



AGENDA

MAYOR AND CABINET

Date: WEDNESDAY, 8 MARCH 2023 at 6.00 pm

**Committee Rooms 1 & 2
Civic Suite Lewisham Town Hall
London SE6 4RU**

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MEMBERS

Damien Egan	Mayor	Labour Co-op
Councillor Brenda Dacres	Deputy Mayor and Housing Development and Planning	Labour Co-op
Councillor Chris Barnham	Children, Young People and Community Safety	L
Councillor Paul Bell	Health and Adult Social Care	L
Councillor Andre Bourne	Culture and Leisure (job share)	L
Councillor Juliet Campbell	Communities, Refugees and Wellbeing	L
Councillor Sophie Davis	Housing Management and Homelessness	Labour Co-op
Councillor Amanda De Ryk	Finance and Strategy	L
Councillor Louise Krupski	Environment and Climate Action	Labour Co-op
Councillor Kim Powell	Businesses, Jobs and Skills	L
Councillor James-J Walsh	Culture and Leisure (job share)	Labour Co-op

Members are summoned to attend this meeting

**Monitoring Officer
Laurence House
London SE6 4RU
Date: 28 February 2023**

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MINUTES OF THE MAYOR AND CABINET

Wednesday, 8 February 2023 at 5.00 pm

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

CABINET MEMBER(S) IN ATTENDANCE (VIRTUAL): Councillor Andre Bourne.

COUNCILLORS ALSO PRESENT: Councillor James Rathbone (Chair of Public Accounts Select Committee); and Councillor Stephen Penfold (Chair of Housing Select Committee).

OFFICERS PRESENT: Chief Executive; Monitoring Officer; Executive Director for Children and Young People; Executive Director for Community Services; Executive Director for Corporate Resources, and Senior Committee Manager.

Apologies for absence were received from Cabinet Members: Councillor Juliet Campbell and Councillor Kim Powell.

1. Minutes

The Minutes of meeting of held on 1 February 2023 were agreed as an accurate record.

2. Declaration of Interests

None.

3. Matters Raised by Scrutiny and other Constitutional Bodies

The Mayor and Cabinet noted the following:

a) Referral made on behalf of the Housing Select Committee:

- That the Housing Select Committee considered a report on Housing Revenue Account (HRA) - Rent Setting at its meeting on 5 January 2023, and noted:
 - The forecast rent, service charge, garage and heating and hot water charge changes for Lewisham Council Dwellings and garages in 2023/24, including resident feedback on the proposals.
 - A statement that the Mayor and Cabinet would be recommending to the Council to make the to increase the rent by 7%.
 - The potential average service, heating and hot water charge changes were contained in the Regenter B3 & Lewisham

Homes Service charge reports 2023/24. The proposal was for an increase of £2.32pw or 7.0% for leaseholders and £1.24pw or 7% for tenants in the Lewisham Homes areas, and an increase of £0.93pw or 13.6% for the Brockley Regenter B3 area for tenants and an increase of £2.19pw or 13.6% for leaseholders.

- That the Housing Select Committee considered an officer's report on the matter, and acknowledged:
 - That the benefit of any reduction in service charges would principally affect leaseholders and those tenants not on housing benefit because those tenants on housing benefit were likely to have their service charges paid in full.
 - That the reduction in service charge would benefit about 70% of Regenter B3 residents, and therefore accepted that Regenta B3 residents' service charges were less than Lewisham homes. Nevertheless, the 13.6% increase in service charge was under consideration for a decision. Therefore, it would be inequitable to recognise the impact of the cost of living crisis for Lewisham Homes tenants by charging less than the inflation rate, and not doing the same for Regenter B3 residents.
- That prior to submitting the the proposal to full Council, the Housing Select Committee was recommending that the Mayor and Cabinet should:
 - Note that it would be inequitable for the Council to charge one group of residents an increase below inflation (Lewisham Homes) and the other not (Regenter B3).
 - Review the proposal to pass on in full the service charge increase in line with RPI + 1% for Regenter B3 tenants.
 - Consider if some dispensation could be made to assist Regenter B3 tenants given the Cost-of-Living crisis.
- That the Housing Select Committee made its recommendations in the full knowledge:
 - That there would be financial implications to ensure that the HRA would not be in deficit.
 - That Lewisham Homes and Regenra occupiers would have budgeted for service charges in previous years. Nonetheless, considering the cost of living crisis, the Council should demonstrate that it had listened to Regenter B3 tenants and leaseholders, and took note of consultation responses by setting service charges at the same level as the Lewisham Homes service charges.

Response by the Cabinet Member of Housing Management and Homelessness that the Mayor and Cabinet should proceed with the

proposals outlined in the report, and to note the following comments:

- That the principle of forecast recovery was important because if the actual service charge costs incurred exceeded the amount recovered, it was likely that tenants and leaseholders would be asked to contribute in future years in order to ensure costs from 2023/24 were fully recovered. Thus, the proposal to increase service charges by 13.6% would ensure full cost recovery as the estimates issued would likely be closer to the actual cost incurred.
- That any deficit would have to be covered either by the use of reserves, rental income or through savings/efficiencies within the HRA, which would affect all tenants and leaseholders.
- That there would be support for residents who were experiencing financial difficulties, as the cost of living crisis was making a huge impact. However, those tenants and leaseholders who were in receipt of Housing benefit would receive an uplift to their housing benefit for increased service charges.
- That the Council was listening to its residents, and would continue to do so. Specific to the budget, the consultation was not only about the amount of service charges to be applied, as there were a number of other points raised by residents during those discussions, including concerns about repairs, mould, and damp, and provisions had to be made for appropriate actions

Having considered an open officer report, it was **MOVED, SECONDED and RESOLVED** that the Mayor and Cabinet agreed:

To note the officer's response to the Housing Select Committee's referral, as set in the report, and oral presentation by the Chair of Housing Select Committee and took those into consideration when making their decision. Mayor and Cabinet's decision, the officer comments in the report, and oral presentation by the Chair of Housing Select Committee will be reported back to the Housing Select Committee.

4. 2023/24 Budget Report

The Mayor and Cabinet considered an open officer report, and a presentation by Councillor Amanda De Ryk, Cabinet Member for Financial and Strategy.

It was **MOVED, SECONDED and RESOLVED** that having considered the views of those consulted on the budget, and subject to consideration of the outcome of consultation with business ratepayers and subject to proper process, as required, the Mayor and Cabinet:

General Fund Revenue Budget

1. noted and asked Council to note the projected overall variance after the use of corporate provisions and reserves of £9.6m (or 3.9%) against the agreed 2022/23 revenue budget of £248.610m as set out in section 6 of the report and that any year-end overspend would be met from corporate provisions and reserves;

2. endorsed and asked Council to endorse the budget cut reduction measures of £12.587m as per the Mayor and Cabinet meeting of the 7 December 2022, as set out in section 6 of the report and summarised in Appendix Y1 and Y2;
3. agreed and asked Council to agree the allocation of £43.848m of resources from the corporate risks and pressures, social care precept, new homes bonus, social care grant, ASC market sustainability and improvement fund and services grant in 2023/24 to be invested in funding quantified budget pressures and opportunities, both recurring and once-off as set out in section 6;
4. agreed to recommend to Council that a General Fund Budget Requirement of £263.679m for 2023/24 be approved;
5. asked Council to agree to a 4.99% increase in Lewisham's Council Tax element. This would result in a Band D equivalent Council Tax level of £1,492.13 for Lewisham's services and £1,926.27 overall. This represents an overall increase in Council Tax for 2022/23 of 6.02% and is subject to the GLA precept for 2023/24 being increased by £38.55 (i.e. 9.74%) from £395.59 to £434.14, in line with the GLA's draft budget proposals;
6. noted the final settlement figure for 2023/24 had not yet been announced and delegated authority to the Executive Director for Corporate Resources to include any change to the provisional settlement of £131,105,977 in the report for Council with any difference covered from provisions and reserves as necessary;
7. noted the provisional and estimated precept and levies from the GLA and other bodies as detailed in Appendix Y6 and delegated authority to the Executive Director for Corporate Resources to include any changes to these in the report for Council with any difference covered from provisions and reserves as necessary;
8. noted and asked Council to note the Council Tax Ready Reckoner which for illustrative purposes sets out the Band D equivalent Council Tax at various levels of increase. This was explained in section 6 of the report and was set out in more detail in Appendix Y4;
9. asked that the Executive Director for Corporate Resources issues cash limits to all Directorates once the 2023/24 Revenue Budget was agreed;
10. considered, and asked Council to consider, the Section 25 Statement from the Chief Finance Officer. This was attached at Appendix Y5;
11. agreed and asked Council to agree the draft statutory calculations for 2023/24 as set out at Appendix Y6;
12. noted and asked Council to note the prospects for the revenue budget for 2023/24 and future years as set out in section 6;
13. agreed and asked officers to continue to develop firm proposals to redesign and transform services and inform the capital strategy by bringing them forward in good time to support the work towards a savings and investment round to help plan early to meet the future forecast medium term finance strategy objectives;

Other Grants (within the General Fund)

14 noted and asked Council to note the adjustments to and impact of various specific grants for 2023/24 on the General Fund as set out in section 7 of the report;

15. accepted the funding allocation from the GLA and CLF for the UK Shared Prosperity Fund (UKSPF) of £1.92m (a combination of £0.977m capital and £0.943m revenue), subject to review of the grant funding agreements;

Fees and charges

16. approved the approach to setting 2023/24 fees and charges for chargeable services in section 6.100 of the report and attached at Appendix Y8;

Dedicated Schools Grant and Pupil Premium

Schools Block

17. noted and recommended that Council notes the provisional gross Dedicated Schools Grant (DSG) allocation of £337.776m before the Department's adjustments to fund Academy schools and inclusion of the £7.6m mainstream additional grant;

18. noted and recommended that Council notes the provisional DSG allocation for £231.029m (this includes £6.18m streamlining of the supplementary grant from 2022/23) be the Schools' Budget (Schools Block) for 2023/24 covering both maintained schools and academies;

19. noted an increase in pupil unit funding for primary of £205.26 and secondary of £370.59 and this also incorporates the supplementary grant as mentioned in 1.1 above. However, there has been an overall reduction in primary age pupil by 451, partially off set by an increase in secondary school numbers of 224;

20. noted that following the Schools Forum meeting on the 19 January 2023, submission has been made to the Department for Education with regards to school funding formula, recommending the application of the National Funding Formula (including unit values) allowing for a maximum 0.5% uplift in Minimum Funding Guarantee (MFG);

21. agreed and recommended that Council agrees, (as recommended by Schools Forum) the once-off transfer of circa £0.4m (0.18%) of Dedicated Schools Grant to the High Needs Block;

Central Schools Services Block (CSSB)

22. noted, and asked Council to note, the construct and allocation of £3.309m for the CSSB block allocation for 2023/24, a reduction of circa £0.4m from the £3.693m 2022/23 allocation;

High Needs Block (HNB)

23. noted, and asked Council to note, the provisional HNB £77.154m to support the Council's statutory duty with regards Special Education Needs (SEN). This includes £3.2m additional funding from the autumn statement. This is a net increase of £7.030m relative to 2022/23. The HNB will be finalised in March for deductions arising for institutions funded by the Education and Skills Funding Agency (ESFA);

24. noted that the Schools Forum on 19 January 2023 agreed the transfer of circa £0.4m (0.18%) to the block to support the Council to meet its statutory functions;

25. noted that the HNB is expected to overspend by between £4m to £6m in 2022/23, increasing the cumulative overspend to circa £16m in total for 2022/23 as £11m has been brought forward from 2021/22. The overspend is currently ringfenced within the DSG, Lewisham is part of the delivering better value (DBV) tranche 3 initiative with the DfE ;

Early Years Block (EYB)

26. noted, and asked Council to note, the Dedicated Schools Grant allocation to the EYB of £26.283m; and that the Department for Education has increased hourly funding for "3 and 4 year old" from £6.04 to £6.33 (this includes 11p for Teacher's Pay and Pension Grant which is now streamlined into the hourly rate). This is therefore an increase of circa 4.8% from 2022/23. With respect to 2 year funding, the hourly rate has increased from £6.87 to £7.52, an 9% increase (i.e. 65p per hour) for 2023/24;

27. noted that the maintained nursery supplementary funding allocation for 2023/24 is subject to change but is expected to increase by circa £60k, subject to movement in pupil numbers;

Pupil Premium

28. noted, and asked Council to note, that the pupil premium will continue in the 2023/24 financial year. At the time of writing, the overall allocation, which is linked to Free School Meals Ever 6 data (i.e. covers 6 census worth of data), has not been confirmed, the per-pupil funding is expected to increase by 5%. We would expect to receive the final allocation until summer 2023;

Housing Revenue Account

29. noted, and asked Council to note, the consultation report on proposed service charge increases to tenants' and leaseholders in the Brockley area, presented to tenants and leaseholders on 5th December 2022, as attached at Appendix X3;

30. noted, and asked Council to note, the consultation report on proposed service charge increases to tenants' and leaseholders and the Lewisham Homes budget strategy presented to tenants and leaseholders on 12th December 2022 as attached at Appendix X4;

31. agreed, and asked Council, to set an increase in dwelling rents of 7.0% (an average of £7.22 per week) – as per the Governments direction for capping increases to be applied to rents for 2023/24 outlined in section 9 of this report;

32. agreed, and asked Council to agree, to set an increase in the hostels accommodation charge by 7.0% (or £2.63 per week), in accordance with Governments direction for capping increases to be applied to rents for 2023/24;

33 approved, and asked Council to approve, the following average weekly increases/decreases for dwellings for:

33.1 service charges to non-Lewisham Homes managed dwellings (Brockley) to ensure full cost recovery and 13.6% inflationary uplift for 2023/24;

- caretaking 13.6% (£0.46)
- grounds 13.6% (£0.26)
- communal lighting 13.6% (£0.02)
- bulk waste collection 13.6% (£0.18)
- window cleaning 13.6% (£0.00)
- tenants' levy 0.00% (£0.00)

33.2 service charges to Lewisham Homes managed dwellings:

- caretaking 10.00% (£0.68)
- grounds 0.00% (£0.00)
- window cleaning -27.00% -(£0.03)
- communal lighting 7.00% (£0.19)
- block pest control -17.00% -(£0.35)
- waste collection 7.00% (£0.14)
- heating & hot water 5.00% (£0.54)
- tenants' levy 0.00% (£0.00)
- bulk waste disposal 7.00% (£0.07)
- sheltered housing 0.00% (£0.00)

33.3 approved, and asked Council to approve, the following average weekly percentage changes for hostels and shared temporary units for;

- service charges (hostels) – caretaking etc.; 6.31% or £4.60pw
- energy cost increases for heat, light & power; 20.0% or £1.19pw, the balance of x% will be funded by the Council
- water charges increase; 5.0% or £0.01pw

33.4 approved, and asked Council to approve, an increase in garage rents by 10.0% (£1.66 per week) for Brockley and Lewisham Homes residents as outlined in Appendix X5;

33.5 noted, and asked Council to note, that the budgeted expenditure for the Housing Revenue Account (HRA) for 2023/24 is £257.1m, split £103.6m revenue and £153.5m capital, which includes the decent homes and new build programmes;

33.6 agreed the HRA budget strategy cut proposals in order to achieve a balanced budget in 2023/24, as attached at Appendix X1;

33.7 noted the 2022/23 Quarter 2 HRA Capital Programme monitoring position and the Capital Programme potential future schemes and resources as set out in section 9 of the report;

Treasury Management Strategy

34 approved and recommended that Council approves the Treasury Management Strategy 2023/24 including the prudential indicators and treasury indicators, as set out in section 10 of the report;

35 approved and recommended that Council approves the Annual Investment Strategy and Creditworthiness Policy, set out in further detail at Appendix Z2;

36 approved and recommended that Council approves the Investment Strategy as set out in section 10 of this report, along with the operational boundary of £607.6m and the authorised limit of £668.4m for the year as set out in section 10 of this report;

37 approved and recommended that Council approves the Minimum Revenue Provision (MRP) policy as set out in section 10 of this report;

38. agreed and recommended that Council agrees to delegate to the Executive Director of Corporate Resources authority during 2023/24 to make amendments to borrowing and investment limits as set out in section 10 of the report provided they are consistent with the strategy and there is no change to the Council's authorised limit for borrowing;

39. approved and recommended that Council approves the overall credit and counterparty risk management criteria, as set out at Appendix Z2, the proposed countries for investment at Appendix Z3, and that it formally delegates responsibility for managing transactions with those institutions which meet the criteria to the Executive Director for Corporate Resources;

Capital Programme

40. noted the capital programme position and recommends that Council approves the 2023/24 to 2026/27 Capital Programme of £480.6m as set out in section 11 of this report and Appendix W1;

41.. agreed and recommended that Council agree to delegate to the Executive Director for Corporate Resources authority to amend the scheme mix within the Capital programme to respond to the risks as set out and to identify the match funding necessary for the recently awarded Levelling-up bid of £19m as long as this is done within the total programme parameters set out and asks that an updated capital programme is brought back to Mayor & Cabinet in 2023/24 at the earliest opportunity.

42. agreed that officers prepare governance and a prioritisation process, based on the adaptation of existing arrangements, with a recommendation to:

- Explore an annual Strategic CIL budget for infrastructure project allocation
- Develop an annual process for the allocation of Strategic CIL as part of the budget setting process
 - Vary the existing governance process for s106 monies agreed by Mayor and Cabinet to accommodate CIL and make any necessary updates to reflect the current Constitution
 - Develop a prioritisation process for Strategic CIL projects, to be reviewed after its first year of implementation

Mayor

Agenda Item 2



Mayor and Cabinet

Declarations of Interest

Date: 8 March 2023

Key decision: No

Class: Part 1

Ward(s) affected: n/a

Contributors: Head of Governance and Committee Services

Outline and recommendation

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

Declaration of interests

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

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain

- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes , or whose principal purposes include the influence of public opinion or policy, including any political party

- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

(5) Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.

- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Agenda Item 3



Mayor and Cabinet

Comments of the Sustainable Development Select Committee on the climate emergency action plan

Date: 8 March 2023

Key decision: No.

Class: Part 1.

Ward(s) affected: All (none specific)

Contributor: Sustainable Development Select Committee

Outline and recommendations

This report informs the Mayor and Cabinet of the comments and views of the Sustainable Development Select Committee, arising from discussions on the climate emergency action plan.

Mayor and Cabinet is asked to consider the Committee's comments as part of the decision making process.

1. Summary

- 1.1. On Tuesday 10 January 2023, the Sustainable Development Select Committee considered a report from officers on the climate emergency action plan ([link to the agenda](#)) The Committee reflected on the contents of the report – and received a presentation from officers. Following questions to officers, the Committee agreed to refer its views to Mayor and Cabinet.

2. Recommendation

- 2.1. Mayor and Cabinet is asked to consider the Committee's comments as part of the decision making process.

3. Sustainable Development Select Committee views

- 3.1. The Committee welcomes the update from officers and notes the good practice on which the plan has been developed. However, the Committee is unclear about the likelihood of achieving those actions which are identified in the plan as 'ongoing'.
- 3.2. The Committee recommends that the Council should seek to further risk assess, prioritise, and effectively categorise the actions in the plan. Members believe that there needs to be an *enhanced focus* on how and when the actions will be delivered, which may include an assessment of the work that needs to take place to achieve this.

- 3.3. The Committee believes that, where priority actions have already been agreed upon, then this should be clearly communicated to members and the relevant stakeholders. Furthermore, the Committee believes that consideration must be given to ensuring there is transparency around the tasks of risk assessing, prioritising, and categorising other 'ongoing' actions.

4. Financial implications

- 4.1. There are no direct financial implications arising from the implementation of the recommendations in this report. However, there may be implications arising from the implementation of the Committee's recommendations.

5. Legal implications

- 5.1. The Constitution provides for select committees to refer reports to the Mayor and Cabinet, who are obliged to consider the report and the proposed response from the relevant Executive Director; and report back to the Committee within two months (not including recess).

6. Equalities implications

- 6.1. Equality Act 2010 brought together all previous equality legislation in England, Scotland and Wales. The Act included a new public sector equality duty, replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.2. The Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 6.3. There are no direct equalities implications arising from the implementation of the recommendations in this report.

7. Climate change and environmental implications

- 7.1. There are no direct climate change or environmental implications arising from the implementation of the recommendation in this report. However, in February 2019 Lewisham Council declared a Climate Emergency and proposed a target to make the borough carbon neutral by 2030. The declaration tasked the Sustainable Development Committee with scrutinising the Council's emerging plans.

8. Crime and disorder implications

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

9. Health and wellbeing implications

- 9.1. There are no direct health and wellbeing implications arising from the implementation of the recommendations in this report. There may be implications arising from the implementation of the Committee's recommendations.

10. Report author and contact

- 10.1. If you have any questions about this report then please contact: Timothy Andrew (Scrutiny Manager) timothy.andrew@lewisham.gov.uk

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Mayor and Cabinet

Response to the comments of the Housing Select Committee on the Presentations by Social Housing Providers regarding their retrofitting work

Date: 8th March 2023

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Executive Director for Housing, Regeneration and Public Realm

Outline and recommendations

This report provides Mayor and Cabinet with a response to the comments of the Housing Select Committee which were presented in a referral report to the 11th January Mayor and Cabinet meeting. The referral was made following consideration of the presentations that the Housing Select Committee received from Social Housing Providers who attended its meeting on 5th January 2023, namely Lewisham Homes, Phoenix Community Housing and Regenter B3, to provide updates on their work on retrofitting.

The Mayor and Cabinet is recommended to note the officer response to the committee set out below and that the response will be provided to the Housing Select Committee.

1. Summary

- 1.1. On 5th January 2023, the Housing Select Committee received presentations from the Social Housing Providers who attended its meeting, namely Lewisham Homes, Phoenix Community Housing and Regenter B3. Officers from all three social housing organisations presented at the meeting. Following questions to officers, the Committee agreed to refer its views to Mayor and Cabinet. This report presents a response to the referral.

2. Recommendation

- 2.1. The Mayor and Cabinet is recommended to note the officer response to the committee set out below and that the response will be provided to the Housing Select Committee.

3. Policy Context

- 3.1. The contents of this report are consistent with the Council's policy framework. It supports the achievements of the following corporate strategy objective:
 - 3.1.1. Tackling the housing crisis – Everyone has a decent home that is secure and affordable.

3.2. The contents of this report also support the objectives of the Housing Strategy 2020-26, as ensuring an appropriately funded HRA will work towards the delivery of the following objectives:

3.2.1. Delivering the homes that Lewisham needs;

3.2.2. Improving the quality, standard and safety of housing;

3.2.3. Supporting our residents to live safe, independent and active lives;

3.2.4. Strengthening communities and embracing diversity.

4. Housing Select Committee's views

4.1. At its meeting on the 5th of January 2023, the Committee received presentations from three Social Housing Providers: Lewisham Homes, Phoenix Community Housing and Regenter B3. These presentations provided the Committee with an update on the retrofitting work undertaken by these housing providers.

4.2. The Housing Select Committee made the following observations in their referral to Mayor and Cabinet:

4.2.1. The Committee noted that Lewisham Council declared a 'Climate Emergency' in 2019 and aims that Lewisham will be carbon neutral by 2030.

4.2.2. The Committee further noted with concern that Regenter B3 are taking no steps to retrofit any of the housing stock they currently manage as it is not a part of their contract with Lewisham Council.

4.2.3. The Committee recommended that there are meetings between the relevant Cabinet lead, Lewisham Council officers and Regenter B3 as soon as possible to find ways of assisting Regenter B3 in commencing a retrofitting programme to include, if necessary, amending, varying or adding to the existing contract between Lewisham Council and Regenter B3.

4.3. The Committee asked that a response to its referral is received from Mayor & Cabinet within the timeframe set out in the constitution.

5. Officer response to Housing Select Committee

5.1. The council entered into a 20 year PFI contract with Regenter B3 in 2007. There are 1,830 properties in the PFI area. Regenter B3 hold ultimate responsibility for delivering against the terms of the contract. In turn, Regenter B3 sub-contract to Pinnacle and Rydon. Pinnacle are responsible for delivering the housing management services, including all elements of tenancy management and resident engagement. Rydon are the repair and maintenance subcontractor who deliver the day-to-day repairs service, planned maintenance, lifecycle and other major works programmes. Higgins were the refurbishment contractor and carried out a programme of works to bring properties up to the Availability Standard between 2007 and 2010.

5.2. It is the responsibility of Regenter B3 to ensure their sub-contractors deliver the services they are responsible for in accordance with the terms of the PFI contract. In return, the council pay Regenter B3 a monthly Unitary Charge, which they distribute to Pinnacle and Rydon in accordance with the terms of their respective sub-contracts.

5.3. The contract comprises a series of documents, schedules and appendices. It fundamentally requires Regenter B3 to report performance against a range of key performance indicators and to ensure the properties are maintained at the Availability Standard. Regenter B3 report performance monthly and deductions can be taken from the Unitary Charge for performance below the standards expected in the contract.

5.4. The contract does not provide allowance for enhancements to property conditions to be provided, over and above the Availability Standard. There is therefore no mechanism with which the council can compel Regenter B3 to carry out specific retrofit works, without significant financial and legal implications to the existing contract.

- 5.5. Nevertheless, there are improvements to the properties taking place. The contract requires Regenter B3 to agree a Lifecycle Plan with the council each year. The Lifecycle Plan set out the works required to ensure the properties are properly maintained at the Availability Standard. For example, ongoing works to properties include installation of new roofs, windows and front doors. The Lifecycle Plan also includes a programme of boiler renewals each year and in 2022 a large programme of communal light renewals took place across the stock, replacing the old lights with new LED ones all of which will have beneficial impacts to the energy performance of the properties. The contract requires all properties to meet, on average, a SAP rating of 70, which corresponds with an EPC rating of C.
- 5.6. The Housing Revenue Account (HRA) is currently facing significant pressures and does not have spare capacity to meet the cost of any works which would be an additional cost to the council. Given the limited resources available it is essential that priority is given to properties that are in the greatest need of investment. The funding required to finance retrofitting works to the PFI properties would therefore have to be measured against the priority investment need of all HRA stock. There is available grant funding for retrofitting works, however this will require significant match funding to an extent which the HRA is currently not able to withstand.
- 5.7. In addition to funding the additional cost of retrofitting works outside of the existing contract, the additional cost of maintenance and repairs works for the improvements would also have to be met outside of the contract, representing a further cost, by way of an increase to the Unitary Charge.
- 5.8. Arrangements are being made to prepare for the expiry of the contract in four and half years' time. RegenterB3 and their repairs and maintenance sub-contractor have undertaken several stock condition surveys throughout the life of the contract. The works identified from these surveys are used to inform the annual lifecycle and future planned maintenance programmes to ensure condition standards are being maintained.
- 5.9. In preparation for contract expiry the council will commission its own surveys to confirm that the PFI properties will meet the required 'handback' standard. As part of the expiry process the Council will work closely with RegenterB3 to ensure that all relevant data pertaining to the condition, performance and where possible residual life of the assets is transferred to the Council. This data will enable the Council to forward plan in terms of future maintenance requirement for the PFI properties post expiry of the contract in June 2027.
- 5.10. Further, officers are investigating opportunities to realise improvements to properties without needing to match fund works. For example, discussions are currently ongoing with an organisation who can access grant funding to carry out non-intrusive surveys to properties and identify if any works would be beneficial. Officers will continue to work with Regenter B3 to identify opportunities to improve the stock where this does not require additional funding from the HRA including the Energy Company Obligation and other funding streams.
- 5.11. The Housing Retrofit task and finish group issued a recommendation for the development of a housing retrofit strategy for all tenures in the borough. The development of this strategy will include consideration of how best to work with and respond to the needs of the stock in Brockley.

6. Financial implications

- 6.1. Any requirements to incorporate additional works into the PFI contract would require renegotiation of contract terms which could involve significant financial implications to the existing contract.
- 6.2. Any retrofitting works outside of the existing contract would require extensive negotiation and liaison, which would include the specification, handover and additional cost of maintenance and repairs for the improvements undertaken and a likely impact on increases to the Unitary Charge.

6.3. Whilst there is no formal estimates for these works at present, it is likely to be a multi-million pound programme spanning a number of financial years. The HRA is currently facing significant pressures and has not currently allowed for these costs within existing or future budgets. Additional costs required to finance retrofitting works to the PFI properties would mean other works, currently scheduled into the Capital Programme are likely to be impacted significantly.

7. Legal implications

7.1. The Council has a PFI contract with Regenter B3 as set out in the report (“Project Agreement”). The Availability Standard under the Project Agreement does not include retrofit works therefore, should the Council wish to include retrofit works, the Project Agreement sets out the process the parties would need to follow to put the variation in place. This would include asking the contractor for an estimate of costs and adjusting the Unitary Charge accordingly.

8. Equalities implications

8.1. Residents of Lewisham’s housing stock represent a wide range of protected characteristics. There is a likelihood that residents may be in receipt of housing benefit or universal credit to support their ability to pay their rent and bills. High gas and electricity charges will have a significant impact on these households and therefore any improvements to improve the energy performance of homes will have a positive impact on these households, as well as the environment.

9. Climate change and environmental implications

9.1. There may be implications for climate change and the environment of not completing works to retrofit homes. Homes with lower EPC ratings will have a higher carbon footprint and will require more energy to heat.

9.2. The Brockley PFI contract is due to expire in June 2027. Any major works required to these properties to help the council meet its 2030 carbon neutral target will need to take place after this date.

10. Crime and disorder implications

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

11. Health and wellbeing implications

11.1. There may be implications for health and wellbeing of not completing works to retrofit homes. Any works to improve the energy performance of homes will have positive impacts for residents. For example, a good EPC rating can mean lower energy bills and a reduced home carbon footprint. It can make properties more affordable and comfortable, with particular benefits to those residents experiencing poor health, the elderly and those with disabilities.

11.2. Any works to homes resulting in lower energy bills will have positive impacts for residents, particularly those most affected by the cost of living crisis.

12. Background papers

12.1. [Housing Select Committee- Meeting Papers](#), 5th of January 2023

13. Glossary

13.1. Please see the below for details of terms used within this report:

Term	Definition
Availability Standard	Every Dwelling to be fit for human habitation, free from disrepair and structurally sound, wind and weather tight. Specifically every existing Dwelling in the PFI Area should be: <ul style="list-style-type: none"> • Free from serious disrepair of a type which could be the subject of a Disrepair Action, • Structurally stable,

	<ul style="list-style-type: none"> • Free from penetrating dampness prejudicial to the health of the occupants, • Have adequate provision for heating ventilation and lighting, • Have an adequate supply of wholesome water, • Have an effective system for the drainage of foul, waste and surface water, • Have a suitable located WC for the exclusive use of the occupants, • Have a bath OR shower AND wash hand basin with a satisfactory supply of hot and cold water, • Have satisfactory facilities for the preparation and cooking of food including a sink with a satisfactory supply of hot and cold water.
Capital Programme	A plan for improving properties through major works
Energy Performance Certificate (EPC)	An EPC is required whenever a building in the social or private rented sector is let to a new tenant. These show the energy efficiency of the property and the carbon dioxide emissions.
Lifecycle Plan	Annual review of the Cyclical Maintenance and Replacement Programme setting out works for the following five years to ensure it will meet the Contractor's obligations.
Retrofit	The process of making changes to existing buildings so that energy consumption and emissions are reduced. These changes should also provide the benefit of a more comfortable and healthier home with lower fuel bills.
Standard Assessment Procedure (SAP)	the methodology used by the government to assess and compare the energy and environmental performance of dwellings.
Unitary Charge	The fee paid to the Contractor for the services provided under the PFI contract

14. Report author and contact

- 14.1. Fenella Beckman, Director of Housing Services, London Borough of Lewisham
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- 14.2. On behalf of Exec Director Finance: Tony Riordan, London Borough of Lewisham
Tony.Riordan@Lewisham.gov.uk
- 14.3. On behalf of the Director of Law, Governance & HR: Mia Agnew, London Borough of Lewisham
mia.agnew@lewisham.gov.uk

Agenda Item 4

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	8 March 2023	
Title of Report	Approval to Procure report for Occupational Health Service and Employee Assistance Programme Provider	
Author	Claudia Menichetti	Ext. 43812

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	X	
Legal Comments	X	
Cabinet Briefing consideration		
EMT consideration	X	



Signed:
Cabinet Member for Finance and Strategy
Date:



Signed:
Executive Director
Date: 20 February 2023

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor and Cabinet

Approval to Procure report for Occupational Health Service and Employee Assistance Programme Provider.

Date: 8 March 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: N/A

Contributors: Head of Employee Services, Director of People and Organisational Development, Senior Lawyer, Finance Business Partner

Outline and recommendations

The purpose of this report is to seek approval from the Mayor and Cabinet to commence the procurement process for the Occupational Health Service and Employee Assistance Programme (EAP) Provider contract.

The current contract for Occupational Health (OH) and EAP commenced in September 2015 and came to a close in August 2019. An extension was approved by Mayor and Cabinet for one year, with the end date of 30 August 2020. A further extension was sought until 31 August 2021 which was approved by the Interim Executive Director of Corporate Services.

Due to the emergency Covid-19 pandemic situation, there was also an exceptional extension of this contract for a further period of one year. Paragraph 17.3 of the Council's Contract Procedure Rules allowed for an extension of the current contract based on unforeseen circumstances, until 31 August 2022.

A final extension for one year until 31 August 2023 has been signed off by the Chief Executive Officer, to allow us enough time to re-procure the contract.

It is recommended that the Mayor and Cabinet approve to procure a 4-year contract (from 1 September 2023), with the option to extend for up to a further 3 years at the Council's discretion.

It is recommended to seek approval from the Mayor and Cabinet to use the Crown Commercial Services Occupational Health, Employee Assistance Programme and Eye Care Services framework agreement (RM6182).

Timeline of engagement and decision-making

- September 2015 – Current contract commenced
- August 2019 – Extension of the contract approved by Mayor and Cabinet for 1 year to 30 August 2020
- August 2020 – Extension approved by the Interim Executive Director of Corporate Services until 31 August 2021
- April 2021 – Exceptional Covid-19 extension of contract for 1 year until 31 August 2022
- October 2022 – Extension of contract for 1 year until 31 August 2023 approved by Chief Executive Officer and Director of People and Organisational Development
- February 2023 - Approval to Procure Report
- April 2023 - Tender live
- June/July 2023 – Approval of Contract Award Report
- September 2023 – Commencement of new contract

Summary

- 1.1 The current Occupational Health Service and Employee Assistance Programme (EAP) has been in place since September 2015. The contract was initially awarded for a period of 4 years until 31 August 2019, with the option of extending for a further 2 years. Additionally, a further year extension was exceptionally awarded by the Chief Executive, due to the Covid-19 pandemic emergency, for the period September 2021 to August 2022. A final extension for one year until 31 August 2023 has been signed off by the Chief Executive and Director of People and Organisational Development.
- 1.2 This report is to examine and consider the procurement options for the retendering of the Occupational Health Service and Employee Assistance Programme Provider contract.
- 1.3 The annual estimated value of the contract is £159,810 based on the current pricing. The contract term proposed is a four year contract from 1 September 2023 to 31 August 2027, with the option to extend for up to a further three years at the Council's discretion. Therefore, the estimated total value would be £1,118,670 over the length of the entire contract, including discretionary extensions.
- 1.4 The annual estimated value of the contract could increase due the Lewisham Homes TUPE transfer back into Lewisham Council in 2023, and the expected increase of around 500 staff in Council's headcount. Based on the pricing schedule of the current contract the additional headcount could attract additional costs in terms of the basic Occupational Health Services (Advice Service – OH Telephone Service and Online Portal). This is estimated to be from a minimum of £580 to a maximum of £4,000 (based on 500 employees). The TUPE transfer is expected to be completed by 1 October 2023, therefore the additional headcount will be included in the details within the Tender documents.

Recommendations

- 2.1 It is recommended that the Mayor and Cabinet:
 - 2.1.1 approve the re-procurement of an external provider to deliver an Occupational

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Health Service and Employee Assistance Programme Service to the Council Staff and an Occupational Health Service only for School staff. The terms of the contract would be four years contract (from 1 September 2023 to 31 August 2027), with the option to extend for up to a further 3 years at a maximum total value of £1,118,670.

- 2.1.2 approves the use of the [Crown Commercial Services framework](#) - Occupational Health, Employee Assistance Programmes and Eye Care Services (RM6182) Lot 1.
- 2.1.3 approves the subsequent award of contract to the preferred service provider, provided the contract value is within authorised limits.
- 2.1.3 delegates authority to the Chief Executive (in consultation with Director of Law and Corporate Governance and the Director of People and Organisational Development) to select the preferred service provider in accordance with the selection criteria published in the tender documentation.

Policy Context

- 3.1 This proposal aligns with the Council’s Corporate Priorities set out in the Lewisham’s “Corporate Strategy 2022 - 2026” as follows:

A strong local economy - Everyone can access high quality job opportunities, with decent pay and security in our thriving and inclusive local economy. Employees will continue to receive the London Living Wage as a minimum.

Health and Wellbeing - Ensuring everyone receives the health, mental health, social care and support services they need.

Current Contract and Scope of Service

- 4.1 The current Occupational Health Service and Employee Assistance Programme contract was awarded in September 2015. An Occupational Health service is defined by the Society of Occupational Medicine (SOM) as involving the following, which also apply to Lewisham:

Employee	Employer	Society
Protect and Promote Health	Help reduce sickness absence	Reduce NHS care costs
Help prevent work-related illnesses	Improve business performance	Reduce the cost of state benefits
Manage return to work after illness	Avoid litigation	Increase tax revenues
Maintain earnings	Improve corporate image	Revitalise the community
Maintain quality of life		

Tangible Costs		Intangible Costs
Direct	Indirect	
Restricted duties	Overtime cover	Presenteeism
Sick Pay	Temporary agency staff	Lost productivity
Disability Pension	Management and HR time	Engagement

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Legal Costs	Recruitment fees	Staff turnover
Compensation	Training of replacements	Employee relations

4.2 The current occupational health provider delivers the following core services to the whole Council, including non-school staff:

- Management referral
- Employment health screening
- Health surveillance
- Vaccinations
- Ill health retirement
- Case conference
- Health promotion / education
- Occupational health advice and guidance
- Management information
- Workplace assessments

4.3 In addition, the current Occupational Health service assists employees with disabilities or who are returning to work after long-term ill health, delivers wellbeing initiatives including stress risk assessment training, mental health awareness and individual support to managers on long term absence cases and supported Public Health with targeted flu vaccination programmes for our workforce.

4.4 As of September 2022, the total Council workforce is 2,412 which includes 400 (approx.) managers. There is a female/male mix of 1.6:1. The ethnic composition is 45.6% White, 36.1% Black, 4.7% Asian, 4.9% Mixed, 1.3% Other and 7.4% Undisclosed.

4.5 During the last contract year (September 2021 to August 2022) a total of 868 management referrals and 112 wellbeing referrals have been made. Schools continue to be the largest users of the occupational health service and have made 54.33% of all referrals. Overall looking at the total figures for the last two quarters there has been an expected decrease of referrals made from 153 referrals made in the last quarter to only 94 referrals made in the most recent quarter. Overall across the whole Council there was a decrease of 86 referrals and the biggest decrease is within Schools accounting for 59 of these.

4.6 Within the Council we have an aging workforce. 49% of the workforce is over the age of 50, with 51% aged up to 50 years old (1240 employees). Given this, it is likely that staff in these age groups may develop health and wellbeing needs, that we will need to be able to cater for. Staff with disabilities increases with age therefore requiring more advice around awareness of need and adjustments for acquired disabilities. The age profile of our female staff has also meant attention being paid to women's health, and in particular the introduction of menopause awareness. The impact of long Covid remains uncharted territory at present. Mental health requirements have been seen to change through the pandemic, and being responsive to need will be required going forward.

4.7 The recent pandemic demonstrates now more than ever the importance of having an occupational health provision available to staff. The context of the cost of living crisis may also impact on our people, and access to independent support and advice via the

EAP is likely to increase. In addition ongoing financial situation and subsequent organisational changes required to meet this, will inevitably affect some staff across the workforce.

