisition	Awaited	James Ringwood, Housing Delivery Manager and Cllr Brenda Dacres, Cabinet Member for Housing Development	AWAITED

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
			and Planning	
06/07/22 Mayor and Cabinet	Lewisham Air Quality Action Plan 2022–2027		Dr Eliane Foteu Environmental Protection Manager and Azlam Baig, Public Health Strategist for Health Protection and Councillor Louise Krupski, Cabinet Member for Environment and Climate Action	<p>Like all English Local authorities, Lewisham is required to have an Air Quality Action Plan (AQAP) as part of the Council's duty to manage local air quality. The AQAP sets out the commitment and actions Lewisham will take to improve air quality between 2022 and 2027.</p> <p>Schedule 11 of the Environment Act 1995 requires Local Authorities to consult on their AQAP with a range of persons and organisations.</p> <p>It was agreed on the August 2021 by Cabinet that the draft AQAP could go for public consultation, which has now taken place (between Wednesday 1 September to Tuesday 5 2021)</p>
06/07/22 Mayor and Cabinet	Housing Revenue Account Business Plan	The value of our housing stock is around £1.4billion and our Major Repairs Reserve is £31.9million	Ella McCarthy, Partnership Strategy and Insight Manager and Councillor Brenda Dacres, Cabinet Member for Housing Development and Planning	The HRA Business Plan is being prepared and will be presented to Members for approval.
06/07/22 Mayor and Cabinet	Approval of Flood Risk Management Strategy 2022-27		Martin O'Brien, Climate Resilience Manager and Councillor Louise Krupski Cabinet Member for Environment and Climate Action	The Flood and Water Management Act 2010 places powers and duties on local authorities in respect of local flood risk, including publishing and maintaining a Local Flood Risk Management Strategy. Lewisham's current Flood Risk Strategy was published in 2016 and an updated strategy is needed to reflect new national strategies and programmes as well as local priorities and

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
				opportunities. The draft strategy is currently being consulted on.
06/07/22 Mayor and Cabinet	Financial Monitoring Period 2	n/a	Nick Penny, Head of Service Finance and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy	Information item
06/07/22 Mayor and Cabinet	Medium Term Financial Strategy	n/a	Katharine Nidd Head of Strategic Finance, Planning and Commercial and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy	The purpose of this report is to set out the medium term financial position for the Council over the next four years and the assumptions on which it is based, as well as the likely levels of savings which may be required to present a balanced budget.
06/07/22 Mayor and Cabinet	To approve the 5th Annual Besson Street Business Plan	n/a	Angela Bryan, Strategic Development Officer and Councillor , Cabinet Member for Housing	To seek agreement to a proposed annual Business Plan
06/07/22 Mayor and Cabinet	Approval for the Local Development Scheme (LDS)	.n/a	David Syme, Strategic Planning Manager and Councillor Brenda Dacres, Cabinet Member for Housing Development and Planning	Report sets out the timetable for the preparation and review of the Council's planning policy documents. Including the timetable for the preparation of the new Local Plan.
06/07/22 Mayor and Cabinet	Approval of the Lewisham Local Plan - Regulation 19 Proposed Submission document for public consultation	.n/a	David Syme, Strategic Planning Manager and Councillor Brenda Dacres, Cabinet Member for Housing	Lewisham Local Plan -Regulation 19 Proposed Submission document to include: Local Plan Policies Map Integrated Impact Assessment Habitats Regulations Assessment

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
			Development and Planning	Consultation statement
06/07/22 Mayor and Cabinet	Approval for the making of an Article 4 Direction	Possible compensation if immediate direction agreed	David Syme, Strategic Planning Manager and Councillor Brenda Dacres Cabinet Member for Housing Development and Planning	To withdraw permitted development rights for the change of use from Use class E (retail, office and industrial) to Use class C3 (dwelling house) within our town centres, industrial areas and employment sites.
06/07/22 Mayor and Cabinet	Approval for the Making of an Article 4 Direction	Possible compensation if immediate direction agreed	David Syme, Strategic Planning Manager and Councillor Brenda Dacres Cabinet Member for Housing Development and Planning	To withdraw permitted development rights for the change of use from dwelling house (Use class C3) to small HMO's (Use Class C4)
06/07/22 Mayor and Cabinet	Adding a SEN Resource Base to Edmund Waller Primary School	TBC – circa £75k capital	Matt Henaughan, Head of Business, Infrastructure, Compliance and Education Operations and Councillor Chris Barnham Cabinet Member for Children, Young People and Community Safety	Decision report for Mayor and Cabinet (as statutory decision maker) for the proposed additional of a 16 place SEN resource base for children with Autism Spectrum Disorder (ASD) at Edmund Waller Primary School, to start from Spring 2023
06/07/22 Mayor and Cabinet	Adding a SEN Resource Base to Forster Park Primary School	TBC – circa £100k capital	Matt Henaughan, Head of Business, Infrastructure, Compliance and Education Operations and Councillor Chris Barnham Cabinet Member for Children,	Decision report for Mayor and Cabinet (as statutory decision maker) for the proposed additional of a 21 place SEN resource base for children with Autism Spectrum Disorder (ASD)/Social, Emotional and Mental Health needs (SEMH) at Forster Park Primary School, to start from Autumn 2022.

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
			Young People and Community Safety	
06/07/22 Mayor and Cabinet	Expansion of Drumbeat School	TBC – circa £300k capital	Matt Henaughan, Head of Business, Infrastructure, Compliance and Education Operations and Councillor Chris Barnham Cabinet Member for Children, Young People and Community Safety	Decision report for Mayor and Cabinet (as statutory decision maker) for the proposed 47 place expansion of Drumbeat School - Special school for Autism Spectrum Disorder (ASD), to include the utilisation of spare capacity at Turnham Academy, to start from Autumn 2022.
06/07/22 Mayor and Cabinet	Change of Age Range at Fairlawn Primary School	None	Matt Henaughan, Head of Business, Infrastructure, Compliance and Education Operations and Councillor Chris Barnham Cabinet Member for Children, Young People and Community Safety	Decision report for Mayor and Cabinet (as statutory decision maker) for the proposed change of age range at Fairlawn Primary School from 4-11 to 3-11 to allow for a permanent addition of nursery provision, to start from September 2022
06/07/22 Mayor and Cabinet	Virement of Main Grant	Two grants totalling £90,000 are made.	James Lee Director of Communities, Partnerships and Leisure and Councillor Juliet Campbell Cabinet Member for Communities, Refugees and Wellbeing	To consider a virement to a new charity following the closure of a local charity
06/07/22 Mayor and Cabinet	Future of Housing Management: Options Appraisal	Up to £500,000 charge to HRA for options appraisal work	Paul Leo and Councillor Brenda Dacres, Cabinet Member for Housing	This report was commissioned because the management agreement between Lewisham Homes and the Council has a review point due this year. This provides an opportunity to consider the

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
	Review future of landlord management services for Lewisham Homes tenants		Management and Planning	best way to respond to the changes in social housing legislation and regulations which are to be introduced later in the year. Following an initial review of the options available, transferring the housing landlord functions appears to offer a better opportunity to respond to the revised regulatory and legislative requirements and to make financial efficiencies.
06/07/22 Mayor and Cabinet	Authority to procure specialist Short Breaks for Overnight, Holiday & Weekend	£630k per annum (approx. £3m on a 3+2 contract period)	Paul Creech Senior Commissioner CYP Joint Commissioning Team and Councillor Chris Barnham	Part of Lewisham's Specialist Short Breaks offer for eligible families with disabled children and young people who need more breaks from caring because their child's additional needs, meaning that they have to spend much more time caring for them than they would if their child was not disabled.
06/07/22 Mayor and Cabinet	Authority to procure Specialist Short Breaks/- Personalised Care & Support PPF	£2.75m per annum (approx. £13.75m on a 3+2 contract period)	Paul Creech Senior Commissioner CYP Joint Commissioning Team and Councillor Chris Barnham	Personalised Care and Support Framework Agreement for the delivery of personalised care and support in at home.
06/07/22 Mayor and Cabinet	Permission to Procure New Hope Housing Project	£2,070,000	Polly Pascoe Integrated Commissioning Manager and Councillor Juliet Campbell	The New Hope Housing Project is a 12 bedded property that has been a long standing component of the borough's approach to supporting individuals that have complex needs related to their mental health and/or offending histories. The current contract for this service ends March 2023, Mayor and Cabinet are recommended to give approval for officers to procure service provision for the New Hope Housing Project for the period of 1 April 2023 to 31 March 2026.

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
06/07/22 Mayor and Cabinet	Permission to Procure Lewisham Wellbeing Service	£2.8 million	Polly Pascoe Integrated Commissioning Manager and Councillor Juliet Campbell	Our Lewisham Wellbeing Service offers community-based interventions and support for those with common mental illnesses; the current contract for this service is due to end in February 2023. Mayor & Cabinet are recommended to give approval for officers to procure a new contract for the delivery of the Lewisham Wellbeing Service for the period of February 2023 to February 2026.
06/07/22 Mayor and Cabinet	Permission to Procure Lewisham Dementia Hub	£1.45 million	Polly Pascoe Integrated Commissioning Manager and Councillor Juliet Campbell	Lewisham Dementia Hub offers community-based interventions and support for residents who have been diagnosed with dementia; the current contract for this service is due to end in February 2023. Mayor & Cabinet is recommended to give approval for officers to procure a new contract for the delivery of the Lewisham Dementia Hub for the period of February 2023 to February 2026.
19/07/22 Executive Director for Children & Young People	Authority to procure Mediation and Disagreement Resolution Service	£12,054 per annum (£60,270 on a 3+2 contract period)	Paul Creech Senior Commissioner CYP Joint Commissioning Team and Councillor Chris Barnham	The procurement for the delivery of the statutory SEND independent Mediation and Disagreement Resolution Service.
19/07/22 Executive Director for Children & Young People	Authority to procure Special Educational Needs and Disabilities Information Advice and Support Services (SENDIASS)	£110,500 per annum (£442,000 on a 2+2 contract period).	Paul Creech Senior Commissioner CYP Joint Commissioning Team and Councillor Chris Barnham	SENDIASS is a statutory service which provides impartial and confidential advice and support to parents and carers of children and young people aged 0 – 25 with SEND as well as the young people themselves.