Procurement Options Considered – Route to Market

The following options set out below were considered:

- 5.1 **Insourcing** – The contract requires specific expertise and competencies across a range of specialisms (medical and mental health professionals such as nurses and clinicians) that Lewisham staff do not have. Therefore, this option is not viable and would be a very costly to the Council. To bring in house would increase the value of the service due to increased staff and infrastructure costs (i.e IT equipment and software).
- 5.2 **Open Tender** – The use of an open procurement route was explored but due to the number of occupational health providers in the market it was deemed that procuring via a framework would be most suited as the suppliers are pre-qualified. Existing frameworks with providers that have already been vetted for quality and price would give the Council a better offer than procuring on its own due to the buying power of multiple purchasers from the framework agreement. For all these reasons this procurement route is not recommended.
- 5.3 **ESPO Framework agreement 985_19** (Occupational Health Services) – This framework was also considered. This framework is split into 4 different lots. We would have to consider tendering two lots, Lot 1 – General OH Services and Lot 2 – Employee Assistance Programme. This means that potentially we would have to manage 2 different providers and 2 separate contracts. The framework is also due to expire in June 2023 and therefore it has not been recommended.
- 5.4 **Crown Commercial Services (CCS) Framework agreement RM6182 - LOT 1** (Occupational Health and Employee Assistance Programmes, Fully Managed) – There are 5 lots in total. There are 6 suppliers on lot 1 of the framework agreement. Lot 1 provides the opportunity to buy a full occupational health and employee assistance programme under one contract and with a single supplier. Lot 2 and lot 4 focus only on Occupational Health Services, Lot 3 focuses only on Employee Assistance Programme services and Lot 5 focuses on ey care services only. Therefore Lot 1 is the recommended procurement route.
 - 5.4.1 The pricing details will be obtained during the tender process. Bidders will be asked to complete a pricing schedule as there is no schedule of rates available for the framework.
 - 5.4.2 Using the RM6182 Framework offers access to pre-approved service providers who have been selected for their ability to provide customers with an innovative and preventative solution for a proactive approach to employee health and wellbeing that combine quality and value. Suppliers listed on the framework were assessed during the procurement process for their financial stability, track record, experience and technical and professional ability. This framework is compliant with UK procurement legislation. This approach will enable officers to identify suitable providers who are able to:
 - Meet the needs of the health and wellbeing of the Council's workforce, and
 - Be responsive to traditional occupational health services such as advice, referrals, health screening, treatments.

6. Procurement Project Plan

- 6.1 The proposed route to market is a call-off from the CCS Framework RM6182 inviting all 6 suppliers under the framework agreement to submit a bid.

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- 6.2 The procurement opportunity will be advertised via the Council's online tendering system (ProContract Procurement Portal) to suppliers listed on Lot 1 on the CCS Framework.
- 6.3 Suppliers listed in 6.4 will be invited to tender via the ProContract portal and will be assessed on a criterion of Price, Quality with a percentage of 45:45:10 split. 10% will be allocated to Social Value, in line with the Council's procurement policies.
- 6.4 RM6168 - Lot 1 contains 6 suppliers, Duradiamond Healthcare Ltd t/a Health Partners, Health Management Limited, Medigold Health Consultancy Limited, Optima Health, People Asset Management Ltd and TP Health Limited.
- 6.5 Proposed procurement timetable is below:

Activity	Proposed Date
Mayor & Cabinet approval	March 2023
Tender Issued	March 2023
Tender Return Deadline	April 2023
Tender Evaluation Period	May 2023
Contract Preparation	August 2023
Contract Commencement	September 2023

7. Financial implications

- 7.1 This report seeks approval to commence the procurement process for the Occupational Health Service and Employee Assistance Programme (EAP) Provider contract. The contract is for an initial 4 years from August 2023 with an option to extend for an additional 2 plus 1 years. The estimated cost of the new contract is £160k per annum and is split between core Council employees and Schools. This is comparable to the existing contract where in 2021/2022 the contract cost £157k with an approximate £70k recharge to Schools. A similar cost and recharge is forecast for 2022/23. A review of the recharged element is underway with a view to ensuring that it fully reflects the costs attributable to Schools and so this amount may increase for 2022/23 and onwards under the new contract. The remainder of the charge can be contained within the Human Resources budget. An inflationary allowance in the budget for 2023/24 may be provided subject to the overall Council wide budget process early in the new year. Any additional contract costs arising from the transfer of Lewisham Homes staff to the Council would be recharged to the relevant Housing Revenue Account budgets

8. Legal implications

8.1 Approval to Procure

The report seeks approval to procure an external service provider for the provision of an occupational health and EAP service. Given the potential spend on this contract (at a length of up to a maximum of 7 years) this contract would be categorised by Contract Procedure Rules as a “Category A” contract. The report sets out the other options considered and explains why this is the recommended option.

Assuming that Mayor and Cabinet accepts the recommendation to procure a service provider, the Contract Procedure Rules (“CPR”) place requirements on how that should happen. The CPR require that when letting contracts steps must be taken to secure value for money through a combination of cost, quality and competition, and that competitive tenders or quotations must be sought depending on the size and nature of the contract (Rule 5). The requirements of the CPR would be satisfied by use of a framework agreement. As a Category A contract, it would be for Mayor and Cabinet to take a decision on the award of any contract. Given the potential spend on this contract the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc) (EU Exit) Regulations (“the Regulations”) will apply.

Use of a Framework Agreement

Under the Council’s Contract Procedure Rules the Council may use a framework agreement set up by a public sector body where that framework agreement has been procured in accordance with the Public Contracts Regulations 2015 and allows for the Council to use the Framework Agreement. It appears that the framework agreement is compliant and that the Council is entitled to use the framework.

Approval to Award

This report proposes that Mayor and Cabinet approve the award of a contract for occupational health services and EAP. This report further proposes that Mayor and Cabinet instruct the Chief Executive in consultation with the Director of People and Organisational Development and the Director of Law, Governance and Elections to give effect to this decision by applying the selection criteria to determine and enter into contract with the preferred service provider.

The decision to award the contract contained in this report is a Key Decision under Article 16.2 (c) (xxiii) of the Constitution as it has a value of more than £700,000. It is therefore required to be contained in the current Key Decision Plan and the Council’s Key Decision procedure must be followed.

Provided that the final contract value is within authorised limits set out in the report and the preferred service provider is selected in accordance with the selection criteria published in the tender documentation, then the selection by Chief Executive of the preferred contractor in accordance with Mayor and Cabinet’s direction will not be a Key Decision. For audit purposes a written record should be kept setting out how the selection process has been applied and the preferred service provider selected, and officers from Legal Services should be consulted as necessary throughout the selection and award process.

9. Equalities implications

9.1 The Council’s Single Equality Framework for 2020-24 will provide an overarching framework and focus for the Council’s work on equalities and help ensure compliance with the Equality Act 2010.

- 9.2 The recommendations made in this report relate to Council employees who have been identified and assessed as being in need of services listed in the framework agreement in order to maintain their wellbeing and mental health in the workplace. Implementing these recommendations will have a direct impact on the individuals work life balance and quality of life.
- 9.3 The Council's Equalities objectives are addressed in the contract documentation and will form part of the criteria used in the pre-tender evaluation.

10. Climate change and environmental implications

- 10.1 The Council has made a commitment to making the borough carbon neutral by 2030.
- 10.2 The contract set out in this report will not have any negative impact on the rate of energy consumption or increase of carbon admissions.

11. Crime and disorder implications

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

12. Health and wellbeing implications

- 12.1 The outsourcing of the occupational health services is necessary for the maintenance, restoration and protection of the Council's employees health and wellbeing.
- 12.2 The services in this report will have a positive impact on health, mental health, and wellbeing by providing direct mental health and wellbeing to employees of the Council.

13. Social Value implications

- 13.1 The tenderers will be asked a method statement question to demonstrate what social value they can deliver through the contract.
- 13.2 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. The successful provider will be expected to meet LLW requirements and contract conditions requiring the payment of LLW will be included in the service specification and contract documents
- 13.3 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.
- 13.4 The Occupational Health service has a key role in supporting general health and wellbeing by helping the Council ensure we have a fit and healthy workforce to deliver crucial community services. We will expect our provider to commit to healthy work practices and demonstrate their commitment to improve staff physical and mental wellbeing and reduce absenteeism due to ill health. We will also expect provider's commitment to broader improvements during the course of the contract in support of Social Value. The overall aim will be to improve engagement with our staff and reduce current absence levels year-on-year.

14. Background papers

- 14.1 Contract Extension paper October 2022

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15. Glossary

Term	Definition
OH	Occupational Health
EAP	Employee Assistance Programme

16. Report author(s) and contact

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Agenda Item 5

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	8/3/23	
Title of Report	Permission to extend Lewisham residents' access to Sexual Health London (SHL) for delivery of online sexual and reproductive health services (e-service)	
Author	Public Health Commissioning Manager	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	✓	
Legal Comments	✓	
Cabinet Briefing consideration	✓	
EMT consideration	✓	
Agenda Planning Group consideration	✓	

Signed: 
 Cllr Juliet Campbell- Cabinet Member for Communities, Refugees & Wellbeing
 Date: 09/02/2023

Signed: 
 Tom Brown - Executive Director for Community Services
 Date: 07/02/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	06/01/23
Date submitted to Executive Director for sign off	06/01/23



Mayor and Cabinet

Permission to extend the delivery of online sexual and reproductive health services (e-service)

Date: 8th March 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: Borough-wide

Contributors: Director of Public Health, Director of Integrated Commissioning

Outline and recommendations

The City of London currently holds a contract with Preventx for online sexual and reproductive health (SRH) services, offering a range of services for contraception, testing and treatment of sexually transmitted infections (STIs), including HIV testing and diagnosis. The Council buys into this contract through an Inter Authority Agreement.

This report recommends that Mayor & Cabinet agree to extend the delivery of the online E-Service SRH services for 2 years commencing on 1st April 2023 at the maximum value of £1m per annum.

Timeline of engagement and decision-making

COVID related contract extensions Part 1 – 24th March 2021

Request for Re-Procurement of Sexual Health Services Award Report – 9th February 2017

Request for Re-procurement of Sexual Health Services – 23rd November 2016

1. Summary

- 1.1 The City of London (CoL) currently holds a contract with Preventx online sexual and reproductive health services (SRH) services that offer a range of SRH services for contraception, testing and treatment of sexually transmitted infections (STIs), including HIV testing and diagnosis. Lewisham Council buys into this contract through an Inter Authority Agreement.
- 1.2 The E-Service is delivered in partnership with Chelsea and Westminster NHS Trust and Lloyds Pharmacy but the contract was awarded by CoL to Preventx Ltd.
- 1.3 Permitting the extension of the contract with the CoL will enable the continued service delivery to meet the needs of Lewisham's residents and supports the wider SRH services delivered in Lewisham by statutory and voluntary/community services.

2. Recommendations

- 2.1 It is recommended that Mayor & Cabinet agree to extend the Inter-Authority Agreement (IAA) with the City of London to access online sexual health 'e-service' provided by Sexual Health London for 2 years commencing 1st April 2023 with the contract value of £1m per annum, and £2m for the total contract value for the 2 years of the contract.

3. Policy context

- 3.1 Local authorities have a statutory obligation to ensure provision of SRH services for their residents. Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013 require local authorities to provide certain Public Health services, including open access sexual health services.
- 3.2 Lewisham continues to experience high demand and need for sexual health services reflected in these higher than average rates of STIs and HIV. Teenage pregnancy rates, and those leading to abortion are also higher locally than for England.
- 3.3 Sexual Health is an important Public Health priority at both a national and local level and as such Lewisham's Health and Wellbeing Board identified sexual health as one of its 9 priorities for Lewisham.
- 3.4 The recommendations within this report relate to the following priorities in the Council's new Corporate Strategy 2022-2026, namely:
 - Health & Wellbeing
 - Children & Young People
 - Open Lewisham
- 3.5 In addition, the recommendations within this report also align to Lewisham Labour 2022 manifesto commitment to 'Increase the availability of anonymous online sexual health services'.
- 3.6 Lambeth, Southwark and Lewisham (LSL) have had joint commissioning arrangements for SRH services since April 2016. A specialist commissioning team, based at Lambeth Council, carries out a range of commissioning functions on behalf of the three LSL boroughs, including overseeing a shared Action Plan, delivering

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strategic needs assessments and other cross-cutting projects to improve sexual and reproductive health across LSL.

- 3.7 LSL together face some of the greatest sexual health challenges in England, with similarly young, mobile and diverse populations.
- 3.8 Rates of HIV and sexually transmitted infections (STIs) in the three LSL boroughs are the highest in England. There are persistent inequalities in sexual and reproductive health, with young people, men who have sex with men (MSM) and black and minority communities experiencing the greatest burden.
- 3.9 In response to these challenges, LSL agreed a shared Sexual and Reproductive Health Strategy for 2019-2024. The strategy has a focus on reducing inequalities in sexual and reproductive health as one of its underlying principles, stating that:
- “While we will continue to commission welcoming, accessible and non-discriminatory services, to reduce inequalities in sexual and reproductive health we also need to commission services aligned with the concept of proportionate universalism. This means that whilst we will maintain open access SRH services for all, we also need to tailor services to those with greater need in order to reduce the impact of poor sexual health in our communities.”.*
- 3.10 Progress to date includes the development of an enhanced Pharmacy Contraception Service, an online contraception service offer and the introduction of the SXT Partner Notification tool across the three Trusts in LSL. Joint strategic needs assessments have been completed for Contraception, for HIV prevention and the experience of living with HIV in LSL, and for Syphilis and Gonorrhoea.
- 3.11 Each LSL borough has a local strategy action plan to bring together local stakeholders to work collaboratively to improve sexual health outcomes for our residents. Officers have worked with representatives from across the system of SRH service providers in Lewisham (SRH clinics, primary care, E-service, young people’s services, abortion services, education, Council and voluntary sector organisations), to develop the Action Plan (attached). In Lewisham, this has provided opportunity for us to gain greater understanding of local service developments since the LSL strategy was launched, to assess service changes due to Covid-19, and to identify future projects and activities to improve SRH locally.

4. Background

- 4.1 In 2015/2016, the growing need and demand for SRH clinical services placed increasing pressures on local authority Public Health budgets, with individual boroughs finding it increasingly difficult to meet the rising costs of provision.
- 4.2 The London Sexual Health Transformation Programme (LSHTP), a partnership of the majority of London Councils, was formed to help manage the increasing demand for, and use of, specialist SRH clinic services and to develop more efficient and cost effective SRH pathways and services. The programme aimed to transform SRH service delivery and control costs across the system by three main means:
- Introducing the London e-service – www.SHL.UK – as an alternative, and cheaper, delivery platform for basic STI testing and screening, alongside a reduction in the overall number of open access clinic sites,
 - A requirement for clinics to divert (“channel shift”) those with less complex sexual health needs to online services, to pharmacies or to GPs, as appropriate, to ensure specialist clinics can maintain capacity for responding to patients with more complex needs.

- Introduction of the integrated sexual health tariff (ISHT) which applies robustly costed tariff prices for a range of clinical SRH interventions and pathways, The ISHT replaced the previous single tariff approach used for genitourinary medicine services and fixed block payment arrangements for contraception and reproductive health services and now enables all elements of the service to be cross charged between boroughs.
- 4.3 This transformative agenda formed the basis of the current contracts which commenced in April 2018.
- 4.4 The City of London is the Lead Authority for the pan London Sexual Health e-healthcare service contract. The CoL manages the contract with a formal partnership agreement with twenty-seven London boroughs (See Appendix A).
- 4.5 The London Borough of Camden led on the procurement on behalf of all London Councils who wanted to buy into the service. The City of London entered into and manage the contract on behalf of the London Boroughs. The procurement followed the Competitive Dialogue process and concluded on the 24th April 2017. The evaluation panel initially recommended awarding the contract to Preventx Ltd. for an initial period of 5 years with the option to extend for a period of 3 years. The first 5years expired on 15th August 2022 and has subsequently been extended once until 2025.Lewisham initially signed up for 5 years
- 4.6 Lewisham residents have had access to STI Testing and some treatments via the pan-London E-service since July 2018. Approval to join this agreement was originally granted for a period of 2 years since 2018 at an estimated cost of £426,150 and was granted authorised extensions and is detailed in 4.10 and 4.11
- 4.7 It was vital to understand the impact of these changes on current and future service use and the LSL Sexual Health Programme of Change was convened to support effective commissioning plans for future services within this changing context.
- 4.8 A key priority included the development of an active public and service user/patient engagement programme to inform service development and contract renegotiations. This workstream focused on improving access routes and handovers between services, optimising referral pathways and the interfaces between services.
- 4.9 Mayor and Cabinet previously agreed to extend Lewisham access to the pan-London E-service from July 2020 until March 2022 to enable a longer-term review of how this service complements the wider sexual health system which has changed and will continue to change as a result of coronavirus.
- 4.10 In March 2021, Mayor and Cabinet authorised officers to extend the current contract from April 2022 to March 2023, to allow time for the services to recover following restrictions during the COVID pandemic and for commissioners to undertake a review of changes within the current contract period, including COVID related impacts.
- 4.11 As part of Covid-19 business continuity measures access to the e-service was uncapped in March 2020, and online contraception has been enabled for a 6 month period from February 2021.
- 4.12 This decision to extend access to the E-Service will ensure continuity of access to a wide range of interventions online, providing choice to people about how they access services, and to manage demand in clinics to ensure there is capacity to meet more complex clinical needs.
- 4.13 Payment is on activity and total costs of services accessed via the e-service are forecast to be approximately £1,000,000 per annum for 2022/23.

5. Service model

- 5.1 The E-Service meets the needs and SRH requirements of approximately one quarter of the patient population that aged 19 and under. The online offer increases access to SRH services to support young people with all protected characteristics.
- 5.2 The service provides high quality advice and information in respect of sexual health services and online access to order self-sampling/self-testing kits for STIs and HIV for people that do not have symptoms or are 'asymptomatic'. This is also accompanied by professional health advice.
- 5.3 Access to self-sampling kits offers the opportunity to move a proportion of attendances out of clinics to convenient online alternatives. The online service offers the option of remote/postal treatment for uncomplicated genital Chlamydia infection to service users aged 16 and older and includes partner notification of a positive test result, STI home sampling kit delivery and supply of appropriate antibiotics.
- 5.4 The contracted service works in collaboration with sexual health services at Lewisham and Greenwich Trust (LGT), as well as with other open access Genito Urinary Medicine (GUM) services which are also being remodelled and recommissioned across London to provide fully comprehensive sexual health services for contraception, testing and treatment of sexually transmitted infections (STIs), including HIV testing and diagnosis.
- 5.5 Officers have also piloted the testing kits within opportunitisc locations such as adult and young people's substance misuse services and will work with the youth service to optimise distribution.
- 5.6 The service contract is managed by the City of London and monthly reporting is given to local commissioners to enable them to monitor activity and determine cost effectiveness and affordability in both clinic and direct access settings.
- 5.7 Conitnued delivery of the E-Service will ensure continuity of access to a wide range of services online, providing choice to people about how they access services, and to manage demand in clinics to ensure there is capacity to meet more complex clinical needs.
- 5.8 The E-Service continues to support Lewisham's wider SRH service offer, especially in light of the changes to the clinic services delivered by LGT that were agreed by Mayor & Cabinet in November 2022.
- 5.9 Access to e-services for STI testing and treatment and some contraception will remain uncapped to support increased access. Given challenges in access to GP contraception, additional provision was offered through Marie Stopes Initiative and this will also be retained.
- 5.10 'Insight Lewisham' young people's substance misuse and sexual health service will offer additional outreach at youth clubs and other sites across the south of the borough, and support young people with access and navigation of sexual health services at LGT, other trusts, online and in primary care. In addition, Insight has been registered to distribute sexual health self-test kits that form part of the e-Service offer, alongside the cohort that access the New Direction core service delivered by 'Change, Grow, Live (CGL).
- 5.11 London authorities that are signed up to the Pan-London agreement have the authority to extend the current contract to August 2025. There is an option to extend the current arrangement by a further year but a large number of councils have expressed a preference to undertake a procurement excercise. The decision will be informed by a procurement options paper for the relevant commissioners who will undertake the governance and authorisation process for the procurement exercise.

- 5.12 Information will be shared with officers before March 31st 2023 to inform the necessary preparations to seek authority to buy into the new IAA, if that's the preferred option. Any action will be carried out in the interest of Lewisham residents to allow continued access to suitable SRH choices and options.

6. Financial implications

- 6.1 The existing service contract with CoL is fully funded from the Public Health Grant and is included within sexual health commissioning budgets. The total proposed value for the service is estimated to be £1million per annum and £2million across the total contract duration of 2 years.

7. Legal implications

- 7.1 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 which are requirements based on the procurement Regulations (Public Contracts Regulations 2015) with which the Council must comply. Those requirements were complied with when the contract was awarded by the City of London.
- 7.2 The contract between the City of London and Preventx was procured on the basis of a 5 year contract with the option to extend for 3 years. The procurement was carried out on behalf of the London Borough of Lewisham and other boroughs. In order to access the contract the Council entered into an Inter Authority Agreement with the City of London and all participating boroughs. The recommendation in the report is to extend the contract for a period of 2 years which is in line with the original procurement. This is a 'Permitted Extension' under the Contract Procedure Rules, being one which was clearly provided for in the original procurement and contract documents (as set out in Rule 17 of the Contracts Procedure Rules, and Regulation 72 of the Procurement Regulations 2015).
- 7.3 The report sets out the reasons why this extension is proposed. It notes that the performance of the incumbent provider is satisfactory, and that the future of the service will be considered and brought back to Mayor and Cabinet for a decision.
- 7.4 The extension of this contract is not Key Decision under the Constitution because the value of the extension is more than £700,000.

8 Equalities implications

- 8.1 The proposals within this report specifically aim to address improve equity of access across the borough, and improve the reach of the programme.
- 8.2. As with many health outcomes, sexual health is patterned by socioeconomic inequalities, with those from deprived areas at greater risk of negative outcomes, such as sexually transmitted infections and unplanned pregnancy. HIV rates are much higher in men who have sex with men, and in Black African communities
- 8.3. An Equalities Analysis Assessment (EAA) was undertaken for the LSL Sexual and Reproductive Health Strategy. The Strategy and Local Action Plan aim to reduce health inequalities and improve health outcomes. A Rapid Impact Assessment of Covid-19 is currently underway across the whole of the Sexual and Reproductive Health System across LSL.
- 8.4. Public Health priorities for sexual and reproductive services include increasing STI testing amongst young people, MSM, black African and black Caribbean communities; increasing HIV testing amongst MSM and black African communities; reducing late diagnosis of HIV.

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- 8.5 Public Health priorities for sexual and reproductive services include increasing STI testing amongst young people, MSM, black African and black Caribbean communities; increasing HIV testing amongst MSM and black African communities; reducing late diagnosis of HIV; and increasing access to contraception and, in particular, long-acting, reversible contraception (LARC) to reduce teenage conceptions, abortions and repeat abortions.

9. Climate change and environmental implications

- 9.1 There are no environmental implications.

10. Crime and disorder implications

- 10.1 Sexual health clinics provide services for people with a range of lifestyles and circumstances and include those who may be vulnerable or at risk.
- 10.2 The wider SRH partnership have effective adult and child safeguarding policies in place to identify and support such individuals.
- 10.3 Service provision and pathways to a range of relevant support services are in place for those who engage in risky sexual behaviours, those who are using alcohol and drugs, those who have experienced sexual violence, coercion, or intimate partner violence.

11. Health and wellbeing implications

- 11.1 The proposal supports delivery of Lewisham's Health and Wellbeing strategy by promoting and maintaining access to open access sexual health services. This is essential given the borough has higher rates of poor sexual health, harmful drug and alcohol use and HIV prevalence in comparison to London averages.
- 11.2 These commissioned services support the Council's strategic objectives for sexual health and the achievement of declared outcomes for population health and reducing health inequalities as outlined in priorities contained in the LSL Sexual and Reproductive Health Strategy 2019-24 and sexual health related Joint Strategic Needs Assessments (JSNAs).

12. Social Value implications

- 12.1 The Public Services (Social Value) Act 2012 requires that when the Council is procuring services above the EU threshold it must consider, before commencing a procurement process, how the procurement might improve the social, economic and environmental wellbeing of the area. It must also consider how the procurement might be conducted so as to secure that improvement. The matters to be considered must only be those relevant to the services to be procured; and it must be proportionate in all the circumstances to take those matters into account. These requirements are part of the Council's Constitution (Part IV.I Contract Procedure Rules).
- 12.2 The Council's Sustainable Procurement Code of Practice will be applied to this contract. This sets out various social, environmental and economic considerations to be applied. The purpose is to ensure that products and services are sourced and produced responsibly; to maximise resource and energy efficiency in the manufacturing and supply of goods and services in order to minimise environmental impacts; and to deliver outstanding value for money over the entire lifetime of the contract.
- 12.3 In addition, the service will ensure minimum pay rates in line with prevailing London

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Living Wage (LLW) or above where applicable.

13. Background papers

- 13.1 Request for authority to participate in the Inter Authority Agreement for the Pan-London sexual health 'e-service' contract for online testing



ED report e-service
1 6 17.pdf

- 13.2 COVID-19 Related Extensions by Directorate Report - 2nd March 2021



COVID-19
Extensions - Commu

14. Glossary



glossary
standard.pdf

15. Report author(s) and contact

- 15.1 Report author – Jason Browne, Public Health Commissioning Manager,
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- 15.3 Legal implications – Mia Agnew, Senior Lawyer, Legal Services.
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Appendix A.

List of related authorities participating in the London On-Line Sexual Health Service (27 London councils)

Barnet

Bexley

Brent

Bromley

Camden

City of London

Ealing

Enfield

Hackney

Hammersmith and Fulham

Haringey

Harrow

Havering

Islington

Kensington and Chelsea

Kingston upon Thames

Lambeth

Lewisham

Merton

Newham

Redbridge

Richmond upon Thames

Southwark

Tower Hamlets

Waltham Forest

Wandsworth

Westminster

Agenda Item 6

Report for: Mayor and Cabinet		
Part 1	<input checked="" type="checkbox"/>	
Part 2	<input type="checkbox"/>	
Key Decision	<input checked="" type="checkbox"/>	
Date of Meeting	8 th March 2023	
Title of Report	Learning Disability Framework – Request to approve: a) the procurement of a Supported Living service contract b) the award of contracts to the preferred service provider(s) at the completion of planned tender exercises (LDF3 & LDF4) c) the delegation of authority to the Executive Director of Community Services (in consultation with the Director of Law, Governance and Elections and the relevant Assistant Director) to select the preferred contractors post the tender exercises	
Author	Tom Bird. Integrated Commissioning manager	Ext. 46085

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	✓	
Legal Comments	✓	
Cabinet Briefing consideration	✓	
EMT consideration	✓	
Agenda Planning Group consideration	✓	



Signed:
 Cabinet Member for Health and Adult Social Care
 Date: 28/02/23



Signed:
 Executive Director of Community Services
 Date: 24/02/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	2/2/23
Date submitted to Cabinet Members for sign off	24/2/23
Date submitted to Executive Director for sign off	24/2/23



Mayor and Cabinet

Report title: Learning Disability Framework – Request to approve:

- a) the procurement of a Supported Living service contract through call off from the Framework as an inclusion to the planned 4th phase of procurement of learning disability contracts (coded as LDF4)**
- b) approve the award of contracts to the preferred service provider(s) at the completion of the LDF3 and LDF4 tender exercises, provided the contract value is within previously authorised limits**
- c) the delegation of authority to the Executive Director of Community Services (in consultation with the Director of Law, Governance and Elections and the Assistant Director, Complex Care & Learning Disability) to select the preferred contractors post the tender exercises for LDF3 & LDF4.**

Date: 8th March 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Executive Director for Community Services
Executive Director of Corporate Resources

Outline and recommendations

This report seeks agreement from Mayor and Cabinet to:

- a) Reprocure a supported living service for adults with learning disabilities as a call-off under the Framework Agreement for Services to Adults with Learning Disabilities: Lot 1 Supported Living. This service will be added to the list of in-borough Learning Disability Framework contracts that are due to be procured in the fourth phase of Framework contracts coded as LDF4.
- b) Approve the award of contract to the preferred service provider(s) at the completion of the LDF3 and LDF4 tender exercises, provided the contract value is within previously authorised limits.
- c) Delegate authority to Executive Director for Community Services (in consultation with the Assistant Director, Complex Care & Learning Disability and the Director of Law, Governance and Elections) to select the preferred service provider in accordance with the selection criteria published in the tender documentation and agree final form of contract.

Timeline of engagement and decision-making

The Framework Agreement for Adults with Learning Disabilities 2019-23 was implemented on 1 September 2019 following agreement by Mayor and Cabinet on 26 June 2019. The Framework Agreement, and contracts awarded under it, were for a period of 4 years.

Following the establishment of the Framework, a process was initiated to reprocure all existing commissioned contracts in line with the new Framework terms and conditions and rates. Phase one (coded LDF1) involving the re-commissioning of 12 supported living service contracts was completed in early 2020 and recommendations for the award of contracts approved by Mayor and Cabinet on 5 February 2020 (Report headed 'Framework Agreement for Services to Adults with Learning Disabilities – Call off supported living contracts').

Due to the impact of the Covid-19 pandemic the implementation of contracts awarded in LDF1 was delayed, with the agreement of the winning providers, to allow both officers and providers to focus their full capacity on managing the response to the pandemic.

Furthermore 5 contracts awarded through the LDF1 tender were subject to a legal challenge by the incumbent provider of these services, Access for Living. The Council was unable to enter into contract with the winning providers whilst the legal case was being proceeded and this process was not finally completed until April 2022 when the Court ruled the provider's claim be struck out on time bar grounds. Following the Court ruling officers moved to enter into contract with winning providers for these 5 services. However, one of the awarded providers, Choice Support, decided not to proceed with the contract they were awarded (coded LDF1H). In line with Procurement rules, officers then approached the second highest scoring bidder in the tender for this service, PLUS, but they also decided not to proceed. As a result officers are seeking permission to reprocure the contract for this service and include it in the next, final, phase of procurement under the current Framework (LDF4)

The outbreak of the Covid 19 pandemic also impacted on planned procurements for a range of social care contracts, including all the Learning Disability Framework contracts due to be reprocured in the second, third and fourth phases of the re-commissioning programme. A report was taken to Mayor and Cabinet on 24th March 2021 seeking approval to extend contracts to allow for the safe completion of the postponed procurement processes at a later date. (Report headed; 'COVID related contract extensions'). As the planned procurement exercises were further delayed due to the continuing impact of the pandemic and further lockdowns through 2021, officers requested that those contracts to be included in the third and fourth phases (LDF3 and LDF4) were further extended. Approval of the third and fourth procurement phases (Projects LDF3 & LDF4) and related extensions of contracts being included was given by Mayor and Cabinet on 6 July 2022 (Report titled: Learning Disability Framework - Request for permission to procure contracts for Supported Living services through call off from the Framework and related contract extensions). The third phase (LDF3) is currently being completed and the final fourth phase (Project LDF4), is due to be carried out from April 2023 and completed by August 2023.

During the course of 2022 the Council initiated the 'Empowering Lewisham' service development programme partnered with Newton Europe. Providers were advised in April 2022 of the Council's intentions to ensure that all people with a learning disability benefit from more targeted outcomes-focused reviews and clearer expectations of providers from the Council as to what outcomes are being paid for when commissioning services going forward. To this end, procurement processes and timeframes have been reviewed to ensure that contract specifications align with this progression agenda.

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1. Summary and Purpose of Report

- 1.1. This report explains the circumstances as to why officers have been unable to proceed with the award of the contract for a supported living service (coded as LDF1H) tendered in the first phase of recommissioning of learning disability service contracts under the Learning Disability Framework Agreement and agreed at Mayor and Cabinet in February 2020. The report asks Mayor and Cabinet to approve this service now be included in the fourth phase of Framework procurement (LDF4) approved at Mayor and Cabinet on 6th July 2022.
- 1.2 The procurement will be carried out under Lot 1: Supported Living of the Framework Agreement and the providers appointed to the Framework for this category will be invited to bid for this and any other services included in LDF4.
- 1.3 This report also asks Mayor and Cabinet to delegate authority to the Executive Director of Community Services (in consultation with the Director of Law, Governance and Elections and the relevant portfolio holder) to select the preferred contractors post the tender exercises for LDF3 and LDF4, noting that officers will be required to provide a report to the Executive Director to select the preferred service provider(s).

2. Recommendations

- 2.1 Mayor and Cabinet are recommended to approve:
 - 2.1.1 the procurement of the supported living contract (coded LDF4) being carried out under Lot 1: Supported Living of the Framework Agreement for Adults with Learning Disabilities. This service will now be anonymised as Project LDF4G and will be for a period of 4 years at an estimated cost of £952,862.56.
 - 2.1.2 the award of contracts for the current and planned tenders (LDF3 and LDF4) to the preferred service providers, provided the contract values are within the following, authorised limits: LDF3: total annual value of all contracts is £1.83 million (4 year contract value is £7.32 million); LDF4: total annual value of all contracts is £3.72 million (4 year contract value is £14.88 million)
 - 2.1.3 the delegation of authority to Executive Director for Community Services (in consultation with the Assistant Director, Complex Care & Learning Disability and the Director of Law, Governance and Elections) to select the preferred service providers in accordance with the selection criteria published in the tender documentation and agree final form of contract.

3. Policy Context

- 3.1 In line with other councils, Lewisham Council became the lead agency for commissioning services for adults with a learning disability on 1st April 2009. The Joint Commissioning Section 75 signed in 2014 means that it leads on commissioning in respect of adult services for Mental Health, Learning Disabilities, Older Adults, Physical Disabilities and Carers.
- 3.2 The Care Act 2014 is the most substantial piece of legislation relating to adult social care to be implemented since 1948. It consolidated previous legislation, common law decisions and other good practice guidance. The Care Act places a wide emphasis on prevention, the provision of advice and information, changes to eligibility, funding reform and market shaping and commissioning.
- 3.3 The Council requires that contracts continue to be delivered in accordance with the principles laid out in Transforming Care, the Government's Concordat Programme of Action (2012), which since 2019 has become the Learning Disability and Autism programme, and the national plan "Building the right support" (2015) to develop community services for people with a learning

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disability and/or autism. These principles are:

- 1) People should be supported to have a good and meaningful everyday life
- 2) Care and support should be person-centred, planned, proactive and coordinated
- 3) People should have choice and control over how their health and care needs are met
- 4) People should be supported to live in the community
- 5) People should have a choice about where and with whom they live
- 6) People should get good care and support from mainstream NHS services
- 7) People should be able to access specialist health and social care support in the community
- 8) People should be able to get support to stay out of trouble
- 9) When health needs cannot be met in the community people should be able to access high quality assessment and treatment in a hospital setting

3.4 The Framework Agreement established in 2019 links with the Council's Corporate Strategy (2022 – 2026). The Framework operates in line with the Council's commitments:

- to actively seek out the insights of those who are experts by experience such as disabled residents... and those able to offer a unique first-person perspective on how to improve the services we provide.
- to continue to work with businesses across the borough, encouraging them to become London Living Wage employers.
- to maintain and strengthen the Lewisham Way of working in collaboration with our voluntary and community sectors and seek new areas where we can partner together.
- to actively listen to our residents, being responsive to their concerns and communicative in our approach and co-design services with those affected by them and ensure strong consultation processes that reach out to people whose voices are seldom heard.
- to deliver the places, activities and programmes our residents need to feel empowered to live a physically active lifestyle
- to enhance the considerations of social value and cost with partners

3.5 The contracts being commissioned are being procured under the Framework Agreement and in line with these Council commitments.

4. Background

4.1 In June 2019, Mayor and Cabinet awarded a new Framework Agreement for its adult learning disability services covering four categories of service: Supported Living (Lot 1); Registered Residential Care (Lot 2); Day Care (Lot 3); Non-residential Respite Care and Outreach (Lots 4.1 and 4.2). The Framework was implemented on 1 September 2019 with a term of 4 years.

4.2 In November 2019 Commissioners embarked on a programme to reprocure all commissioned contracts through mini-competitions to be carried out in phases under the new Framework. Phase one (Project LDF1) involved the re-commissioning of 12 supported living services and recommendations for contract award following this tender exercise were agreed by Mayor and Cabinet on 05 February 2020 (Report headed

- 'Framework Agreement for Services to Adults with Learning Disabilities – Call off supported living contracts).
- 4.3 However, due to the impact of the Covid 19 pandemic, the Council agreed with the winning bidders to delay the implementation of all new contracts to allow for both commissioners and providers to focus on their response to the pandemic.
 - 4.4 In addition, Access for Living, the incumbent provider for 5 of the contracts included in LDF1, mounted a legal challenge to the outcome of the tender. The provider challenged the evaluation of their tender as they had been scored lower than the threshold required in one of their Method Statements which resulted in their tender being invalid. The Council contested the provider's claim and this led to a lengthy legal process which was only resolved in April 2022 when the Court ruled that the provider's claim be struck out on time bar grounds.
 - 4.5 As there was a legal challenge the Council was unable to proceed with contract award for the 5 contracts covered by the legal action. Following the Court ruling, the Council moved to enter into contract with the winning bidders for these 5 contracts. However, one of the winning bidders, Choice Support, decided not to accept the contract for the service they had won (coded as LDF1H) as they determined that, after further consideration, they could no longer deliver the service in accordance with the rates set by the Council for Framework contracts. Following advice from the Council's legal and procurement teams, officers then approached the second highest scoring bidder in the tender for this service, PLUS, but they too declined the contract citing concerns about potential TUPE implications.
 - 4.6 During the period of the legal challenge and the subsequent discussions with providers regarding the award of the contract, the contract for LDF1H has remained with Access for Living. As officers have been unable to predict the outcome of these processes or timeframes, officers have been unable to formalise plans regarding the reprourement of this service. Now these processes have been completed, officers are now seeking approval to reprocure the service within the planned tender exercise, coded LDF4, to be carried out between April and August 2023.
 - 4.7 Approval to carry out Phase Three and Phase Four (Projects LDF3 & LDF4) including all remaining Framework commissioned supported living services was given by Mayor and Cabinet on 6th July 2022.
 - 4.8 The third phase, Project LDF3, has covered 9 contracts for supported living services. This procurement was carried out between October 2022 and February 2023. Officers are in the process of evaluating bids. Should Mayor and Cabinet approve the award of the contracts and delegate authority to the Executive Director for Community Services to select the preferred service provider post tender, recommendations of the preferred contractors will be taken to the Executive Director for Community Services in March 2023.
 - 4.9 The fourth stage, with a project title of LDF4 covers 15 (fifteen) contracts for supported living services. This procurement is planned to be carried out between April and August 2023. Should Mayor and Cabinet approve the award of the contracts and delegate authority to the Executive Director for Community Services to select the preferred service providers post tender, recommendations of the preferred service providers will be taken to the Executive Director for Community Services in August 2023
 - 4.10 These procurement exercises are being carried out under Lot 1 of the Council's Framework Agreement for Supported Living and only those providers appointed to the Framework for this category are invited to bid. Providers can choose to bid for any or all the services being recommissioned.
 - 4.11 Procuring these services through the Framework Agreement will give the flexibility to

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commissioners to review services and costs to reflect changing needs, support requirements, current and future strategic priorities.

- 4.12 Officers believe that all services covered by this report represent value for money to the Council. All current providers delivering these services have proven themselves to be good partners to the Council in seeking to achieve best value from these contracts.
- 4.13 The contracts awarded through this process are managed under the Council's Contract Management Framework and involve contract monitoring meetings and periodic service performance reviews. This measures the outcomes, outputs, and performance of the contracts. Key Performance Indicators are completed each quarter by individual providers. Provider performance is also reported quarterly to the Corporate Procurement Board.

5. Financial implications

- 5.1 This report recommends the reprocurement of a supported living contract for adults with learning disabilities to be included in the 4th phase of the Learning Disability Framework recommissioning programme (LDF4) coded as LDF4G. This contract was previously included in the first phase of this programme (LDF1) but the award of contract was not able to be implemented due to the reasons stated above in sections 4.5 and 4.6.
- 5.2 The contract will be for a period of four years. The current contract value is £238,215.64 and the full contract value is £952,862.56.
- 5.3 The report recommends the award of the contracts for the current and planned tenders LDF3 & LDF4 and delegate authority to the Executive Director for Community Services (in consultation with the Director of Law, Governance and Elections and Assistant Director, Complex Care & Learning Disability) to select the preferred contractors post the current and planned tenders. The total value of contracts to be awarded in LDF 3 and LDF4 is approximately £22.2 million (annual value £5.55 million) inclusive of LDF4G. The authorised budget levels for each phase are as follows: LDF3 annual value of £1.83 million (4 year contract value £7.32 million); LDF4 annual value of £3.72 million (4 year contract value £14.88 million)
- 5.4 All contracts will be funded through the Package and Placement Budget.
- 5.5 Providers awarded contracts through this procurement process will be required to provide evidence that all staff are remunerated at rates equal to or above the London Living Wage as standard terms and conditions of employment. The Contract will require providers to maintain the London Living Wage for the lifetime of the Contract.
- 5.6 Any changes in contract price, following award of contracts, will be as a result of Council agreed uplifts or due to changing service user need which could lead to either an increase or decrease in price. Any changes agreed by the Council during the period of the contract will be applied in line with the Council's standard terms and conditions of the Framework Agreement.
- 5.7 Use of the Framework Agreement will continue to help the Council achieve savings and control costs. While savings from the Framework moving forwards may be lower than in earlier exercises, the risk of cost pressure if contract prices are not contained is high.
- 5.8 The Framework Agreement has been commissioned on the basis of a 60% Quality & 40% Price weighting. This weighting reflects the need to appoint providers to the Learning Disability Framework Agreement who are committed to delivering

economically efficient services, which are also of a high quality in the respect of the support provided and outcomes achieved. Local authorities have a duty under the Local Government Act 2003 to obtain best value in the procurement of works, services, and supplies and to secure continuous improvement in the way they carry out their functions, having regard to a combination of economy, efficiency and effectiveness

6. Legal implications

Approval to procure

- 6.1 The report seeks approval to procure an external service provider for the provision of a supported living service for adults with learning disabilities as a call-off under the Framework Agreement for Services to Adults with Learning Disabilities: Lot 1 Supported Living. Given the potential spend on this contract (at a length of up to a maximum of 4 years) this contract would be categorised by Contract Procedure Rules as a “Category A” contract. The Council has previously set up a legally compliant framework agreement in order to call off such services.
- 6.2 Assuming that Mayor and Cabinet accepts the recommendation to procure a service provider, the Contract Procedure Rules (“CPR”) place requirements on how that should happen. The CPR require that when letting contracts steps must be taken to secure value for money through a combination of cost, quality and competition, and that competitive tenders or quotations must be sought depending on the size and nature of the contract (Rule 5). The requirements of the CPR would be satisfied by use of the Council’s framework agreement. As a Category A contract, it would be for Mayor and Cabinet to take a decision on the award of any contract. Given the potential spend on this contract the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc) (EU Exit) Regulations (“the Regulations”) will apply. These were complied with when procuring the framework agreement.

Approval to Award

- 6.3 This report proposes that Mayor and Cabinet approve the award of all contracts for the procurement of phase 3 and phase 4 services. This report further proposes that Mayor and Cabinet instruct the Executive Director for Community Services in consultation with the Assistant Director for Complex Care & Learning Disability and the Director of Law, Governance and Elections to give effect to this decision by applying the selection criteria to determine and enter into contracts with the preferred service providers under the framework agreement.
- 6.4 The decision to award the contracts contained in this report are Key Decisions under the Constitution where they have a value of more than £700,000. It is therefore required to be contained in the current Key Decision Plan and the Council’s Key Decision procedure must be followed.
- 6.5 Provided that the final contract values are within authorised limits set out in the report and the preferred service providers are selected in accordance with the selection criteria published in the tender documentation, then the selection by the Executive Director for Community Services of the preferred service providers in accordance with Mayor and Cabinet’s direction will not be a Key Decision. For audit purposes a written record should be kept setting out how the selection process has been applied and the preferred service provider selected, and officers from Legal Services should be consulted as necessary throughout the selection and award process.

7. Equalities implications

- 7.1 The Council has a public sector equality duty covering nine protected characteristics.

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These contracts concern the protected characteristic of Disability as the recommendations made in this report relate to one specific group of people with disabilities, people with a learning disability. Implementing these recommendations will not compromise the quality of support delivered to those affected as they will continue to be monitored through commissioning's contract monitoring arrangements. The Council will ensure that as individual contracts are re-let it will comply with the Equality Act 2010 and will not allow any unlawful discrimination

- 7.2 The Council requires that contracts continue to be delivered in accordance with the principles laid out in the national plan "Building the right support" (2015) to develop community services and inpatient facilities for people with a learning disability and/or autism.
- 7.3 People with learning disabilities from black and minority ethnic communities often suffer from a double discrimination. In order to combat this, service specifications include specific sections on meeting the cultural and religious needs of users in the service. These standards and requirements are monitored as part of the overall contract monitoring arrangements.
- 7.4 Government reports such as 'Death by Indifference' have highlighted the risk to people with learning disabilities of being discriminated against in how their health and wellbeing is supported. The service specifications require providers to recognise their specific responsibilities for supporting people with their health through Health Action Plans and working in partnership with generic primary and secondary health providers to meet these needs.

8. Climate change and environmental implications

- 8.1 There are no specific environmental implications arising from this procurement process. However, procurement of the Framework Agreement required tenderers to demonstrate sound environmental, and sustainability practice, supported by robust policies and procedures. The Council's environmental objectives are further addressed in tenderers Social Value submission and targets set will be monitored within the Council's contract monitoring process for learning disability Frameworks contracts.

9. Crime and disorder implications

- 9.1 There are no specific crime and disorder implications arising from this piece of procurement. However, contract compliance measures around safeguarding, assertiveness and anti-bullying initiatives are built into service specifications.

10. Health and wellbeing implications

- 10.1 There are no specific health and well-being implications. Any service transfers involve no change in housing for service users and TUPE requirements mean that service staff in place prior to transfer will transfer to the new provider. This will help to maintain stability for the service user and continuity of staff support around the maintenance of activities and support for health and well-being during any transition.
- 10.2 It will be a requirement of both the existing and new provider to work together to manage any anxiety or worries that service users and their families have about the change of provider users and inform commissioners of any issues that may arise.

11. Social Value implications

- 11.1 The Public Services (Social Value) Act 2012 came into force on 31st January 2013. It is now a legal obligation in certain circumstances for local authorities and other public bodies to consider the social good that could come from the procurement of services before they embark upon it.

- 11.2 Social Value is defined as the additional economic, social and environmental benefits that can be created when Lewisham Council purchases services outside of the organisation.
- 11.3 Lewisham aims to agree social value through commissioning and procurement activities through four objectives:
- Employment, skills and economy
 - Creating a greener Lewisham
 - Training Lewisham’s future
 - Making Lewisham Healthier
- 11.4 The procurement for LDF3 & LDF4 requires providers to detail how they would ensure social value across their contracts and provide the Council with targets covering the 4 objectives listed in 13.3
- 11.5 The providers awarded the contracts for these services under the Framework Agreement will therefore need to ensure that the Borough receives a strong added value offer from performance of these contracts.
- 11.6 Progress against these targets is monitored in line with the Council’s Social Value Policy (2019) framework, and is built into the formal contract management and monitoring processes,
- 11.7 The Council has a stated commitment in its Corporate Strategy (2022-2026) to fair pay as a Living Wage employer and to continue to work with businesses across the borough, encouraging them to become London Living Wage employers. The Framework Agreement has a contractual requirement that providers pay staff the London Living Wage as a minimum. This will also be monitored through the Council’s contract management and monitoring processes.

12. Background papers

- 12.1 The table below sets out the key reports presented to Many and Cabinet regarding this proposal.

Report Title	Date	File Location	Contact Officer
Learning Disability Framework - Request for permission to procure contracts for Supported Living services through call off from the Framework and related contract extensions	6/07/2022	Joint Commissioning Team, 3rd Floor, Laurence House	Joanne Lee
Framework Agreement for Services to Adults with Learning Disabilities – Call off of supported living and registered residential care contracts	09/03/2022	Joint Commissioning Team, 3rd Floor, Laurence House	Joanne Lee Joint Commissioner
COVID related contract extensions	24/03/2021	Joint Commissioning	Heather Hughes,

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		Team, 3rd Floor, Laurence House	Joint Commissioning Lead, Complex Care & Learning Disability
Framework Agreement for Services to Adults with Learning Disabilities - Call off supported living contracts	05/02/2020	Joint Commissioning Team, 3 rd Floor, Laurence House	Tom Bird Joint Commissioner
Framework Agreement for the Provision of Services To Adults With Learning Disabilities 2019-2023 – Stage Two: Appointment to Framework	26/06/2019	Joint Commissioning Team, 3 rd Floor, Laurence House	Tom Bird Joint Commissioner

Glossary

Term	Definition
Framework Agreement	A Framework Agreement provides an overarching agreement with potential suppliers to establish general terms and conditions governing contracts that may be awarded during the life of the Framework. It operates essentially as a list of preferred providers, who have evidenced competence and financial sustainability against a generic service specification at a competitive price.
London Living Wage	means the hourly rate of pay as calculated and published annually by the Greater London Authority taking into account the higher cost of living in London and the rate of inflation
Progression	is part of the Empowering Lewisham service development programme ensuring that people are supported to be as independent as possible in their lives, using targeted learning opportunities and natural supports.
Social Value	is defined as the additional economic, social and environmental benefits that can be created when Lewisham Council purchases services outside of the organisation.
Commissioning/Commissioner	The local council is the commissioner for Adult Social Care. NHS care is commissioned separately by local clinical commissioning groups (CCG). In many areas health and social care Commissioners work together to make sure that the right services are in place for the local population.

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Report author and contact

Tom Bird, Integrated Commissioning Manager Email: tom.bird@lewisham.gov.uk

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

Abdul Kayoum, Strategic Finance Business Partner (Community Services).
Abdul.kayoum@lewisham.gov.uk

Comments for and on behalf of the Director of Law and Corporate Governance

Mia Agnew (Senior Lawyer) mia.agnew@lewisham.gov.uk

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Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input checked="" type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	08/03/23	
Title of Report	Permission to extend the current lead home care provider contracts until 31 August 2023	
Author	Tristan Brice	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	✓	
Legal Comments	✓	
Cabinet Briefing consideration	✓	
EMT consideration	✓	
Agenda Planning Group consideration	✓	

Signed: 
 Cllr Paul Bell- Cabinet Member for Health and Social Care
 Date: 27/02/23

Signed: 
 Tom Brown - Executive Director for Community Services
 Date: 27/02/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	17/10/22
Date submitted to Legal & Finance	16/02/23
Date submitted to Cabinet Members for sign off	27/02/23
Date submitted to Executive Director for sign off	27/02/23



Mayor and Cabinet

Permission to extend the current lead home care provider contracts until 31 August 2023

Date: 08 March 2023

Key decision: Yes.

Class: Part 1

Ward(s) affected: All Wards

Contributors: Executive Director, Community Services, Director of Law, Director of Finance

Outline and recommendations

1.0 Purpose of the report

The purpose of this report is to seek agreement from Mayor and Cabinet to extend the three current Neighbourhood Lead Provider (Home Care) contracts until the 31 August 2023 to enable the current Maximising Wellbeing at Home procurement to conclude and the successful bidders to mobilise their service offer with delivery commencing on the 01 September 2023. This is in line with the Maximising Wellbeing at Home Service Specification requirements.

The five-month delay was due to stress testing the new Service Specification which have further strengthened the reporting element of the Service.

2.0 Recommendation

2.1 This report recommends that Mayor and Cabinet approves extension of the following contracts:

Contract	Estimated annual value	Estimated contract extension value (5 months)
Neighbourhood 1 – shared between Eleanor Nursing and Social Care, Westminster Homecare and Care Outlook	£2,500,000	£1,041,666.67
Neighbourhood 2 – Eleanor Nursing and Social Care	£6,000,000	£2,500,000.00
Neighbourhood 3 – Westminster Homecare	£5,300,000	£2,208,333.33
Neighbourhood 4 – Care Outlook	£3,200,000	£1,333,333.33

3.0 Summary

3.1 On the 09/03/2022, Mayor and Cabinet gave permission to procure 4 Neighbourhood Lead Providers (Maximising Wellbeing at Home) and 5 specialist advice support and training providers to support the four Neighbourhood Lead Providers. The new model will include the following core elements:

- Personalised set of principles through which care is provided
- Embedding the voice of people with lived experience and unpaid carers into the delivery and overview of the service
- Four Lead Neighbourhood Providers of Maximising Wellbeing at Home
- Five specialist advice, support and training providers to support the Lead Neighbourhood Providers
- Embedding the service within the wider Lewisham Community Offer
- A career progression pathway for Wellbeing Workers. This will be embedded in the ICS commitment to working with social care providers to promote workforce development opportunities and career pathways.
- Compliance with UNISON's Ethical Care Charter and a commitment for care workers to receive equivalent pay as band 3 NHS workers (£12.75.per hour at 2021/22 pay scale). This compares to London Living Wage (2021/22) of £11.95.
- A commitment to promote Maximising Wellbeing at Home as a career of choice for Lewisham residents.
- A commitment to embedding the LondonADASS Big Promise within service delivery https://www.youtube.com/watch?v=iZWclGpwfY&list=PLio1_qJY3EazD4z2SCKG_PqUPUhfAfGOYUd

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- A commitment to identifying and nurturing untapped talent within the borough through developing innovative roles delivered through the apprenticeship route <https://lewisham.referrals.selectminds.com/landingpages/apprentice-opportunities-at-lewisham-council-7>
- The procurement process builds on the current delivery model (three Lead Providers of Maximising Wellbeing at Home in the Borough and these contracts have been extended until 31 March 2023).

3.2 The procurement was published on ProContact on 08/09/2022. Applicants were informed that the procurement process was a restricted procedure consisting of two stages:

- Stage 1: SSQ
- Stage 2: ITT and interview

3.3 The new contracts will go live on the 01 September 2023.

4.0 Recommendation

4.1 It is recommended that Mayor and Cabinet approves extension of the following contracts for 5 months:

Contract	Estimated annual value	Estimated contract extension value (5 months)
Neighbourhood 1 – shared between Eleanor Nursing and Social Care, Westminster Homecare and Care Outlook	£2,500,000	£1,041,666.67
Neighbourhood 2 – Eleanor Nursing and Social Care	£6,000,000	£2,500,000.00
Neighbourhood 3 – Westminster Homecare	£5,300,000	£2,208,333.33
Neighbourhood 4 – Care Outlook	£3,200,000	£1,333,333.33

5.0 Policy Context

5.1 The Care Act 2014 had a significant impact on Maximising Wellbeing at Home providers and commissioners and on people who use Maximising Wellbeing at Home services and their carers. The majority of the Care Act came into effect in April 2015 and put a duty on local authorities to promote wellbeing and meet needs (rather than requiring them simply to provide services). It also requires local authorities to assess and offer support to address the needs of carers, independently of the person they care for. This is aligned with a range of other carer-specific policies which emphasise the value of carers, and the importance of enabling them to have ‘a life alongside caring’.

5.2 Under the Act, local authorities have a duty to prevent, delay or reduce the development of people’s social care needs, so far as possible, and to work in an integrated, person-centred way, with all other support agencies including those in the third sector. They also have a duty to provide information and advice for the whole population, not just those who are receiving services that they fund. This means that people funding their own Maximising Wellbeing at Home support are entitled to guidance from the local authority, including on financial matters. The Care Act 2014 also requires local authorities to stimulate and manage their local market to benefit the whole population, not just those in receipt of local authority funded support.

5.3 Engaging people with lived experience is a core element of the Care Act 2014, which states: ‘Local authorities should, where possible, actively promote participation in providing interventions that are co-produced with individuals, families, friends, carers and the community’.

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5.4 The report supports the following Corporate priorities:

- Cleaner and greener
- A strong local economy
- Open Lewisham
- Health and wellbeing

6.0 Background

6.1 In 2015, Lewisham Council adopted a Neighbourhood Care Team Model as part of the wider initiative to establish health and care services on a neighbourhood footprint. With health partners, it worked to establish virtual neighbourhood teams of district nurses and social work staff aligned to GP practices, working with other specialist community health and care services such as the South London and Maudsley NHS Foundation Trust to co-ordinate work at a neighbourhood level. The Council appointed a neighbourhood coordinator for each of the four neighbourhoods to coordinate the partnership. A key part of this vision included building strong relationships with the lead home care providers.

6.2 The Council entered into 2-year contracts (with the option to extend for 1 year) on 01 April 2016 with 4 Home Care providers, one for each of the planned four neighbourhoods. This contract replaced the previous Framework Agreement for Domiciliary Care (2010-2016) which included 18 providers.

6.3 The rationale for the significant consolidation of contracted home care providers was to appoint one Lead Provider per Neighbourhood who would have the capacity and expertise to lead the delivery of home care in that neighbourhood and work closely with the neighbourhood teams. The Service Specification for the Lead Provider contract was developed to enable Adult Social Care and Health to optimise the home care service to individuals in their own home by facilitating integrated working across health and social care, offering a localised and personalised experience and most importantly delivering the outcomes that are important to the Service User.

6.4 Three of the four contracts have been extended until 31 March 2023. The Neighbourhood 1 contract was not extended, due to quality issues. As a result, the Neighbourhood 1 contract was split between the remaining three remaining lead providers based on postcode.

6.5 Throughout its tenure the Home Care Contract has enabled the Council to discharge its responsibilities to provide care to individuals in their own home in an efficient, structured and timely way.

6.6 Adult Social Care Neighbourhood Leads report that there has been an improvement in the provision of Home Care since moving to the Lead Provider model. It has been easier to build relationships with one Lead Provider and ensure that quality concerns are addressed promptly. They have been encouraged by the Provider's willingness to take part in Multi-Disciplinary meetings and pilot new ways of working to benefit their Service Users. Service Users also report benefits from the Neighbourhood Model of Home Care including a more positive experience of service provision and an increase in independence and enhanced quality of life. The re-procurement will build on these foundations.

6.7 Insourcing has been considered and an options appraisal was undertaken in 2019 looking at:

- The re procurement of domiciliary care services via the existing neighbourhood model;
- Transferring services back 'in house' under the existing Adult Social Care management structure; Option A.
- The establishment of a Council owned organisation to deliver domiciliary care services; Option B.

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- 6.7.1 The report concluded that transferring services back ‘in house’ under the existing Adult Social Care management structure (Option A) over a five-year period is estimated to cost £142m, whilst establishing a Council owned organisation to deliver domiciliary care services (Option B) over a five-year period is estimated to cost £118m, compared to delivering the service in its current form (£91m). Both Option A and Option B would also impact on the Councils market shaping duty (Care Act, 2014) to stimulate a diverse range of care and support services to ensure that people and their carers have choice over how their needs are met and that they are able to achieve the things that are important to them. Both Option A and Option B would also be challenging as currently the Council do not employ staff with the necessary knowledge, skills and experience to run such diverse and complex services
- 6.8 The new Home Care model and re-procurement seeks to maximise benefits to the adult social care home care workforce in order to both to recognise their value and also provide real career opportunities and embrace them within our Proud to Care Lewisham family.
- 6.9 In parallel, we will also be growing the Personal Assistant market to enable residents to have greater choice and control.
- 7.0 New model which will go live on the 01 September 2023 – We are Proud to Care**
- 7.1 The new model of care will adopt a personalised set of principles through which care will be provided – all providers and staff delivering the new model of home care will embed the following principles in their approach
<https://www.youtube.com/watch?v=i9yGRuLaUuw> :
- We feel no act of kindness is too small
 - We are a family
 - We give people a voice
 - We are making a difference
 - We care for the most vulnerable people in society
 - We are training and developing the future workforce
- 7.2 Embedding the voice of people with lived experience and unpaid carers into the delivery and overview of the service – successful bidders will be required to meaningfully involve people with lived experience and unpaid carers in their service delivery. This will help to further embed the development and delivery of person centred, outcome focused support planning initiatives.
- 7.3 Four Lead Neighbourhood Providers of Home Care
- 7.3.1 The new model will continue to be embedded within a neighbourhood model. Home Care Workers will be integral members of the neighbourhood teams, working alongside other health and care staff in the neighbourhoods. Neighbourhood Teams will continue to work together to create an integrated health and care service that is focused on the individual to provide a more responsive, person-centred service. Clients will be allocated to the same worker(s) wherever possible. Shared training opportunities will be a key element of this. This will be led by the Proud to Care local Lewisham apprentices
<https://lewisham.referrals.selectminds.com/jobs/proud-to-care-lewisham-local-lead-3009>
- 7.3.2 The Neighbourhood Model will continue to improve communication between organisations, reduce duplication and build a support team around the individual to prevent or delay their need increasing and enable wellbeing, choice and independence. This will result in the right level of care and support in the community for all adults requiring services.
- 7.4 Embedding the service within the wider Lewisham Community Offer – the service will be an equal member of the Lewisham Community Offer and be integrated in the wider transformational change including the Empowering Lewisham work. It is expected that

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the branch offices of each neighbourhood provider will become a hub whereby all health, social care and other relevant organisations working in that neighbourhood can hot desk etc.

- 7.5 A career progression pathway for home care workers. The career progression pathway will be developed in consultation with the home care provider forum and overseen by the Home Care Procurement Reference Group supported by colleagues from Skills for Care. This will draw on the work of the London Adult Social Care Academy which goes live on the 01 April 2022. This will be embedded in the ICS commitment to working with social care providers to promote workforce development opportunities and career pathways.
- 7.6 Compliance with UNISON's ethical care charter. Building on the current contractual arrangements, all bidders will need to demonstrate that they are compliant with the UNISON's ethical care charter stages 1 – 3.
- 7.7 A commitment to promote home care as a career of choice for Lewisham residents. All bidders will be required to work collaboratively to promote home care as a career of choice to Lewisham residents through the Proud to Care Lewisham initiative. This will include:
- Visits to schools and Colleges of Further Education
 - Organising and running recruitment fairs
 - Other innovative evidence-based initiatives
- 7.8 A commitment to embedding the LondonADASS Big Promise within service delivery https://www.youtube.com/watch?v=iZWclcGpwfY&list=PLio1_qJY3EazD4z2SCKGPqUPUhfAfGOYUd.
- 7.9 A commitment to identifying and nurturing untapped talent within the borough through developing innovative roles delivered through the apprenticeship route <https://lewisham.referrals.selectminds.com/landingpages/apprentice-opportunities-at-lewisham-council-7>
- 7.10 Although the new home care model is not being insourced, the model aims to embed Home Care providers within the local economy and for branch offices to become hubs of activity supporting local communities. The neighbourhood model will help reduce travel time and providers will be encouraged to promote the sector as a career of choice amongst local residents.
- 8.0. Financial implications**
- 8.1 The estimated cost to renew the contract for five months is c£7.1m which is based on current activity levels. This is a demand-led service and the estimated cost may vary depending on increases / decreases in demand.
- 8.2 There is sufficient budget provision for financial year 2023-24 and any cost increases can be mitigated by the social care grant.
- 9.0 Legal implications**
- 9.1 As set out in the Part 2 report.
- 10.0 Equalities implications**
- 10.1 The current providers will continue to fulfil their equalities contractual obligations for the extended five months.
- 11.0 Climate change and environmental implications**

11.1 The current providers will continue to fulfil their climate change and environmental contractual obligations for the extended five months.

12.0 Crime and Disorder implications

12.1 There are no specific crime and disorder implications arising from this extension

13.0 Health and wellbeing implications

13.1 The current providers will continue to fulfill their contractual obligations for the extended five months on increasing Service User's independence by giving them more choice and control in arrangements for their care and allowing Care Workers sufficient time to work with Service Users to enable them to regain skills and develop strategies that allow them to remain in their own home.

14.0 Social Value implications

14.1 The current providers will continue to fulfil their Social Value contractual obligations for the extended five months.

15.0 Background Papers

Title of Document	Date	File Location	Contact Officer
Mayor & Cabinet (Contracts) Report: Award of Home Care Services (Lead Provider) Contract	9.12.15	Governance Support	Emma Aye-Kumi
Mayor & Cabinet (Contracts) Report: Provision of Homecare Services (Lead Provider) – Extension of Contract	6.12.17	Governance Support	Emma Aye-Kumi
Mayor & Cabinet (Contracts) Adoption of the Ethical Care Charter	20.9.18	Governance Support	Emma Aye-Kumi
Mayor & Cabinet: Report on Care at Home	21.11.18	Governance Support	Emma Aye-Kumi
Mayor & Cabinet Report: Provision of Homecare Services (Lead Provider) – Extension of Contract	12.12.18	Governance Support	Emma Aye-Kumi
Mayor & Cabinet Report: Provision of Homecare Services (Lead Provider) – Extension of Contract	30.10.19	Governance Support	Emma Aye-Kumi
Mayor & Cabinet Report: Future Home Care Arrangements	11.03.2020	Governance Support	Emma Aye-Kumi
Mayor & Cabinet Report: COVID related contract extensions	24.03.2021	Governance Support	Emma Aye-Kumi
Mayor & Cabinet Report:	09.03.2022	Governance Support	Emma Aye-Kumi

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Report author and contact

16.1 Tristan Brice (Associate Director, Integrated Commissioning Team),
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Agenda Item 8

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input checked="" type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	8/3/23	
Title of Report	Permission to procure and extensions for Mental Health Supported Housing	
Author	Commissioning Manager – supported housing	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	✓	
Legal Comments	✓	
Cabinet Briefing consideration	✓	
EMT consideration	✓	
Agenda Planning Group consideration	✓	

Signed: 
 Cllr Paul Bell- Cabinet Member for Health and Social Care
 Date: 23/02/23

Signed: 
 Tom Brown - Executive Director for Community Services
 Date: 21/02/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	06/01/23
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	17/02/23
Date submitted to Executive Director for sign off	17/02/23



Mayor and Cabinet –

Approval to Procure and award Report

Report title: Mental Health Supported Housing Contract Permissions to Procure and Approval of Extensions

Date: 8 March 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Commissioning Manager Supported Housing

Outline and recommendations

Mayor and Cabinet are recommended to authorise officers to run a procurement for a 15 unit 24 hour supported housing service for people with mental health needs. This will be made up of 2 buildings currently used for 2 separate supported housing contracts. The contract will be for a period of 3 years, with an option to extend for 2 further years, commencing 1st of April 2024. The contract will have a capped yearly cost of £529,000 per year, a 5 year value of £2,645,000.

Mayor and Cabinet are also recommended to extend three supported housing contracts by one year, to give officers time to run good quality open procurements to which the market will be better able to respond. All of these contracts have their last year of permitted extension expiring on April 2024. The contract values for the year are:

- £387,902 for Lewisham Assessment and Recovery Centre.
- £543,899 for Young Persons Specialist Service.
- £854,950 for Honor Lea & Rokeby House.

Timeline of engagement and decision-making	
July – April 2020	Working group established for the Mental Health pathway services
July 2020 – March 2021	Working group made up of Prevention, Inclusion and Public Health Commissioning (PIPHC) Team / South London and Maudsley Trust (SLaM) review of mental health supported accommodation pathway completed. Including market and service user consultations.
6 June 2021	Mayor and Cabinet gave 1) Permission to extend the Equinox Supported Housing Contract to April 2024 and 2) Permission to procure Supported Accommodation and Floating Support services 6 th June 2021.
August 2021	The mental health supported housing 2021 contracts received no viable tenders, resulting in two failed procurements.
8 December 2021	Mayor and Cabinet approve the extension of the Peabody Mental Health contract until March 2024 to give time to run further procurements.
February – March 2022	Project group re-formed to design new mental health supported housing contract Edward Street and Family Action
April – May 2022	Market warming for the new contract
November 2022	Following the award of the mental health supported housing contract Edward Street and Family Action, the working group meets to decide on options for the remaining Mental Health Supported Housing contracts.

1 Summary

- 1.1 Mayor and Cabinet are recommended to authorise officers to run a procurement for a 15 unit 24 hour supported housing service for people with mental health needs. This will be made up of 2 buildings currently used for 2 separate supported housing contracts. The contract will be for a period of 3 years, with an option to extend for 2 further years, commencing 1st of April 2024. The contract will have a capped yearly cost of £529,000 per year, a 5 year value of £2,645,000.

1.2 The two current contracts which make up the new one to be procured are:

Client group	Service description	Current Supplier	Annual Contract Value	Contract end date
Mental Health	8 bed male only 9-9 service	Peabody	£122,774	01/04/2023
Mental Health	45 bed medium support service	Equinox Care	£407,000	02/04/2023

2 Recommendations

Mayor and Cabinet are recommended to:

- 2.1 Authorise officers to run a procurement for a 15 unit 24 hour supported housing service for people with mental health needs. This will be made up of 2 buildings currently used for 2 separate current supported housing contracts. The contract will be for a period of 3 years, with an option to extend for 2 further years, commencing 1st of April 2024. The contract will have a capped yearly cost of £529,000 per year, a 5 year value of £2,645,000.
- 2.2 Approve the subsequent award of contract to the preferred service provider, provided the contract value is within authorised limits set out 2.1.
- 2.3 Delegate authority to the Executive Director for Community Services (in consultation with Director of Law and Corporate Governance) in accordance with the award criteria published in the tender documentation and agree final form of contract.
- 2.4 Delegate the decision to extend the contract within the permitted extensions as set out in this report to the Executive Director for Community Services.
- 2.5 Extend three supported housing contracts by one year, from April 2024 to 31st March 2025 to support subsequent procurements to which the market will be better able to respond. All of these contracts currently expire on 1st April 2024. The contract values for the year are:
 - £387,902 for Lewisham Assessment and Recovery Centre.
 - £543,899 for Young Persons Specialist Service.
 - £854,950 for Honor Lea & Rokeby House

3 Policy Context

- 3.1 The Prevention, Inclusion and Public Health Commissioning (PIPHC) Team's supported housing funding is an important strand in the delivery of many government priorities. It plays a key role in delivering national strategies such as the Reducing Reoffending National Plan, the new National Drugs Strategy, and the National Statement of Expectations for Supported Housing.
- 3.2 The services within this report meet the corporate strategy 2022/25 as follows:
- 3.3 Children and Young People. The supported housing provision procured and monitored by the PIPHC Team contributes to ensuring the most vulnerable children and young people are protected from harm. Supported housing gives options for supporting young people leaving care.
- 3.4 Quality Housing. The recommendations in this report will support improvement of supported housing provision procured and monitored by the PIPHC Team, which gives people with support needs safe, comfortable accommodation that they can be proud of and happy living in. This increases the offer of safe and comfortable accommodation to more of Lewisham's residents.
- 3.5 Safer Communities. The services commissioned by the PIPHC Team work to prevent people entering the criminal justice system, including young people. Supported housing services work as part of the Safer Lewisham Partnership's Public Health approach to youth violence, aiming to reduce knife crime and sexual exploitation.
- 3.6 Health and Wellbeing. Recommendations in this report will support improvement of services commissioned by the PIPHC Team, in particular their work to improve health outcomes through more psychologically informed environments and improved access to health services.

4 Background

- 4.1 PIPHC commissions a range of floating and accommodation based support services to meet the needs of service users who require support to manage and maintain their accommodation.
- 4.2 PIPHC works to align services with the ambitions of Lewisham Council working in partnership with other directorates including, Housing, Adult Social Care and Children's Social Care (CSC) to improve access to supported accommodation and floating support services and to maximize effectiveness and strategic use of these services.
- 4.3 The two current services making up this new contract were last procured via tendering directly from a joint Framework agreement with LB Southwark. This Framework agreement ended in August 2019 and has not been renewed. Both services are joint funded by LB Lewisham and the South East London Integrated

Care Board (ICB). The contract management of both services is carried out by LBL PIPHC.

- 4.4 A working group made up of senior colleagues from PIPHC, South East London ICB, and SLaM met regularly since 2021 to make decisions on the Mental Health Supported Housing Pathway. A broad market consultation and needs analysis were carried out as described in the Mayor and Cabinet report *Supported Housing Permission to Procure* dated 9 June 2021. This has informed the Supported Housing Commissioning in 2021, 2022 and 2023.
- 4.5 Key findings from both the needs analysis and working group were the need for higher levels of both support and cover. There was less need for lower support services and more need for services with 24 hour cover. SLaM need services which can provide medication management support up until 11pm.
- 4.6 The Peabody contract went to market in 2021 as part of a larger new contract. This procurement failed as it received no tenders. On 8 December 2021 Mayor and Cabinet gave permission to extend the Peabody contract by two years to April 2024.
- 4.7 The Equinox contract was extended for two years until April 2024. This contract is made up of a 7 bed building which has a Registered Social Landlord and 32 other units across 6 other buildings which are owned by private landlords. The private landlords would only work with Equinox, so if the contract was to be open procured this would risk losing 32 units. In 2021 PIPHC ran a market warming exercise asking for buildings from landlords willing to be used for supported housing contracts. This market warming produced no suitable buildings. In 2022 PIPHC carried out a desk top review of all the buildings used for Supported Housing Pathway services. The landlords were asked about their appetites for expanding supported housing services in Lewisham. Of the 13 landlords in the funded Supported Housing Pathways only 2 were keen to expand their provision. This understanding of the building market means it is unlikely that the 32 units would be replaced via an open procurement.
- 4.8 In November 2022 the working group met to discuss options for the Peabody and the Equinox contracts.
 - Option 1: Go to market with both contracts in a similar composition. This would retain the number of units but there would be limited room for improvements. The funding package would stay the same and inflationary pressures would likely cause higher bids than the current contract value. Given the landlord arrangements with the 7 privately owned buildings Equinox would likely be the only viable tender for that contract.
 - Option 2: Redesign the contracts to achieve outcomes more aligned with mental health services. By combining the two contracts, both buildings owned by Registered Social Landlords could receive uplifted support contracts by pooling the funding for the two contracts. This would provide 15 high needs Mental Health Supported Housing units. This approach would likely result in the loss of 32 low needs units from the Mental Health Supported Housing Pathway.

- 4.9 The clear recommendation of the working group was for option 2, and officers have proceeded on that basis.

5 Procurement Approach

- 5.1 The recommended length of the new mental health contract will be an initial 3 years with the option to extend by a further 2 years. The value of the contract will be capped at £529,000 per year.
- 5.4 The proposed procurement route is an open tender process.
- 5.5 Officers from SLaM and the South East London ICB will be invited to sit on the evaluation panel, to help ensure quality is assessed from their expert perspective.
- 5.6 PIPHC will aim to recruit and train a service user to sit on the evaluation panel for assessment of tenders from a perspective of lived experience. The PIPHC service user involvement Officer will lead on this work.
- 5.7 The service specification has been designed based on a full needs assessment and consultation with service users, the provider market, and stakeholders in 2021. In addition the service specification has been further remodeled in 2022 by a working group with representation from the South East London ICB and SLaM. For details on needs assessment and consultations please see the report *Supported Housing Permission to Procure MC 9 6 21*, attached in background papers.
- 5.8 In February 2023 officers carried out a market warming event over Microsoft Teams. During this event officers presented the service specification, answered questions on the procurement and gauged interest.
- 5.9 Opportunity to view the two buildings will be given to all tendering organisations during the tender stage. LBL officers will facilitate these viewings.
- 5.10 Officers would look to issue the tender on the 'ProContract' portal at the start of April 2023, and the tender would close at the end of May 2023. The moderation panel is booked for June 2023. The contract will be awarded in August 2023, with the new service launched in April 2024.

6 Contract extensions

- 6.1 There are three other Supported Housing contracts due to come to an end in April 2024:
- Lewisham Assessment and Recovery Centre. This contract is held by St Mungo's and has a yearly value of £387,902. This service provides assessment and supported housing in a 24 hour staffed setting for adults with complex needs.

Key Decision

- Young Persons Specialist Service. This contract is held by SHP and has a yearly value of £543,899. The service provides supported housing for Care Leavers and homeless young people, including 16 and 17 year olds. The provision is a mixed level of support across 5 buildings.
 - Honor Lea & Rokeby House. This contract is held by One Housing and has a yearly value of £854,950. This service provides assessment and supported housing in two 24 hour staffed buildings for adults with serious and enduring mental health needs.
- 6.2 PIPHC ran five procurements in 2021, two of these failed due to lack of tenders. In 2022 officers consulted with the market to better understand why tenders were not received. A common reason was there being too many contracts to apply for in a single period. The market of supported housing providers is specialist and limited. Providers have limited capacity to apply for tenders and are forced to choose which to apply for when many come to market at the same time. By asking the market to respond to two instead of five contracts the chances of receiving good quality tenders are increased. No supported housing contract commissioned by PIPHC come to an end in 2025, so the market can be presented with two Lewisham contract in 2023 and three in 2024, this is more likely to be manageable for the market.
- 6.3 Officers are seeking permission to extend all three contracts by one year, from April 2024 to April 2025.

7 Financial implications

- 7.1 The new contract will have maximum annual cost capped at £529,000 pa which is in line with the current joint funding arrangements for the two existing contracts with Peabody and Equinox Care. The contact is a joint funding arrangement between London Borough of Lewisham and the South East London Integrated Care Board (ICB).
- 7.2 The new annual contract cost will be funded from a combination of £364,817 from the existing General Fund budgets for Supported Housing and an annual contribution of £165,029 from the ICB which it is proposed will be incorporated into the annual S256 agreement. The amount currently contributed to the existing contracts by the ICB of £165,029 is paid directly to Equinox Care.
- 7.3 Overall costs for the procurement will be capped at the overall existing contract level of £529k pa but will potentially contribute to service savings required as part of the councils Medium Term Financial Strategy.

8 Legal implications

Approval to Procure

- 8.1 The report seeks approval to procure a provider for the Mental Health Supported Housing Contract. Given the potential spend on this contract this would be categorised by Contract Procedure Rules as a “Category A” contract. The report sets out the other options considered and explains why this is the recommended option.
- 8.2 Assuming that Mayor and Cabinet accepts the recommendation to procure a provider, the Contract Procedure Rules (“CPR”) place requirements on how that should happen. The CPR require that when letting contracts steps must be taken to secure value for money through a combination of cost, quality and competition, and that competitive tenders or quotations must be sought depending on the size and nature of the contract (Rule 5). The requirements of the CPR would be satisfied by use of an open tender procedure. As a Category A contract, it would be for Mayor and Cabinet to take a decision on the award of any contract. Given the potential spend on this contract the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc) (EU Exit) Regulations (“the Regulations”) will apply.

Approval to Award

- 8.3 This report proposes that Mayor and Cabinet approve the award of a contract for Mental Health Supported Housing Contract. This report further proposes that Mayor and Cabinet instruct the Executive Director for Community Services (in consultation with Director of Law and Corporate Governance and the relevant portfolio holder) to give effect to this decision by applying the selection criteria to determine and enter into contract with the preferred contractor.
- 8.4 The decision to award the contract contained in this report is a Key Decision under the Constitution as it has a value of more than £700,000. It is therefore required to be contained in the current Key Decision Plan and the Council’s Key Decision procedure must be followed.
- 8.5 Provided that the final contract value is within authorised limits set out in this report and the preferred service provider is selected in accordance with the selection criteria published in the tender documentation, then the selection by Executive Director for Community Services of the preferred service provider in accordance with Mayor and Cabinet’s direction will not be a Key Decision. For audit purposes a written record should be kept setting out how the selection process has been applied and the preferred contractor selected, and officers from Legal Services should be consulted as necessary throughout the selection and award process.

Extension of contracts

- 8.6 This report also recommends to extend three contracts by a further 12 months beyond their original contract terms. Some variations to existing contracts may trigger a requirement to undertake a new competitive tender process. The Council's Contract Procedure Rules set out which variations can be made without a new competitive process (Constitution Part IV I, paragraph 17 of Contract Procedure Rules). This report explains why the extensions to the contracts for a further year are proposed.

Contract Procedure Rules say that where a contract variation is 'not substantial', the variation can be made (paragraph 17.5). The definition of 'substantial' takes into account matters including the nature and size of the proposed change relative to the original contract, and the likely market effect of the change (including the change to the scope and economic balance of the contract). There is a reasonable argument that the proposed extension is not substantial. As such, the variation does not trigger a requirement to undertake a new procurement. On that basis, therefore, the proposed changes are allowable under the Council's Contract Procedure Rules paragraph 17.