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
19/07/22 Executive Director for Children & Young People	Authority to procure Specialist Short Breaks - Mentoring Programme	£45k per annum (£225k on a 3+2 contract period)	Paul Creech Senior Commissioner CYP Joint Commissioning Team Children & Young People's Directorate	The provision of mentoring and outreach support as part of Lewisham's Short Breaks offer for children and young people with SEND and their families.
19/07/22 Executive Director for Children & Young People	Authority to procure ASD Post Diagnosis Parent Support (LAS)	Annual value of £93,100 (£465,500 on a 3+2 contract term)	Paul Creech Senior Commissioner CYP Joint Commissioning Team Children & Young People's Directorate	The provision of post diagnosis support, advice and information to families whose children or young people have received a clinical diagnosis of Autism Spectrum Disorder (ASD), through the Lewisham Autism Support (LAS) service.
19/07/22 Executive Director for Children & Young People	Authority to procure SEN Transport - Dynamic Purchasing System Licence	£45k per annum (£225k on a 3+2 contract period)	Paul Creech Senior Commissioner CYP Joint Commissioning Team Children & Young People's Directorate	Provision of licence to school transport Dynamic Purchasing System
19/07/22 Executive Director for Housing, Regeneration and Public Realm	Meliot Centre Relocation Contract Award	£338k	Les Senior Project Manager Capital Programme Delivery and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy	Refurbishment and Reconfiguration of 120 Rushey Green SE6 4HQ – Approval to tender works
19/07/22 Executive Director for Housing, Regeneration and Public Realm	Approval to procure maintenance works for Corporate Estate Maintenance Programme Phase 2	Approx £300K	Akweley Badger Project Officer, Capital Programme Delivery and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources	Improvement works to corporate buildings

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
14/09/22 Mayor and Cabinet	Young Mayor’s Budget 2021-22	£25,000	Katy Brown Advisor to the Young Mayor and Councillor Chris Barnham, Cabinet Member for Children Young People and Community Safety	Consideration of the current Young Mayor’s budget proposals
14/09/22 Mayor and Cabinet	Annual Complaints Report	n/a	Lew McKenzie Corporate Complaints, Casework and Contracts Manager and Councillor Amanda De Ryk Cabinet Member for Finance and Strategy	Complaints performance for the Council from April 21 – March 22
14/09/22 Mayor and Cabinet	Approval for Contract Award – Works contract for the former Catford Constitutional Club		Madhur Gurjar, Project Manager and Councillor Brenda Dacres	
14/09/22 Mayor and Cabinet	Watergate Special School Expansion budget approval and approval to procure	£1m plus	Iffat Iqbal, Project Manager and Councillor Chris Barnham, Cabinet Member for Children Young People and Community Safety	An expansion of an existing special school
14/09/22 Mayor and Cabinet	Response to Overview & Scrutiny Committee - ‘Future Lewisham – an economically sound future’.		Patrick Dubeck and John Bennett and Councillor Kim Powell, Cabinet Member for Businesses, Jobs and Skills	A response to a referral made at Mayor & Cabinet on March 9
14/09/22 Mayor and Cabinet	On Street Advertising Contract Variation and Extension	There are no expenditure	Geoff Tice Asset Network Manager,	The Authority entered into a contract with J C Decaux for on street advertising in 2015. J C

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
		implications. The Authority will derive an extra £497,000 to current Contract end 2030	Highways and Transport and Councillor Louise Krupski, Cabinet Member for Environment and Climate Action	Decaux have acquired planning permission to change 15 advertising panels to a digital format at 8 sites across the Borough. A digital panel affords the Authority a higher level of income. To compensate for the J C Decaux investment for panel upgrades agreement to a five year contract extension is to be offered. The current fifteen year Contract is due to end 2030. The contract offers the opportunity to extend for this period.
14/09/22 Mayor and Cabinet	Lewisham Autism Strategy		Polly Pascoe, Integrated Commissioning Manager and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care	The aim of the report is to gain commitment from the Council to make Lewisham and Autism Friendly Borough and improve the quality of life for people with Autism and their carers. The content of the report has been informed by informed by engagement sessions with service users, carers and staff, followed by a borough-wide consultation exercise. Coproduction panels have supported the development of our action plans and we aim to maintain a coproduction response throughout the implementation of the strategy.
14/09/22 Mayor and Cabinet	Response to Task and Finish Group - Housing Retrofit Task & Finish Group		Patrick Dubeck and Martin O'Brien and Councillor Sophie Davis Cabinet Member for Housing Management and Homelessness	A response to a referral made at Mayor & Cabinet on March 9
14/09/22 Mayor and Cabinet	BfL Programme – Approval to enter into contract	Awaited	James Ringwood, Senior Development and Land Manager and Councillor Brenda Dacres, Cabinet Member for Housing Development and Planning	Report will identify sites within the Building for Lewisham Programme that require Approval to enter into contract to allow further development. At present this relates to the Drakes and Valentines schemes.

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
14/09/22 Mayor and Cabinet	BfL Appropriation for planning purposes	TBC	James Ringwood and Councillor Brenda Dacres, Cabinet Member for Housing Development and Planning	Appropriation for planning purposes required for a number of schemes within the Building for Lewisham programme. This is subject to the relevant BfL schemes being within budget and proceeding to start on site - Appropriation for planning purposes needs to happen prior to start on site. This report has been moved to September given start on sites are not due to commence until September.
14/09/22 Mayor and Cabinet	Public Realm Framework contract award'	More than £200k	Zahur Khan, Director of Public Realm and Councillor Louise Krupski Cabinet Member for Environment and Climate Action	Awaited
14/09/22 Mayor and Cabinet	Catford Regeneration Partnership Limited (CRPL) - Update	n/a	Kplom Lotsu and Councillor Kim Powell	To update on the activities of CRPL in light of the agreed Catford Town Centre Masterplan and its implications for CRPL in the short to medium term.
14/09/22 Mayor and Cabinet	Lewisham and Lee Green LTN Monitoring Update	n/a	Zahur Khan - Director of Public Realm and Councillor Louise Krupski, Cabinet Member for Environment and Climate Action	An update report on the monitoring for the Lewisham and Lee Green Low Traffic Neighbourhood (LTN) as requested and recommended in the 12th January 2022 Mayor and Cabinet meeting. The report provides information on a range of information collected over the last 6 months to assess the performance of the LTN.
14/09/22 Mayor and Cabinet	Parker House Development Agreement	TBC	Fred Nugent and Councillor Brenda Dacres, Cabinet Member for Housing Development and Planning	To see approval of the Parker House Development Agreement

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
27/09/22 Executive Director for Housing, Regeneration and Public Realm	Award of Corporate Estate Maintenance Programme Phases 1 – Contracts 2&3	Contract 2 approx £200K, Contract 3 approx £300K	Akweley Badger Project Officer, Capital Programme Delivery and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources	Improvement works to corporate buildings
27/09/22 Executive Director for Housing, Regeneration and Public Realm	Award of Corporate Estate Maintenance Programme Phases 2 works contract		Akweley Badger Project Officer, Capital Programme Delivery and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources	Improvement works to corporate buildings
27/09/22 Executive Director for Housing, Regeneration and Public Realm	Award of Corporate Estate Maintenance Programme Phases 2 works contract		Akweley Badger Project Officer, Capital Programme Delivery and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources	Improvement works to corporate buildings
28/09/22 Council	Catford Regeneration Partnership Limited (CRPL) - Update	n/a	Kplom Lotsu and Councillor Kim Powell	To update on the activities of CRPL in light of the agreed Catford Town Centre Masterplan and its implications for CRPL in the short to medium term.
05/10/22 Mayor and Cabinet	Church Grove – Lease of Affordable Housing Units		Angela Bryan and Councillor Brenda Dacres	The report is to request approval to accept the proposal to lease the affordable housing units from RUSS and enter into a lease agreement
05/10/22 Mayor and Cabinet	Lewisham Play Strategy 2022 - 2027	n/a	Ikwuoma Mkparu, CYP Service Development Coordinator and Councillor Chris	Lewisham has a statutory duty to ensure that children and Young People in the borough have safe, accessible and well-maintained local play spaces where they are free to express themselves,

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
			Barnham Cabinet Member for Children, Young People and Community Safety	foster friendships, and engage in activities that promote physical, mental and social health and wellbeing. The strategy in its entirety, captures and demonstrates the borough's ongoing commitment to Play for all its residents
05/10/22 Mayor and Cabinet	Financial Monitoring Period 5	n/a	Nick Penny, Head of Service Finance and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy	
05/10/22 Mayor and Cabinet	Approval to appoint operator for concessions contract at Beckenham Place Park lake'		Peter Maynard Parks Contract Officer and Councillor Louise Krupski, Cabinet Member for Environment & Climate Action	Awaited
05/10/22 Mayor and Cabinet	Oak Hill Nursery expansion of Commercial Lease into Designated Children Centre	Savings of £30,000 per annum to Children centre budget	Michael Grant, Early Intervention Business Manager and Councillor Chris Barnham Cabinet Member for Children, Young People and Community Safety	We are proposing to extend the commercial lease for Oak Hill Nursery at Hatcham Oak Children Centre to cover the whole site, meaning part of the site will no longer be designated as a Children Centre. This site has not been used as a Children Centre since 2017/18 and the Council is still incurring operating costs for a vacant site. This proposal increases Under 5 provision in the locality and is also a savings proposal for the Children Centre budget.
11/01/23 Mayor and Cabinet	Financial Monitoring Period 8	n/a	Nick Penny, Head of Service Finance and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy	Information item

Agenda Item 4



Overview and Scrutiny Business Panel

Decisions made by Mayor and Cabinet

Date: 28 June 2022

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Committees

Outline and recommendations

Members are asked to consider decisions taken at a meeting of the Mayor and Cabinet held on 15 June 2022 in open session

1. Recommendation

To consider decisions taken by the Mayor and Cabinet on 15 June 2022, which will come into force on 29 June 2022, unless called in by the Overview and Scrutiny Business Panel on 28 June 2022.

2. Background

2.1 The Mayor and Cabinet considered the following decisions on 15 June 2022:

- i. Permission to Procure for 0-19 Public Health Nursing Services (**also listed for Part 2 consideration**)
- ii. Building for Lewisham Ladywell Redevelopment (**also listed for Part 2 consideration**)
- iii. Leisure Management Contract (**also listed for Part 2 consideration**)
- iv. Blackheath Joint Events Policy 2021-2024 (**also listed for Part 2 consideration**)
- v. Levelling Up Fund bid for Lewisham town centre
- vi. Council Tax Energy Grants, Household Support and Covid Additional relief Fund schemes updates
- vii. Financial Outturn Report 2021/22
- viii. Permission to procure Supported Accommodation services.
- ix. Compute & Storage Infrastructure Replacement
- x. Out of Hours Switchboard Procurement (**also listed for Part 2 consideration**)

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

- 2.3 Under the provisions of Standing Orders Part IV E 14, Members may call in an executive decision within 7 days. If this report is not called in, the decisions will come into force on 29 June 2022.



NOTICE OF DECISIONS MADE BY THE MAYOR & CABINET

The Mayor & Cabinet made the following decisions on June 15 2022. All recommendations shown were agreed by a 7-0 vote of voting members in physical attendance.

The decisions will become effective on 29 June 2022 unless called in by the Overview & Scrutiny Business Panel on 28 June 2022.

1. Permission to Procure for 0-19 Public Health Nursing Services

Having considered an open officer report, and a presentation by the Cabinet Member for Children and Young People and Community Safety, Councillor Chris Barnham, the Mayor and Cabinet agreed that a procurement process be authorised to provide 0-19 Public Health Nursing Services for a period of four years, with an option to extend for three further years, commencing on 1st April 2023, with the estimated contract value of £6,949,489 per annum, and total contract value of £48,646,423 over the maximum possible seven year contract period.

2. Building for Lewisham Ladywell Redevelopment

Having considered an open and a confidential officer report, and a presentation by the Cabinet Member for Finance and Strategy, Councillor Amanda De Ryk, the Mayor and Cabinet agreed that:

(1) the progress on developing the Ladywell scheme including the proposed housing mix be noted;

(2) an increase in the budget to complete the tender stage as set out in the accompanying Part 2 report be approved; and

(3) pursuant to Section 122(1) of the Local Government Act 1972 the appropriation of the land for Phase 1 of the Ladywell scheme (as shown in the red outline on the attached plan at Appendix 1) from Leisure (General Fund) to Housing (Housing Revenue Account) be approved.

3. Leisure Management Contract

Having considered an open and a confidential officer report and a presentation by a job share Cabinet Member for Culture & Leisure, Councillor Andre Bourne, the Mayor and Cabinet agreed that:

(1) a 3 year and 6 month extension be approved;

(2) the removal of the free gym, swim and athletics track access for residents aged 60 and above, with these members paying a concessionary rate be approved with free access to gyms, swimming and the athletics track is to be retained for residents with registered disabilities

(3) in principle approval be given for the next fees and charges price increase for leisure centre users (in accordance with CPI inflation) to take place in April 2023 after a pricing freeze in the initial two years.

4. Blackheath Joint Events Policy 2021-2024

Having considered an open and a confidential officer report and a presentation by a job share Cabinet Member for Culture & Leisure, Councillor Andre Bourne, the Mayor and Cabinet agreed that the proposed changes to the existing Blackheath Joint Events Policy Joint Policy for Lewisham and Greenwich 2017-2020 in relation to events and activities taking place on Blackheath as set out in Appendix A be approved and agreement to extend it to 2024 be given.

5. Levelling Up Fund bid for Lewisham town centre

Having considered an open officer report, and a presentation by the Councillor Kim Powell, Cabinet Member for Businesses, Jobs & Skills, the Mayor and Cabinet agreed that

(1) the ongoing engagement with residents, community organisations, businesses and other partners and the emerging shared vision for Lewisham town centre be noted;

(2) the submission of a bid to the Levelling Up Fund, up to a maximum of £20million, be made for Lewisham town centre to include improvements to the street market, library, transport and public realm; and

(3) delegated authority be given to the Executive Director for Housing, Regeneration and Public Realm, in consultation with the Executive Director for Corporate Resources, to approve the final bid to the Levelling Up Fund, in line with comments from Mayor and Cabinet.

6. Council Tax Energy Grants, Household Support and Covid Additional relief Fund schemes updates

Having considered an open officer report, and a presentation by the Cabinet Member for Finance and Strategy, Councillor Amanda De Ryk, Mayor and Cabinet agreed that:

(1) the contents of the report including the administration and delivery of the current Council Tax Energy Grant Scheme (CTEGS) and Household Fund scheme and the recently announced extension to the Household Fund to cover support up until March 2023, be approved

(2) the actions taken by officers in relation to the first tranche of the Household Fund be noted as officers acted under instruction from Government to urgently distribute funding to our financially vulnerable residents, ensuring payments were made promptly;

(3) the recommendations in the proposed Covid Additional Relief Fund (section 4.6) be approved;

(4) the proposal to use £412k of the CTEGS to award support to children being funding from the Household Fund be approved;

(5) in accordance with Government guidance and that the Council Tax Reduction Scheme be amended to disregard income from the CTEGS when determining awards of council tax reduction; and

(6) the Executive Director for Corporate Resources in consultation with the Cabinet Member for Finance and Strategy be authorised to finalise the implementation and distribution of the extended Household Fund.

7. Financial Outturn Report 2021/22

Having considered an open officer report, and a presentation by the Cabinet Member for Finance and Strategy, Councillor Amanda De Ryk, the Mayor and Cabinet agreed that:

(1) the Outturn Position for 2021/22, including the utilisation of Covid funding to mitigate expenditure incurred or income forgone as a result of Covid, as summarised in section 4 with additional detail in the subsequent sections, be noted;

(2) as part of routine financial year closing work, the proposed write-off of debts under delegation as detailed in section 16, be approved

(3) the proposed write off of the specific debts each over £50k as detailed in section 16 and Appendix C, be approved.

8. Permission to procure Supported Accommodation services.

Having considered an open officer report, and a presentation by the Cabinet Member for Health & Adult Social Care, Councillor Paul Bell, the Mayor and Cabinet agreed that:

(1) officers be authorised to procure a mental health supported housing service by open procurement. The contract will be from April 2023 for 3 years plus the option to extend by 2 further years. The estimated total value of the contract will be £2,841,205, an annual value of £568,241. This new contract will be made up of 2 supported housing contracts currently commissioned

(2) delegated authority be given to the Executive Director of Community Services, following stage 1 of the procurement process, to determine the short-listed suppliers recommended to stage 2 of the procurement process as set out.

9. Compute & Storage Infrastructure Replacement

Having considered an open officer report, and a presentation by the Cabinet Member for Finance and Strategy, Councillor Amanda De Ryk, the Mayor and Cabinet agreed that:

(1) Brent Council be authorised to enter into a contract with Computacenter on behalf of the Council for a solution based on Nutanix HCI software using SuperMicro hardware for the physical server and disk storage components for a period of 5 years at a total cost of £1,465,000.00 across all 3 Councils, the Council's contribution being £407,805 over the period; and

(2) the Council's contribution to the contract value of £407,805 plus an additional £120,071 for additional backup storage, risk of inflation, training and contingency, meaning a total contribution of £527,876, be approved.

10. Out of Hours Switchboard Procurement

Having considered an open and a confidential officer report, and a presentation by the Cabinet Member for Finance and Strategy, Councillor Amanda De Ryk, the Mayor and Cabinet agreed that a direct award of a contract to the Royal Borough of Greenwich be made for a period of three years with the option to extend for up to a further three years to supply the Council's Out of Hours switchboard commencing 15th September 2022, involving expenditure of £240,000 per annum with a total contract value of £1,440,000 over a six year period.

Kim Wright
Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU
June 16 2022

Agenda Item 5



Overview and Scrutiny Business Panel

Decisions made by the Executive Director of Corporate Resources

Date: 28 June 2022

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Committee Business

Outline and recommendations

Members are asked to consider key decision taken by the Executive Director of Corporate Resources – open session

1. Recommendation

To consider key decisions taken by the Executive Director of Corporate Resources, which will come into force on 29 June 2022, unless called in by the Overview and Scrutiny Business Panel on 28 June 2022.