The decision to extend the contract with One Housing for provision of services at Honor Lea & Rokeby House is a Key Decision under the Constitution as it has a value of more than £700,000. It is therefore required to be contained in the current Key Decision Plan and the Council's Key Decision procedure must be followed.

9 Equalities implications

- 9.1 The service is required to abide by equality legislation. The service specification for the varied service will focus on reducing barriers to accessing accommodation and support for all underrepresented groups in line with the Equality Act 2010, and have considered the potential impact on all of the nine protected characteristics.
- 9.2 The Council's Equalities objectives are addressed in the contract documentation.

10 Climate change and environmental implications

- 10.1 The Council's Environmental objectives are addressed in the contract documentation.

11 Crime and disorder implications

- 11.1 The supported housing service detailed in this report relates to the provision of specialist accommodation based support services for vulnerable Lewisham

residents. This will therefore make an important contribution to the work of the Safer Lewisham Partnership and link in directly with the Safer, Stronger Communities outcome to 'minimise harm caused by homelessness and rough sleeping'.

12 Health and wellbeing implications

- 12.1 The supported housing service detailed in this report relates to the provision of specialist accommodation based support services for vulnerable Lewisham residents. This will therefore make an important contribution to the work of the Safer Lewisham Partnership and link in directly with the Safer, Stronger Communities outcome to 'minimise harm caused by homelessness and rough sleeping.
- 12.2 The varied service will have a positive impact on social, economic and environmental living conditions that indirectly affect health by providing good quality accommodation with support to address health issues early on and to ensure wrap around services are in place.

13 Background Papers

- 13.1 [Supported Housing Permission to Procure MC 9 6 21](#)

14 Report author and contact

- 14.1 *Jonathan Scarth, Commissioning Manager, Prevention and Inclusion Team*
- 14.2 Jonathan.scarth@lewisham.gov.uk

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	8/3/23	
Title of Report	Permission to procure Supported Housing for care leavers	
Author	Commissioning Manager – supported housing	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	✓	
Legal Comments	✓	
Cabinet Briefing consideration	✓	
EMT consideration	✓	
Agenda Planning Group consideration	✓	

Signed: 
 Cllr Paul Bell- Cabinet Member for Health and Social Care
 Date: 23/02/23

Signed: 
 Tom Brown - Executive Director for Community Services
 Date: 21/02/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	06/01/23
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	17/02/23
Date submitted to Executive Director for sign off	17/02/23



Mayor and Cabinet – Approval to Procure and Award Report

Report title: Young Persons Accommodation Based Pathway Care Leavers Approval to Procure and award Report

Date: 8 March 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Commissioning Manager (Supported Housing)

Outline and recommendations

Mayor and Cabinet are recommended to authorise officers to run a procurement for ten to twenty units of supported housing across one or two buildings for Care Leavers.

Tenders will be asked to bring suitable buildings which will be used for the support contract.

The contract will be funded from Leaving Care budgets as part of a spend to save business case saving on semi-independent accommodation.

The contract will be for a period of three years, with an option to extend for two further years, commencing on 1st September 2023, with the estimated contract value of £250,000 to £380,000 per annum, and total contract value of up to £1,140,000 over the three-year contract period

Timeline of engagement and decision-making

2021 – Officers in the Children and Young People’s Directorate (CYP) carry out an assessment of semi-independent accommodation and propose an expansion of the Young Persons Supported Housing Pathway by twenty units.

February 2021 - Expressions of Interest for new buildings advertised via the London Portal

January to April 2021 – The Young Persons Supported Housing Pathway is expanded by nine units via a contract variation.

August 2022 – Desktop review of pathway buildings

1. Summary

- 1.1. This report describes the context and rationale for expansion of the Young Persons Supported Housing Pathway, and seeks authorisation for officers to undertake an open tender process to procure an additional 10 to 20 units, at a maximum cost of £1,900,000 for a 5 year period.

2. Recommendations

Mayor and Cabinet are recommended to:

- 2.1 Authorise officers to undertake a restricted tender procedure to procure 10 to 20 units of supported housing, including the support service, across 1 or 2 buildings for Care Leavers. The contract length would be an initial period of 3 years with the option to extend by a further 2 years. A value range will be published of £250,000 to £380,000 per year. A maximum value of £1,900,000 if the extension is utilised.
- 2.2 Approve the subsequent award of contract to the preferred service provider, provided the contract value is within authorised limits set out 2.1.
- 2.3 Delegate authority to the Executive Director for Community Services (in consultation with Director of Law and Corporate Governance and the Executive Director for Children and Young People) to select the preferred service provider in accordance with the award criteria published in the tender documentation and agree final form of contract.
- 2.4 Delegate the decision to extend the contract using the permitted extensions set out in this report to the Executive Director for Community Services.

3. Policy Context

- 3.1 Supported Housing is an important strand in the delivery of many government priorities. It plays a key role in delivering national strategies such as the Reducing Reoffending National Plan, the new National Drugs Strategy, and the National Statement of Expectations for Supported Housing.
- 3.2 The services within this report meet the corporate strategy 2022/25 as follows:
- 3.3 Children and Young People. The supported housing provision procured and monitored by the Prevention, inclusion and Public Health Commissioning (PIPHC) team

contributes to ensuring the most vulnerable children and young people are protected from harm. Supported housing gives options for supporting young people leaving care.

- 3.4 **Quality Housing.** The recommendations in this report will support improvement of supported housing provision procured and monitored by the PIPHC Team, which gives people with support needs safe, comfortable accommodation that they can be proud of and happy living in. This increases the offer of safe and comfortable accommodation to more of Lewisham's residents.
- 3.5 **Safer Communities.** The services commissioned by the PIPHC Team work to prevent people entering the criminal justice system, including young people. Supported housing services work as part of the Safer Lewisham Partnership's Public Health approach to youth violence, aiming to reduce knife crime and sexual exploitation.
- 3.6 **Health and Wellbeing.** Recommendations in this report will support improvement of services commissioned by the PIPHC Team, in particular their work to improve health outcomes through supporting young people holistically with the wider determinants of health, through the provision of psychologically informed environments and through improved access to health services.

4. Background

- 4.1 PIPHC commissions a range of floating and accommodation based support services to meet the needs of service users who require support to manage and maintain their accommodation.
- 4.2 PIPHC works to align services with the ambitions of Lewisham Council working in partnership with other directorates including Children's Social Care (CSC) to improve access to supported accommodation and floating support services and to maximize effectiveness and strategic use of these services.
- 4.3 In 2021 Lewisham an assessment was undertaken of spend on Semi Independent Accommodation (SIL) for Care Leavers. On average the spend per week was £1,106 per person. The average spend for each unit in the Lewisham Young Persons Supported Housing Pathway is £240 per week. A difference of £866 per week per unit.
- 4.4 Based on this assessment the Executive Director for Children and Young People agreed a business case to increase the Young Persons Supported Housing Pathway by 20 units. In 2022 the Prevention, Inclusion and Public Health Commissioning Team expanded a contract in the Supported Housing Pathway by a 9 bed building. This left a mandate to find an additional 11 units of supported housing for Care Leavers.
- 4.5 Officers will go to the market to ask for tenders for a support contract with minimum single night concierge cover so there is staff present 24 hours a day. This is to meet the requirements of support set by CYP.
- 4.6 Tenders will be required to provide buildings to be used for this contract. Officers cannot determine the number of units in these buildings before receiving the tenders. A range of units of 10 to 20 will be asked for to account for the type of buildings which may be available. The providers will be asked to take on the building management responsibilities and will be assessed on competence to do so.
- 4.7 The contract will be funded from Leaving Care budgets as part of a spend to save business case saving on Semi-Independent Accommodation.

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5. Buildings for Contract

- 5.1 In 2021 PIPHC ran a market warming exercise asking for buildings from landlords to be used for supported housing contracts. This market warming produced no suitable buildings.
- 5.2 Earlier in 2022 PIPHC carried out a desk top review of all the buildings used for Supported Housing Pathway services. One of the questions the landlords were asked was their appetites for expanding supported housing services in Lewisham. Of the 13 landlords in the funded pathway only 2 were keen to expand their provision in supported housing. All of the other landlords were happy to maintain the provision they had. Most landlords working in the area are happy to explore changes to the support contract which is carried out in their buildings.
- 5.3 PIPHC has not, in recent years, gone to the market with a new support contract without buildings already in place to use for that contract. This procurement will help to understand what the market can offer when responding to this form of procurement. To improve the chances of success the procurement will include the option for landlords to change the use of buildings already used for other supported housing.
- 5.4 Many of the supported housing providers which hold contracts in Lewisham are not able to operate as Landlords. By going to market without buildings already in place that market will be limited to only those providers who can operate as both landlord and support provider, and who have appropriate buildings to use in the borough. To try to increase response the procurement would accept partnership bids between a landlord and support provider.

6. Procurement Approach

- 6.1 The recommended length of the contract will be an initial 3 years with the option to extend by a further 2 years. The contract value will be largely determined by what buildings are put forward for the use. Staffing costs make up the majority of supported housing contract costs, if the service is spread over more buildings the cost will be higher. If there are more units the cost will likely be higher.
- 6.2 The current young persons supported housing contracts give some indication of the likely contract value.

Type of service	Number of Units	Unit Cost per week	Yearly Value
24 Hour Assessment Centre	25	£272.39	£ 354,113.00
Mix of 24 Hour and Medium Support Buildings	46	£227.38	£ 543,899.00
Mix of 9 to 5 cover and visiting support	24	£208.48	£ 260,182.00

- 6.3 Asking the market to provide buildings will make this tender process more complex. To improve the chance of receiving quality tenders and to keep a cap on price it is recommended that a pricing range be published for the contract. The range would be £250,000 per year to £380,000 per year.
- 6.4 The proposed procurement route is a restricted tender following public advertisement.
- 6.5 Quality will be assessed based on both ability to provide the support contract, and the condition of the buildings. Viewings and assessment of the buildings by officers will

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form part of the evaluation.

- 6.6 Officers from Lewisham CYP will be invited to sit on the evaluation panel, to help ensure quality is assessed from that expert perspective.
- 6.7 PIPHC will aim to recruit and train a service user to sit on the evaluation panel for assessment of tenders from a perspective of lived experience.
- 6.8 Officers would look to issue the tender on the 'ProContract' portal at the end of March 2023, and the tender would close in May 2023. The moderation panel is booked for the end of May 2023. The contract will be awarded at the start of July 2023, with the new service launched in November 2023.

7. Financial implications

7.1 The procurement is estimated at maximum of £380k per year, a total of £1.14m for three years. Compared to an average cost of £1,106 per week per unit for a semi-independent accommodation, this proposal is expected to save circa £0.6m in the three year of the contract at an occupancy rate of 10 units (breaking even at 7 units), £1.6m for 16 units and £2.3m for 20 units – as per the analysis in the table below.

Realistically, all units cannot be occupied all the time, but they will incur cost. As such, a full-time occupancy of ten units is deemed reasonable.

The service has advised that all revenue costs remain the responsibility of the provider as part of a reclaim of housing benefit reimbursements. The service has confirmed that there will be no additional pressure on the general fund as a consequence of this procurement process. There is further assurance provided by the service that similar housing models are currently in place within Lewisham and do not general additional costs to the general fund.

		Proposed - cost @ 16 units	Current Avg cost @£1,106/wk per unit	Estimated saving due to the proposal	Current Avg cost @£1,106/wk per unit	Estimated saving due to the proposal	Current Avg cost @£1,106/wk per unit	Estimated saving due to the proposal	Current Avg cost @£1,106/wk per unit	Estimated saving due to the proposal
		Units	Units		Units		Units		Units	
Months	Financial year	16	16		7		10		20	
7	23/24	£221,667	£536,779	£315,112	£234,841	£13,174	£335,487	£113,820	£670,973	£449,307
12	24/25	£380,000	£920,192	£540,192	£402,584	£22,584	£575,120	£195,120	£1,150,240	£770,240
12	25/26	£380,000	£920,192	£540,192	£402,584	£22,584	£575,120	£195,120	£1,150,240	£770,240
5	26/27	£158,333	£383,413	£225,080	£167,743	£9,410	£239,633	£81,300	£479,267	£320,933
	Total	£1,140,000	£2,760,576	£1,620,576	£1,207,752	£67,752	£1,725,360	£585,360	£3,450,720	£2,310,720

- 7.2 In terms of the impact on the general fund, moving each child that is currently in a semi-independent accommodation to the proposed pathway will result in a reduction in cost by £650 per week. However, for each new child entering the system, who would otherwise be placed in a semi-independent accommodation, this will be a cost avoidance £650 per week. For both types, existing and a new placement, this will positively contribute towards the overall general fund position.

8. Legal implications

8.1 Approval to Procure

The report seeks approval to procure an external service provider for the provision of supported housing for care leavers. Given the potential spend on this contract (at a length of up to a maximum of 5 years) this contract would be categorised by Contract Procedure Rules as a “Category A” contract. The report sets out the other options considered and explains why this is the recommended option.

Assuming that Mayor and Cabinet accepts the recommendation to procure a service provider, the Contract Procedure Rules (“CPR”) place requirements on how that should happen. The CPR require that when letting contracts steps must be taken to secure value for money through a combination of cost, quality and competition, and that competitive tenders or quotations must be sought depending on the size and nature of the contract (Rule 5). The requirements of the CPR would be satisfied by use of a restricted procurement. As a Category A contract, it would be for Mayor and Cabinet to take a decision on the award of any contract. Given the potential spend on this contract the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc) (EU Exit) Regulations (“the Regulations”) will apply.

8.2 Approval to Award

This report proposes that Mayor and Cabinet approve the award of a contract for the provision of supported housing for care leavers. This report further proposes that Mayor and Cabinet instruct the Executive Director for Community Services in consultation with the Executive Director for Children and Young People and the Director of Law and Corporate Governance to give effect to this decision by applying the selection criteria to determine and enter into contract with the preferred service provider.

The decision to award the contract contained in this report is a Key Decision under the Constitution as it has a value of more than £700,000. It is therefore required to be contained in the current Key Decision Plan and the Council’s Key Decision procedure must be followed.

Provided that the final contract value is within authorised limits set out in the report and the preferred service provider is selected in accordance with the selection criteria published in the tender documentation, then the selection by Executive Director for Community Services of the preferred service provider in accordance with Mayor and Cabinet’s direction will not be a Key Decision. For audit purposes a written record should be kept setting out how the selection process has been applied and the preferred service provider selected, and officers from Legal Services should be consulted as necessary throughout the selection and award process.

9. Equalities implications

- 9.1 The service is required to abide by equality legislation. The service specification for the varied service will focus on reducing barriers to accessing accommodation and support for all underrepresented groups in line with the Equality Act 2010, and have considered

the potential impact on all of the nine protected characteristics.

9.2 The Council's Equalities objectives are addressed in the contract documentation.

10. Climate change and environmental implications

10.1 The Council's Environmental objectives are addressed in the contract documentation.

11. Crime and disorder implications

11.1 The supported housing service detailed in this report relates to the provision of specialist accommodation based support services for vulnerable Lewisham residents. This will therefore make an important contribution to the work of the Safer Lewisham Partnership and link in directly with the Safer, Stronger Communities outcome to 'minimise harm caused by homelessness and rough sleeping'.

12. Health and wellbeing implications

12.1 The supported housing service detailed in this report relates to the provision of specialist accommodation based support services for vulnerable Lewisham residents. This will therefore make an important contribution to the work of the Safer Lewisham Partnership and link in directly with the Safer, Stronger Communities outcome to 'minimise harm caused by homelessness and rough sleeping'.

12.2 The varied service will have a positive impact on social, economic and environmental living conditions that indirectly affect health by providing good quality accommodation with support to address health issues early on and to ensure wrap around services are in place.

13. Report author and contact

13.1 *Jonathan Scarth, Commissioning Manager, Prevention and Inclusion Team*

13.2 Jonathan.scarth@lewisham.gov.uk

Agenda Item 10

Chief Officer Confirmation of Report Submission	
Cabinet Member Confirmation of Briefing	
Report for: Mayor	<input type="checkbox"/>
Mayor and Cabinet	<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)	<input type="checkbox"/>
Executive Director	<input type="checkbox"/>
Information <input type="checkbox"/> Part 1 <input checked="" type="checkbox"/> Part 2 <input checked="" type="checkbox"/> Key Decision <input checked="" type="checkbox"/>	

Date of Meeting	08/03/2023	
Title of Report	Housing Acquisition Programme for homeless households	
Originator of Report	Fenella Beckman, Director of Housing Services	Ext.

At the time of submission for the Agenda, I confirm that the report has:-

Category	Yes	No
Financial Comments from Exec Director for Resources	X	
Legal Comments from the Head of Law	X	
Crime & Disorder Implications	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework	X	
Risk Assessment Comments (as appropriate)		X
Reason for Urgency (as appropriate)		X

Signed: 
 Date:



Signed: 
 Date: 23.02.2023

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	



Mayor and Cabinet

Housing acquisition programme for homeless households

Date: 08 March 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Fenella Beckman, Director of Housing Services / Patrick Dubeck, Director of Inclusive Regeneration.

Outline and recommendations

It is recommended that Mayor and Cabinet:-

- Delegate authority to the Executive Director of Housing Regeneration and Public Realm to purchase up to 300 homes from the open market for the benefit of homeless households, up to a maximum of £600,000 per property, provided that the total acquisition costs do not exceed the total budget envelope for the scheme as set out in the Part 2 Report.
- Approve the use and acceptance of GLA and other grant funding that facilitates the programme's successful delivery. and delegate authority to Executive Director of Housing Regeneration and Public Realm in consultation with the Director of Law and Corporate Governance to approve and enter into such agreements and ancillary documentation as may be required to utilise such grant funding.
- Approve the procurement of an external partner(s) to provide refurbishment, maintenance and housing management services for the 300 properties, and to approve the award of such contract provided it is in within the financial limits set out in the Part 2 Report, noting that the Executive Director for Housing, Regeneration and Public Realm will be responsible for selecting the preferred contractor in accordance with the selection criteria published in the tender documentation and agree the final form contract. Delegate to the Executive Director for Housing, Regeneration and Public Realm the authority to extend the term of the contract beyond its initial term, provided such extension is in accordance with the provisions of the contract.

Timeline of engagement and decision-making

17 November 2022	Housing Select Committee review of Accommodation Procurement Strategy
7 December 2022	Mayor & Cabinet approve Accommodation Procurement Strategy

1. Summary

- 1.1. This report seeks to gain authority Mayor and Cabinet to bulk-purchase 300 properties of accommodation. This accommodation will be used to house homeless households. The properties will provide much needed, good quality accommodation in and close to the borough, which will be owned by the Council and will benefit from the income received as well as from the saving on expensive nightly paid temporary accommodation.
- 1.2. The report outlines four options, where option 3 is preferred. Option 3 details purchasing the buildings using the councils existing Right to Buyback programme resources. All financial parameters are set out in the Part 2 report.
- 1.3. The report also seeks approval for the council to that the council procure an external partner to provide refurbishment, maintenance, management and responsive repairs services for the 300 properties.

2. Recommendations

- 2.1. Delegate authority to the Executive Director of Housing Regeneration and Public Realm to purchase up to 300 homes from the open market for the benefit of homeless households, up to a maximum of £600,000 per property, provided that the total acquisition costs do not exceed the total budget envelope for the scheme as set out in the Part 2 Report.
- 2.2. Approve the use and acceptance of GLA and other grant funding that facilitates the programme's successful delivery. and delegate authority to Executive Director of Housing Regeneration and Public Realm in consultation with the Director of Law and Corporate Governance to approve and enter into such agreements and ancillary documentation as may be required to utilise such grant funding.
- 2.3. Approve the procurement of an external partner(s) to provide refurbishment, maintenance and housing management services for the 300 properties, and to approve the award of such contract provided it is in within the financial limits set out in the Part 2 Report, noting that the Executive Director for Housing, Regeneration and Public Realm will be responsible for selecting the preferred contractor in accordance with the selection criteria published in the tender documentation and agree the final form contract. Delegate to the Executive Director for Housing, Regeneration and Public Realm the authority to extend the term of the contract beyond its initial term, provided such extension is in accordance with the provisions of the contract.

3. Policy Context

- 3.1. The contents of this report supports the aims and objectives the councils Corporate Strategy 2022-26: Quality Housing - to provide as many people as possible with safe, comfortable accommodation that they can be proud of and happy living in, and holding landlords to account.

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- 3.2. The contents of this report support the achievement of the following Housing Strategy 2020-26 objectives: *Preventing Homelessness and meeting housing need*
- 3.3. This proposal is also consistent with the ambitions set out in Lewisham’s Homelessness Strategy, including: *Increasing the supply of high quality temporary accommodation.*
- 3.4. This proposal is also consistent with the ambitions set out in Lewisham’s Accommodation Procurement Strategy.

4. Background

- 4.1. In December 2022 Mayor and Cabinet approved the councils new Accommodation Procurement Strategy, which sets out an action plan for meeting demand procurement activities that will be followed to sourcing properties, both for temporary accommodation and/or for discharge of duty.
- 4.2. There has been a substantial change in demand for homelessness assistance. In September 2015 the council was accommodating 1,741 households in temporary accommodation. As at January 2023 the council was accommodating approximately 2,780 households in temporary accommodation.
- 4.3. As part of the wider strategy on how to increase the Council’s temporary accommodation and Discharge of Duty stock to meet demand from homeless households, and reduce overall costs to the general fund, it is proposed that the council bulk-purchase 300 properties of accommodation using existing Right to Buyback programme resources.
- 4.4. Together, these will provide much needed, good quality accommodation, which will be owned by the Council and will benefit from the income received as well as from the saving on expensive subsidies currently paid for households in temporary accommodation.

5. Housing Context

- 5.1. There has been a substantial change in demand for homelessness assistance in Lewisham over the last 10 years, with 3,649 households approaching the council for homelessness assistance in 2021/22.
- 5.2. Since April 2011 there has been a circa 300% increase in the number of households in temporary accommodation arranged by Lewisham, with 2,780 households in temporary accommodation at January 2023. Based on the net number of people entering and leaving temporary accommodation per year, we estimate an additional 200-240 households will require temporary accommodation during 2023/24.
- 5.3. Lewisham has seen a significant increase in the number of people in housing need. Table 1 sets out the most common reasons for applicants’ loss of their last settled home:

Table 1 – Most common reasons for loss of settled home by year

Most common reasons for loss of settled home	18-19	19-20	20-21	21-22	22-23 (YTD)
Family no longer willing or able to accommodate	645	699	1055	934	526
End of private rented tenancy – assured shorthold tenancy	681	463	315	555	466
Domestic abuse	118	154	229	291	218

5.4. These are primarily:

- **Family / Friends Eviction** – People approaching the Council for assistance due to exclusion from ‘family and friends’ continues to constitute the major cause of homelessness, rising from 32% of all acceptances in 2019/20 to 37% in 2021/22. Generally, family exclusions occur when adult children remain in the family home and as a result the household becomes overcrowded. The Council’s means to prevent this cause of homelessness are generally limited to an offer of private rented accommodation or rehousing through the Allocations Scheme.
- **Private sector evictions** – Both the economic downturn in the last year and changing housing market are resulting in an increasing percentage of private landlords choosing to increase their rent in line with market prices or choosing to no longer rent out their properties, resulting in them disposing of the properties. Many landlords report that they intend to sell their properties due to reduced cash flow caused by higher interest rates. Additionally, many landlords took the opportunity of the strong sales market during 2021, supported by the Stamp Duty holidays, to sell their properties. In 2019/20, eviction from a private rented AST accounted for 19% of all acceptances. This has since grown to 26% in 2022/23 (year to date).
- **Fleeing violence / harassment** – There has been a national increase in the number of domestic violence and harassment cases reported leading to significantly higher levels of those fleeing their homes and seeking alternative secure accommodation. This accounted for 7% of all acceptances in 2019/20 which has increased to 18% in 2022/23 (year to date).

5.5. The table below provides an overview of the scale of the need, where 2 and 3 bed properties are most in demand.

Table 2 – Number of households on register and in TA by bedroom tape (April 2022)

Bedroom need	Housing Register (Apr 2022)	Of those, no. in TA (Apr 2022)
1 bed need	1863	182
2 bed need	3532	1261
3 bed need	3321	632
4 bed need	1033	163
5 beds+ need	532	49
Total	10,281	2,287

5.6. Wider market changes have significantly impacted council’s ability to find affordable temporary and private sector accommodation, as procuring properties within LHA rates locally has become increasingly difficult. As can be observed in table 3, the average Local Housing Allowance (LHA) level compared with rents in Lewisham can mean that there is very little that would provide affordable accommodation, or accommodation that would not leave households with very little additional money once housing costs are considered. In the one year to Q1 2022 only 8.8% of all properties listed for rent across London were affordable on LHA. Properties are therefore judged to be not affordable and consequently cannot be used to discharge duty by the local authority. This is resulting in more households remaining in temporary accommodation for longer.

5.7. The Council's Accommodation Supply Team procured 162 PRS properties for move-on between April 22 – January 2023, down from 239 over the same period in 2021/22. Across London, the number of properties listed to rent in the first quarter of 2022 was 35% lower than the pre-COVID quarterly average.

Table 3 – Average weekly rent and applicable Local Housing Allowance (LHA) rates

Bedrooms	Inner Southeast London		Outer Southeast London	
	Average rent	LHA	Average rent	LHA
1 room (shared facilities)	£178.85	£118.87	£129.81	£140.19
1 room (self-contained)	£242.31	£264.66	£183.64	£140.19
2 rooms	£370.20	£310.68	£245.20	£171.34
3 rooms	£447.50	£385.48	£300.00	£206.66
4 rooms	£571.15	£506.30	£346.16	£270.00
5 rooms	£622.50	£506.30	£415.39	£353.08

- 5.8. The housing market is also becoming increasingly competitive between local authorities in London. Lewisham is currently the most affordable London borough based on the proportion of 2 and 3 bed listings at or below LHA rate within the last 2 years. This is attracting procurement activity from other boroughs and organisations such as the Home Office and Ministry of Justice and provider/third sector organisations, who are able to access housing without being subject to pan-London local authority rent cap agreements.
- 5.9. The Councils house building programme is targeted to deliver a total of 2,000 new social homes between 2018 and 2026. Despite this, the supply of social housing in Lewisham cannot keep pace with demand for it. The number of social housing properties available for letting has been steadily decreasing, with the number of social lets made by the council decreasing by 51% since 2015. In the 21/22 financial year we achieved 1,017 social housing lets, compared to 10,281 households on the housing register. Of these, just 196 were allocated to homeless households. It is therefore likely that many of those currently in temporary accommodation or on the housing register will never move into social housing. The council has become heavily reliant on the private rented sector to move households out of temporary accommodation. The table below shows the number of social lets made to homeless households since 2015.

Table 4 - Social lets made to homeless households by year

Year	Social lets to homeless households
2015	408
2016	594
2017	387
2018	404
2019	528
2020	426
2021	204
2022	196

- 5.10. The number of households successfully prevented from becoming homeless peaked in 2020, however we have observed a decrease in successful negotiation or mediation to prevent an eviction. This is likely a knock-on effect of the market changes. This fall in supply also means that of the households that do enter temporary accommodation, we are not moving households out of temporary accommodation at an equal rate. This has caused the overall number of people in TA to increase, which has risen to 2,780 currently compared to around 2,000 in 2020. Without enhanced access to move-on accommodation, we cannot support households to move out of TA and to reduce our overall pressures.

- 5.11. The result is more households staying longer in TA to await move on, to an increasingly limited supply of settled accommodation. The average length of stay in TA has almost tripled since 2015; this is driving up the cost of temporary accommodation. As a result, we are faced with a need for longer-term, LHA affordable temporary accommodation by a growing number of people.

Table 5 - Average number of days in temporary accommodation by year

Year	Average Days in TA
2015	272
2016	276
2017	301
2018	359
2019	379
2020	381
2021	472
2022	611
2023	718

- 5.12. Households with specific needs are often accommodated for long periods of time in insecure, expensive accommodation whilst the council sources a property that is suitable for the household. As of November 2022, there were 77 households on the housing register who require a home that is wheelchair accessible and 186 households who require an adapted property to meet their needs. The council is also facing a growing need for properties that accept pets. Whilst temporary accommodation meets the needs of the household in the short-term, the length of time that households have to remain in such accommodation can often have a detrimental impact.

Increasing cost to LBL

- 5.13. The provision of the temporary accommodation is currently the highest spending area of the Housing Services directorate. Based on the net number of people entering and leaving temporary accommodation per year, we estimate that with no change in current practices the number of households in temporary accommodation will continue to grow.
- 5.14. Housing Benefit rules require that the Council can only charge a rent equal to 90% of the Local Housing Allowance rate for 2011 to the tenants. This means that there is a shortfall between the rent that will be paid to landlords and the rent the Council receives from the tenant, with the balance being borne by the General Fund. This is the biggest net expenditure of the service and is forecast at £10.2m in 2022/23.
- 5.15. Furthermore, in all London boroughs average rents are now higher than their pre-pandemic levels, with fewer landlords are willing to rent properties at LHA rates. This creates a funding gap that will only increase the limitation recharge unless new ways of funding and delivering services are put in place.
- 5.16. Acquiring our own stock will enable us to reduce costs by having greater control over setting rents at the current Local Housing Allowance, and acquiring property in areas where the Local Housing Allowance makes up a greater proportion of clients income. This will increase the supply of properties that can be used to move people out of costly temporary accommodation thereby avoiding the limitation recharge. This could save an average of £8,854 per household per year depending on the size of the property.

6. Options for acquisition going forward

- 6.1. As part of the wider strategy how to increase the Council's supply of accommodation for homeless households, and reduce overall costs to the general fund, it is proposed that the council bulk-purchase 300 properties for accommodation.
- 6.2. The provision of growing the councils asset base of affordable properties in and close to Lewisham is an ambition that we will be seeking to deliver through our new Accommodation Procurement Strategy. This report supports one of the commitments – *"We will work in partnership with the council's acquisitions team to identify opportunities for purchasing properties on the open market, to be prioritised for accommodation for homeless households"*.
- 6.3. There are three options that have been considered. They include:-
- I. Option 1 - Do nothing - The Council's will continue to deliver its homelessness services using its existing stock of temporary accommodation, consisting of a combination of hostels, which are owned and managed by the Local Authority, Private Sector Leased (PSL) and Private Managed Accommodation (PMA) properties which are procured from private individuals or companies on long leases, and nightly-paid emergency accommodation. Discharge of duty properties will continue to be sourced through work with local landlords and social lets.
 - II. Option 2 - Procure an external partner - This option would be to procure an external partner to bulk-purchase properties on the open market and manage these on the council's behalf. A provider would mobilise having been selected after a compliant competitive tender process in compliance with the Public Contracts Regulations 2015. Under this option, the council would enter a partnership with an external partner to increase the purchasing power and ability to purchase the scale of affordable homes needed, with the Council owning the properties at the end of the contract term. There are a number of examples of successful large scale partnerships within Local Governments that have informed the financial modelling and assumptions within this option. However, this option would require a significantly higher level of general fund borrowing, and the interest rates assumed result in significantly higher costs to the council that mean this option is not considered financially viable at present.
 - III. Option 3 - In-house delivery - This option would be to bulk-purchase properties on the open market through the existing in-house buy-back programme. This option will utilise the knowledge built up through the current Buyback Programme 1 (RTBB1) as well as the staff and infrastructure. Under this option, it is recommended that the council procure an external partner to provide refurbishment, repairs and maintenance services for the 300 properties. **This is the recommended option.**
 - IV. Option 4 – Shared delivery with a commercial partner and other boroughs - In 2018 the council agreed to join Capital Letters, a partnership of member authorities aimed at procuring private rented sector homes for discharge of duty across London to reduce competition for procurement between London boroughs. Capital Letters have been exploring new business opportunities which included a similar acquisition and leasing model described under option 2. However, this option does not provide the council with the flexibility and benefits of an in-house option to use or dispose of an asset base as the business requires, and this option was not considered financially viable.

7. Key deliverables

Acquisition

- 7.1. The initial findings of an accommodation review have identified the need for 300 properties for accommodation for homeless households. The programme will purchase a balance of one, two and three and larger properties subject to market availability and

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sales values.

- 7.2. This programme would be to bulk-purchase properties on the open market through the existing in-house buy-back programme (Option 3), with a focus on buying private on street properties where the size, location and service charge are acceptable.
- 7.3. This option proposes using a combination of GLA RTB receipts and General Fund borrowing be utilised to fund this programme. The Programme will use the GLA RTB Receipts which will ensure they are allocated and drawn down prior to September 2023, when the GLA ringfence expires. In parallel, the Strategic Development team will look at GLA and other government funding streams to reduce General Fund borrowing allocated to this programme.
- 7.4. The programme will utilise the knowledge built up through the current Buyback Programme 1 (RTBB1) as well as the staff and infrastructure. This option includes a proposal of funds for the purchases, as well as funding for the Senior Project Manager and Acquisitions Manager, to source, process and administer the acquisitions. The programme shall be overseen by the Strategic Development Team for the purchase and refurbishment component of the programme. The ongoing maintenance and management of the properties shall be carried out by the Housing Directorate.
- 7.5. The programme will deliver a mixture of one two, three and bedroom homes. Officers will balance the housing need for larger properties, against the programme's overall viability.
- 7.6. The programme will acquire a profile of stock in accordance with an agreed list of suitable criteria, as approved by the Director of Housing Services.
- 7.7. Given the challenges described in this report it will be necessary to develop an property acquisition strategy that can adapt to localised affordability problems. Therefore, whilst the Council strives to make all placements in borough or as close to borough as possible and properties acquired will primarily target South London boroughs, a portion of properties may be acquired outside of London. This will enable the council to acquire properties where LHA rates are more in line with households' income and avoid incurring a limitation recharge. The Council's Location Priority Policy sets out how it will prioritise the allocation of the temporary accommodation that is available, and the council will undergo a comprehensive assessment of each households income and circumstances to ensure the property and rent is sustainable for the applicant.
- 7.8. Of the 300 properties to be acquired, around 50 of the properties will be acquired specifically in North Lewisham to meet the needs of residents who are not constrained by the central government Benefit Cap. In addition, around 90 of the acquired properties will be let at a discount to LHA rents to ensure that residents allocated these properties still have sufficient funds remaining, if constrained by the central government Benefit Cap.
- 7.9. The Properties will be sourced and purchased by the existing Right to Buyback Team and all offers/acquisitions will be subject to a Royal Institute of Chartered Surveyors(RICS) "red book valuation" to ensure value for money.
- 7.10. The acquisition and refurbishment process will follow the process map developed as part of the Right to buyback programme.
- 7.11. The Strategic development Team shall employ a building surveyor and a clerk of works to ensure a prompt and high quality refurbishment of the purchased properties is carried out and that acquired properties meet all lettable standards.
- 7.12. The properties will be refurbished and maintained via a high quality contractor specifically procured to meet the needs of this programme.

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Table 6 - Housing Acquisitions Programme timetable:

Key milestones	Date
1 st completion within the three months of programme (assuming programme starts 3rd April 2023)	31/07/2023
Property first occupied 6 weeks from completion date	w/c 11/09/2023
First 3 months to complete 10 properties	31/07/2023
Subsequently to complete 26-27 properties every 3 months for 3 years up to 300 properties in total.	Ongoing
Programme completion	31/03/2026

Housing Management

- 7.13. A quality housing management service is essential to facilitate the successful delivery of this programme. A quality service will ensure resident satisfaction, low levels of rent arrears, minimal property damage and disrepair whilst ensuring tenancy problems are dealt with swiftly.
- 7.14. There is a need to procure Works and Housing Management services to achieve the aims of this programme. There is a challenging strategic context in which we are proposing to procure these services. Properties purchased under the Right-to-buy-back 1 programme were handed to Lewisham Homes to bring to lettable standard and then to be added to properties let through the housing register as general needs stock. As the properties being bought under this programme will be used for homeless households, there is a need for a very fast turnaround of void work in order to move households out of costly nightly paid properties as soon as possible. Furthermore, the higher turnover of using properties that are used as temporary accommodation means there is a need for high responsive refreshing and housing management services. Therefore, it is considered more efficient for the programme to work with an external partner.
- 7.15. In practice, the Council will purchase the three hundred properties and the refurbishment, maintenance and housing management would pass to an external contractor. The contractor would be responsible for:
- Key to key void maintenance service including carrying out initial property refurbishments following property acquisition;
 - Responsive repair and cyclical maintenance to ensure properties are compliant with standards required;
 - Refreshing properties between tenancies;
 - Supporting clients with the moving in and tenancy start up process;
 - To be the key point of contact for any tenancy and property management enquiry from tenants;
 - Ensure that rent is collected and any arrears are minimised by advising and helping tenants.
 - Manage tenants vacating properties and “moving on” by completing tenancy termination.
- 7.16. It is proposed that the council procure an external contractor for an initial 3 year period over which the properties will be purchased. The extension of the contract will be determined by the capacity of in-house housing management services and whether the management of the 300 properties are able to be transitioned into council services without disruption.

- 7.17. The council will continue to manage tenant nominations into the properties. As set out in the councils new Accommodation Procurement Strategy, the challenging housing context means that we are having to look for opportunities to realise cost reductions to current spend on temporary accommodation. As part of looking at ways to achieve this, these properties will be allocated in such a way as to mitigate against our forecast overspend, whilst ensuring the new properties are utilised for those most in need.
- 7.18. All properties will be let to homeless households which the Council has a long-term duty to support. To help realise cost reductions, we are proposing to offer properties to households in the following circumstances (please note, this is not an exhaustive list):
- *Applicants in nightly paid temporary accommodation incurring the highest levels of limitation recharge;*
 - *Applicants who are in unsuitable temporary accommodation and waiting on our transfer list to be moved;*
 - *Applicants who are affected by the benefit cap who are in unaffordable temporary accommodation;*
 - *Households newly approaching who are owed the prevention/relief duty who are likely to result in a long-term temporary accommodation placement under the main housing duty.*

8. Options for procurement of refurbishment, repairs, maintenance, and management contract

- 8.1. A procurement exercise will take place to choose and award a contract for the refurbishment, maintenance and management of the 300 homes acquired. A number of options have been considered, including:
- 8.2. **Procure the management and maintenance services separately:** There are some related services such as refurbishment and maintenance services which are available by separate frameworks. Under this option, these may be utilised rather than an open tender to speed procurement and delivery, with the council separately procuring a partner to deliver the tenancy management functions.
- 8.3. However, this option will heighten the risk to the council as one or more failures of each of the service providers will have a 'domino effect' on the overall service delivery. This in turn, depending on the level of severity, could impact the councils voids rate, rent collection and affect the consistency of service offered to residents. This approach will also demand a larger structure on the client-side to manage each service area.
- 8.4. **Procure the management and maintenance service in its entirety (recommended option):** Delivering a joint housing management and maintenance service will ensure a comprehensive end-to-end service for residents and the council. There are a number of examples of successful large scale partnerships within Local Governments that have informed the assumptions within this option. Under this option, it is proposed that the council would run an open competitive tender managed through the ProContract portal. This proposed procurement route is an open / restricted tender following public advertisement. This will include a shortlisting stage so only 5 suppliers with the technical experience & capability are invited to make a full tender submission
- 8.5. The benefits of this option include:
- a simpler streamlined contract process and service for residents
 - lower procurement costs and resources spent against multiple contracts
 - a direct service provider relationship focussed on delivery
 - better economies of scale and bargaining power to choose the provider with the most competitive rate and service expertise

9. Financial implications

9.1. See Part 2 Report

10. Legal implications

- 10.1. The Council has the ability to acquire property for the purposes of its statutory functions. Property can be acquired in or out of borough using Housing Act 1985 powers or into the General Fund using Local Government Act 1972 powers, depending on the proposed use.
- 10.2. Part 7 of the Housing Act 1996 provides the statutory under-pinning for action to prevent homelessness and provide assistance to people threatened with or actually homeless. The Homelessness Reduction Act 2017 significantly reformed England's homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness in their areas. It requires local housing authorities to take reasonable steps to prevent homelessness (when anyone is threatened with it within 56 days) and to "relieve" homelessness (through maintaining or securing accommodation) for eligible applicants who are homeless or threatened with homelessness. The recommendations in this report will assist the Council in the discharge of this statutory duty by making additional housing available to accommodate the homeless.
- 10.3. All properties sold under Right to Buy legislation since 18 January 2005 contain a covenant which requires any owner intending to sell their property within 10 years of purchase to offer the property back to the Council. The Council has 8 weeks to accept or reject the offer. If the Council serves an acceptance notice, the Council must enter into a binding contract for the purchase of the property within 12 weeks of accepting the offer, or within 4 weeks of receipt of a written notice from the owner saying that they are ready to complete the transaction, whichever is the longer. If the time limit is not complied with then the owner is free to dispose of the property as they see fit. The delegations in this report will enable officers to comply with these time frames.
- 10.4. The Council must comply with any conditions of grant funding used for the purposes of funding the proposals set out in this report.
- 10.5. Any procurement exercise carried pursuant to the recommendations in this report must comply with the Council's constitution and procurement legislation then in force. This report authorises the commencement of a procurement process and subsequent award of contract and delegates to the Executive Director for Housing, Regeneration and Public Realm authority to select the preferred contractor in accordance with the selection criteria published in the tender documentation and agree the final form contract, provided such award is within the financial limits set out in the Part 2 Report. The resulting contract will be for an initial term that may be extended. This report delegates to Executive Director for Housing, Regeneration and Public Realm the authority to extend the contract in accordance with its terms.
- 10.6. Any agreements entered into in consequence of the approvals in this report must be approved in advance of commencement by Legal Services on behalf of the Director of Law and Corporate Governance.
- 10.7. In taking the decisions in this report, the Council's public sector equality duty must be taken into account.

11. Equalities implications

- 11.1. The Council's Single Equality Framework for 2020-24 will provide an overarching framework and focus for the Council's work on equalities and help ensure compliance

with the Equality Act 2010.

- 11.2. The Council's Equalities objectives are addressed in the contract documentation and will form part of the criteria used in the pre-tender evaluation.

12. Climate change and environmental implications

- 12.1. The Council has made a commitment to making the borough carbon neutral by 2030. The attainment of lettable standards includes measures to improve energy performance to EPC D or equivalent.

13. Crime and disorder implications

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

14. Health and wellbeing implications

- 14.1. The attainment of properties of lettable and decent homes standards will have direct, positive health and wellbeing implications through the availability of homes for the Council's residents. The Council will be able to provide more good quality, secure affordable homes creating a peace of mind for families who have become homeless or are currently in over-crowded accommodation.

15. Social Value implications

- 15.1. The tenderers will be asked a method statement question to demonstrate what social value they can deliver through the contract.
- 15.2. 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. The successful provider will be expected to meet LLW requirements and contract conditions requiring the payment of LLW will be included in the service specification and contract documents.
- 15.3. 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.

16. Background papers

- 16.1. [M&C Report – Introduction of the new Accommodation Procurement Strategy 2022-25](#)

17. Glossary

Term	Definition
Right to buy receipt (RtB)	The money raised from the sale of Council homes under right to buy
Right to buy	A Council tenant's right to purchase their home at a discounted rate
BfL	Building for Lewisham (Lewisham's housing delivery programme)
Buying back ex-council homes	Lewisham's purchase of ex-council housing from the market

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Term	Definition
Limitation recharge	The subsidy paid by the council for temporary accommodation, where rents exceed residents housing benefit entitlement.
Local Housing Allowance (LHA)	The maximum amount of housing benefit available for properties of different sizes in different areas.
NPV	Net Present Value (the overall cost of the purchase, additional works, and all associated costs, against the income received over 40 years)

18. Report author(s) and contact

- 18.1. Fenella Beckman – Director of Housing Services, Fenella.Beckman@lewisham.gov.uk
- 18.2. Patrick Dubeck – Direction of Inclusive Regeneration, Patrick.Dubeck@lewisham.gov.uk
- 18.3. Comments for and on behalf of the Executive Director for Corporate Resources: Sandra Gray, Commercial Accountant, Sandra.Gray1@lewisham.gov.uk
- 18.4. Comments for and on behalf of the Director of Law, Governance & HR: Melanie Dawson, Principal Lawyer Place, Melanie.Dawson@lewisham.gov.uk

Agenda Item 11

Report for: Mayor and Cabinet

Part 1	<input checked="" type="checkbox"/>
Part 2	<input checked="" type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	8 March 2023	
Title of Report	JC Decaux Contract Variation Extension	
Author	James Guckian	020 8314 3252

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal Comments	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cabinet Briefing consideration	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EMT consideration	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Agenda Planning Group consideration	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Signed:



CLlr Louise Krupski
 Cabinet Member for Environment and Climate
Date: 10th February 2023

Signed:



Jennifer Daothong
 Executive Director for Housing, Regeneration, and Public Realm
Date: 10 February 2023

Control Record by Committee Services

Action	Date
(Re)listed on Key Decision Plan	Jan-23
Date submitted to Legal & Finance	25/11/22
Date submitted to Cabinet Members for sign off	26/01/23
Date submitted to Executive Director for sign off	10/02/23



Mayor and Cabinet

Provision of Bus Shelters and On-street Advertising Contract Extension

Date: 08 March 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Director of Public Realm, Head of Highways, Head of Public Realm Improvement and Delivery

Outline and recommendations

The Council currently has a fifteen-year contract with JC Decaux to provide bus shelters, street furniture and on-street advertising from 12 October 2015 to 11 October 2030 with an option to extend for a further period of 5 years until 2035.

The report sets out the proposed expansion of digital advertising at 8 sites in the Borough and the resulting financial benefits increasing income by £497k to 2030. The report also asks to extend the contract until 2035 in order to generate a further £838.5k over that period.

JC Decaux's ability to invest in the additional digital advertising is constrained by the remaining length of the Contract. The report details a five-year contract extension and recommends approval.

Timeline of engagement and decision-making

n/a

1. Summary

- 1.1. Request to execute J C Decaux contract extension and include provision for additional screen capacity in specified locations in the borough to generate additional income for the council.

2. Recommendations

It is recommended that Mayor and Cabinet:

- 2.1. Approve the five year extension to the Bus Shelters, Street Furniture and On-street Advertising Contract with J C Decaux.

3. Policy Context

- 3.1. Improving the quality of bus services is key to the Council's transport strategy and supports many of the goals and objectives of the Council's Local Implementation Plan (LIP). Bus stop design and location is recognised as a crucial element in the drive to improve the quality of bus services.
- 3.2. On 21 January 1991 the London Borough of Lewisham entered into a long-term contract with JCDcaux UK Ltd, (JCD) the contract was for the supply of:
 - Bus shelter advertising panels
 - Street advertising
 - Variable information signage
 - Public Automated Conveniences (APCs)
 - Toilets
 - Car Parks advertising
 - Free information space provided within the above advertising
- 3.3. This Contract came to an end in February 2015.
- 3.4. At this time an options appraisal was undertaken. The preferred option was for the Council to re-procure the provision of Bus Shelters, Street Furniture and On Street Advertising only.
- 3.5. Following this process the current contract for the provision of Bus Shelters and On-Street Advertising was awarded to JCD starting on 15th October 2015.
- 3.6. The Contract was for an initial fifteen years with a five-year extension option.
- 3.7. In the Borough JCD manage and maintain 129 bus shelters and 42 street furniture advertising panels. These assets currently use 12 digital screens.
- 3.8. JCD refurbish the bus shelters and panels every five years.

4. Background

- 4.1. In 2015, following an open procurement process, the Authority entered into a fifteen-year contract with JC Decaux (JCD) to refurbish and upgrade bus shelters across the Borough. The contract included an option to extend for 5 years at the end of the original fifteen-year term. In addition JCD were required to install new street furniture with advertising displays at existing sites as specified.
- 4.2. The Contract allows JCD to advertise on the bus shelters and furniture, subject to them gaining planning approvals from Lewisham's Planning Service, which results in an advertising fee being payable to the Council.
- 4.3. JCD have acquired approvals from Planning to add an additional fifteen digital advertising screens at eight existing sites listed in 5.5.
- 4.4. JCD's ability to invest in the additional screens is restricted by the remaining term of the

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Contract. Investment in the additional hardware and connections would not see the financial return the contractor requires for them to be viable. Hence a contract extension of five years is sought as allowed under the terms of the Contract.

- 4.5. Extending this contract for five years combined with additional digital displays will generate an increase of £497K income over the remaining term to 2030, with a further £838.5k income generated from the five-year extension to 2035.

5. Proposals

- 5.1. The contract for the provision of Bus Shelters and On-Street Advertising requires JCD, to design, supply, install, refurbish and upgrade, clean and maintain bus shelters and street furniture.
- 5.2. The Contract grants JCD the right to sell up to six sheet advertisements on bus shelters and street furniture for which they pay the Council for these rights.
- 5.3. The Out of Home advertising market is now recovering following the unprecedented downturn experienced following the imposition of restrictions on trade by the Government, due to the COVID pandemic.
- 5.4. To capitalise on the recovery JCD have secured planning consents from the Planning Service to upgrade eight sites to digital screens. The upgrades deliver a potential 15 additional screens.
- 5.5. The existing sites to be upgraded to digital screens are all situated on the public highway and are listed below:
 - Outside Catford Bridge Tavern, Catford Road, SE6 4RE x 2
 - Outside Civic Offices, Catford Road SE6 4RU
 - Outside Broadway Theatre, Catford Road SE6 4RU
 - Outside Primark, Lewisham High Street SE13 7JL
 - Outside 252, Lewisham High Street SE13 6JU
 - Outside 262/274, Lewisham High Street SE13 6AD
 - Outside Lewisham Shopping Centre Entrance, Molesworth Street SE13 7EP.
- 5.6. The upgrades will result in additional income for the Council, detailed in Section 6 of this report.
- 5.7. JC Decaux's ability to invest in these additional screens is constrained by the remaining term of the Contract. Investment in the additional hardware and connections would not see the financial return the contractor requires for them to be viable. Hence a contract extension of five years is sought. This will benefit the council by our increasing revenue during the end of the current contract period and from a higher return in the extension period.

6. Financial implications

- 6.1. Financial implications are commercially sensitive and can be viewed in Section 6 of the Part 2 report.

7. Legal implications

- 7.1. 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 which are requirements based on the Public Contracts Regulations 2015 and the Concession Contracts Regulations 2016 with which the Council must comply. Those requirements were complied with when the contract was awarded.
- 7.2. The current contract was procured on the basis of a 15 year contract with the option to extend for 5 years. The recommendation in the report is to extend the contract with the extension period. This is a 'Permitted Extension' under the Contract Procedure Rules, being one which was clearly provided for in the original procurement and contract documents (as

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set out in Rule 17 of the Contracts Procedure Rules).

7.3. The report sets out the reasons why this extension is proposed.

7.4. Equalities implications

7.5. The Council's Equalities objectives were addressed in the contract documentation and formed part of the criteria used during the original pre-tender evaluation.

8. Equalities implications

8.1. The Council's equalities objectives were addressed in the contract documentation and formed part of the criteria used during the original pre-tender evaluation.

8.2. The upgrading of existing advertising screens is not considered to have a detrimental or adverse impact on any of the protected groups or categories. This is equally so for the proposed contract extension.

9. Climate change and environmental implications

9.1. The Council's environmental objectives were addressed in the contract documentation and formed part of the criteria used in the tender evaluation for the original award.

9.2. Since the award the Authorities move to carbon neutral is in line with JCD's business, promoting sustainability as a core principle.

9.3. All the energy used at bus shelters and the current and proposed digital advertising will be from 100% renewable sources. The company moved to 100% renewable energy this year.

9.4. LED lighting is installed on all JCD street furniture, which are more energy efficient, providing more light at low power. This also increases lux levels at bus stops increasing safety.

9.5. JCD are ISO14001 (resource use, waste management and pollution) and ISO50001 (energy performance) certified.

10. Crime and disorder implications

10.1. There are no specific crime and disorder implications resulting from the extension of this contract.

11. Health and wellbeing implications

11.1. We have reached a voluntary agreement with JCD that all advertising will be restricted to healthy and ethical products.

11.2. Investment and maintenance of the highway infrastructure will have an indirect impact on health as a result of the positive impact on the economic and environmental living conditions of the borough. Providing high quality public realm, improving access for all and delivering infrastructure for sustainable and active modes of travel will contribute to encouraging people to walk and cycle more and will contribute to providing the positive conditions for growth.

12. Social Value Implications

12.1. There are no specific social value implications resulting from the extension of this contract.

13. Background papers

13.1. Current JC Decaux Contract documentation.

14. Report author(s) and contact

14.1. James Guckian, Transport Programme Manager

14.2. Joe Turner, Head of Public Realm Improvement and Delivery

14.3. Comments for and on behalf of the Executive Director for Corporate Resources - Shola Ojo

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14.4. Comments for and on behalf of the Director of Law, Governance and HR - Mia Agnew

15. Appendices

15.1. Appendix 1 JC Decaux income forecast (commercially sensitive)

16. Approval

I approve / do not approve the extension as per the details set out in this report

Signed:



Name: Jennifer Daothong Executive Director of Housing, Regeneration, & Public Realm

Date: 10 February 2023

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Agenda Item 12

Chief Officer Confirmation of Report Submission Cabinet Member Confirmation of Briefing

Report for: Mayor

Mayor and Cabinet

Mayor and Cabinet (Contracts)

Executive Director

Information Part 1 Part 2 Key Decision

<input type="checkbox"/>
X
<input type="checkbox"/>
<input type="checkbox"/>

Date of Meeting	08/03/2023	
Title of Report	Selective licensing: Consultation responses and proposals to introduce a new licensing scheme	
Originator of Report	Fenella Beckman, Director of Housing	Ext.

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	X	
Legal Comments from the Head of Law	X	
Crime & Disorder Implications	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework	X	
Risk Assessment Comments (as appropriate)		X
Reason for Urgency (as appropriate)		X

Signed: 
Date: 23.02.2023

Signed: 
Date: 23.02.2023

Jennifer Daothong
Executive Director, Housing, Regeneration & Public Realm

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	



Mayor and Cabinet

Report title: Selective licensing: Consultation responses and proposals to introduce a new licensing scheme

Date: 08 March 2023

Key decision: Yes.

Class: Part 1

Ward(s) affected: 16 out of 18 wards based on pre-May 2022 ward boundaries (Telegraph Hill and Blackheath excluded)

Contributors:

Executive Director for Corporate Resources, Director of Law and Corporate Governance

Outline and recommendations

Mayor and Cabinet are asked to review and approve the selective licensing consultation report and the Council's response.

Mayor and Cabinet are asked to support the recommendation to proceed with an application to introduce the proposed selective licensing scheme designations to the Department for Levelling Up, Housing and Communities (DLUHC).

Recommendations:

- 1.1. Mayor and Cabinet Committee are asked to review and approve the report of the selective licensing consultation, and the council response to the consultation, as outlined in Appendix 1 – Consultation report and – Response to consultation representations.
- 1.2. Approve three proposed selective licensing designations to apply to all privately rented single occupancy dwellings in the three designated areas as set out in Appendix 5 in line with sections 80 and 81 of the Housing Act 2004.
- 1.3. Approve the proposed post-consultation changes to the scheme. (see section 10)
- 1.4. Note the proposed selective licensing scheme fee, as outlined in section 11 and Appendix 7 on licensing fees;
- 1.5. Approve the proposed new licensing conditions for properties in the Private Rental Sector in the affected wards, as outlined in Appendix 6 – Amended selective licence conditions;
- 1.6. Approve the submission of an application to the Secretary of State for Levelling Up, Housing and Communities to confirm the council's designation for a Selective Licensing Scheme as set out in Section 82 of the Housing Act 2004, as outlined in Section 7;
- 1.7. Delegate authority to the Executive Director for Housing, Regeneration and Public Realm:-
 - 1.7.1. to finalise the submission for approval for the council's designation and submit to the Department for Levelling Up, Housing and Communities (DLUHC);
 - 1.7.2. to implement the Selective Licensing Scheme and publish the 3-month Statutory Notice for the scheme as part of the implementation, pending confirmation from the Department for Levelling Up, Housing and Communities (DLUHC).

Timeline of engagement and decision-making	
24 April 2019	Previous approval to consult on selective licensing
28 May to 21 August 2019	Previous Selective Licensing consultation
11 March 2020	Mayor and Cabinet approved a designation for selective licensing and the submission of an application to the Secretary of State for approval of the proposed scheme (subsequently postponed due to the Covid 19 pandemic).
20 October 2021 – 20 May 2022	Second public consultation (Extended in January 2022)
12 October 2022	Housing Select Committee expressed its strong support for the submission to the Secretary of State for approval to implement the proposed designations.

1. Summary

- 1.1. This report summarises the responses to the public consultation carried out on the council's proposals to introduce selective property licensing in 16 out of 18 wards, based on the pre-May 2022 ward boundaries. The consultation results demonstrate clear overall support for all three selective licensing designations proposed by the council.
- 1.2. The report further sets out the council's proposed changes to the design of the scheme based on the consultation responses and additional data gathering and legal advice, post consultation. The updated response to the consultation is included as Appendix 2.
- 1.3. The report sets out the statutory conditions for designation of a selective licensing scheme and how the council's proposals meet those criteria.
- 1.4. It also sets out officers' recommendations that Mayor and Cabinet should approve the designation of the three proposed areas for selective licensing, and that the Executive Director for Housing, Regeneration and Public Realm should proceed to make an application to the Department for Housing, Levelling Up and Communities (DLUHC) requesting confirmation of the council's designation.
- 1.5. The report of the consultation, is attached as Appendix 1.
The full summary of consultation results and the council's response is included as Appendix 2.

2. Recommendations

- 2.1. Mayor and Cabinet Committee are asked to review and approve the report of the selective licensing consultation, the representations received and the council's response to the consultation feedback, as outlined in **Error! Reference source not found.** and **Error! Reference source not found.**;
- 2.2. Agree to designate a new selective licensing area (to be known as Selective Licensing Designation 1) in the six wards of Brockley, Catford South, Lewisham Central, New Cross, Perry Vale and Rushey Green (pre-May 2022 boundaries) as delineated and edged orange on the map in the draft designation in Appendix 5 for a five-year period, subject to confirmation by the Department of Levelling Up, Housing and Communities

(DLUHC)

- 2.3. Agree to designate a new selective licensing area (to be known as Selective Licensing Designation 2) in the five wards of Crofton Park, Evelyn, Ladywell, Lee Green and Sydenham (pre-May 2022 boundaries) as delineated and edged blue on the map in the draft designation in Appendix 5 for a five-year period, subject to confirmation by the Department of Levelling Up, Housing and Communities (DLUHC)
- 2.4. Agree to designate a new selective licensing area (to be known as Selective Licensing Designation 3) in the five wards of Bellingham, Downham, Forest Hill, Grove Park and Whitefoot (pre-May 2022 boundaries) as delineated and edged green on the map in the draft designation in Appendix 5 for a five-year period, subject to confirmation by the Department of Levelling Up, Housing and Communities (DLUHC)
- 2.5. Agree the proposed Selective Licensing Scheme Fee;
- 2.6. Approve the proposed new licensing conditions for properties in the Private Rental Sector in the affected wards, as outlined in **Error! Reference source not found.**;
- 2.7. Delegate authority to the Executive Director for Housing, Regeneration and Public Realm:-
 - 2.7.1. to finalise and submit the application requesting confirmation of the selective licensing designations from the Department for Levelling Up, Housing and Communities (DLUHC);
 - 2.7.2. to implement the Selective Licensing Scheme and publish the 3-month Statutory Notice for the scheme as part of the implementation, pending necessary confirmation from the Department for Levelling Up, Housing and Communities (DLUHC).
 - 2.7.3. to make such other changes to the schemes as is necessary for the effective administration of the schemes.

3. Policy Context

- 3.1. The contents of this report are consistent with the Council's policy framework. It supports the achievements of the following Corporate Strategy objectives:
 - Tackling the housing crisis – everyone has a decent home that is secure and affordable.
- 3.2. The council is committed to improving standards across all housing sectors and a wider landlord licensing scheme is pivotal to this pledge. The contents of this report support the achievement of the following Housing Strategy 2020-26 objectives :
 - preventing homelessness and meeting housing need;
 - improving the quality, standard and safety of housing, and;
 - supporting our residents to live safe, independent and active lives.
- 3.3. There is a commitment to expanding the licensing regime in the borough under Priority 3: improving the quality, standard and safety of housing in Lewisham; the council aims to 'Improve standards in the PRS, through:
 - *expanding our licensing regime*
 - *working with landlords and landlord associations to improve standards and practice across the borough*
 - *using data from our licensing schemes to improve our service*'.

4. Background

- 4.1. According to the Office for National Statistics (ONS) and the Housing Stock and

Stressors report findings, the private rented sector (PRS) in Lewisham has grown from 24 per cent in 2011 to 31 per cent in 2021; an increase of almost 30 per cent over 10 years. This shift has come as a result of population growth in tandem with a limited supply of new and affordable homes and therefore has resulted in soaring house prices. The private rented sector has helped address the housing shortage and now 39,674 of Lewisham's 128,798 residential dwellings are privately rented.

- 4.2. The increased demand for privately rented homes has, however, also seen an increase in rents being charged in the borough. This, combined with the cost of living crisis, is pushing more residents into difficult choices between affordability and quality of accommodation. The English Housing Survey (2022) indicates that 14 per cent of private rented dwellings in England had at least one category 1 hazard; a hazard that poses a serious or immediate risk to a person's health and safety. In stark contrast, 22.7 per cent of Lewisham's PRS properties were found to have at least one category 1 hazard.
- 4.3. Over half of the residential properties in the borough were built pre-Second World War (Housing Stock and Stressors Report, Metastreet, 2021). Housing conditions tend to be worse in older properties and pose greater risk to the health and safety of its inhabitants. For example, the HHSRS Operational Guidance (2006) published by the Office of the Deputy Prime Minister, stressed that there is a greater risk of winter deaths in dwellings with low energy efficiency ratings and this correlates with the age of the property. Dwellings built after 1980 are more energy efficient and are therefore safer. Wards comprising mainly of older properties are inclined to have more hazards, such as excess cold, fire and electrical issues, damp and mould.
- 4.4. The recent tragic case of Awaab Ishak, the two year old boy who died in 2020 as a result of prolonged exposure to damp and mould serves as a sobering reminder of the importance of addressing health and safety standards in all rented homes. It also highlights the additional resources needed by councils and other public bodies to tackle issues like damp and mould, given the profile of the UK's housing stock.
- 4.5. The national mandatory Houses in Multiple Occupation (HMO) licensing scheme came into operation in April 2006. Following the end of the previous additional HMO licensing scheme in February 2022, a new additional scheme came into force on Tuesday 5 April 2022.
- 4.6. The Council therefore currently operates the following licensing schemes:
 - Mandatory HMO licensing scheme relating to all Houses in Multiple Occupation (HMO) where five or more people across two or more households (families) live in the same property and share facilities such as a kitchen or bathroom. This is a national scheme.
 - Additional HMO licensing. This applies to any HMO property in Lewisham that is not captured by the national Mandatory HMO scheme, so all privately rented properties occupied by three or four people living in two or more households with shared facilities, other than those specifically excluded from licensing.
- 4.7. As of January 2023, 1,166 properties were licensed under both schemes, with a further 676 applications in process meaning somewhere between 20-30 per cent of the estimated licensable HMOs in the borough have been identified and brought into the licensing regime.
- 4.8. The Council previously consulted on introducing a Selective Licensing scheme in 2019; however due to the pandemic, plans to seek approval for the proposals from the Government were put on hold. As lockdown restrictions came to an end, the council reviewed housing conditions in the borough once again to take account of any demographic shifts as a result of the pandemic. Some modifications were made as to how a selective licensing scheme could operate in the borough and consequently, following Mayor and Cabinet approval to do so, the council launched a further public

consultation to gain feedback on the proposals.

5. Rationale for the proposed new selective licensing scheme

- 5.1. Ensuring that residents in the PRS live in high-quality homes and security of tenure is a priority that is jointly shared by both the Mayor of Lewisham, the Council and Government. In Lewisham, we know that the majority of landlords take their responsibilities to their tenants seriously and provide decent, well-maintained and well-managed homes.
- 5.2. However, it is also the case that there are widespread issues of poor housing conditions, housing hazards, disrepair and incidences of antisocial behaviour within the PRS. In addition, there are a small number of criminal landlords who rent out accommodation that is not safe.
- 5.3. These preconditions are only likely to be exacerbated by the current climate in the rental market. In the preceding decade private renting has become the largest single tenure in the London housing market, and private renters have become the residents spending by far the highest proportion of their income on rent. However, in the last six months the market has been plunged into further volatility. The current market is the most competitive it has ever been for private renters – tenant demand has increased by 20 per cent, whereas the number of new properties becoming available to rent in London is down by 24 per cent on last year¹.
- 5.4. Average asking rents in London hit a new record of £2,343 pcm this quarter, a jump of 16.1 per cent on this time last year. For the second time this year, this represents the biggest annual rent increase of any UK region since records began². Against a backdrop of soaring rents and decreasing availability of properties, renters are in an even weaker position than before when it comes to enforcing their scant rights. The conditions for the exploitation of the vulnerable at the hands of the unscrupulous are clearly laid out.
- 5.5. Our comprehensive review of Lewisham's housing stock conditions has given us evidence that the PRS in Lewisham is affected by issues relating to poor property conditions, antisocial behaviour and deprivation. So we now know that:-
 - Survey results have shown Category 1 hazards³ in 22.7 per cent of homes in the PRS, considerably higher than the national average of 13 per cent.
 - Antisocial behaviour (ASB) incidents are higher in wards with more privately rented homes.
 - There were an average of 15 incidents of ASB and statutory nuisance per 100 properties in the PRS in 2021, almost double the level in social housing. In some wards (Catford South), the level was as high as 25 per 100 properties⁴.
- 5.6. Based on this evidence and following public consultation we are seeking approval to implement a selective licensing scheme which will enable us to do more than we are currently able. This licensing scheme will enable us to;
 - Simplify enforcement by bringing almost all properties in the PRS under licensing and by clearly defining operating unlicensed properties as an offence
 - Providing a channel for effective engagement between landlords and the Council thereby enabling us to better raise landlord awareness of their responsibilities

¹ Rightmove rental trends tracker, Q3 2022 report

² Ibid

³ [London Borough of Lewisham Private Rented Sector: Housing Stock Condition and Stressors Report September 2021](#)

⁴ Ibid

- Directly targeting the Council's resources on areas of concern and being able to generate sufficient revenue to cover the costs of our activities
- Provide a proactive approach to inspection, as there will no longer be the need to issue a 24-hour notice for access in circumstances where failure to licence and breaches in licence conditions are suspected
- Improve our ability to identify unlicensed properties and in targeting priority properties, through effective intelligence gathering mechanisms; and,
- Develop and publish clear targets and metrics to measure progress and success.

6. Criteria for designation

6.1. In order to designate a selective licensing scheme, the following criteria must be met:

- a) That the authority considers that the statutory conditions to make a selective licensing designation are satisfied.

The council has set out in our evidence base for the consultation (see appendix 3), the detailed evidence to demonstrate that the statutory conditions for our designations (anti-social behaviour, poor housing conditions, and deprivation) have been met.

- b) Reasonable steps have been taken to consult with persons who are likely to be affected by the designation; and representations made in accordance with the consultation and not withdrawn have been considered.

A summary of the council's wide-ranging public consultation is set out in Section 9, and copies of letters of support from other local authorities and partner organisations are included as Appendix 9.

- c) The making of the designation is consistent with the authority's overall housing strategy.

Section 3 (policy context) sets out how the proposed designations are consistent with Lewisham's housing strategy and corporate strategy.

- d) The authority is seeking to adopt a co-ordinated approach in dealing with homelessness, empty properties and anti-social behaviour, both as regards to combining licensing with other courses of action available to them, and combining such licensing with measures taken by other persons.

Sections 11 (details of the proposed scheme) and 13 (delivering scheme outcomes) set out how the council is already taking a co-ordinated approach with partner organisations to combat homelessness, empty properties and anti-social behaviour, and how licensing will complement and enhance with these approaches.

- e) The authority has considered whether other available courses of action might provide an effective method of achieving the objective(s) that the selective licensing designation is intended to achieve and that making the designation would significantly assist in achieving the objective(s), whether or not any other course of action is taken as well.

Section 12 sets out the alternative courses of action the council considered prior to moving to a selective licensing designation, and why those alternatives alone cannot deliver the scheme objectives.

- f) The authority has considered any potential negative economic impact that licensing may have on the area.

Section 12 also sets out the council's consideration of the potential negative economic impacts of selective licensing, and our conclusion that licensing is unlikely to have a negative economic impact.

- g) That the authority can demonstrate how licensing will work in conjunction with existing initiatives (such as landlord accreditation) and partnerships.

Section 13 (delivering the scheme outcomes) sets out how our proposed licensing scheme will work alongside our existing initiatives to improve the private rented sector, including landlord accreditation and partnership working.

7. Proposed designations

7.1. The council is proposing to introduce selective licensing in 16 of the pre-May 2022 wards, broken down into three designations, designed to tackle the most pressing issues within each set of wards. As set out in section 9, in response to the consultation and following advice from expert counsel and additional data gathering, officers propose amending designation three to include the additional statutory condition of poor housing conditions. The designations are set out below:

7.2. Designation one – high repeated antisocial behaviour (ASB) and poor housing conditions:

- Brockley
- Catford South
- Lewisham Central
- New Cross
- Perry Vale
- Rushey Green

7.3. Designation two – poor housing conditions:

- Crofton Park
- Evelyn
- Ladywell
- Lee Green
- Sydenham

7.4. Designation three – deprivation:

- Bellingham
- Downham
- Forest Hill
- Grove Park
- Whitefoot

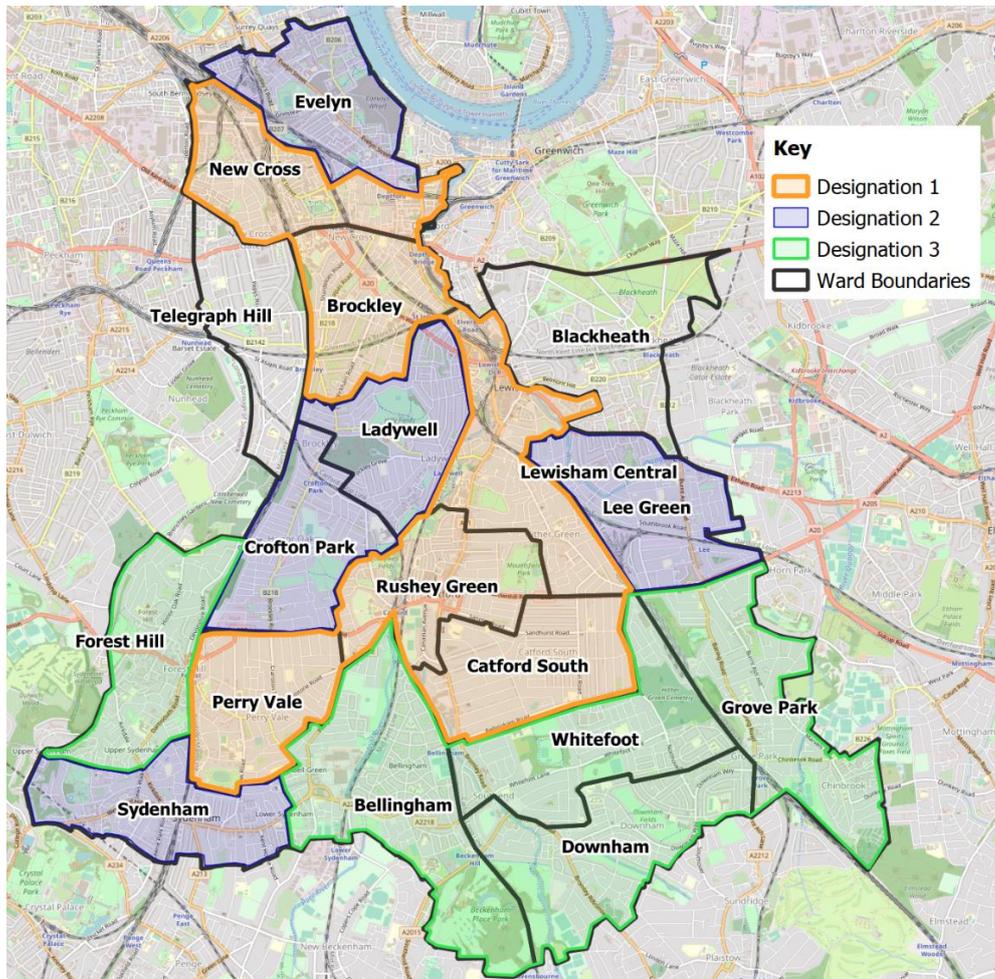


Figure 1 Selective Licensing Designations Map 2023

8. Achievements of the Council's existing licensing schemes

8.1. The Council currently operates the following licensing schemes:

- **Mandatory scheme**, operational since 2006, but expanded to cover a wider range of properties in 2018. Relating to all Houses of Multiple Occupation (HMO) where five people across two or more households (families) live in the same property and share facilities such as a kitchen or bathroom. This is a national scheme. Since its introduction, the council's licensing and enforcement capabilities have developed considerably, with significant issues being addressed through the licensing process.
- **Borough-wide additional licensing**, operational since April 2022, relating to all properties which meet the definition of an HMO as set out in the Housing Act 2004. This scheme replaced the council's previous additional licensing scheme which operated between 2017-2022 and covered smaller HMOs above commercial premises only.

8.2. Since the introduction of additional licensing in 2017 and the extension of mandatory licensing in 2018:

- There have been 13 successful prosecutions of landlords and agents, with another currently before the court. Sentences ranged from fines to suspended custodial sentences:-
 - five of these were convicted of offences relating to harassment and unlawful eviction, and

- the remainder convicted of Housing Act 2004 and Environmental Protection Act 1990 offences
 - 87 Civil Penalty notices have been issued for a range of offences, including failure to license. The income generated from these civil penalties is retained by the council and ring-fenced for enforcement of standards in the private rented sector.
 - officers have responded to 51 cases of illegal eviction and harassment, an average of 4 per month, preventing homelessness and supporting tenants to enforce their rights.
 - Officers have investigated 1,185 complaints of disrepair on a combination of licensed and non-licensed properties using statutory enforcement tools (HHSRS Part 1 Housing Act 2004).
- 8.3. With the introduction of the council's 2017 additional licensing scheme and the changes to the national mandatory licensing scheme in 2018, bringing two-storey properties into licensing, the council more than doubled the number of previously - licensed HMOs in the borough.
- 8.4. Since the introduction of our new borough-wide additional licensing in scheme in April 2022 we have already licensed over 400 new HMOs previously unknown to the council as of 9th February 2023. This takes the total number of licensed HMOs in the borough up to 1,166 with a further 676 applications in the pipeline. We expect to license between 6,000-9,000 HMOs during the lifetime of the scheme.
- 8.5. However, our current schemes are not the panacea for the ills in Lewisham's private rented sector. Introducing a borough-wide additional HMO licensing scheme has had a transformative effect on HMO enforcement. Instead of wasting officer time and resources gathering evidence to prove whether a property meets the mandatory licensable threshold, officers can proceed to inspect and license any property which meets the statutory definition of an HMO. However, an estimated 30,000 PRS properties in the borough fall outside of this definition, and the resources generated by additional licensing cannot be used to conduct inspections and enforcement in these homes.

9. Summary of the public consultation

- 9.1. Lewisham Council carried out a public consultation 20 October 2021 – 20 May 2022 on proposals to introduce a selective licensing scheme in 16 wards. The council proposed introducing selective licensing in three designations, designed to tackle the most pressing issues within the wards. (See section 7 for proposed designations).
- 9.2. To consult with landlords, tenants, residents, stakeholders and other interested parties, the council carried out an online survey. The council also hosted public meetings with landlords, tenants, residents, and landlord groups. The council used digital and print media to advertise the consultation, as well as in-person methods, following the easing of social distancing rules.
- 9.3. The consultation ran for 30 weeks from 20th October 2021 to 20th May 2022. In total 1,356 responses were received from the online survey. Qualitative feedback was received at two public meetings, attended by over 60 people and ten written responses from interested parties. The service also undertook engagement exercises, including stalls in Deptford market, at Lewisham shopping centre and outside train stations across the borough. These exercises raised awareness of the work of the licensing and housing enforcement service, as well as the consultation proposals. The consultation considered the level of support for introducing selective licensing. The consultation also looked at views on the proposed licence conditions, fees, and the respondents' perceptions of the issues in the borough.

Table of key findings:

	Overall	Landlords	Privately renting tenants	Other
Total consultation survey responses	1202	361	257	584
Agree with Selective Licensing in Designation 1	52%	13%	69%	69%
Disagree with Selective Licensing in Designation 1	36%	70%	17%	23%
Total consultation survey responses	1064	337	242	488
Agree with Selective Licensing in Designation 2	47%	10%	66%	63%
Disagree with Selective Licensing in Designation 2	37%	70%	28%	23%
Total consultation survey responses	1036	321	240	475
Agree with Selective Licensing in Designation 3	48%	11%	68%	65%
Disagree with Selective Licensing in Designation 3	33%	65%	23%	20%
Total consultation survey responses	1298	391	271	636
Agree that the standard property conditions should apply to all designations	64%	29%	80%	79%
Disagree that the standard property conditions should apply to all designations	30%	61%	17%	17%
Total consultation survey responses	1250	380	264	606
Agree that the Supplementary ASB and Poor Housing Conditions should be applied to designation 1 & 2	59%	24%	74%	75%
Disagree that the Supplementary ASB and Poor Housing Conditions should be applied to designation 1 & 2	32%	63%	20%	18%
Total consultation survey responses	1307	393	273	641
Agree that the proposed fee for selective licensing is reasonable	44%	7%	47%	50%
Disagree that the proposed fee for selective licensing is reasonable	47%	90%	36%	40%
Total consultation survey responses	1293	387	273	633
Agree that the proposed discounts for selective licensing are reasonable?	37%	13%	46%	47%
Disagree that the proposed discounts for selective licensing are reasonable?	47%	73%	34%	37%

Conclusions

9.4. The result of the public consultation on the introduction of a selective licensing scheme demonstrated clear overall support for all three designations. Though a majority of

landlord respondents disagreed with the introduction of all three designations, an overwhelming majority of both private tenants and other respondents agreed with all three designations.

10. Proposed amendments to the scheme as a result of the consultation

10.1. As a result of the public consultation, further analysis of the data, advice from expert counsel and discussions with the Department for Levelling Up, Housing and Communities officers recommend the following changes to the proposed scheme:

- 10.1.1. Amending the proposed license conditions to combine the standard and supplementary licence conditions proposed in the consultation, and that these combined conditions will be applicable to all licensable properties in all designated areas. This will simplify the licence conditions, making the scheme easier for landlords and tenants to understand, and for the council to administer. The supplementary conditions strengthen landlords' obligations with regard to managing anti-social behaviour within their properties, and conducting repairs in a timely and competent fashion, but do not deviate significantly from the standard conditions consulted on. (see Appendix 6 'amended selective license conditions')
- 10.1.2. The addition of a license condition regarding the exterior of the property, to place an obligation on the licence holder (where they are responsible) to ensure that all boundary walls, fences, communal gardens and yards are kept maintained and in good order. This would mirror HMO management regulations and the importance of such a condition was clearly reflected in consultation responses.
- 10.1.3. With regard to fees, some consultation response comments stated that the fee split is unclear. Officers recommend that the fee information be updated with more information about Part A and Part B, how the parts of the fee will be used, and explanatory text outlining things such as how long the licence lasts, who should pay for the licence, what information can be changed without charge (licence holder). This is set out in Appendix 7 'fee structure' for further information.
- 10.1.4. Clearly setting out which landlord accreditation organisations will be eligible for the landlord discount, to ensure that only reputable accreditation providers are accepted.