2. Background

- 2.1 The Executive Director of Corporate Resources made the following key decisions on 15 March 2022:
 - i. Approval for Contract Award – Contract 1, Phase 1 maintenance works for Corporate Estate Maintenance Programme (also listed in Part 2)
 - ii. Full Fibre Broadband for Lewisham Residents
- 2.3 Under the provisions of Standing Orders Part IV E 14, Members may call in an executive decision within 7 days. If the reports are not called in decisions to be made will come into force on 29 June 2022.



Executive Director for Corporate Resources

Report title: Approval for Contract Award – Contract 1, Phase 1 maintenance works for Corporate Estate Maintenance Program

Date: 6 June 2022

Key decision: Yes

Class: Part 1

Ward(s) affected: Bellingham, Downham, Grove Park, Ladywell, Rushey Green, Sydenham

Contributors: Peter Allery, Group Finance Manager and Kplom Lotsu, SGM Capital Programme Delivery, Petra Marshall - Senior Programme Manager, Capital Programme Delivery and Legal Services.

Outline and recommendations

The purpose of this report is to seek approval from the Executive Director for Corporate Resources to award a 6 month contract following an open tender exercise for Contract 1, Phase 1 of the Corporate Estates Maintenance Programme (CEMP).

It is recommended the Executive Director for Corporate Resources approve the appointment of **Hilton Abbey Limited** as Principal Contractor for maintenance works, for the tendered sum of **£557,221.00**

Timeline of engagement and decision-making

The tender opportunity was advertised on 28/01/22 – 04/02/2022. Via the Council's online tendering system (Pro-Contract Procurement Portal), as per the Council's Contract Procedure Rules.

Corporate Estate Maintenance Program (CEMP) Approval to procure maintenance works for phase 1 - November 2021

This procurement is a key decision as the value of the works is £557,221.

1. Summary

- 1.1. The purpose of this report is to seek approval from the Executive Director of Corporate Resources to award a contract for maintenance works for 13 buildings across 3 sites included in Contract 1, within Phase 1 of the Corporate Estates Maintenance Program (CEMP) in line with the approvals obtained from Executive Director for Housing, Regeneration & Public Realm in November 2021 (report attached as Appendix A).
- 1.2. Hilton Abbey Limited submitted the most economically advantageous bid based on quality and price and have demonstrated comprehensive skills, knowledge, experience and capability to deliver this project
- 1.3. Following completion of an open procurement process, officers recommend that Hilton Abbey Limited are awarded a contract for a period of 6 months for this service

2. Recommendations

It is recommended that the Executive Director of Corporate Resources approves the award of contract to Hilton Abbey Limited for the first phase of the Corporate Estate Maintenance Program at a value of £557,221.00. This contract is for maintenance works to be carried out on 13 buildings across 3 cemetery sites.

3. Policy Context

- 3.1. The Council's corporate estate provides a wide range of functions and services including office accommodation, community facilities, adult learning, libraries, bereavement services, children and youth services, social care and health provision and so on. As such, the proposed maintenance programme for the corporate estate will directly contribute to the delivery of the Council's Corporate Strategy 2018-2022 and its seven corporate priorities:
 - Open Lewisham
 - Tackling the housing crisis
 - Giving children and young people the best start in life
 - Building an inclusive local economy
 - Delivering and defending: health, social care and support
 - Making Lewisham greener
 - Building safer communities
- 3.2. In addition and more specifically, the modernisation of the corporate estate allows the opportunity for significant environmental enhancement, for example through the installation of LED lighting, which is consistent with the Council's energy policy, which was agreed at Mayor and Cabinet in July 2014, and more recently the Council's

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commitment to the borough being carbon neutral by 2030 and development of a Climate Change Action Plan.

- 3.3. The contents of this report also support the Council's regeneration strategy: 'People prosperity and place' which sets out Lewisham Council's vision for the future of the borough. It sets out how the Council, with its private and public sector partners, will work to transform the borough through physical, social and economic regeneration
- 3.4. An Asset Review is currently underway which will assess the Council's estate (core office campus, service and operational estate, and commercial estate) to understand where potential consolidation can take place, savings can be made and asset value maximised. The corporate estate maintenance programme sits in parallel to this piece of work and will help provide evidence on the condition of assets under review and the investment required.

4. Background

- 4.1. The Council's corporate estate consists of approximately 100 assets, for which they undertake some or all repairs and maintenance.
- 4.2. In 2019 condition surveys were undertaken across the council's corporate estate to provide officers with detailed information to develop a corporate estate maintenance programme (CEMP) to invest in and maintain the council's asset base over the next 8-10 years. Benefits include less interruptions to critical operations due to building or equipment failure, longer asset life, improved efficiency and energy performance, increased safety and compliance, and reduced repair costs
- 4.3. In order to deliver the CEMP, the works identified through the condition surveys will be delivered in one or two year cycles
- 4.4. Pellings PLC were appointed in May 2021 to provide the Employers Agent and multi-disciplinary services role for the CEMP for the Financial Years 21/22 and 22/23 with the potential to also support financial years 23/24 and 24/25 dependent on performance

5. Corporate Estate Maintenance Programme – Contract 1 - Phase 1

- 5.1. In May 2021 Pellings were instructed to develop a programme of works for the 60 buildings that are now in scope for the CEMP.
- 5.2. This information was used to develop a programme that packaged the works required into phases according to priority, with the maintenance works for the properties in phases 1 and 2 deemed to be the most urgent. (See Appendix C)
- 5.3. Within each phase the properties have been further grouped into contracts according to the types of maintenance works required and geographical location. This was done to achieve economies of scale, and reduce the risk of failure by ensuring they can be delivered by one contractor
- 5.4. Contract 1, Phase 1, included 18 properties across 3 cemeteries as set out in the table in Appendix B.

6. Procurement Process

- 6.1. The procurement opportunity (Tender) was advertised via the Council's online tendering system, which publishes opportunities through the London Tenders Portal, Contracts Finder and into the Find a Tender service, as per the Council's Contract Procedure Rules on 28th January 2022.
- 6.2. Following an open tender exercise, on 4th February 2022, 3 submissions were received, 2 of which were compliant. The one non compliant bid failed to submit a

completed Form of Tender, Pricing Schedule and a complete response to method statement questions.

- 6.3. During the tender period an addendum was issued on 26th January 2022 which included a revision to the proposed works to the Chapel at Grove Park and bungalows at Grove Park and Hither Green.
- 6.4. Moderation sessions were led by the Senior Procurement Officer. The evaluation panel consisted of an Associate Building Surveyor from Pellings, Capital Programme Delivery Project Manager and Project Officer.
- 6.5. The full tender submissions were evaluated based on the following criteria:
- Financial detail including price 50%
 - Service Delivery 15%
 - Technical Ability 15%
 - Project Management 10%
 - Health and Safety 5%
 - Social Value 5%
- 6.6. The evaluation was made up of 50% price and 50% quality, incorporating 5% for social value.

7. Tender Evaluation and Synopsis of the bids received

- 7.1. The price of each tender was evaluated using the Lowest Price Option, as follows:

Price score = 50 x (lowest valid tender x Form of Tender price)

This means that the lowest price submitted would receive the highest score for the financial element of the evaluation.

- 7.2. The qualitative assessment was based on the tendering consultant's responses to the method statements included in the ITT. These were used to test tenderers' understanding of service requirements. The questions are summarised in the table below:

QUALITY		
Criteria		Weighting
MS 1*	Service Delivery	15%
MS 2*	Technical Ability	15%
MS 3a*	Project Management – Mobilisation and project management	6%
MS 3b*	Project Management – Project Planning and milestones	4%
MS 4	Health & Safety	5%
MS5	Social Value	5%
MS 6	COVID-19 Implications (for information only)	N/A
MS 7	Climate Change (for information only)	N/A
MS 8	GDPR and Data Handling (for information only)	N/A
Total Quality Weighting		50%

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- 7.3. The scoring was awarded on a scale of 0 – 10. 1 being inadequate and 10 being perfect.
- 7.4. Criteria marked with an asterisk (*) in the table above, required a minimum quality score of 7 to be considered valid. Criteria not marked with an asterisk (*) were required to achieve a minimum quality score of 5. Any Tender which failed to attain these minimum scores would be deemed invalid.
- 7.5. The tables that follow summarise the final quality, price scores and overall scores for each tender
- 7.6. **Method Statement Evaluation (Quality) :**

Rank	Tenderer	Weighted Quality Score
1	Hilton Abbey Limited	37.00
2	Company A	34.50
N/A	Company B	Submitted incorrect documents

- 7.7. The quality of the tenders were of a good standard. Feedback for each of the individual tender submissions are detailed in confidential Part 2
- 7.8. Credit scores were requested via “Creditsafe” for each contractor to identify any that may present a financial risk to the Council.
- 7.9. **Tender Evaluation (Price)**
- 7.10. The Price Evaluation was carried out by the Associate Building Surveyor from Pellings
- 7.11. Tenderers submitted a pricing schedule which required a breakdown of the cost for each of the buildings listed within contract 1 and a breakdown of additional costs eg prelims.
- 7.12. Both tenderers submissions were higher than the estimated contract value and provided a wide range of prices for each of the different buildings.
- 7.13. The difference between the estimated contract value and the final contract value in both submissions was due to prices in the market having increased substantially since the initial condition surveys were carried out in 2019, this includes an increase in labour and materials costs.
- 7.14. The overall price scores are set out below:

Rank	Organisation	Weighted Price Score
1	Company A	50.00
2	Hilton Abbey Limited	47.81

- 7.15. Overall, the tenders were of a good standard, feedback for each of the individual

tender submissions are detailed in confidential Part 2

7.16. **Overall Scores**

Rank	Organisation	Weighted Price Score	Weighted Quality Score	Total Weighted Score
1	Hilton Abbey Limited	47.81	37.00	84.81
2	Company A	50.00	34.50	84.59

7.17. Officers therefore recommend that Hilton Abbey Limited are awarded the contract, as they were the overall winning bidder with an acceptable price and quality score.

8. Financial implications

- 8.1. There is an approved capital programme for the Corporate Estate Maintenance Programme with remaining budget of £3.6m
- 8.2. The proposed contract with Hilton Abbey Limited is for a period of 6 months at a cost of £557,221.
- 8.3. Creditsafe report is set out in background papers

9. Legal implications

- 9.1. The Council's Constitution contains requirements about how to procure and manage contracts. These are in the Contract Procedure Rules (Constitution Part IV). Some of the requirements in those Rules are based on the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment) Regulations (EU Exit) Regulations ("the Regulations") with which the Council must comply. Given the value of the contract the Regulations do not apply.
- 9.2. The report proposes the establishment of a contract for corporate estate maintenance. The potential value of the contract including the extension is below £1,000,000, which means that this is a Category B contract for the purposes of the Council's Contract Procedure Rules and one which is to be awarded by the Executive Director.
- 9.3. This contract has been externally and openly advertised as required by the Council's Constitution.
- 9.4. The report explains the evaluation approach and process applied to the bid and the reasons for recommending the successful bid for approval. The Invitation to Tender set out that tenderers had to reach specified scores. The process followed, including exclusion of tenderers who did not reach the minimum score, was in compliance with the advertised and required procedures.
- 9.5. The estimated contract value was £410,000, however the award value of £557,221 is substantially more. Under the Council's Constitution where there is an increase of more than 25%, provided it is under £250,000, only the Executive Director for Corporate Services may approve the award of the contract.
- 9.6. This decision is a Key Decision under Article 16.2 (c) (xxiii) of the Constitution as it has a value of more than £200,000. It is therefore required to be contained in the current Key Decision Plan.
- 9.7. In taking this decision, the Council's public sector equality duty must be taken into

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account. It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary, the Council must, in the exercise of its functions, have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; advance equality of opportunity between people who share a protected characteristic and those who do not; and foster good relations between people who share a protected characteristic and those who do not.

- 9.8. It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for Mayor and Cabinet, bearing in mind the issues of relevance and proportionality. Mayor and Cabinet must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 9.9. The Equality and Human Rights Commission (EHRC) has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance. The Council must have regard to the statutory code in so far as it relates to the 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 on the EHRC website.
- 9.10. See **Section 6.10.2. - "Legal implications" in the guidance** for more information

10. Equalities implications

- 10.1. This Corporate Estate Maintenance Programme will see vital investment in the council's assets which provide office accommodation and service and operational facilities. Whilst much of the works will be to existing structures and mechanical and electrical plant, there will be some elements which improve the public and staff experience including some DDA improvements. Having fit for purpose and fully functioning buildings is expected to have a positive impact on users which should cross all protected characteristics.
- 10.2. The Council's Equalities objectives were addressed in the contract documentation and formed part of the criteria used in the pre-tender evaluation

11. Climate change and environmental implications

- 11.1. The Council's sustainability objectives and commitment to carbon management were addressed in the tender specification for the Employer's Agent procurement and will form part of the procurement and contract documentation for each works package.
- 11.2. The modernisation of the corporate estate allows the opportunity for significant environmental enhancement, for example through the installation of LED lighting, which is consistent with the Council's energy policy, which was agreed at Mayor and Cabinet in July 2014, and more recently the Council's commitment to the borough being carbon neutral by 2030 and development of a Climate Change Action Plan.

12. Crime and disorder implications

- 12.1. There are no crime and disorder Implications arising from this report

13. Health and wellbeing implications

- 13.1. The proposed works to improve the council's corporate estate will have an impact on health and wellbeing of the staff working in and visitors using the various buildings. It is expected that, for example, improved heating and cooling systems or newly decorated interiors will provide a more comfortable environment to work in or visit.

14. Social Value implications

- 14.1. The Corporate Estate Maintenance Programme will deliver social value to the London Borough of Lewisham by working with our Social Value Officer to set targets in line with the Council's strategic aims and objectives for each of the contracts tendered.
- 14.2. The contractors' commitments to social value were assessed as part of the tender evaluation and were given an overall weighting of 5%, in line with the Council Social Value Policy. The recommended contractor for appointment achieved a score of 8 for the method statement on social value.
- 14.3. The council is an officially accredited London Living Wage (LLW) Employer and is committed to ensuring that, where appropriate, contractors and subcontractors engaged by the council to provide works or services within Lewisham pay their staff at a minimum rate equivalent to the LLW rate. Successful contractors will be expected to meet LLW requirements and contract conditions requiring the payment of LLW will be included in the tender documents.
- 14.4. The social value outcomes offered by the contractor include the creation of jobs for Lewisham residents, work experience placements for school leavers, use of local suppliers and a pledge to spend 50% of the contract value within the local supply chain.
- 14.5. The incorporation of Social Value into Lewisham contracts will significantly help the Council to deliver on its strategic corporate and Mayoral priorities and deliver added value for the borough as a whole.
- 14.6. The Corporate Estate Maintenance Programme, Social Value Officer and Contractor will work together to monitor and facilitate delivery of social value outcomes

15. Contract Management

- 15.1. In accordance with the Council's contract management framework this contract is a tier 2 contract. Contract Management meetings will be held on a monthly basis and the key performance indicators (KPIs) on the contract management dashboard will be monitored and reported on accordingly

16. Background papers

- 16.1. Approval to Procure report – Appendix A
- 16.2. Credit Safe Report

17. Glossary

Term	Definition
CEMP	Corporate Estate Maintenance Programme
AMP	Asset Management Programme
LED	Light emitting diode lighting
LLBS	Local Labour Business Scheme
JCT	Joint Contracts Tribunal who produce standard forms of contract for construction works

18. Report author and contact

18.1. If there are any queries regarding this report please contact:

Akweley Badger, akweley.badger@lewisham.gov.uk, x46825

19. Comments for and on behalf of the Executive Director for Corporate Resources

19.1. Sofia Mahmood, Sofia.Mahmood@lewisham.gov.uk, x43684.

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

20.1. Mia Agnew, Mia.Agnew@lewisham.gov.uk, x47546

21. Appendices

21.1. **Appendix A:** Corporate Estate Maintenance Program (CEMP) Approval to procure maintenance works for phase 1 - November 2021



CEMP Approval to procure phase 1 works v6 (7).pdf

21.2. **Appendix B:** List of Contract 1 Buildings

Contract 1 – Original List	
No	Site
1	Grove Park Cemetery Bungalow
2	Grove Park Cemetery Chapel
3	Grove Park Cemetery Depot/ Office
4	Grove Park Cemetery Lodge

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5	Grove Park Cemetery Mess Room
6	Grove Park Cemetery Public Toilets
7	Grove Park Cemetery Stores
8	Brockley & Ladywell Cemetery Brockley Lodge - 5 Bed
9	Brockley & Ladywell Cemetery Chapel
10	Brockley & Ladywell Cemetery Depot / Mess Room
11	Brockley & Ladywell Cemetery Public Toilets
12	Ladywell Cemetery Ladywell Lodge - 3 Bed
13	Hither Green Cemetery Bungalow
14	Hither Green Cemetery Mess Room
15	Hither Green Cemetery New Chapel
16	Hither Green Cemetery Public Toilet Block
17	Hither Green Crematorium Main
18	Hither Green Crematorium Memorial Store

Contract 1- Revised list

No	Site
1	Grove Park Cemetery Chapel
2	Grove Park Cemetery Depot/ Office
3	Grove Park Cemetery Mess Room
4	Grove Park Cemetery Public Toilets
5	Grove Park Cemetery Stores
6	Brockley & Ladywell Cemetery Chapel
7	Brockley & Ladywell Cemetery Depot / Mess Room
8	Brockley & Ladywell Cemetery Public Toilets
9	Hither Green Cemetery Mess Room
10	Hither Green Cemetery New Chapel
11	Hither Green Cemetery Public Toilet Block
12	Hither Green Crematorium Main
13	Hither Green Crematorium Memorial Store

Removed Buildings

	Grove Park Cemetery Bungalow
	Grove Park Cemetery Lodge
	Brockley & Ladywell Cemetery Brockley Lodge - 5 Bed

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	Ladywell Cemetery Ladywell Lodge - 3 Bed
	Hither Green Cemetery Bungalow

Appendix C – Programme Phases

Contract 2 – Phase 1
Bellingham Gateway Youth & Community Centre
Bellingham Children's Centre -
Home Park Adventure Playground

Contract 3 – Phase 1
Lewisham Irish Community Centre
Sydenham Centre -
Grove Park Adult Learning Centre

Phase 2
Rockbourne Youth Centre
Honor Oak Children's Centre
Manor House Library
Lochaber Hall
Ladywell Fields Adventure Playground

PART 2 – CONFIDENTIAL

22. Approval

I approve the appointment, as per the details set out in this report

Signed: 

Date: 16 June 2022

Name: Kathy Freeman

Executive Director of Corporate Resources



Overview & Scrutiny Business Panel

Decision made by Executive Director of Corporate Resources

Report title: Full Fibre Broadband for Lewisham Residents

Date: 17th June 2022

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Joseph Chambers (Public Digital Lead)

Outline and recommendations

This report sets out a proposal to grant non-exclusive wayleaves (access agreements) to providers of communication and broadband services to Council-owned residential properties in order to support digital inclusion, communications, networking, leisure and learning opportunities.