Impact of May 2022 ward boundary changes

- 10.2. In May 2022, following the closure of the consultation, ward boundary changes came into effect in the borough. In addition the number of wards in the borough has reduced from 18 to 16 with the removal of Whitefoot and New Cross, which areas have been redistributed amongst the remaining wards.
- 10.3. This was anticipated and the council has taken advice from the Department and expert counsel, and concluded that the best approach is to designate the exact geographical areas consulted on, as opposed to amending the designation to mirror the new ward boundaries.
- 10.4. Our designations (see appendix 5 selective licensing designations) show the geographical areas covered, and the council will create a post-code search tool, as well as publishing maps so that landlords and tenants can clearly see whether a given property is within the designations.
- 10.5. The council's original consultation proposals were that some supplementary license conditions would apply in designations one and two, relating to anti social behaviour and repairs. However, as set out in point 6.5.2 above, the council is now proposing that

the standard and supplementary conditions be combined into one standard set of license conditions. This will help to simplify the scheme and make all three designations appear as one uniform scheme for landlords and tenants, mitigating any impact of the boundary changes. See section 11 below and Appendix 6 'Amended selective license conditions' for further information.

11. Details of the proposed scheme

Objectives and predicted outcomes

11.1. Lewisham residents tell us that they want to live in homes that are safe and secure, on estates and streets that are well maintained and presentable, and in a thriving communities free from crime and antisocial behaviour. The Council's corporate strategy sets a vision for providing our residents with the opportunity to live their best lives, protecting the individual identities of our neighbourhoods and making Lewisham a place our citizens love to live in. Better and safer housing conditions are a key component of this vision and the proposed selective licensing scheme will help to deliver this by:

- Improving property conditions and management standards in the PRS,
- Reducing antisocial behaviour (ASB), and,
- Reducing deprivation.

Improving property conditions and management standards

11.2. The council will improve property conditions and management standards by ensure that all licensable properties in the borough conform to Lewisham's licensing standards.

- All private rented properties covered by the selective scheme will receive a desk-based audit on application
- At least 60 per cent of the properties covered by the scheme will be inspected at least once during the duration of the licence, informed by a data-led risk assessment.
- The council will robustly enforce the conditions of the license, building on our experience of HMO licensing
- The housing services directorate will also use data analytics and risk modelling tools to identify unlicensed properties.

11.3. The council will reduce repeat complaints about housing standards through a combination of informal and formal actions, including:

- Incentivising landlord accreditations through schemes that promote a professional standard of property management
- Supporting eligible landlords to apply for landlord property improvement grants, through joint working with our Housing Improvement and Assistance team
- Use of the data analytics and risk modelling tools to support the identification of properties that are likely to be operating unlawfully or are likely to be high risk
- Serving of notices and orders under relevant legislation e.g. Housing Act 2004 and other Public Health related legislations
- Issuing civil penalty notices
- Prosecuting repeat offenders and those who commit certain offences, in line with our [private sector licensing and housing enforcement policy](#)
- Undertaking joint enforcement with our statutory partners

- A communications campaign to make renters aware of licensing, as well as their tenancy rights and responsibilities

Addressing anti-social behaviour

11.4. The council will tackle ASB in the private rented sector by reducing the instances of repeat ASB linked to licensed properties over the lifetime of the scheme. A recent study by the British Medical Journal into the public health impacts of selective licensing found that complaints about ASB reduced by 15 per cent in areas covered by selective licensing schemes, compared to control areas⁵. The council will deliver a reduction in ASB by:

- Implementing the private sector licensing and housing enforcement team's ASB-handling protocol, recently developed for our additional licensing scheme, but which will also be applicable to selective licensing (included here as Appendix 8).
- Supporting landlords to manage ASB more effectively in their properties by providing a model ASB policy for landlords to implement
- Enforcing the license condition which requires landlords to take 'all reasonable and practical steps' to manage ASB in their properties, by taking statutory enforcement where necessary. This could include refusing license applications, issuing one-year licenses, revoking licenses, issuing civil penalty notices and/or prosecution in serious cases.
- ensuring that any repairs, improvement works or treatments are carried out by a competent person(s). Copies of receipts and/or invoices for any such works must be provided to the Authority within 28 days upon demand.
- Building links with local police to ensure cases are handled in a joined-up manner
- joint enforcement with partners such as Safer Communities, Planning, Building Control, Adult and Children's/young people's social services, Community Mental Health, Revenues and Benefits the Fire Brigade and others

Reducing deprivation

11.5. Some of the most deprived households in the borough live in privately rented homes. The proposed selective licensing scheme will help the council to deal with the poor property conditions and other issues that exacerbate deprivation, including overcrowding and fuel poverty. A recent study has shown that licensing may also have a beneficial effect on mental health outcomes⁶.

11.6. The council is already working on a range of measures to reduce and lessen the impacts of housing-related deprivation, including through:

- building more social housing, designing good quality homes with ample space where people actually want to live
- progressing our housing assistance programme, where we support disabled and low income home owners to improve their homes through grant funding
- tackling empty homes which blight communities by a combination of a data-led approach to identifying properties and responding to reports by members of the public. We inspect properties we identify, encourage property owners and landlords to engage with the council and offer support in the form of grants and

⁵ [Impact of selective licensing schemes for private rental housing on mental health and social outcomes in Greater London, England: a natural experiment study](#) Petersen J, et al. BMJ Open 2022

⁶ Ibid.

VAT exemption certificates if there is a credible plan to bring the dwelling into use. Where property owners do not engage we will look to take enforcement action, including Empty Dwelling Management Orders (EDMOs) and forced sales.

- 11.7. The proposed selective licensing designations will complement this work and help to tackle deprivation in the rental sector by:
- Enforcing the maximum occupancy stipulated in the license conditions to prevent overcrowding;
 - Ensuring the rented property meets a minimum E EPC rating (unless an exemption applies), and that all Category 1 hazards, such as excess cold and damp and mould hazards are eliminated. This will help to alleviate fuel poverty, and have beneficial health outcomes for residents. While these are legal standards with or without licensing, having the designation in place gives the council the resources to be able to enforce them.
 - Using the resources provided by licensing to work with our in-borough temporary accommodation landlords to raise standards, where these properties are licensable.
 - Ensure all vulnerable private renters, including those on or claiming housing benefits or universal credit are housed in properties that are safe and well-managed, including licensable non-commissioned supported housing.
 - Connecting vulnerable residents we identify as part of licensing, who may be at risk of homelessness with housing services and/or wider support services such as adult social care
- 11.8. It is much easier to rectify property issues under the legal framework of the licensing scheme and when the landlord and other property management companies are known to the council. Landlords who fail to license their properties could receive a civil penalty for failure to license. Where possible, the council will work with landlords to address poor property conditions and the factors that make deprivation worse, to help them to comply with the licence conditions in these wards.
- 11.9. The outcome of the designation should be (together with other measures) a reduction in the problems with housing in the private rented sector contributing to the high level of deprivation in these areas.

Selective licence conditions

- 11.10. In our consultation the council proposed that a set of standard licence conditions should apply in all three designations, but that additional conditions should apply in designations one and two, to address anti-social behaviour and poor housing conditions respectively.
- 11.11. Following analysis of the consultation responses, having reviewed the progress of our additional licensing scheme, and having taken expert advice, the council have decided to amend the standard licence conditions so that the proposed additional conditions for designations one and two will apply in all designations.
- 11.12. The council's amended selective licence conditions are included as Appendix 6, 'amended selective licence conditions'
- 11.13. The impact of these changes will be as follows:
- The scheme and its administration will be simplified and easier for both tenants and landlords to understand
 - The license conditions and the council's ability to enforce standards will be strengthened, but without placing any significant additional burden on compliant landlords

- The potential impact of ward boundary changes on the council's ability to communicate the scheme requirements will be mitigated.

Proposed licensing fees

11.14. It is proposed that the fee for a selective licence is £640 per property before applying discounts. This fee has been set to make the scheme cost neutral, taking into account the cost of inspections, compliance checks, and the discounts available to landlords.

11.15. The fee is to be paid in two parts:

- Part 1: Fee of £160 for processing and determination of the application payable on application for a licence.
- Part 2: Fee of £480 for administration, management and enforcement of the scheme payable before a licence is issued. The final licence will not be issued until the full fee has been paid.

Fee element and eligibility	Amount £
Full fee	£640
Part 1 (all applicants)	£160
Part 2 (full fee)	£480
Part 2 – early bird	£352
Part 2 - accredited landlord	£352
Part 2 – eligible charities	£160

11.16. The early bird rate will apply for a period of not less than three months prior to the official 'go live' date of the scheme. The start date for this rate will be set by officers following confirmation from the Department for Levelling Up, Housing and Communities of the approved designations.

11.17. The proposed fee has already been approved by the council's Licensing Sub Committee on 11 August 2020. The council's legal services team have advised that there is no need to seek further approval from the sub committee.

11.18. For more information please see Appendix 7 ' Fee structure'

12. Consideration of alternative options and potential negative impacts

Alternatives to selective licensing

12.1. The consultation report included as Appendix 1 of this report details a number of alternative options to selective licensing that the Council has already considered and these are listed below:

12.1.1. Maintaining current licensing arrangements

The evidence presented demonstrates that additional measures are needed to raise standards in the private rented sector and this cannot be achieved under the current arrangements. Lewisham's current schemes specifically target HMOs and do not cover studios and single-family households. Officers have experienced a significant amount of resistance from landlords who dispute that

their properties fall within the requirements of either the mandatory or additional licensing schemes. This has meant the process to license properties to date has been very labour-intensive, focusing on proving the case, sometimes through court, rather than tackling disrepair and poor landlord practice.

12.1.2. Introducing only borough-wide additional licensing for HMOs

The data shows that issues exist across the private rented sector and an additional scheme alone would not solve these problems. For example, properties converted into studios share many of the same issues associated with HMOs, such as ASB, Waste Management, etc.

12.1.3. Introducing selective licensing to less than 20% of the borough

The problems identified with the private rented sector extend to most areas in the borough and it is therefore necessary to pursue a scheme to tackle issues in all the identified areas, not just a small area. The percentage of PRS properties in each ward ranges between 41.1% (Lewisham Central) and 23.8% (Downham). Therefore, 18 out of 18 Lewisham wards⁷ have a higher percentage PRS than the 23.8% (Downham). Therefore, 18 out of 18 Lewisham wards have a higher percentage PRS than the national average in 2020 (19%). There were two wards (Telegraph Hill and Black Heath) in which it was felt that although the wards had a higher than average proportion of rental properties, in other respects the evidence did not meet the criteria for a selective licensing designation (see section 6 'criteria for designation').

12.1.4. Voluntary accreditation

We recognise and support a voluntary accreditation scheme and a discount is made available to accredited landlords when licensing their properties. Despite this, less than half the landlords who apply are accredited and works are often still needed to bring the property up to standard for a number of the accredited landlords. Accreditation, while an indication of good intentions, is not a guarantee that the landlord is fully aware of their obligations or that the properties they manage will necessarily be up to standard without greater involvement from the Council. We will continue to actively promote the London Landlord Accreditation Scheme (LLAS) and work closely with other providers of accreditation and bodies promoting higher standards, such as the NRLA, and we will provide licensing discounts to accredited landlords.

12.1.5. Use of prosecutions and civil penalty notices as a disincentive to keeping properties in poor conditions.

The absence of large-scale licensing significantly reduces the scope of the Council's ability to impose civil penalties in respect of identified housing breaches. Successful prosecutions, or the imposition of civil penalties, do not in themselves improve property conditions. In all cases, harm caused due to these conditions have already occurred.

12.1.6. Use of improvement grants to subsidise improvement works, improving standards and deriving benefits for both landlords and tenants.

We already operate a discretionary landlord grant scheme of [insert details]. However, we struggle to incentivise take-up amongst landlords, since they are required to match-fund. There are limited grants available and they only fund improvements that the landlord should, in any event, be carrying out to meet their legal obligations.

12.1.7. Use of ASB powers to issue formal notices on individual properties to tackle

⁷ Of the 18 pre-May 2022 wards. There are now 19 wards in Lewisham.

ASB.

In these situations, ASB action is generally taken against the tenant in occupation. There is no obligation on landlords of unlicensed properties to be proactive in managing their properties to prevent or reduce the likelihood of ASB occurring.

Possible negative economic impacts of selective licensing

- 12.2. There is no evidence to suggest that the introduction of a selective licensing scheme will have a negative impact in the proposed designated areas. A recent independent review of the Use and Effectiveness of Selective Licensing commissioned by MHCLG (now DLUHC) determined that there was no substantive evidence of rent rises being passed onto tenants due to the introduction of selective licensing schemes. It is considered that selective licensing, when combined with other measures taken in the designated areas will have a positive economic impact rather than negative by contributing to improved housing conditions.

Conclusion

- 12.3. Having reviewed the above options, it is not considered that they would achieve the same outcome as the proposed selective licensing scheme for the reasons provided. The alternative options would also not help meet the objectives of Lewisham's corporate strategy and would not bring about the much needed improvement in conditions for people living in the private rented sector.

13. Delivering the proposed scheme

Scheme launch

- 13.1. The new Selective Licensing Scheme will be launched no earlier than within three months of obtaining confirmation from the Department of Levelling Up, Housing and Communities. An early-bird discount will run as part of the scheme pre-launch marketing, with the scheme launching after the early bird period.
- 13.2. We have developed a communication strategy and plan to ensure details of the scheme are communicated effectively to tenants, landlords and property management agents.
- 13.3. Applications once submitted will be deemed as "submitted applications" and the landlords, and their agents, will not be penalised if their applications have been submitted with the relevant documents.

Delivering the scheme outcomes

- 13.4. The Licensing and Housing Enforcement team has expanded considerably since the introduction of additional licensing. Many lessons have been learned through launching the borough-wide additional licensing scheme which will support the successful delivery of the proposed selective licensing scheme. Measures to ensure successful delivery include:
- Creating a licensing enforcement and compliance strategy to encompass both schemes, based on the learning of the first year of additional licensing
 - Further expansion of the Licensing and Housing Enforcement team, funded via the proceeds of licensing, to enable the scheme to be effectively administered and enforced, and to provide support to renters and landlords
 - Expanding our existing HMO-finder model to encompass single-family dwellings and improve our intelligence-led approach to enforcement
 - Using the proceeds of licensing to invest in new IT functionality to streamline and speed up the licensing process for landlords and improve efficiency for the

council

- Improving our communications with landlords and tenants via regular forums and communications campaigns, including leafleting, social media and local news
- Reviewing additional powers which could be delegated to licensing and housing enforcement officers to support improved enforcement, including EPA 1990 statutory nuisance abatement notices, Buildings Act 1984 notices, Tenant Fees Act enforcement powers and Minimum Energy Efficiency Standard enforcement powers.
- More effective joint working with other council agencies, including housing needs and refugee services, planning, revenues and benefits, safer communities, commissioning, adult social care, trading standards, and the South London Energy Partnership
- More effective joint working with external partners including the police, London Fire Brigade, organisations representing renters and landlord bodies.

14. Financial implications

- 14.1. The proposed selective licensing fee is set out in section 11 above.
- 14.2. It is the Council's intention to grant all selective licences for a period of five years starting from the date they are granted, unless the Council is satisfied that in the circumstance of a particular property a shorter period is appropriate.
- 14.3. It is anticipated that the largest proportion of applications will be received in year 1 when landlords wish to take advantage of 'early bird discounts'. Thereafter we expect to receive applications consistently throughout the scheme designation and well into year 5 of the designation.
- 14.4. A financial model has therefore been created to be cost neutral over the course of a 10 year period. The model assumes that although the scheme is for 5 year licences there is an ongoing licence enforcement and management requirement over the life of the licence, even though the selective licensing scheme will cease and no new licences issued from year 6 onwards.
- 14.5. The costs of resourcing the schemes in years 6 -10 will reduce in line with the number of licences that need to be managed and enforced during this period.
- 14.6. In setting the fee the Council has had regard to the EU Service Directive and sections 63(7) and 87(7) of the Housing Act 2004 which confirms that "when fixing fees the local authority may take into account all costs incurred by the authority in carrying out their functions".
- 14.7. The Regulatory Impact Assessment on licensing makes it clear that authorities should not use fee income to raise additional revenue.
- 14.8. The proposed licence fees will be sufficient to cover the estimated costs of establishing and administering the schemes and also the undertaking of any enforcement action.

Expenditure

- 14.9. The costs included in the fees model are:
 - additional staff to process applications (including recruitment and training)
 - additional staff to carry out inspections of premises
 - the cost of dealing with appeals against licensing decisions
 - the cost of purchasing new licensing software
 - other costs associated with ensuring compliance with the scheme.

15. Legal implications

- 15.1. Sections 79- 81 of Part 3 of the Housing Act 2004, provide local authorities with power to introduce selective licensing schemes for other houses falling outside of Part 2 of the Act, which deals with licensing of HMOs.
- 15.2. The types of houses to be licensed under a selective licensing scheme are defined within s. 79 (2) of the 2004 Act. Namely, it applies to a house “if (a) it is in an area that is for the time being designated under section 80 [for selective licensing], and (b) the whole of it is occupied either- (i) under a single tenancy or licence that is not an exempt tenancy, or (ii) under two or more tenancies or licences of different dwellings contained in it, none of which is an exempt tenancy or licence...” Further statutory considerations for a local authority apply under Part 3 of the Housing Act 2004 for selective licensing schemes, pursuant to section 80 (2)(a) and (b). These include conditions in relation to housing conditions, deprivation, migration and conditions in relation to crime and anti-social behaviour.
- 15.3. Before making a decision to introduce selective licensing the local authority must:
 - consult with those who are likely to be affected, including those who live, work or operate businesses in adjoining local authority areas where they will be affected
 - consider whether there are other effective methods of achieving the intended objective.
- 15.4. Approval by the Secretary of State is required for selective licensing schemes.
- 15.5. The Secretary of State will take into account when deciding whether to confirm a Scheme, the robustness of the proposed measures to ensure compliance. In particular, the Secretary of State will expect to be assured there are systems in place to monitor compliance and enforcement measures will be in place where there is non-compliance. Approval of the Secretary of State will be required for a selective Licensing scheme as the proposed borough-wide scheme will:
 - cover more than 20% of the authority's area, and / or,
 - affect more than 20% of privately rented homes in the authority's area. Selective licensing may come into force no earlier than three months after the designation has been approved (or it falls under the general approval).
- 15.6. When fixing fees, the local housing authority may pursuant to s. 87 of the 2004 Housing Act (subject to any regulations made under subsection 5) take into account:
 - all costs incurred by the authority in carrying out their functions under this Part, and,
 - all costs incurred by them in carrying out their functions under Chapter 1 of Part 4 in relation to Part 3 houses (so far as they are not recoverable under or by virtue of any provision of that Chapter).

16. Equalities implications

- 16.1. An Equalities Analysis Assessment has been completed and is included at Appendix 10.

17. Climate change and environmental implications

- 17.1. The licensing scheme will complement the council's existing licensing schemes in

identifying climate and environmental issues not already known such as energy performance, fly-tipping and waste management issues directly linked to properties in the PRS.

- 17.2. A coordinated approach will be taken to engage with landlords. Inspections will focus on the eradication of category 1 and 2 hazards on cold and thermal efficiency, especially for vulnerable residents
- 17.3. Inspections of these properties will be conducted on a risk basis including analysis of potential poor standards in the stock and will work to address poor standards including damp and cold.
- 17.4. Our officers will be trained to provide advice on potential issues relating to energy efficiency, root damage, subsidence and light.
- 17.5. The council will undertake targeted work with all landlords and using landlord forums to promote energy efficiency, including engaging with landlord accreditation schemes that promote energy efficiency.
- 17.6. The council will also take steps to engage more effectively with renters across the borough to raise awareness of the Climate Emergency, and to flag up measures to tackle it, in particular by highlighting renters' rights with regard to the removal of category 1 hazards such as excess cold. This will be particularly important in the context of the current cost-of-living crisis.
- 17.7. The licensing and enforcement team is committed in support Lewisham's climate change initiatives by supporting the climate initiative team in:
 - developing a programme to target high-risk streets and neighbourhoods with tailored advice including the publication and promotion of initiatives
 - assessing the actions and investment needed to get all buildings in the PRS to an average of EPC B and in identifying energy inefficient properties

18. Crime and disorder implications

- 18.1. One of the objectives of the proposed schemes includes tackling ASB and crime. The scheme will identify crime and disorder issues as a result of inspections and investigation. This may result in an increase in anti-social behaviour casework, which is investigated primarily by the Council's Safer Communities service.
- 18.2. The Licensing and Housing Enforcement Team will tackle ASB and crime through active and robust enforcement working in partnership with a range of internal and external agencies including the Safer Communities service and the police, where necessary.
- 18.3. However, the council is clear that the licensing scheme confers powers on the council to take action against criminal and unlawful behaviour by landlords with regard to the management and standards of their rental properties only. This is the primary purpose of selective licensing.
- 18.4. The Council's licensing and housing enforcement service has limited powers and remit to deal with anti-social, or unlawful behaviour on the part of tenants, which, in common with any other resident of the borough is properly the purview of the Safer Communities service, or the police. However, the license conditions allow the council to require landlords to demonstrate to the satisfaction of the council that they have taken 'all reasonable and practical steps' to manage anti-social behaviour in their properties.
- 18.5. The licensing and housing enforcement service is committed to working closely with colleagues in all other relevant council services and other public agencies to support the delivery of safer communities in the borough.

19. Health and wellbeing implications

- 19.1. A key component of delivering the scheme outcomes is the promotion of careers in PRS housing to young people. We will create additional opportunities to promote careers in housing and environmental health to young people, to create a long-term pipeline of qualified officers. Providing new, attractive career options for young residents will have a positive impact on their health and wellbeing.
- 19.2. A poorly managed private rented sector detracts from the look and feel of streets and neighbourhoods, and can have a negative impact on residents' perception of themselves and our borough. A good quality private rented offer, which has a positive impact on neighbourhoods by creating genuinely mixed communities will encourage residents to stay in the borough.
- 19.3. Housing has a huge influence on our mental health and wellbeing. Those who are vulnerable – elderly or young, isolated, without a support network, and adults with disabilities – are more likely to be affected. Poor housing conditions have a long-term impact on health, increasing the risk of severe ill-health or disability by up to 25 per cent during childhood and early adulthood. Children living in crowded homes are more likely to be stressed, anxious and depressed, have poorer physical health, and attain less well at school. An improvement in property conditions is expected to lead to a general improvement in residents living conditions and their health.

20. Background papers

- 20.1. List of appendices:

No.	Title
Appendix 1	LB Lewisham selective licensing consultation report September 2022
Appendix 2	LB Lewisham response to selective licensing consultation January 2022
Appendix 3	Consultation materials
Appendix 4	Housing Select Committee report – selective licensing consultation report September 2022
Appendix 5	LB Lewisham draft notice of designations of areas for selective licensing
Appendix 6	LB Lewisham amended selective licence conditions
Appendix 7	LB Lewisham selective license fee structure
Appendix 8	LB Lewisham Private Sector Housing ASB complaint handling protocol
Appendix 9	Letters of support
Appendix 10	Equalities Analysis Assessment

- 20.2. *Please include a list of papers, documents and reports that relate to the report's subject matter with hyperlinks if the documents are available on our website*

21. Glossary

Term	Definition
Socially rented	Homes rented from the council or a housing association
Privately rented	Homes rented from a private landlord
Private rented sector (PRS)	The portion of housing in the borough that is rented from private landlords

Term	Definition
Category 1 hazard (Cat 1 hazard)	A serious or immediate risk to a person's health and safety that is related to housing
Category 2 hazard	A less serious or less urgent risk that can still be regarded as placing the occupiers' health, safety and welfare at risk
Housing Health and Safety Rating System (HHSRS)	A government prescribed system that rates housing hazards based on their risk to occupiers' health, safety and welfare
Designation	A geographical area chosen for licensing based on evidence
Deprivation	Living on low income and not having the money to pay for some basic requirements.
Indices of Multiple Deprivation	A dataset produced by the government to give a relative value to how deprived an area is, compared to the rest of the country.
Barriers to housing and services	One of the government's measures of deprivation. It combines measures relating to housing affordability, overcrowding and homelessness.
Anti-social behaviour (ASB)	Behaviour related to a rented property that causes annoyance and irritation to neighbours and the community. Most commonly noise, litter and waste.
Selective Licensing	A local scheme which requires landlords to have a licence to legally let their property to a family or two sharers
Additional HMO Licensing	A local scheme which requires landlords to have a licence to legally let their property to three or four sharers
Mandatory HMO Licensing	A national scheme which requires landlords to have a licence to legally let their property to five or more unrelated sharers.

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Consultation on Private Sector Property Licensing in Lewisham

Consultation Report

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Glossary

Term	Meaning
Additional Licensing	A licensing scheme that applies to houses and flats in multiple occupation (HMOs), let to 3 or 4 unrelated people, forming 2 or more households who share amenities such as a kitchen or bathroom.
Anti-social behaviour (ASB)	Behaviour related to a rented property that causes annoyance and irritation to neighbours and the community. Most commonly noise, litter and waste.
Barriers to housing and services	One of the government's measures of deprivation. It combines elements relating to housing affordability, overcrowding and homelessness.
Category 1 hazard (Cat 1 hazard)	A serious or immediate risk to a person's health and safety that is related to housing.
Category 2 hazard	A less serious or less urgent risk that can still be regarded as placing the occupiers' health, safety and welfare at risk.
Deprivation	Living on low income and not having the money to pay for basic requirements.
Designation	Geographical area chosen for licensing based on evidence.
DLUHC	Department for Levelling Up, Housing and Communities
HMO	A property let to 3 or more unrelated people, forming 2 or more households who share amenities such as a kitchen or bathroom
Housing Health and Safety Rating System (HHSRS)	Government prescribed system that rates housing hazards based on their risk to occupiers' health, safety, and welfare.
Indices of Multiple Deprivation	A dataset produced by the government to give a relative value to how deprived an area is, compared to the rest of the country.
Mandatory HMO Licensing	National scheme which requires landlords to have a licence to legally let their property to five or more unrelated sharers.
Private rented sector (PRS)	The portion of housing in the district that is rented from private landlords.
Privately rented	Homes rented from a private landlord.
Selective Licensing	A local scheme which requires landlords to have a licence to legally let their property to a family or two sharers.
Socially rented	Homes rented from housing associations and/or registered social landlords.

Executive Summary

Lewisham Council carried out a public consultation on their proposals to introduce a selective licensing scheme in 16 wards. The council proposed introducing selective licensing in three designations, designed to tackle the most pressing issues within each set of wards.

Designation One – High repeated antisocial behaviour (ASB) and poor housing conditions:

- Brockley
- Catford South
- Lewisham Central
- New Cross
- Perry Vale
- Rushey Green

Designation Two – Poor Housing Conditions:

- Crofton Park
- Evelyn
- Ladywell
- Lee Green
- Sydenham

Designation Three – Deprivation:

- Bellingham
- Downham
- Forest Hill
- Grove Park
- Whitefoot

To consult with landlords, tenants, residents, stakeholders and other interested parties, the council carried out an online survey. The council also hosted public meetings with landlords, tenants, residents, and landlord groups. The council used digital and print media to advertise the consultation, as well as in-person methods, following the easing of social distancing rules.

The consultation ran for 30 weeks from 20th October 2021 to 20th May 2022.

In total 1,356 responses were received from the online survey. Qualitative feedback was received at two public meetings and ten written responses from interested parties.

The consultation considered the level of support for introducing selective licensing. The consultation also looked at views on the proposed licence conditions, fees, and the respondents' perceptions of the issues in the borough.

Key Findings

	Overall	Landlords	Privately renting tenants	Other
Total consultation survey responses	1202	361	257	584
Agree with selective licensing in Designation 1	52%	13%	69%	69%
Disagree with selective licensing in Designation 1	36%	70%	17%	23%
Total consultation survey responses	1064	337	242	488
Agree with selective licensing in Designation 2	47%	10%	66%	63%
Disagree with selective licensing in Designation 2	37%	70%	28%	23%
Total consultation survey responses	1036	321	240	475
Agree with selective licensing in Designation 3	48%	11%	68%	65%
Disagree with selective licensing in Designation 3	33%	65%	23%	20%
Total consultation survey responses	1298	391	271	636
Agree that the standard property conditions should apply to all designations	64%	29%	80%	79%
Disagree that the standard property conditions should apply to all designations	30%	61%	17%	17%
Total consultation survey responses	1250	380	264	606
Agree that the Supplementary ASB and Poor Housing Conditions should be applied to designation 1 & 2	59%	24%	74%	75%
Disagree that the Supplementary ASB and Poor Housing Conditions should be applied to designation 1 & 2	32%	63%	20%	18%
Total consultation survey responses	1307	393	273	641
Agree that the proposed fee for selective licensing is reasonable	44%	7%	47%	50%
Disagree that the proposed fee for selective licensing is reasonable	47%	90%	36%	40%
Total consultation survey responses	1293	387	273	633
Agree that the proposed discounts for selective licensing are reasonable?	37%	13%	46%	47%
Disagree that the proposed discounts for selective licensing are reasonable?	47%	73%	34%	37%

Introduction

Background

According to the Office for National Statistics (ONS) and the Housing Stock and Stressors report findings, the private rented sector (PRS) in Lewisham has grown from 24% in 2011 to 31% in 2021; an increase of almost 30% over 10 years. This shift has come as a result of population growth in tandem with a limited supply of new and affordable homes and therefore has resulted in soaring house prices. The Private Rented Sector has helped address the housing shortage and now 39,674 of Lewisham's 128,798 residential dwellings are privately rented.

The increased demand for privately rented homes has however also seen an increase in rents being charged in the borough, resulting in residents having to compromise on property standards and their health and safety to access affordable housing. The English Housing Survey (Dec 2020) indicates that 12% of private rented dwellings in England had at least one Category 1 hazard; a hazard that poses a serious or immediate risk to a person's health and safety. In stark contrast, 22.7% of Lewisham's PRS properties were found to have at least one category 1 hazard.

Over half of the residential properties in the borough were built pre-Second World War (Housing Stock and Stressors Report, Metastreet, 2021). Housing conditions tend to be worse in older properties and pose greater risk to the health and safety of its inhabitants. For example, the HHSRS Operational Guidance (2006) by the Office of the Deputy Prime Minister, stressed that there is a greater risk of winter deaths in dwellings with low energy efficiency ratings and this correlates with the age of the property; dwellings built after 1980 are more energy efficient and are therefore safer. Wards comprising mainly of older properties are inclined to have more hazards, such as excess cold, fire and electrical issues, damp and mould.

The national Mandatory HMO licensing scheme came into operation in April 2006. Following the end of the previous Additional HMO Licensing scheme in February 2022, a new Additional scheme came into force on Tuesday 5 April 2022.

The Council previously considered introducing a selective licensing scheme; however due to the pandemic, plans were put on hold. As lockdown restrictions came to an end, the council reviewed housing conditions in the borough once again, developed plans as to how a selective licensing scheme could operate in the borough and consequently launched a public consultation to gain feedback on the proposals.

Proposals

Legislation dictates that a selective licensing scheme can only be applied to areas containing a proportion of properties in the PRS **exceeding the national average of 19%**. The PRS in Lewisham is distributed across all 18 wards: where the percentage of PRS properties in each ward ranges from between 41.1% (Lewisham Central) to 23.8% (Downham). Therefore, all of Lewisham's wards have a higher PRS percentage than the national average (19% English Housing Survey Headline Report, 2020-21).

Furthermore, according to the Housing Stock and Stressors Report (2021) there are 8,995 private rented properties in Lewisham that are likely to have at least 1 serious housing hazard (Category 1, HHSRS). This represents 22.7% of the PRS stock. PRS properties with serious hazards are distributed across the borough.

The Selective Licensing Scheme

The council has proposed to introduce a five-year selective licensing scheme in three areas /designations comprising 16 wards based on evidence gathered regarding issues associated with the PRS. The wards have been allocated across the designations in consideration of the differing levels of ASB, poor property conditions and deprivation; these are summarised in Figure 1 below.

The wards of Telegraph Hill and Blackheath are not included in any of the designations as there was not sufficient evidence.

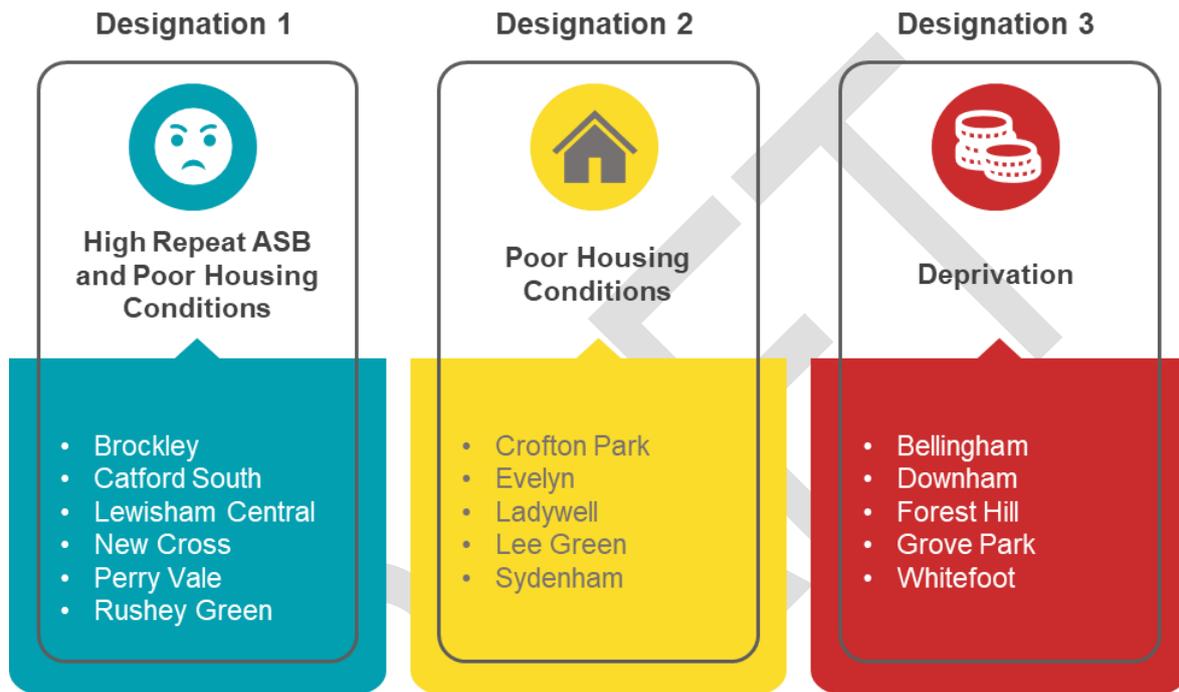


Figure 1: Designation of wards for a proposed selective licensing scheme in Lewisham.

Due to the size of the potential scheme (which would be over 20% of the geographical area of the borough, and over 20% of the private rented sector in the borough), the council will need to seek approval from the Department of Levelling Up, Housing and Communities (DLUHC) should the scheme be agreed by Lewisham Council's Mayor and Cabinet Committee. If implemented, all properties in the designated areas that are rented to single families (or two sharers) will need to have a licence to be legally let.

The council also asked for views on the proposed fees and discounts. The proposed licence fee for selective licensing scheme of £640 for a five-year licence. The proposed discounts are a discount of £128 for accredited landlords and landlords who apply during the "early bird" period, and a discount of £320 for eligible charities. The council also asked for views on the proposed licence conditions. The proposed licence conditions outline the responsibilities of the licence holder, and covers the advice and documentation that must be supplied to tenants, health and safety conditions, and tenancy management including anti-social behaviour, repairs, and refuse management.

Public consultation

The consultation ran for 30 weeks from 20th October 2021 to 20th May 2022. To capture as much feedback as possible from landlords, tenants, residents and other stakeholders the council used several approaches to promote the consultation across the borough, and outside the borough. Activities for the consultation, including releasing new communications and publicity, were paused during the pre-election period of (21st March 2022 to 6th May 2022), in the lead up to the 2022 local elections.

Communication channels

The consultation and survey were initially hosted on the Commonplace platform, with three surveys, one for each designation, to gather the feedback from stakeholders. The consultation page also had the supporting evidence for the designations, and the proposed licence conditions as well as information about the proposed fees and discounts. The initial consultation surveys were promoted and advertised by:

- Council e-newsletters: resident newsletter (approx. 28,000), staff newsletter (approx. 2,500) and business newsletter (approx. 4,600)
- Features in Lewisham Life magazine – distributed to 150,000 households in Lewisham.
- Posters and leaflets distributed to key community centres, health centres, resident groups, theatres, libraries
- Direct email to more than 400 local community groups/churches etc.
- Consultation info distributed via Lewisham Homes channels
- Adverts with links directly to the consultation on London Property Licensing (LPL), a website dedicated to providing information about property licencing schemes in each London Borough. The adverts ran from 12th November 2021 to 3rd February 2022 including:
 - LB Lewisham licensing consultation banner advert on the LPL homepage and LB Lewisham pages
 - A news article in LPL news section
 - The consultation was listed on the LPL events page
 - A high-profile banner headline attached to a rotating image at the top of the LPL home page
 - During the consultation period, the webpages on the London property Licensing website that promoted the licensing consultation exercise were viewed 6,930 times and the LB Lewisham was the third most viewed borough page.
 - The licensing consultation was promoted in the LPL newsletters distributed on 30/11/2021, 17/12/2021 and 31/01/2022. Each newsletter was sent to between 3,293 and over 3,326 people.
 - The licensing consultation was promoted in posts on the LPL Facebook page on 16/12/2021 and 13/01/2022, and the LPL LinkedIn page on 16/12/2021 and 12/01/2022.
 - Tweets about the licensing consultation were published on the LPL Twitter Feed (@lplicensing) every 15 to 17 days, timed to cover a variety of morning, afternoon and evening posts, between 15/11/2021 and 27/01/2022. During this period, the @lplicensing twitter feed had between 2,284 and 2,299 followers
- Direct email to residents who had previously completed consultations on Commonplace
- Out-of-Home advertising boards and screens poster campaign for two weeks on 40 sites on high streets and roadsides across the borough.

Following a review of the consultation responses and consultation page in January 2022, the survey was consolidated into one survey to make it easier for respondents and for the council to gather feedback on all the designations. This was moved to the council website from the Commonplace platform. The evidence pack was also reviewed and edited to make the designations and supporting evidence clearer. This renewed evidence base, as well as the proposed licence conditions and information about the proposed fees and discounts were also available on the council website, on the same page as the survey.

Webpages and social media communications

14 January - web page created and posted

17 January - organic social media posts started. The organic social media posts campaign had a reach of 78,684, 1880 engagements and 234 clicks.

- Twitter posts on 17th Jan, 25th Jan, 1st Feb, 7th Feb, 11th Feb, 14th Feb, 17th Feb, 23rd Feb, 7th Mar, 13th Mar, 9th May, 12th May
- Facebook posts on 17th Jan, 25th Jan, 1st Feb, 11th Feb, 14th Feb, 17th Feb, 23rd Feb, 7th Mar, 13th Mar, 9th May, 12th May
- Instagram posts on 25th Jan, 1st Feb, 7th Feb, 23rd Feb (Instagram reel)
- Next door posts on 15th Feb

17 January - details added to London Borough of Lewisham's homepage

18 January - alerts added to various housing web pages

26 January - shared on Yammer

7 February - social media assets updated

9 May - CAN digital advertising campaign started, running from 9th May to 20th May which resulted in 185,427 impressions, 2,385 clicks to the consultation page with an average click-through-rate of 1.29% which is higher than the industry average for display ads of 0.35%.

The digital campaign placed adverts on websites and social media pages related to Lewisham and the private rented sector, including:

- Facebook
- Instagram
- Tamilwin.com
- Zoopla
- Ghanaweb.com
- Lankasri.com
- The Sun
- Gazeta.pl
- Novini.bg
- Daily Mail
- Mirror
- Gumtree
- Mumsnet
- Express

Targeted emails

28 January - shared in Chief Executive all staff email

27 January – Shared in business newsletter (approx. 4,600 recipients) and resident newsletter (approx. 28,000 recipients)

15 February - email to 656 HMO landlords

Paper-based communications

18 February - hard copy surveys sent to Lewisham libraries

March – Featured in Lewisham Life magazine’s March edition - distributed to 150,000 households in Lewisham.

March – Consultation advertised in the Council Tax mail-out – sent to approx. 135,000 households in Lewisham.