The committee are recommended to:

Approve the process for obtaining non-exclusive wayleave agreements between Council with broadband operators in order to deliver full-fibre to Lewisham's social housing portfolio.

“It is recommended that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting during discussion of this item because it involves the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of part 1 of Schedule 12A of the Act as set out below and the public interest in maintaining the exemption outweighs the public interest in disclosing the information. The header says this is a Class 1 public report – commercially sensitive information only should be on Part 2 so the report needs to be split into two parts.

Timeline of engagement and decision-making

- Jan 2022 – Cross-council Director level internal meeting – approval for proposed process for working with fibre providers
- June 2022 – Internal sign off from Lewisham Council departments for (legal, finance, housing, public realm)
- July 2022 – Republish fibre broadband toolkit and expression of interest
- August 2022 – Application review
- August 2022 – Notify successful operators
- September 2022 – Wayleave contract negotiation
- October 2022 – Wayleave completed and signed by all parties
- November 2022 – Fibre broadband rollout begins

1. Summary

- 1.1. A wayleave is a property interest, needed in this case to allow the relevant cabling and associated apparatus to be installed. This report sets out the benefits of improving digital connectivity in the borough and recommends wayleaves be granted to facilitate the deployment of fibre broadband.
- 1.2. Agreeing wayleaves with broadband providers will enable provision of new internet services to Council-owned residential housing. Delivering fibre broadband is a vital step in the council's digital strategy and will enable tenants and leaseholders to benefit from improved connectivity infrastructure through lower rates for fibre and the improved internet speeds this can bring.
- 1.3. The agreements will be based on the City of London master wayleave agreement template but with appropriate modifications to ensure the Council's interests are sufficiently protected.
- 1.4. Following government regulation outlined in the Electronic Communications Code (2022), agreeing wayleaves with providers should be a cost-neutral process. In addition to an upfront fee of £10,000 for each provider, LBL will charge a fee in a pay-per-premises model, thereby recouping costs for staff time in managing the fibre broadband project. Total estimated revenue generated to between £200,000 and £250,000 (depending on number of providers that agree wayleaves and total number of housing units connected).

2. Recommendations

- 2.1. It is recommended that the Mayor and Cabinet:
 - 2.1.1. Agree to approve the process for engaging with broadband providers and establishing wayleave agreements to deliver full-fibre broadband to Lewisham residents.

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3. Policy Context

- 3.1. The contents of this concession report are consistent with the Council's Corporate Strategy 2018-2022. It supports 'Creating an inclusive Lewisham', specifically the 'need to continue to ensure that everyone in Lewisham has equitable access to the support and services they need' and the aim of Achieving better outcomes for people.
- 3.2. Guidance published by the Department for Digital, Culture, Media & Sport (DCMS) paves the way for "a clear and transparent process for industry and government". Lewisham Council has developed a [Digital Infrastructure Toolkit](#) on the basis of the DCMS guidance and has adopted a non-exclusive, open access approach to Telecommunication Operators.
- 3.3. The Mayor and London Councils agreed to the [Digital Access for All mission](#) as part of the London Recovery Programme. Actions for this mission include a commitment to improve full fibre coverage, identify and eliminate not-spots starting with social housing.

4. Background

- 4.1. Following other London Boroughs, London Borough of Lewisham has been seeking to improve the quality and capacity of its digital connections. As the capabilities of digital technologies have increased, so has the demand for reliable, affordable and high quality internet connections. Covid-19 further highlighted the important role of internet infrastructure and the significant reliance society places upon it.
- 4.2. The availability of high quality internet access and related communications is an ever more important consideration as technology develops. Parts of the borough are not well-served at present with pockets of poor connectivity. This is mainly for historic technical reasons but the opportunity exists to address the problem and improve connections for work, leisure, domestic and learning purposes for our residents, including "working from home" needs.
- 4.3. At the moment the majority of London can receive superfast internet through copper connections to their homes. This is called Fibre to the Cabinet (FTTC). This is where a fibre cable goes from telephone exchanges to a roadside cabinet and then a copper cable connects the homes to that cabinet. Copper is suboptimal for delivering data as it 'leaks' signal. The speeds it can achieve, up to 80Mbps download and much less for upload, are significantly slower than with fibre. Many London properties have access to cable connections, or DOCSIS which give them greater speeds of up to 1Gbps download but limited upload speeds for consumers. These cable networks use high quality copper to connect a home to a cabinet. There are a very small number of providers of cable infrastructure. Around 41% of London have access to full fibre, or Fibre to the Premise (FTTP). This is where you have a fibre connection all the way to the property. This has in theory unlimited speeds, as well as the option to have higher upload rates. There are a wide range of operators offering full fibre. For more information about broadband basics see [Ofcom's advice for consumers](#).
- 4.4. By the end of 2021, full fibre availability stood at 31% of homes across the country, with London averaging 36% and accounting for 14% of all national FTTP build. Lewisham's full fibre coverage stood at 29.8% with approximately 41,000 premises connected. This ranks it as 17th in London for most connected with FTTP. Cable coverage stood at 67.8% with around 95,000 premises connected, ranking 30th in London for most connected. Lewisham has around 3000 premises which are on copper only lines and unable to receive >30Mbps, ranking 9th for the most number of not spots in London. In 2021 Lewisham ranked 26th in London for the number of premise covered with full fibre, putting Lewisham five least attractive boroughs for full fibre investment.

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Figure 1 Lewisham premises unable to access 30Mbit/s service



Figure 2 Lewisham premises that are able to order a full fibre service (+1Gbps)



Figure 3 Lewisham premises that are able to order a cable service (up to 1Gbps)



Figure 4 Lewisham premises that are able to order a superfast service (up to 80Mbps)

For more information about Lewisham's digital connectivity coverage see the [Connected London map](#).

- 4.5. A wayleave is a contractual agreement between a landowner or landlord and a telecoms operator. This agreement enables the provider to have access rights to land/and or property to install, maintain or repair telecoms apparatus. In London, we have five major operators deploying full fibre broadband. Openreach, Virgin Media, G.Network, Community Fibre and Hyperoptic. All operators seek and rely on wayleave agreements with large landlords to maximise their deployments far and wide within boroughs to reach as many customers as possible to ensure a return on investment. An individual wayleave agreement covers a single building, a master agreement can include multiple buildings. The benefits of a master agreement for operators includes the ability to reduce legal costs and provide them with a certainty on where they can build without desirable buildings being missed out.
- 4.6. There is enthusiasm on the part of internet providers to extend networks across the Borough and initial discussions with a number of providers to date have led to a suggested basis of operation in which wayleaves for connection would be granted on a non-exclusive basis and providers would be expected to supply social and economic benefits (social value contribution), directly or indirectly. These are expected to include

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the following (may vary per provider and is not guaranteed):

- Financial contribution to a digital inclusion community pot run by LBL
 - Free connections for community spaces
 - Discounted fibre packages for residents
 - Employment and apprenticeships – direct employment opportunities and targeted recruitment
 - Digital Champion support – volunteering, digital skills training, providing access to resources
- 4.7. It is proposed to grant a Master wayleave to each supplier on a pay-per-premises model, in conjunction with an upfront fee. The benefits of this model include an overall agreement, which reduces legal costs and time instead of approaching individual wayleaves for each site. This is the model followed by the majority of London Boroughs.
- 4.8. The Digital Economy Act 2017 brings in new rights for providers to demand wayleaves and prohibits the old position that landowners could effectively ransom the provision of services. The reformed Code is intended to support investment in infrastructure, which will help ensure UK consumers have the digital communications coverage and connectivity they need.
- 4.9. It is envisaged that the granting of non-exclusive wayleaves for Council owned residential properties in the borough to multiple broadband providers will assist in the promotion and improvement of the economic and social well-being of the borough. In acting as a facilitator rather than a blocker to the applications from providers, it is anticipated that the Council will be able to attract, promote and retain interest from and competition between providers who currently operate or are looking for the opportunity to operate in the borough and which it is hoped will result in reduced costs for end use customers. It is considered that the benefits arising from the scheme will significantly exceed any financial consideration it might have been possible to secure. Based on comparisons to other boroughs who have put multi-site wayleaves in place, the Connected London team in the Greater London Authority estimate that Lewisham could see a 45% increase in the number of properties connected with full fibre infrastructure.
- 4.10. Other options considered:
- 4.11. **Not proceeding:** this would fail to implement the Digital Strategy (*forthcoming*) and hold back connectivity to residents and our ability to increase digital inclusion.
- 4.12. **Seeking to lever a greater value charge for wayleaves:** this may have the effect of either discouraging providers and consequently jeopardising opportunity to promote digital inclusion and the associated social and economic benefits this would bring to the Borough, or result in the providers seeking to exercise their statutory rights under the Code and seeking a court order to impose an agreement on the Council for the rights they seek. Charges for the pay-per-unit/premises model from LBL are to ensure a neutral cost process and were calculated through market engagement, discussions with consultants working in the digital infrastructure space in London and discussions with other London Boroughs and Central London Forward (CLF).

5. Main body

- 5.1. It is proposed to engage with providers on a non-exclusive basis in order that the Council can facilitate access in return for the wider availability of services and social benefits. Residents will then have the opportunity to buy services which would include

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low cost alternatives. Where possible this will include low cost options and/or those not requiring credit checks. Apart from free services to some of its own properties the Council would not directly receive the service.