6 May - Inclusion in Lewisham Homes newsletter to tenants and leaseholders - 10,400 recipients

Public meetings and in-person communications

2 March – Public Meeting held via zoom attended by 18 people

18 March – Lewisham Council staff visited Lewisham foodbank with information about the consultation and paper copies of the survey

16 May – Public Meeting held with the NRLA to provide information about the consultation, via zoom, attended by 15 people

20 May - Lewisham Council staff visited Lewisham foodbank with information about the consultation and paper copies of the survey

Consultation methods

Online surveys

From 20th October 2021 to 13th January 2022, the consultation ran three surveys, one for each designation, which was available to the public via the Commonplace website. There were 221 responses to the survey for Designation 1, 90 responses to the survey for Designation 2, and 54 responses to the survey for Designation 3.

Following a review of the consultation responses, the council created a single overall survey which would cover all three proposed designations, with the aim that the single survey would be quicker and easier for respondents to complete. The updated, single survey was available from 14th January on Commonplace, and was moved to the Council’s website on 21st January 2022. The consultation was extended to 20th May 2022 give more stakeholders time to reply. Paper copies of this survey were also available upon request and printed copies were used to gather feedback at food banks.

The final survey received 991 responses, of which 14 were paper copies.

Public forums

The Council held two public meetings to provide more information about the proposed scheme and to gather feedback from stakeholder who may be impacted by licensing. The public meetings were held over Zoom, and the council presented information about the

proposed schemes, followed by a question-and-answer session. The first meeting was held on 2nd March 2022 and was attended by 18 people. The second meeting was held on 16th May 2022, and was aimed at engaging with landlords and was organised with the National Residential Landlords Association and was attended by 16 people. The feedback from meeting attendees has been analysed below.

Other written feedback

The council accepted feedback on the proposed licensing schemes by email or written response. The feedback in the ten emails received has been analysed below and the written responses received can be found in the appendices.

Consultation results

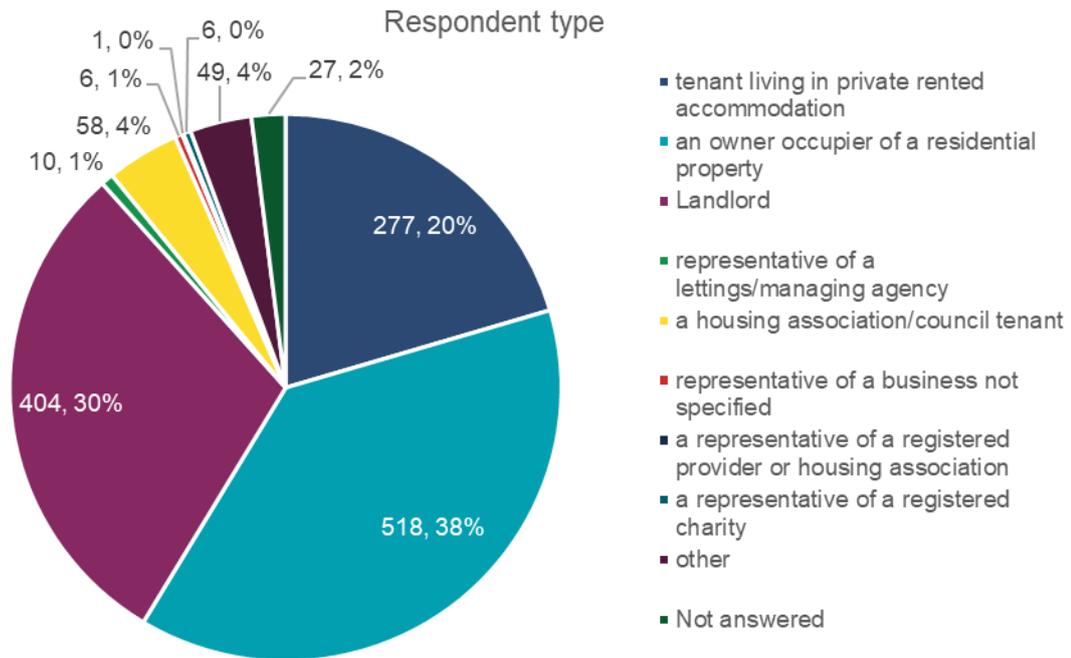
The online surveys

This section of the report presents the results of the surveys which ran from 20th October 2021 to 20th May 2022. There were 1,356 responses to the surveys. Where the questions were the same across all the surveys, they will be shown as one result in the analysis below. Where questions were asked in the initial surveys or in the final survey, this will be stated and the results from that question presented below.

In the following analysis, the percentages are based on the answers to the question and will state the number of responses to the question.

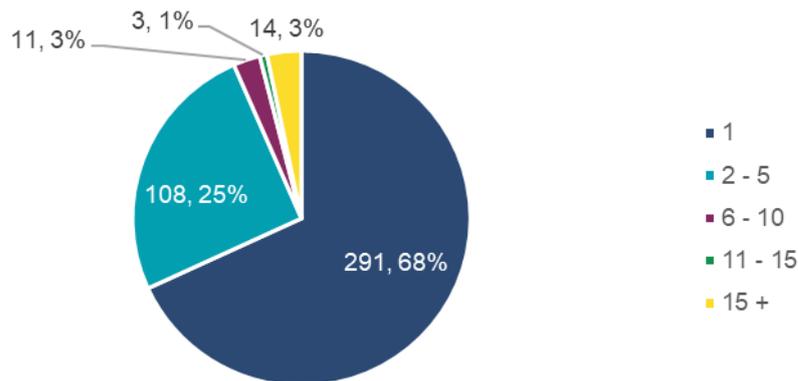
Respondents

All respondents to the consultation were categorised into the following stakeholder groups. Where respondents said they were both a landlord and another stakeholder group (for example, a landlord and a resident), they have been categorised as a landlord for the analysis of the consultation responses. All 1,356 respondents were categorised. The range of respondents to the consultation show a good representation of views from different stakeholder groups



Landlords and managing agents responding to the survey were asked how many properties they owned or managed in Lewisham. 427 respondents answered this question. The overall majority, 68% (291) stated that they owned or managed one property in Lewisham.

If you are a landlord or a managing agent of private rented homes, how many do you own or manage in Lewisham?



Views on the proposed selective licensing scheme

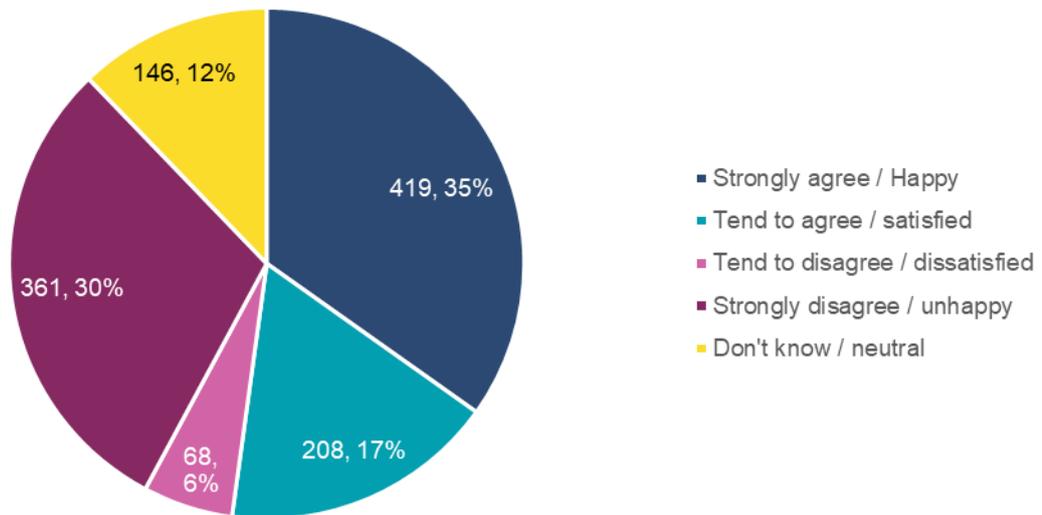
The Council is proposing to introduce a selective licensing scheme which would target privately rented homes in 16 wards let to single family households, two sharers or one person. These would be in three designations, as outlined in the Executive Summary.

Proposal to introduce selective licensing in designation 1.

Designation 1 would cover Rushey Green, Brockley, New Cross, Catford South, Lewisham Central and Perry Vale wards on the basis of high repeat ASB and poor housing conditions.

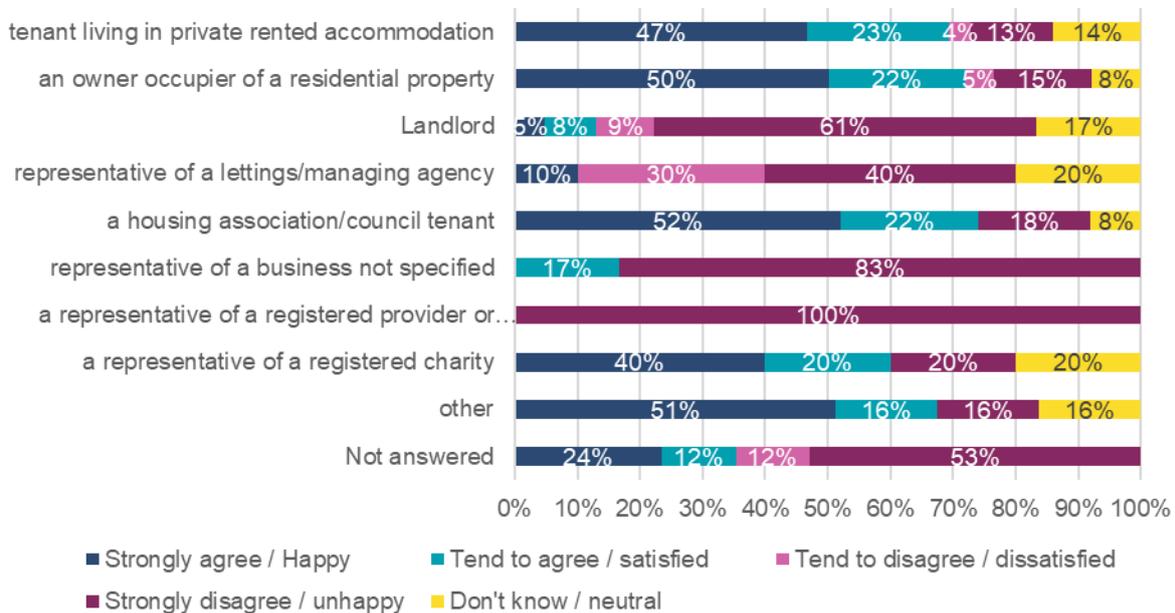
1,202 respondents answered the question regarding their agreement with the proposed scheme for designation 1. The overall majority, 52% (627) agree with the proposed scheme designation. 36% (429) disagree.

To what extent do you agree or disagree with the proposal to designate the specified wards in designation 1 for selective licensing?



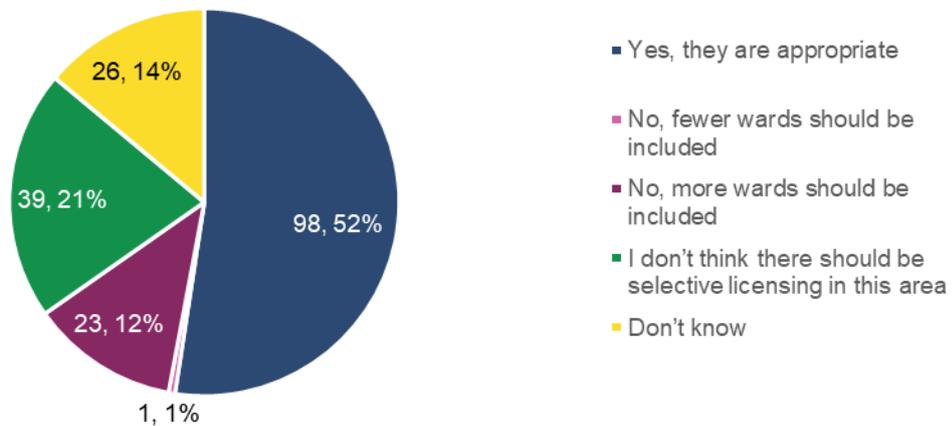
Looking at the responses by group, owner occupiers, privately renting tenants and housing association/council tenants are in favour of the proposals with around 70% of each group agreeing. Landlords and representatives of letting/managing agents are opposed to the proposals with around 70% disagreeing

To what extent do you agree or disagree with the proposal to designate the specified wards in designation 1 for selective sicensing?



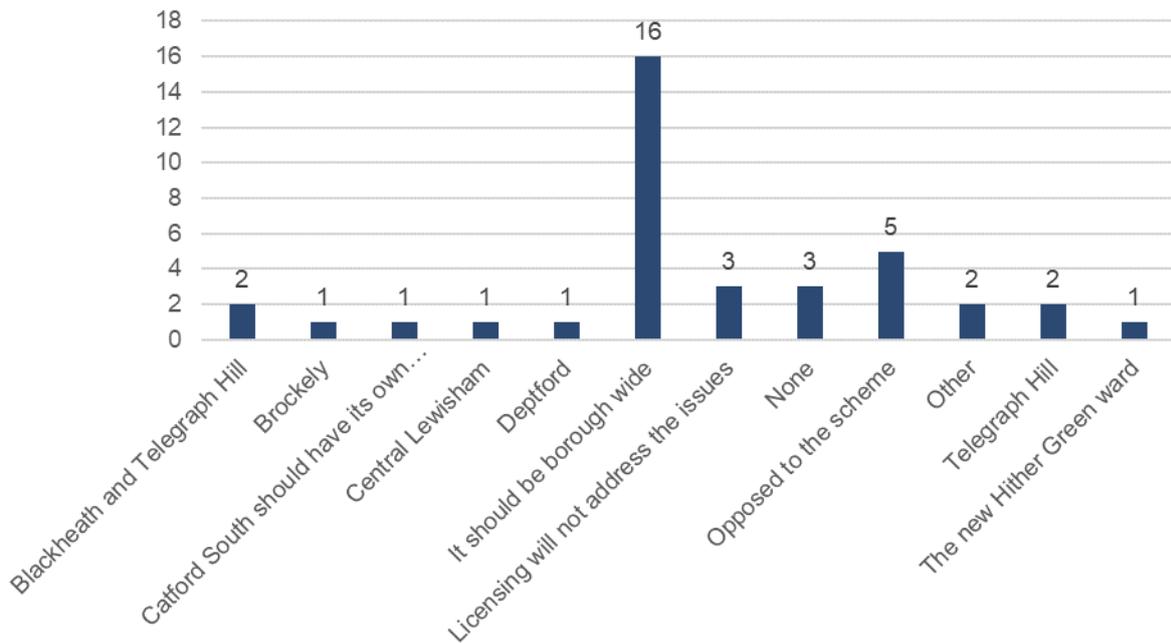
Respondents to the initial surveys (one for each designation) were asked if they thought the proposed wards for the designation were appropriate. 187 respondents answered this question for designation 1. 52% (98) responded that “yes, they are appropriate”.

Do you think the proposed wards for designation 1 are appropriate?



Respondents to the initial survey for designation 1 were asked to suggest of which wards in Lewisham should be included or excluded from the designation. In total there were 38 comments from respondents. The top responses were that the designation should be borough-wide, followed by comments opposing the proposed scheme. All representations to the consultation will be considered in line with the Housing Act 2004 and the council's consideration published as an annex to this consultation.

Which of the wards in Lewisham should be included or excluded from designation 1?

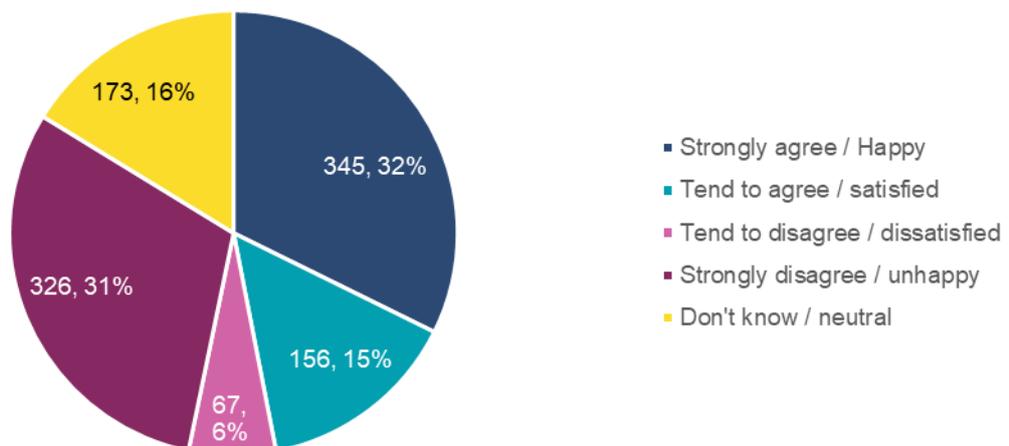


Proposal to introduce selective licensing in designation 2.

Designation 2 would cover Evelyn, Ladywell, Lee Green, Crofton Park and Sydenham wards on the basis of poor housing conditions.

1,067 respondents answered the question regarding their agreement with the proposed scheme for designation 2. 47% (501) agree with the proposed scheme designation. 37% (393) disagree.

To what extent do you agree or disagree with the proposal to designate the specified wards in designation 2 for selective licensing?



Looking at the responses by group, owner occupiers, privately renting tenants and housing association/council tenants are in favour of the proposals with over 60% of each group

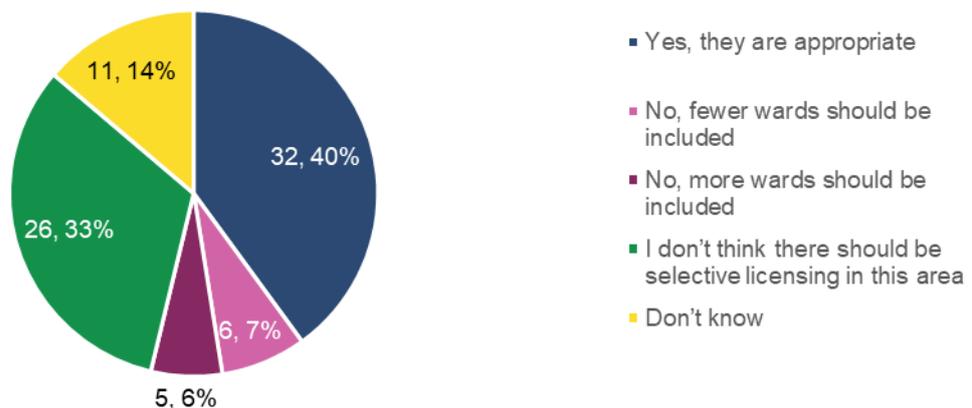
agreeing. Landlords and representatives of letting/managing agents are opposed to the proposals with around 60% disagreeing

To what extent do you agree or disagree with the proposal to designate the specified wards in designation 2 for selective licensing?



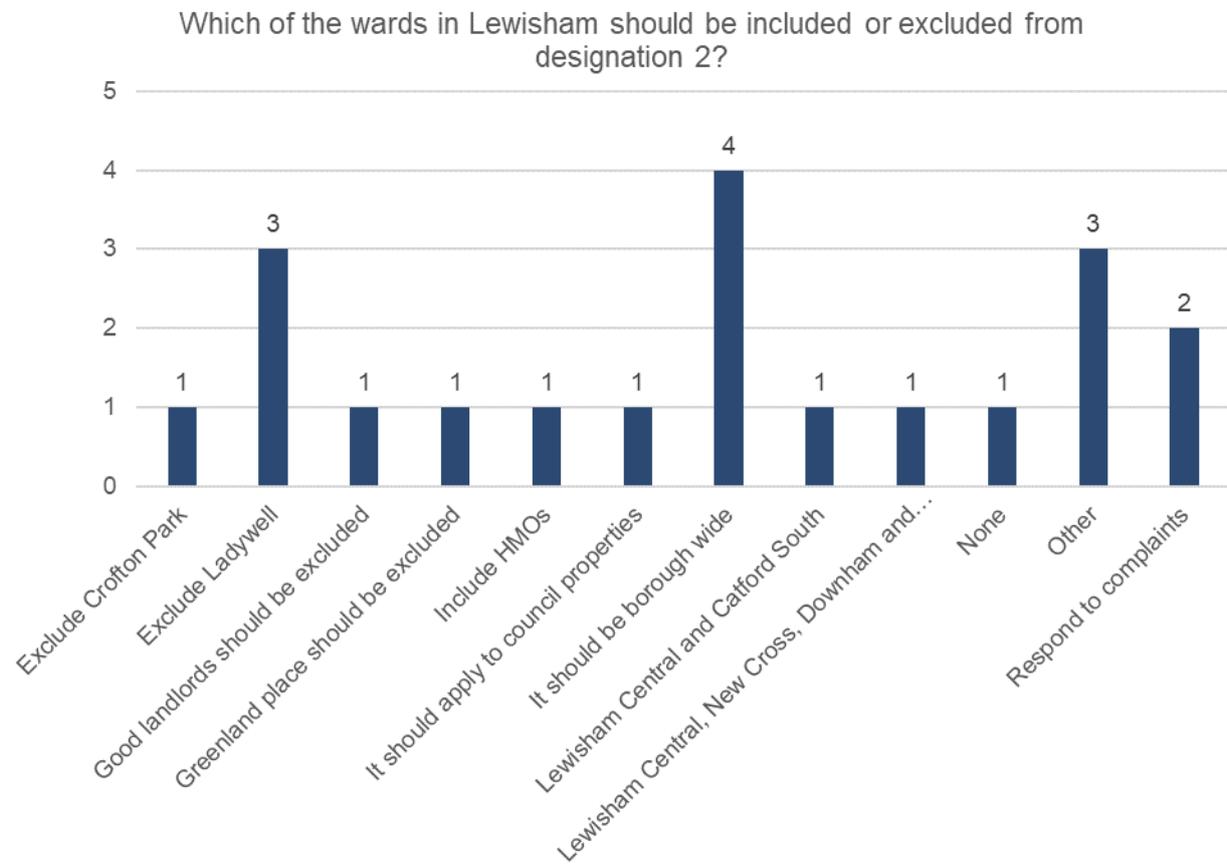
Respondents to the initial surveys (one for each designation) were asked if they thought the proposed wards for the designation were appropriate. 80 respondents answered this question for designation 2. 40% (32) responded that “yes, they are appropriate”.

Do you think the proposed wards for designation 2 are appropriate?



Respondents were to the initial survey for designation 2 asked to suggest which wards in Lewisham should be included or excluded from the designation. In total there were 20 comments from respondents. The top responses were that the designation should be borough-wide, followed by suggesting that Ladywell be excluded. All representations to the

consultation will be considered in line with the Housing Act 2004 and the council's consideration published as an annex to this consultation.

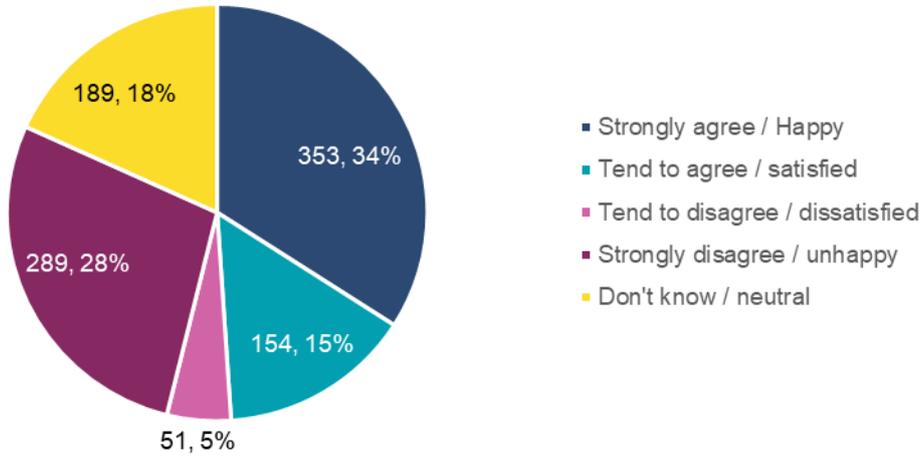


Proposal to introduce selective licensing in designation 3.

Designation 3 would cover Downham, Bellingham, Whitefoot, Forest Hill and Grove Park on the basis of deprivation.

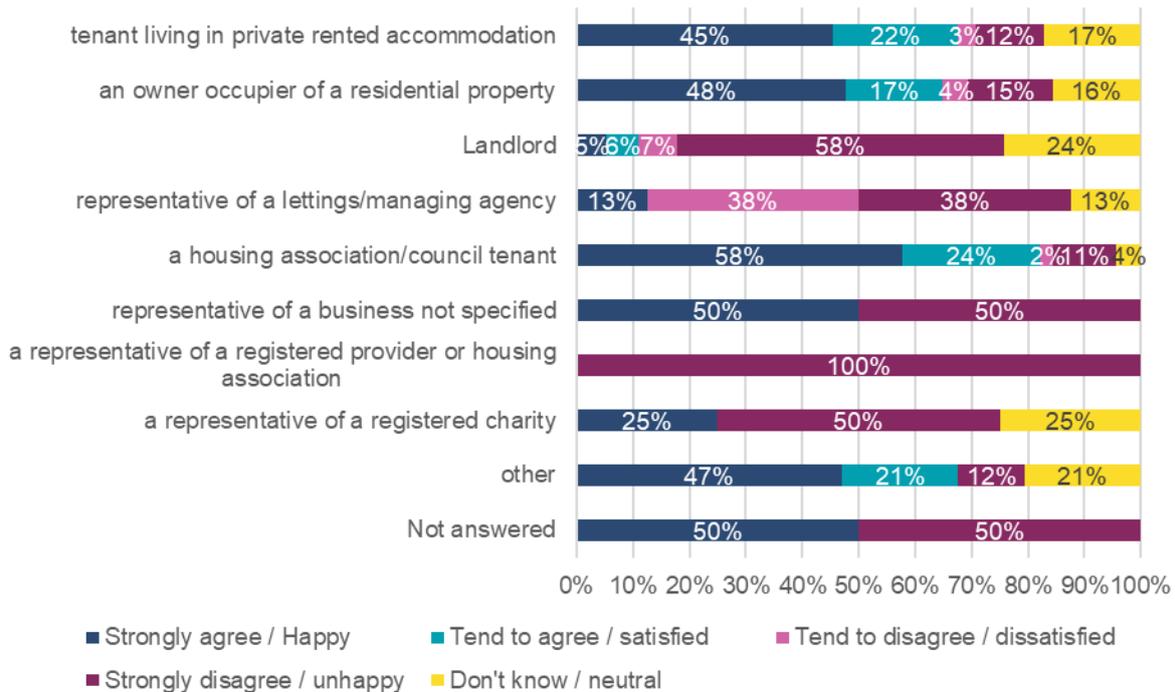
1,036 respondents answered the question regarding their agreement with the proposed scheme for designation 3. 49% (507) agree with the proposed scheme designation. 33% (340) disagree.

To what extent do you agree or disagree with the proposal to designate the specified wards in designation 3 for selective licensing?



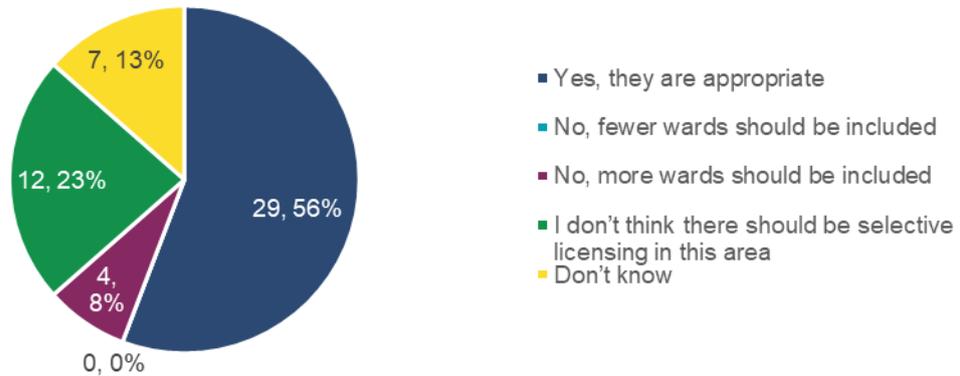
Looking at the responses by group, owner occupiers, privately renting tenants and housing association/council tenants are in favour of the proposals with over 60% of each group agreeing. Landlords and representatives of letting/managing agents are opposed to the proposals with over 60% disagreeing

To what extent do you agree or disagree with the proposal to designate the specified wards in designation 3 for selective licensing?



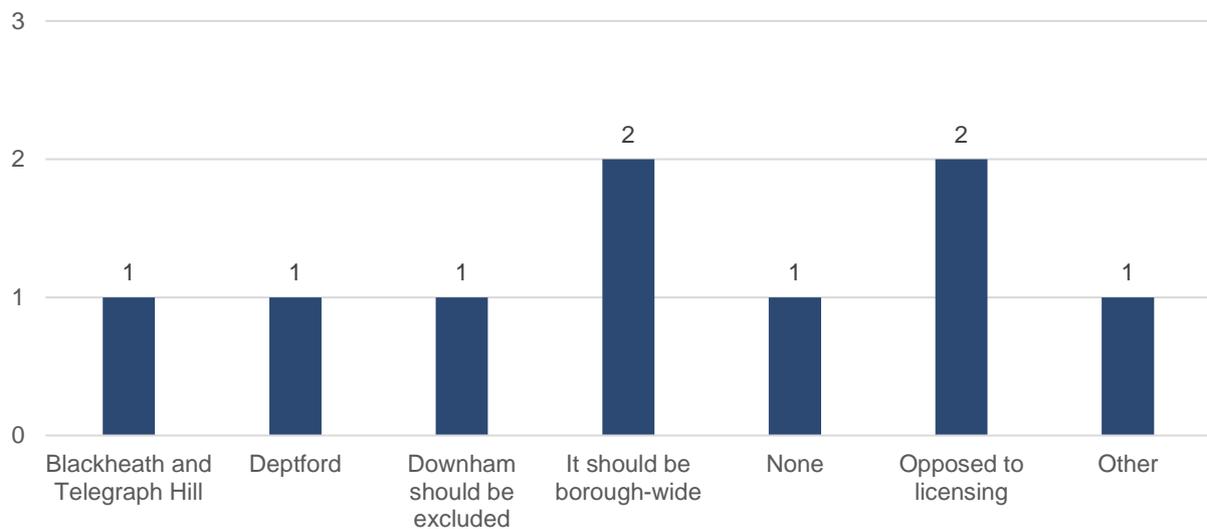
Respondents to the initial surveys (one for each designation) were asked if they thought the proposed wards for the designation were appropriate. 52 respondents answered this question for designation 3. 56% (29) responded that “yes, they are appropriate”.

Do you think the proposed wards for designation 3 are appropriate?



Respondents were to the initial survey for designation 3 asked to suggest of which wards in Lewisham should be included or excluded from the designation. In total there were 9 comments from respondents. The top responses were that the designation should be borough-wide, followed by comments opposed to the proposed scheme. All representations to the consultation will be considered in line with the Housing Act 2004 and the council's consideration published as an annex to this consultation.

Which of the wards in Lewisham should be included or excluded from designation 3?



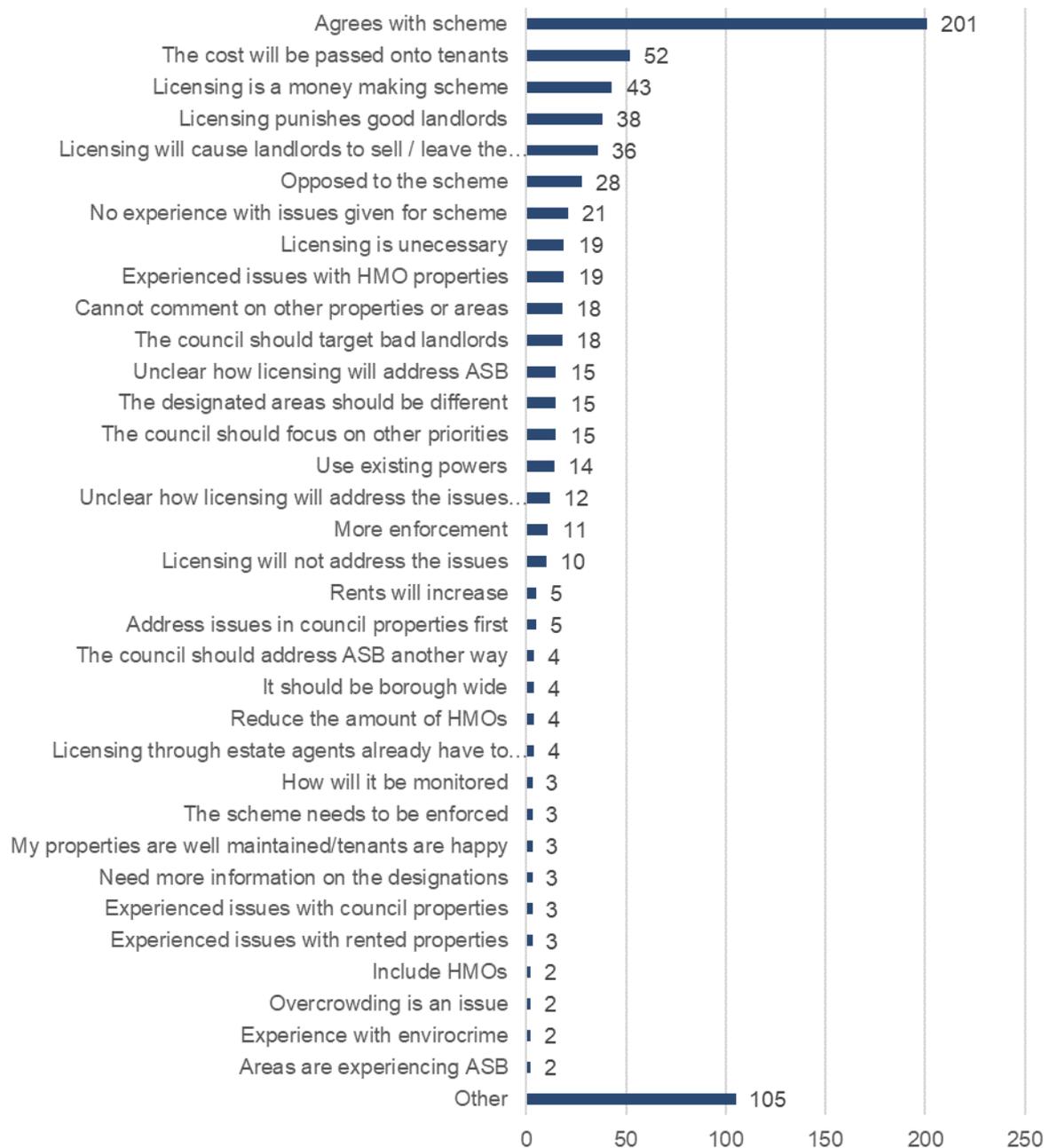
Reasons for opposing or supporting the introduction of selective licensing schemes.

Respondents were given the opportunity to explain their responses as to why they agreed or disagreed with the proposed selective licensing schemes. For all the free text responses throughout the report, each response was looked at and categorised into a theme. Comments that were not relevant to the question were excluded from this analysis.

In total there were 742 comments from respondents, 286 from landlords, 105 from private tenants, 273 from owner occupiers and 78 from other respondent types. Themes which received fewer than two comments were grouped under 'other'.

Key themes were “agrees with the scheme”, “the cost will be passed onto tenants” and “licensing is a money-making scheme”. All representations to the consultation will be considered in line with the Housing Act 2004 and the council’s consideration published as an annex to this consultation.

Agreement/Disagreement with scheme theme

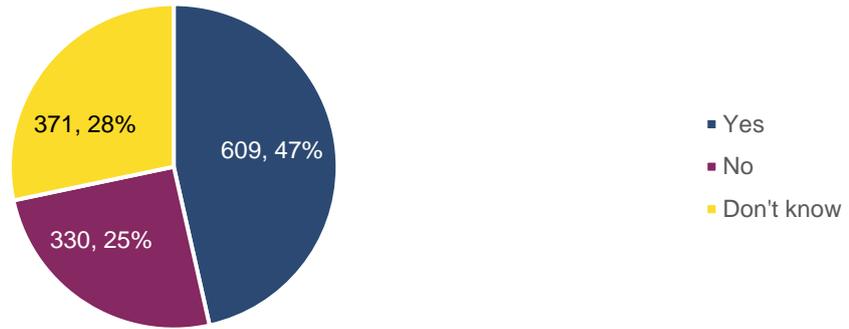


Views on alternatives to licensing

Respondents were asked if they thought that the Council should consider alternatives to a selective licensing Scheme to effectively regulate private rented property conditions and management, help tackle anti-social behaviour and raise the living conditions of the most deprived in Lewisham.

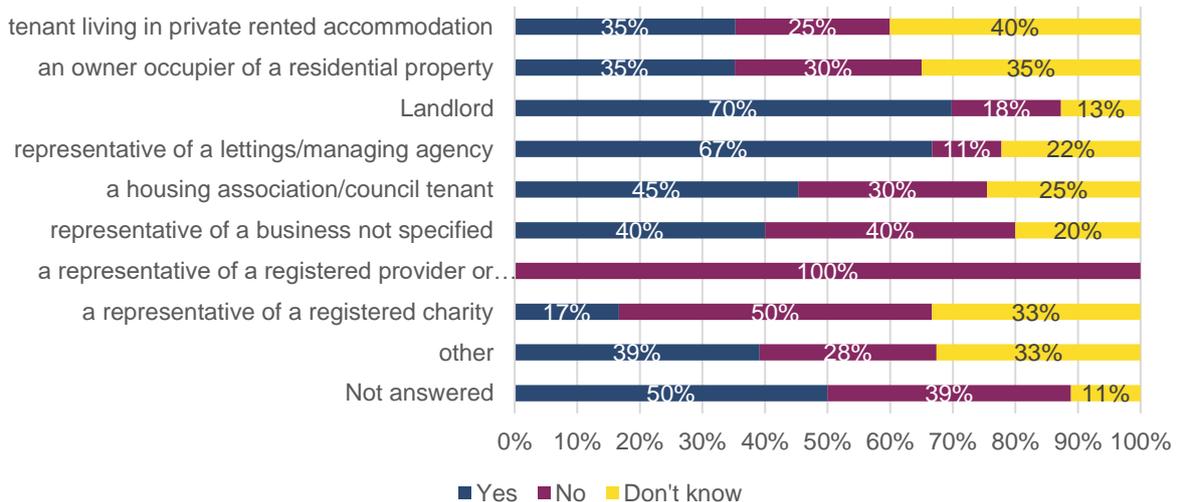
1,310 respondents answered this question. 47% (609) respondents answered yes, the council should consider alternatives. 25% (330) answered no, and 28% (371) answered “Don’t know”

Do you think the Council should consider alternatives to a selective licensing scheme to effectively regulate private rented property conditions and management, help tackle anti-social behaviour and raise the living conditions of the most deprived in Lew



Looking at the responses by stakeholder group, almost all groups had a significant proportion who responded that the Council should consider alternatives to selective licensing.