- 5.2. Arrangements will be made with providers to secure the provision of social benefits as far as is possible given the requirements of the legislation.
- 5.3. Further consents such as Highways licences will need to be obtained by providers but are outside the scope of the proposed wayleave agreements. It is expected that providers will use existing ducting infrastructure, however where necessary all permits will be sought via the usual process. The purpose of the wayleave agreement is to entitle providers to install and retain cabling and associated apparatus from the boundary of an estate adjoining the highway to the property.
- 5.4. The Electronic Communications Code included within the Digital Economy Act 2017 allows providers to seek a Court order for access to install electronic communications apparatus over private land and buildings. This does not preclude the making of a charge but it is limited to the market value of the relevant access on the basis of being granted under a Court order.
- 5.5. It is proposed to seek recovery of the Council's costs from providers including staff time in dealing with this matter as far as is possible through the pay-per-premises model. Staff time will be required to deal with plans and legal documentation related to individual estates and areas being targeted for new broadband provision following the grant of master agreements.
- 5.6. The pay-per-premises model is planned to be charged at £10 per premises (each housing unit). In addition to this charge, there will be a £10,000 upfront fee to cover staff time from LBL in setting up wayleave agreements. This fee was calculated through initial market engagement, discussion with consultants working within the digital infrastructure space in London and through discussions with other London Boroughs. Project management to deliver fibre broadband and legal support in managing wayleaves will be externally sourced with costs passed over to the fibre broadband provider. Social value contributions from fibre providers are encouraged and will be discussed in each wayleave negotiation.
- 5.7. By installing new cabling in the Borough, it will also be possible to improve connections for residents and businesses in the locality. The choice of provider will be improved. Enhanced connectivity will be available, including fibre optic cables direct to each property depending on the provider and subscription package.
- 5.8. As part of the provision of social benefits, free internet access is expected to be provided in community hubs/community halls and common areas of social housing, which will be nominated by LBL, Lewisham Homes and Pinnacle Group.
- 5.9. Following the roll-out of this programme to residential properties managed by Lewisham Homes and Pinnacle Group, providers and registered housing providers operating in the borough will be encouraged to work together in order to expand high-quality broadband to an even greater number of residents.
- 5.10. Fire safety is an important consideration in giving access to providers - the Council will seek to ensure sufficient and necessary obligations are levied on providers to uphold these standards throughout the deployment process.
- 5.11. A further provision of the Electronic Communications Code 2017 (contained within the Digital Economy Act 2017) (the Code) is that if agreement cannot be reached between parties, a provider has the right to apply to court for an order imposing an agreement which gives effect to the code right sought by the provider. If a court decides to make such an order, a landowner is powerless to resist the relevant right(s) being imposed on it.

5.12. The City of London Corporation (with assistance from the City of London Law Society) has produced a standardised wayleave agreement which is a consensus driven document designed to meet the requirements of the property and telecommunications industries and which has been endorsed by the GLA. It is proposed that the Council adopts the City of London standardised wayleave agreement as the basis for its own template agreement but modified to reflect the council's specific requirements.

5.13. Timeline

Jan 2022 – Cross-council internal meeting – approval for proposed process for working with fibre providers

June 2022 – Internal sign off from Lewisham Council departments (legal, finance, housing, public realm) during digital infrastructure approach meeting

July 2022 – Republish fibre broadband toolkit and expression of interest

August 2022 – Application review

August 2022 – Notify successful operators

September 2022 – Wayleave contract negotiation

October 2022 – Wayleave completed and signed by all parties

November 2022 – Fibre broadband rollout begins

6. Financial implications

6.1. This report is seeking approval to grant non-exclusive wayleaves (access agreements) to providers of communication and broadband services to Council-owned residential properties.

6.2. All of the costs of the installation and liabilities arising are to be borne by the provider including set up costs incurred by the Council. Therefore this service will be at nil cost to the Council.

6.3. The initial set up and ongoing costs in respect of enabling this service (including legal fees) will be covered by existing IT & Digital budgets in the first instance and recovered through the fees collected from the providers as set out in this report.

Rough outline of potential financial implications – (income generation)

Year	No. of Fibre Broadband Providers delivered	Total initial payments received (£)	Units connected	£ x Units Total (£10 PPU) (£)	Total income returned (£)
Year 1	2	20000	3000	30000	50000
Year 2	1	10000	4000	40000	50000
Year 3	1	10000	6000	60000	70000
Year 4	1	10000	6116	61160	71160
Total	5	50000	19116*	191160	241160

*Assuming entire stocklist connected

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Page 54

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7. Legal implications

- 7.1. It is intended that the proposed wayleaves will each be granted for a nominal consideration of £1. S.123 of the Local Government Act 1972 (the Act) provides that except with the consent of the Secretary of State, a local authority shall not dispose of land (otherwise than by way of a short tenancy being a tenancy not exceeding seven years) at less than the best consideration that can be reasonably obtained. The Act does not indicate what amounts to a disposal of land but this will include the sale of its freehold interest, granting a lease or assigning any unexpired term on a lease and the granting of easements. It is not however clear whether the grant of a wayleave is caught by these provisions.
- 7.2. A standard form of wayleave is normally personal to the original contracting parties and would therefore amount to a licence. As such, it is doubtful whether such a wayleave would amount to disposal of land for the purposes of the Act. However, the Code grants rights to providers to share a wayleave agreement for electronic communications apparatus with another provider. As such, it is possible that the wayleave agreements the Council intends to enter into with providers may amount to an easement rather than a wayleave. If that is the case, the grant of the proposed wayleaves by the Council will be subject to the provisions of S.123 of the Act meaning that the Council need to be mindful of the statutory obligation not to dispose of an interest in land at less than the best consideration reasonably obtainable.
- 7.3. Under the Local Government Act 1972: General Disposal Consent (England) 2003, local authorities are given general consent to dispose of land (otherwise than by way of a short tenancy) where (a) the local authority considers that the purpose for which the land is to be disposed will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area and (b) the difference between the unrestricted value of the interest to be disposed of and the consideration accepted (the undervalue) is £2,000,000 or less. The general consent therefore provides local authorities with greater freedom than was previously the case to exercise discretion in the disposal of their land.
- 7.4. As detailed in section 4, it is considered that the proposed deployment of fibre broadband to the borough's social housing stock (particularly in relation to those parts of the borough which suffer from poor digital connectivity) would lead to the promotion and/or improvement of the economic, social and environmental wellbeing of the borough. The Council is entitled to rely upon the well-being criteria when contemplating disposals of land at less than best consideration reasonably obtainable. In addition, as indicated in paragraph 6.4, the unrestricted value of the proposed wayleave agreements will fall significantly below £2,000,000. As such, the risk to the Council being challenged that the grant of the proposed wayleaves for a nominal consideration of £1 does not comply with the best consideration requirements under S.123 of the Act (as referred to above) is considered to be low.
- 7.5. Consideration has been given in respect of whether the Public Contracts Regulations 2015 apply and in this instance, based on the fact that this is not the granting of a service and would not fall under the Roanne test that these do not apply.

8. Equalities implications

- 8.1. The council is committed to ensuring all of its residents are able to benefit from technological advancements. The integration of digital technology within our public infrastructure must not unfairly discriminate against any individual or group.
- 8.2. Fibre broadband providers are required to identify the social value of their planned deployment. Additional social value can come in the form of social tariffs, free Wi-Fi,

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local employment, digital skills training and wider resource support.

- 8.3. Any forthcoming decisions flagged in this concession report will take into account equalities impacts in accordance with LBL's policies and procedures.

9. Climate change and environmental implications

- 9.1. N/A

10. Crime and disorder implications

- 10.1. N/A

11. Health and wellbeing implications

- 11.1. Improved digital connectivity will increase digital inclusion within Lewisham. Increased digital inclusion has been directly attributed to improved mental health, physical health and wider well-being.
- 11.2. Improved digital connectivity has also been linked with improved economic productivity of local areas, the generation of new businesses, reduced unemployment within local labour markets, and savings for the Local Authority and improved cohesion within local communities.

12. Social Value implications

- 12.1. Fibre broadband providers are encouraged to provide an overview of all social value contributions to residents (See 4.6)

13. Background papers

- 13.1. Please include a list of papers, documents and reports that relate to the concession report's subject matter with hyperlinks if the documents are available on our website. These include;
- Lewisham Fibre Broadband Toolkit (available on request)
 - Lewisham Wayleave (available on request)

14. Glossary

- 14.1. [Link to Oxford English Dictionary here.](#)
- 14.2. See Section 7 – "Glossary" in the guidance for more information.

Term	Definition
Full fibre broadband	Fibre optic cabling used from the local exchange, all the way to the end-user premises, relying on no copper-based telephone lines
DOCSIS	Data over cable service interface specification (DOCSIS) is a standard for broadband cable transmission of IP data services. It defines an upstream and downstream channel to enable bidirectional communications between a cable modem termination system (CMTS) in the cable head end and a subscriber's cable modem (CM)
DCMS	UK Government Department for Digital, Culture, Media and Sport

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Page 56

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Term	Definition
FTTC	Fibre to the cabinet (FTTC) is a connectivity technology that is based on a combination of fibre optic cable and copper cable. The fibre optic cable is in place from the local telephone exchange to a distribution point (commonly called a roadside cabinet), hence the name fibre to the cabinet. From this distribution point a standard telephone line based on copper is then used to deliver the broadband connectivity.
FTTP	Fibre to the Premises (FTTP, or FTTH - Fibre to the Home) is a broadband technology that can provide very fast internet speeds. Fibre to the premises is full-fibre, meaning that the fibre broadband internet connection from the local exchange is connected to the router in your home

15. Report author(s) and contact

15.1. Joseph Chambers, Public Digital Lead, joseph.chambers@lewisham.gov.uk

16. Decision

I approve the recommendations in this report

Signed:



Kathy Freeman, Executive Director of Corporate Resources

Date: 20th June 2022

Agenda Item 6



Overview and Scrutiny Business Panel

Scrutiny Update

Date: 28 June 2022

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Assistant Chief Executive (Head of Overview and Scrutiny)

Outline and recommendations

The Scrutiny Update item at Business Panel allows the Panel to monitor progress against the Select Committee work programmes. It is also an opportunity for the Head of Overview and Scrutiny and the Statutory Scrutiny Officer to update the Panel on scrutiny activity and developments. The Select Committee Chairs can also report on any scrutiny activity related to their Committee that they wish to bring to the Panel's attention.

1. Summary

- 1.1. The intention of this item is to provide Members with an update on current scrutiny activity and developments.

2. Recommendation

- 2.1. Members are asked to discuss and note any information provided.

3. Scrutiny Update

Select Committees

- 3.1 The work programmes for each Select Committee will be presented to the Panel at its next meeting for consideration, once all six select committees have met. In accordance with the Overview and Scrutiny procedure rules outlined in Part IV E of the Council's Constitution, the Overview and Scrutiny Business Panel is required to: *Consider the proposed work programmes of each of the Select Committees and devise a co-ordinated overview and scrutiny work programme which avoids duplication of effort and facilitates the effective conduct of business.*

- 3.2 Following the July meeting, Business Panel will receive the Select Committee Work Programmes at each meeting so progress can be checked and reviewed.
- 3.3 The first round of Select Committee meetings is currently taking place and at each meeting, the annual work programme is being discussed and agreed for submission to Business Panel:

- Housing – 6 June 2022
- Safer Stronger Communities – 16 June 2022
- Healthier Communities – 21 June 2022
- Sustainable Development – 27 June 2022
- Children and Young People – 29 June 2022
- Public Accounts – 30 June 2022

- 3.4 When agreeing their work programmes to put forward to Business Panel, and when carrying out their scrutiny work, Select Committees are asked to have regard to Lewisham's Effective Scrutiny Guidelines:

At Lewisham, we:

Prioritise

It is more effective to look at a couple of key issues per meeting in an in-depth way, than skim the surface of a large number of items. We try to focus on issues of concern to the community and 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.

Stay independent

Scrutiny is led by Scrutiny Members. We are not whipped by our political party or unduly influenced by the Cabinet or senior officers.

Work collectively

We collectively agree in advance what we want to achieve in relation to each issue we consider, including what the key lines of enquiry should be. We work as a team to question witnesses and ensure that all the required evidence is gathered.

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. We engage so that our recommendations result in residents' wants and needs being more effectively met.

Make evidence-based recommendations

We know that scrutiny has the most impact when our recommendations are based on solid, triangulated evidence – where a variety of sources of evidence point to a change in practice that will positively alter outcomes.

- 3.5 Select Committee Chairs are invited to provide an update on any scrutiny activity related to their committee that they wish to bring to the Panel's attention.

Overview and Scrutiny Committee

- 3.6 The full Overview and Scrutiny Committee will meet on 14 July 2022. It will receive the final set of minutes from each of last year's task and finish groups (TFGs), as the groups were disbanded following their final meetings, and the Mayoral response to one

of the TFG final reports. The Mayoral responses to the other two TFG final reports will be considered in September. The main item will be consideration of the Resident Experience Programme, including the member casework strand. The findings of the discovery stage will be reported and member input on the solutions stage, sought.

Task and Finish Groups

- 3.7 Scrutiny Members will be asked to put forward suggestions for time limited task and finish groups (TFGs) shortly. Up to three TFGs can be established at any one time by the Overview and Scrutiny Committee (OSC) and it is suggested that the September OSC meeting considers proposals. TFGs are best suited to issues where policy needs to be developed and a thorough investigation is required to find a solution to a problem. TFGs collate detailed evidence over an extended period of time, using a variety of diverse working methods such as site visits and service user and stakeholder engagement. They should be:

Collaborative – officers and councillors working together to address a topical issue of concern

Flexible – utilising a mixture of formal and informal meetings, visits, research, user engagement etc.

Focussed on residents – defining the issues and suggesting solutions on the basis of understanding residents' experience

Focussed on solutions – taking evidence from a wide range of sources and good practice to develop affordable, practical solutions that are evidence based and implementable and that will have a positive impact on the lives of residents.

4 Financial implications

- 4.1 Scrutiny work is managed within existing budgets. Formal recommendations to the Mayor arising out of any specific work items within select committee work programmes or considered by TFGs are evaluated in the usual way through the process of formal reports. There are no direct financial implications arising from this report.

5 Legal implications

- 5.1 There are no direct legal implications arising from this report.

6 Equalities implications

- 6.1 The [Equality Act 2010](#) (The Act) legally protects people from discrimination in the workplace and in wider society. It replaced the previous anti-discrimination laws with a single act, making the law easier to understand and strengthen protection in certain situations. 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.

- 6.2 The Act also imposes a public sector equality duty. This means that in public bodies, of which this Council is designated, they must consider all individuals in carrying out their day-to-day work when shaping policy, in delivering services and in relation to their own employees. It also requires public bodies to:

- Have due regard to the need to eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

- 6.3 The Council recognises diversity is one of its strengths and is committed to creating a more inclusive community. Therefore, having due regard to the Act, is confirmation of the Council’s commitment to eliminating all forms of discrimination against any group within the community and to actively promote an equality of opportunity and positive community partnership.
- 6.4 The delivery of the Council’s equalities objectives is to be achieved through the delivery of all of the Council’s strategies, plans and procedures. As such, all select committees and other scrutiny bodies, when planning their work and scrutinising items, bear in mind the delivery of the Council’s equality objectives.
- 6.5 Scrutiny tries to make sure that its work reflects the diversity of Lewisham’s communities and that the views of residents are fairly represented in scrutiny processes. Any recommendations arising from scrutiny work support the Council’s corporate strategy and reflect the needs of local residents.

7 Climate change and environmental implications

- 7.1 There are no direct climate change or environmental implications arising from this report. Each Select Committee has been asked by the Overview and Scrutiny Committee to appoint a climate change champion to work with the Select Committee Chair in order to provide a steer to report authors on how committee reports might encompass climate change considerations.

8 Crime and disorder implications

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

9 Health and wellbeing implications

- 9.1 There are no direct health and wellbeing implications arising from this report.

10 Glossary

Term	Definition
Overview & Scrutiny	Overview and scrutiny is the way in which Mayor and Cabinet (the ‘Executive’), officers and external organisations are held to account for the decisions that they make. It is led by councillors who are not members of the Executive. They also influence policy development and investigate issues of local concern, making recommendations for improvement.
Overview and Scrutiny Committee	A committee made up of all non-executive councillors which carries out scrutiny focussing on strategic and cross cutting issues.
Overview & Scrutiny Business Panel (OSBP) and Education OSBP	Lewisham has two Business Panels (sub-committees of the Overview and Scrutiny Committee). OS Business Panel is made up of the chair and vice-chair of the Overview and Scrutiny Committee, the chair of each of the Select Committees, and two other non-Executive councillors. The main functions of Business Panel are reviewing key

	<p>decisions once they have been taken (potentially “calling in” key decisions that have been made but not yet implemented); coordinating and approving the overall scrutiny work programme; and allocating scrutiny work in the event that it crosses the remit of more than one scrutiny body.</p> <p>Three parent governors and two diocesan representatives sit on the Education Business Panel, alongside the councillors that make up the regular Business Panel. The Education Business Panel reviews (and can call-in) key decisions that are education matters.</p>
Select Committee	Lewisham has six Select Committees (sub-committees of the Overview and Scrutiny Committee), each made up of non-Executive councillors and responsible for scrutinising a specific service area. Select Committees gather evidence to help them review policies and performance and make recommendations to improve outcomes for residents.
Select Committee Work Programmes	The annual programme of work setting out the matters which each select committee will scrutinise over the year.
Task and Finish Group (TFG)	A time limited scrutiny body which gathers evidence in relation to a topical issue of concern in order to make recommendations to improve outcomes for residents.

11 Report author and contact

11.1 Charlotte Dale, Head of Overview and Scrutiny, 0208 31 48286,
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Overview and Scrutiny Business Panel

Exclusion of the Press and Public

Date: 28 June 2022

Key decision: No

Class: Part 1

Ward(s) affected: Various

Contributors: Chief Executive / Head Committee

Outline and recommendations

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

Recommendation

1. It is recommended that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule 12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006:-
2. Decisions made by the Mayor and Cabinet on 15 June 2022:
 - i. Building for Lewisham Ladywell Redevelopment (**also listed in Part 1**).
 - ii. Leisure Management Contract (**also listed in Part 1**).
 - iii. Blackheath Joint Events Policy 2021-2024 (**also listed in Part 1**).
 - iv. Out of Hours Switchboard Procurement (**also listed in Part 1**).
3. Decisions made by the Executive Director of Corporate Resources:
 - i. Approval for Contract Award – Contract 1, Phase 1 maintenance works for Corporate Estate Maintenance Programme (**also listed in Part 1**).
 - ii. Award Report: Catford Library Winslade Way works

Agenda Item 8

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

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