Do you think the Council should consider alternatives to a Selective Licensing Scheme to effectively regulate private rented property conditions and management, help tackle anti-social behaviour and raise the living conditions of the most deprived in Lew

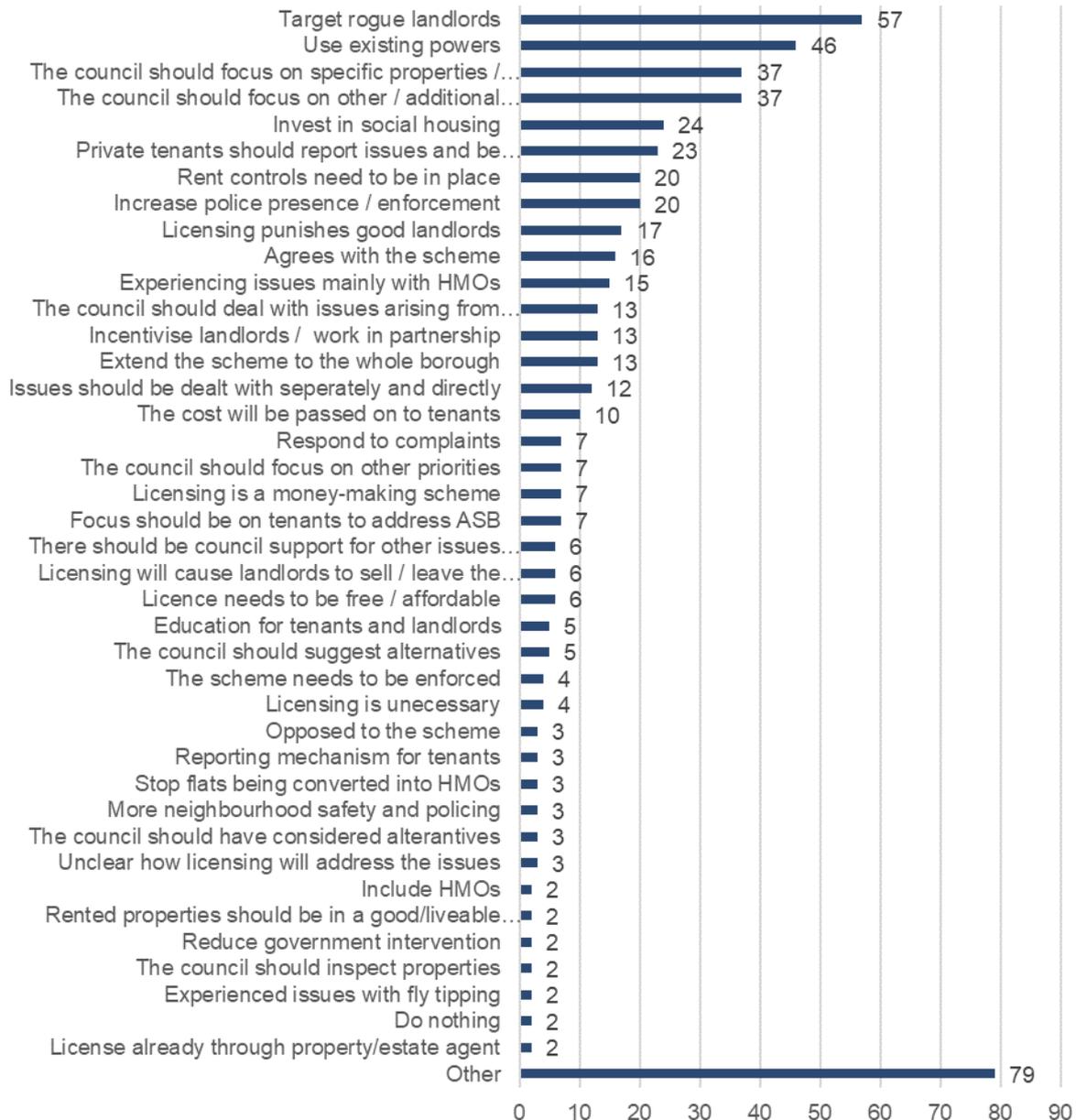


Respondents were asked what alternatives they think the Council should consider and indicate whether they would be relevant for the entire area covered by the proposed selective licensing scheme or a specific part of it.

In total there were 548 comments from respondents, 265 from landlords, 77 from private tenants, 149 from owner occupiers and 57 from other respondent types. Themes which received fewer than two comments were grouped under ‘other’.

Key themes for alternatives to selective licensing are that the council should “target rogue landlords”, that “the council should use their existing powers to address issues” and that “the council should focus on specific properties / types of properties”. All representations to the consultation will be considered in line with the Housing Act 2004 and the council’s consideration published as an annex to this consultation.

What alternatives do you think the Council should consider to a Selective Licensing scheme?



Views on the proposed selective licensing conditions

The consultation asked respondents for their views on the proposed set of licence conditions, for both selective and additional licensing schemes. The proposed licence conditions outline the responsibilities of the licence holder, and covers the advice and documentation that must be supplied to tenants, health and safety conditions, and tenancy

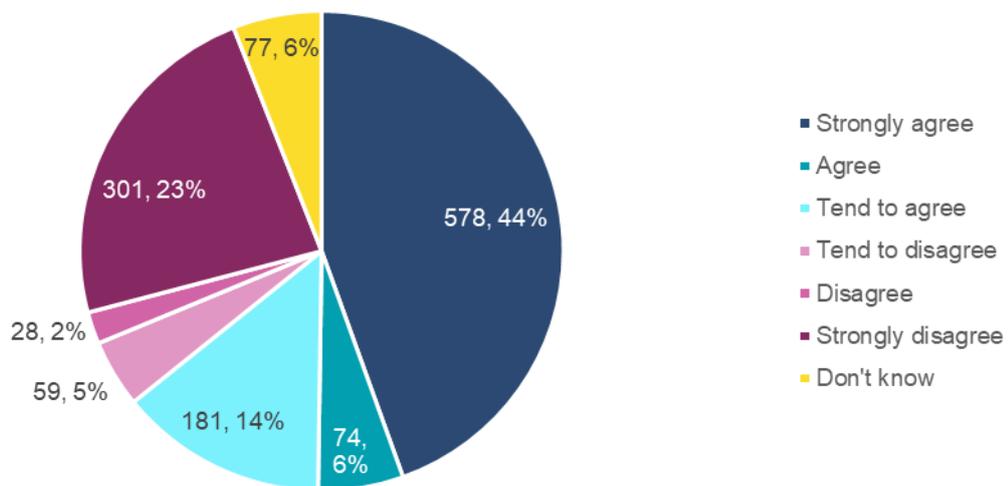
management including anti-social behaviour, repairs, and refuse management. Further information about the licence conditions was provided within the consultation documents.

Views on the standard property conditions

The Council consulted on the proposal to apply a standard set of property conditions to all three designations.

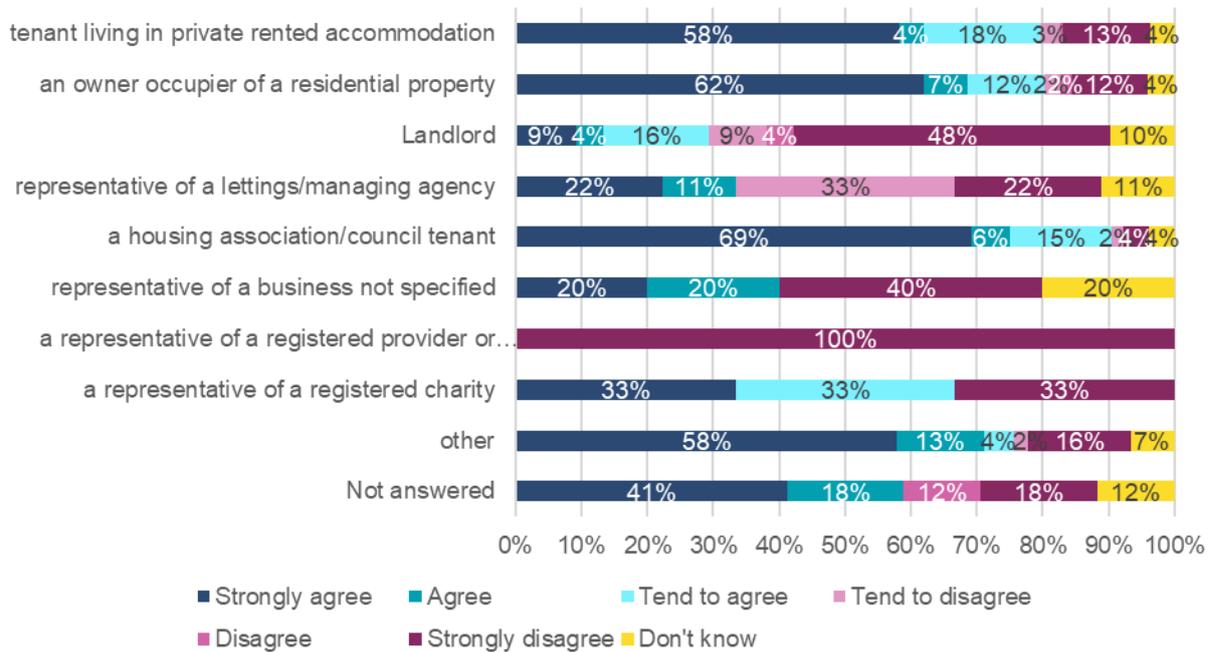
1,298 respondents answered the question regarding their agreement with the standard property conditions being applied to the designations. 64% (833) of respondents agreed and 30% (388) disagreed.

Do you agree that Lewisham's standard property conditions should be applied to the designations?



Looking at the responses by group, owner occupiers, privately renting tenants and housing association/council tenants are in favour of the proposals with around 80% of each group agreeing. Landlords and representatives of letting/managing agents are opposed to the proposals with over 50% disagreeing

Do you agree that Lewisham's standard property conditions should be applied to the designations?

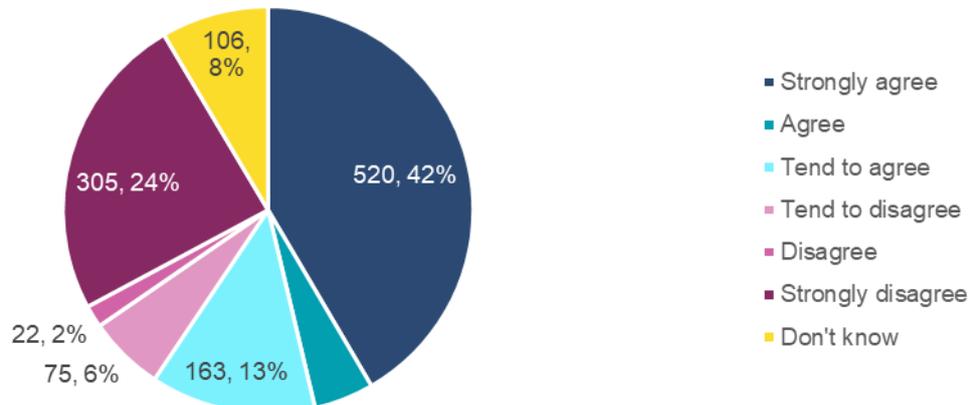


Views on the supplementary anti-social behaviour (ASB) and poor housing conditions

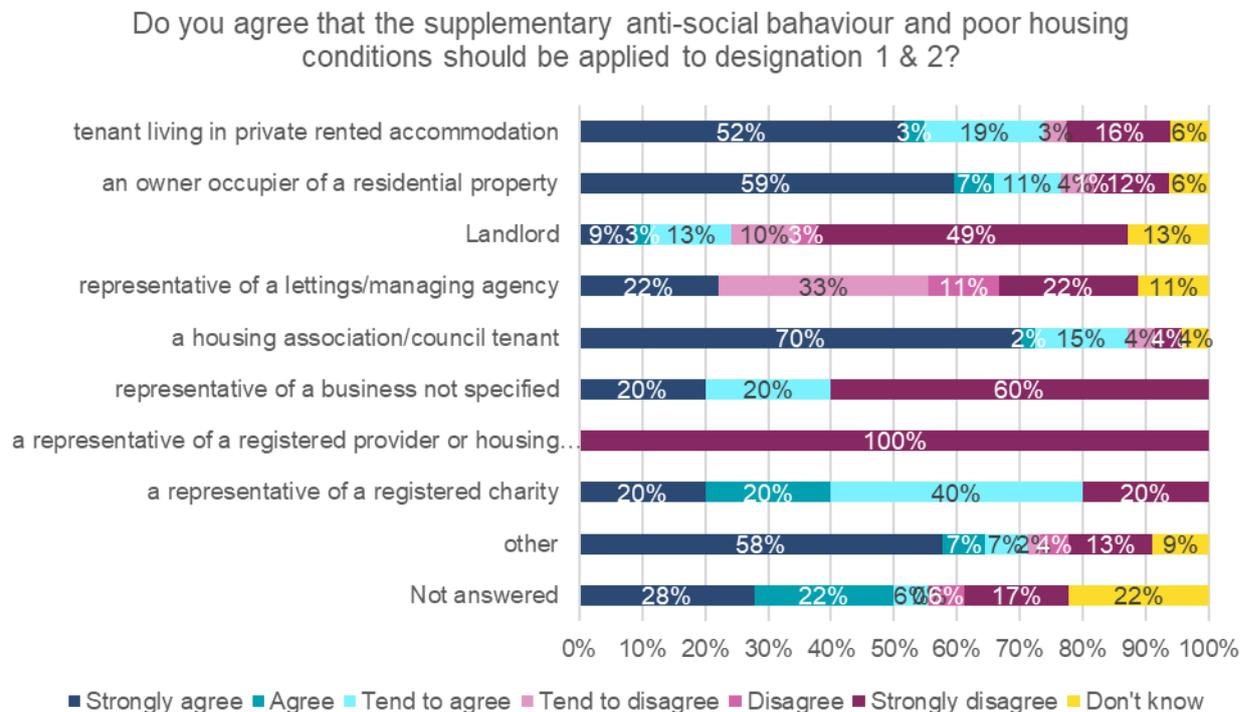
The Council consulted on the proposal to apply a supplementary set of property conditions to address ASB and poor housing conditions to designations 1 and 2.

1,250 respondents answered the question regarding their agreement with the standard property conditions being applied to the designations. 60% (742) of respondents agreed and 32% (402) disagreed.

Do you agree that the supplementary anti-social behaviour and poor housing conditions should be applied to designation 1 & 2?



Looking at the responses by group, owner occupiers, privately renting tenants and housing association/council tenants are in favour of the proposals with over 70% of each group agreeing. Landlords and representatives of letting/managing agents are opposed to the proposals with over 60% disagreeing

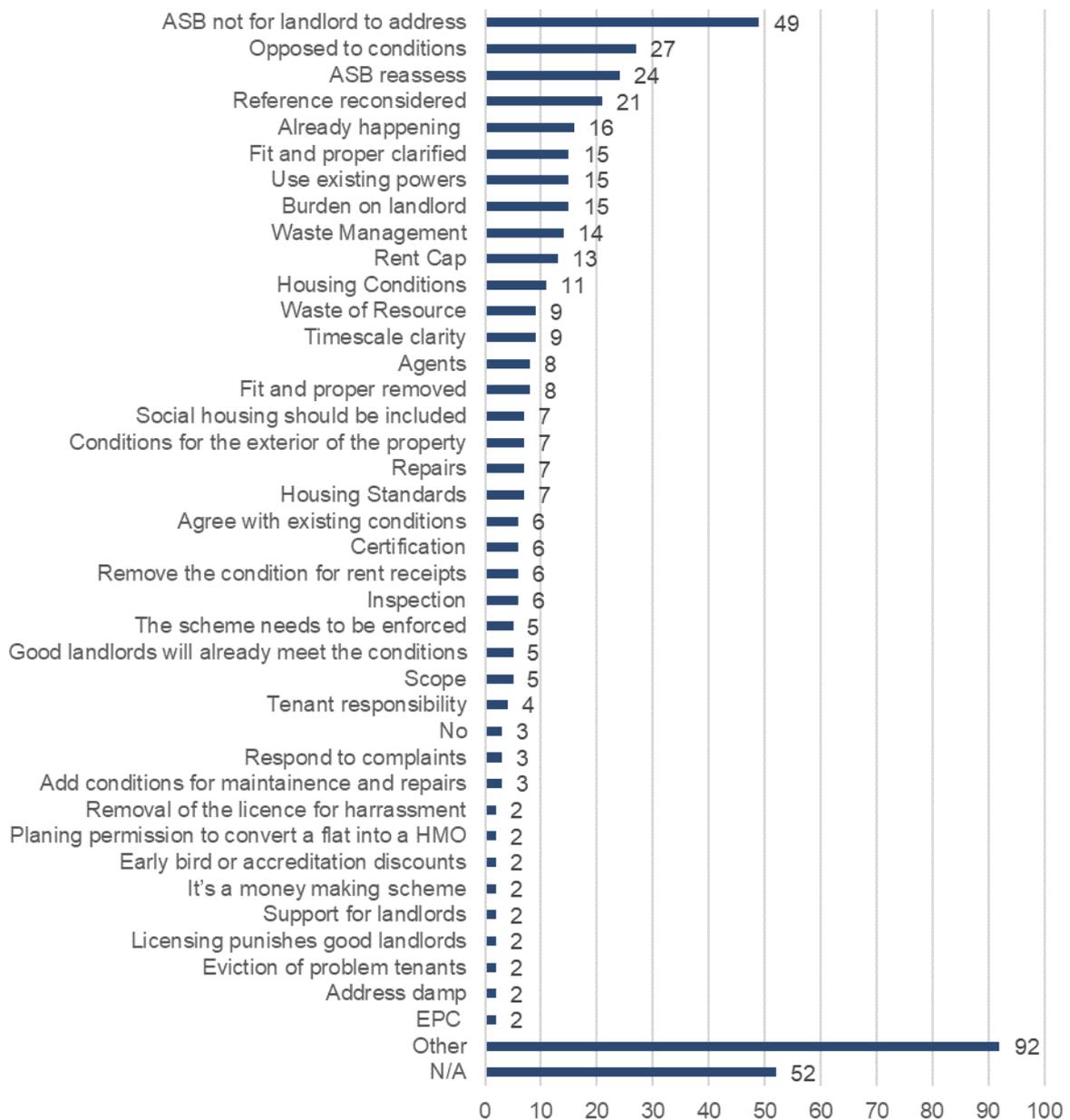


Views on the proposed conditions

Respondents were asked if they thought that any conditions should be included or removed. In total there were 496 comments from respondents, 190 from landlords, 83 from private tenants, 172 from owner occupiers and 51 from other respondent types. Themes which received fewer than two comments were grouped under 'other'.

Key themes for conditions that should be included or removed are that "ASB is not for landlords to address", "opposition to the conditions" and that the ASB conditions should be reassessed. All representations to the consultation will be considered in line with the Housing Act 2004 and the council's consideration published as an annex to this consultation.

Are there any conditions you think should be included or removed?



Views on the proposed fee and discounts

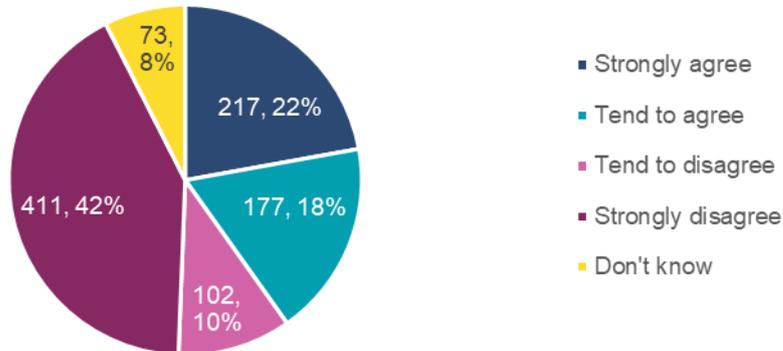
The consultation asked respondents for their views on the proposed licence fees for the proposed selective licensing scheme, and the proposed discounts. Information about the proposed licence fees and discounts was provided within the consultation documents. The questions regarding the fees and discounts were phrased differently and had different answer options in the initial surveys (one for each designation) than in the final overall survey. Therefore, the results of these questions are presented separately below.

Views on the proposed fee

Respondents to the final, overall survey were asked how reasonable they feel the proposed licence fee for selective licensing scheme of £640 for a five-year licence.

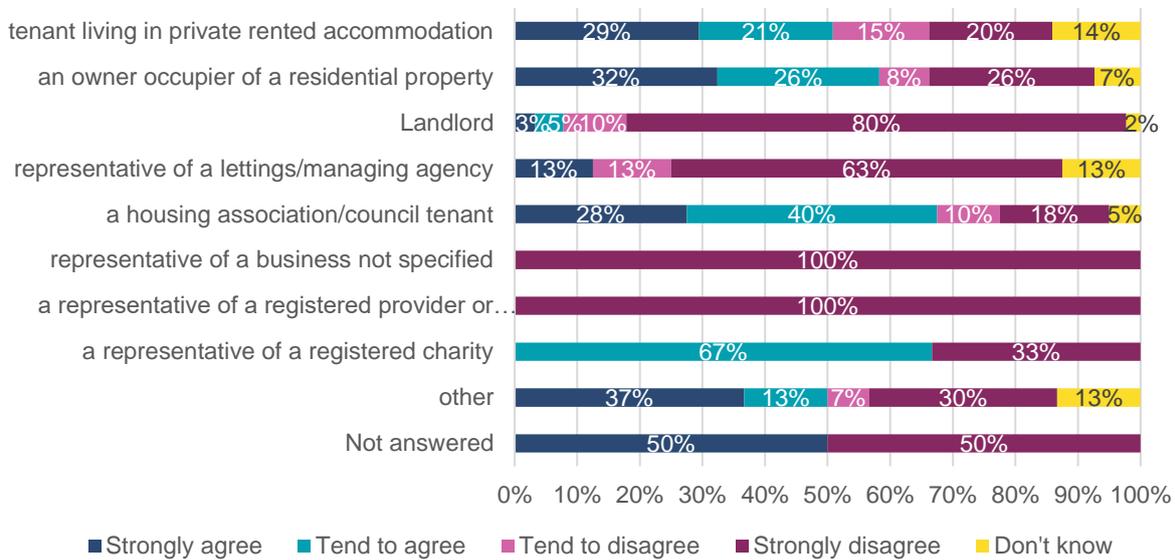
There were 980 responses to this question in the final, overall survey. 40% (394) agreed that the fee is reasonable, 52% (513) disagreed.

Final, overall survey - Do you think the proposed fee for selective licensing is reasonable?



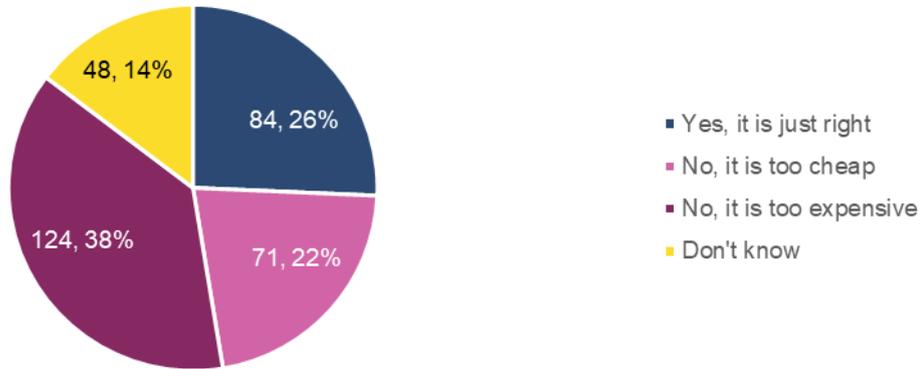
Looking at the responses by group, owner occupiers, privately renting tenants and housing association/council tenants agree with the proposed fee, with around 60% of each group agreeing. Landlords and representatives of letting/managing agents are opposed to the proposals with over 75% disagreeing.

Final, overall survey - Do you think the proposed fee for selective licensing is reasonable?



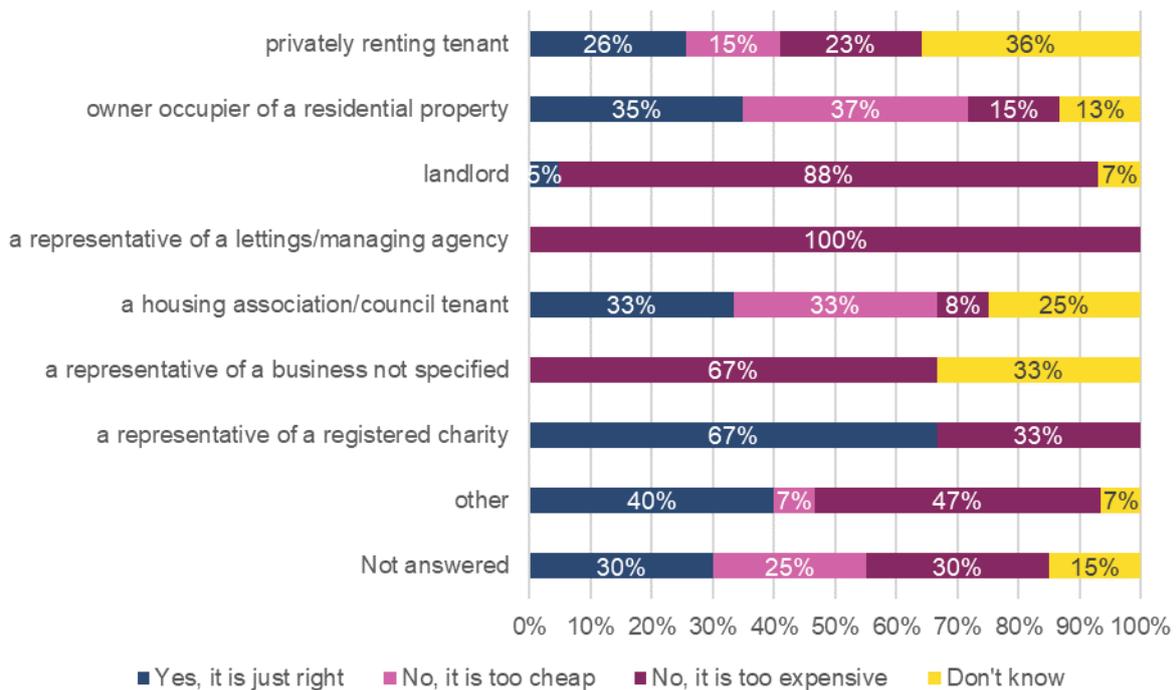
Respondents to the initial three surveys asked respondents if they thought the proposed fee for selective licensing is reasonable. There were 327 responses to this question. 38% (124) think that the fee is too expensive.

Initial three surveys - Do you think the proposed fee for selective licensing is reasonable?



Looking at the responses by group, owner occupiers, and housing association/council tenants think the fee is just right or too cheap. Landlords and representatives of letting/managing agents are opposed to the proposals with over 80% saying that the fee is too high.

Initial three surveys - Do you think the proposed fee for selective licensing is reasonable?

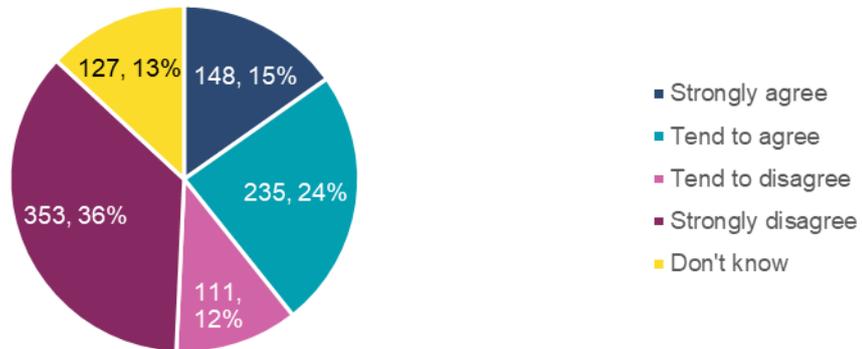


Views on the proposed discounts

Respondents to the final, overall survey were asked how reasonable they feel the proposed discounts are. The proposed discounts are a discount of £128 for accredited landlords and landlords who apply during the “early bird” period, and a discount of £320 for eligible charities.

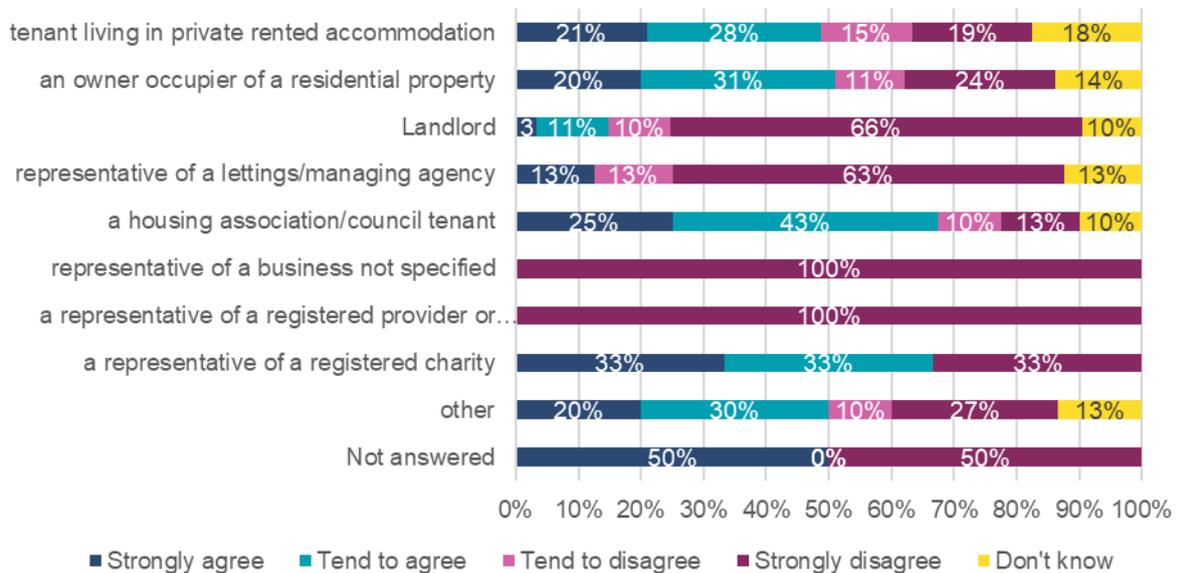
There were 974 responses to this question in the final, overall survey. 39% (383) agreed that the discounts were reasonable. 48% (464) disagreed with the discounts

Final, overall survey - Do you think the proposed discounts for selective licensing are reasonable?



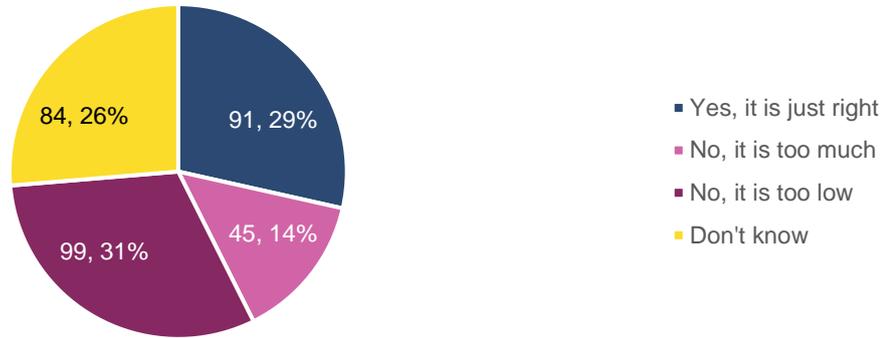
Looking at the responses by group, owner occupiers, privately renting tenants and housing association/council tenants are in favour of the proposed discounts with around 50% of each group agreeing. Landlords and representatives of letting/managing agents are opposed to the proposals with over 75% disagreeing.

Final, overall survey - Do you think the proposed discounts for selective licensing are reasonable?



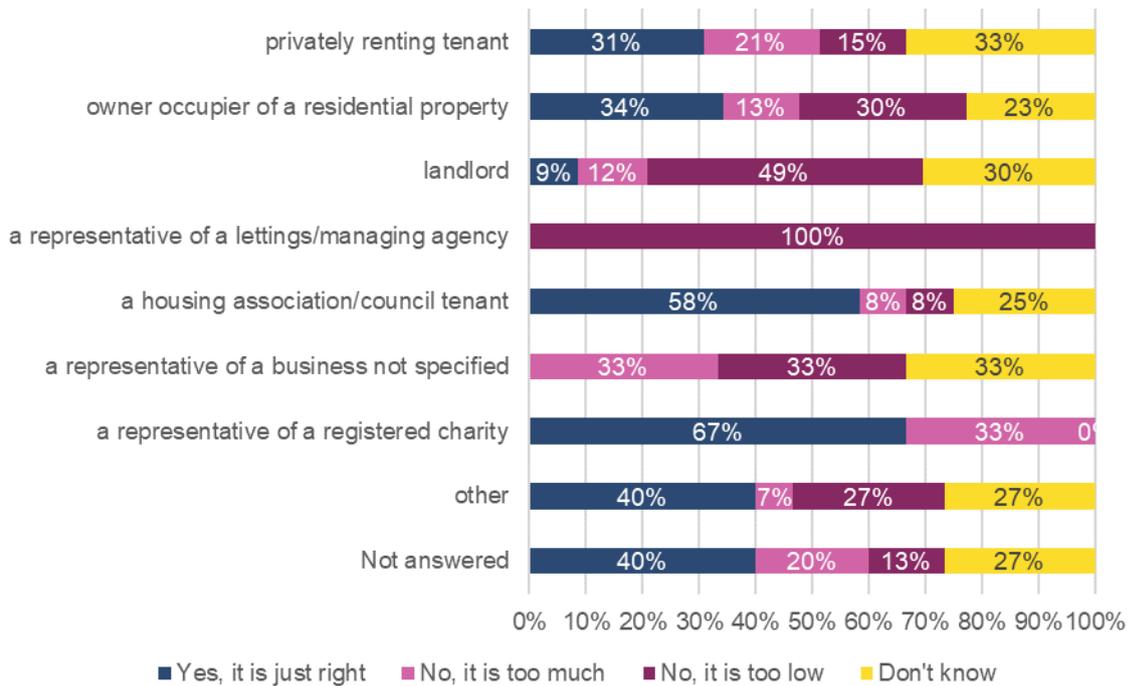
Respondents to the initial three surveys were asked how reasonable they thought the proposed discounts for selective licensing are. There were 319 responses to this question. 43% (136) think that the discounts are just right or too much.

Initial three surveys - Do you think the proposed discounts for selective licensing are reasonable?



Looking at the responses by group, privately renting tenants and housing association/council tenants stated that the discounts are just right or too high. It is notable that a high proportion of almost every stakeholder type stated that they “don't know” if the discounts are reasonable.

Initial three surveys - Do you think the proposed discounts for selective licensing are reasonable?

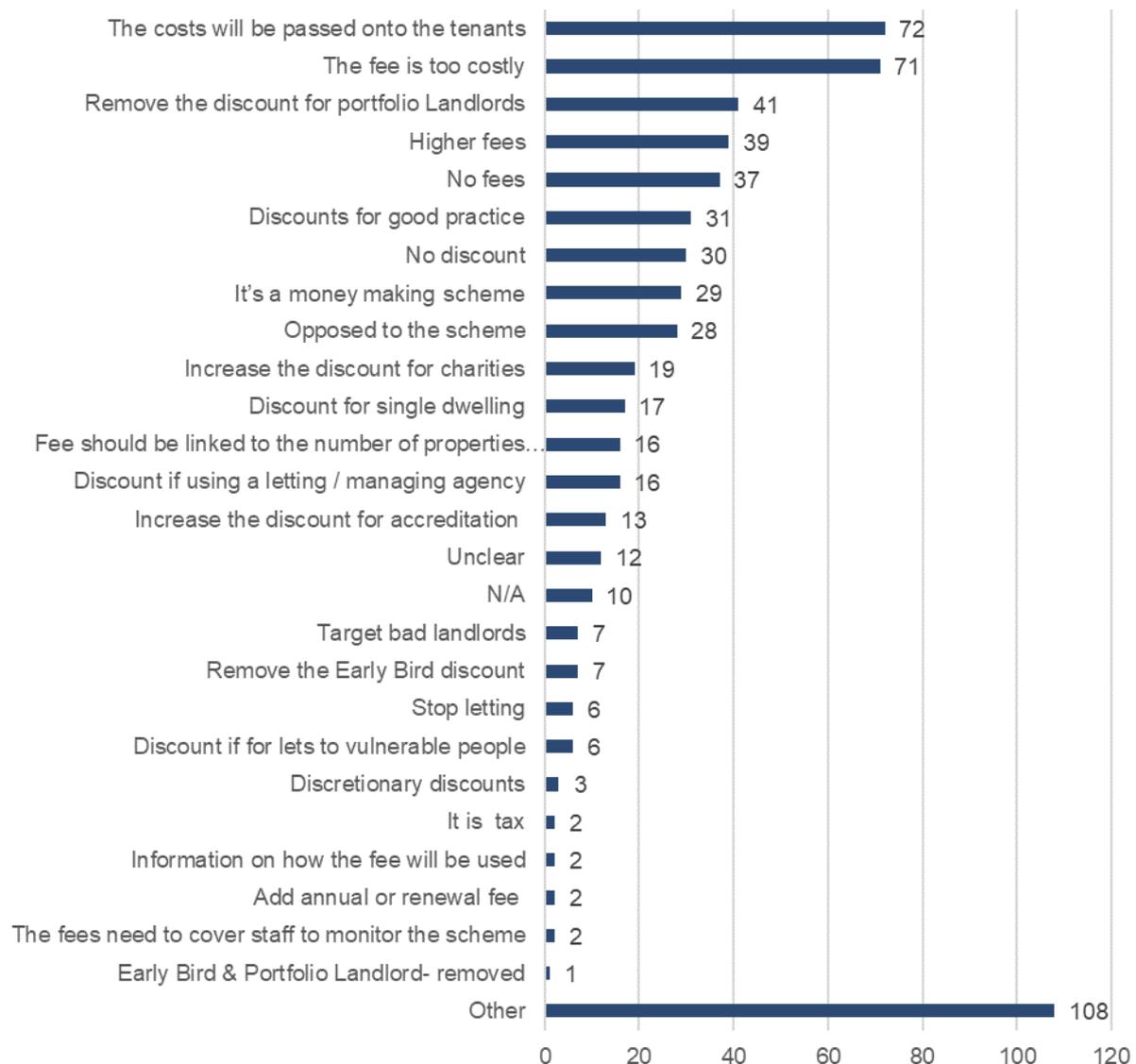


Respondents to all the surveys were asked if they thought any discounts should be removed, or any additional discounts should be considered. In total there were 627 comments from respondents, 255 from landlords, 103 from private tenants, 203 from owner occupiers and 66 from other respondent types. Themes which received fewer than two comments were grouped under 'other'.

Key themes for discounts that should be included or removed are that “the costs will be passed onto tenants”, “the fee is too costly” and “remove the discount for portfolio landlords”.

All representations to the consultation will be considered in line with the Housing Act 2004 and the council's consideration published as an annex to this consultation.

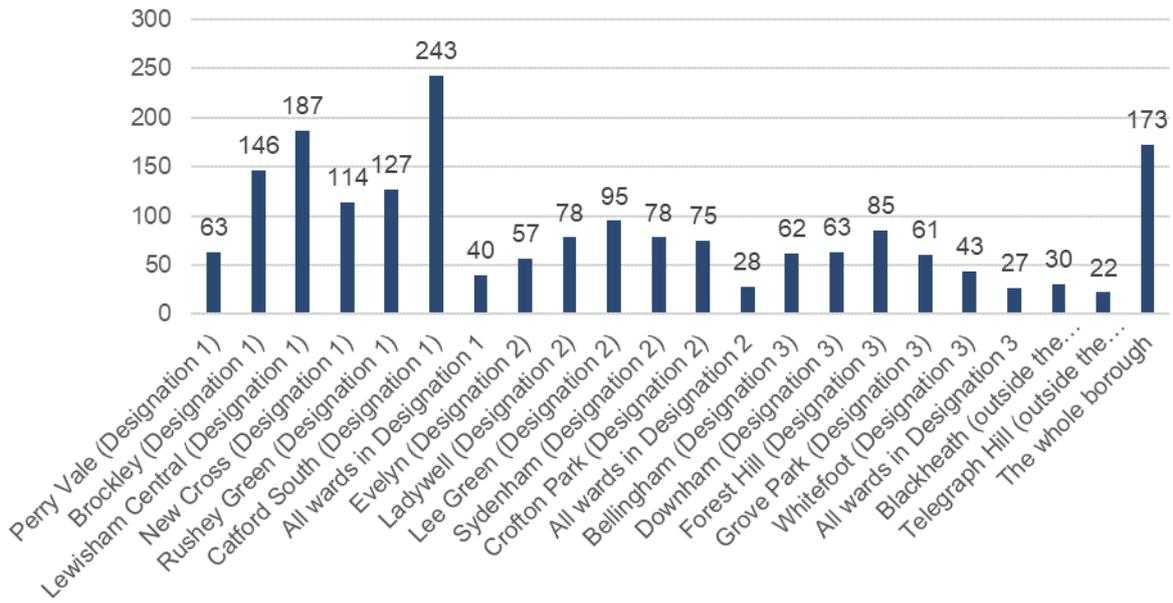
What would you change about the proposed fees and discounts?



Respondents' connections to Lewisham

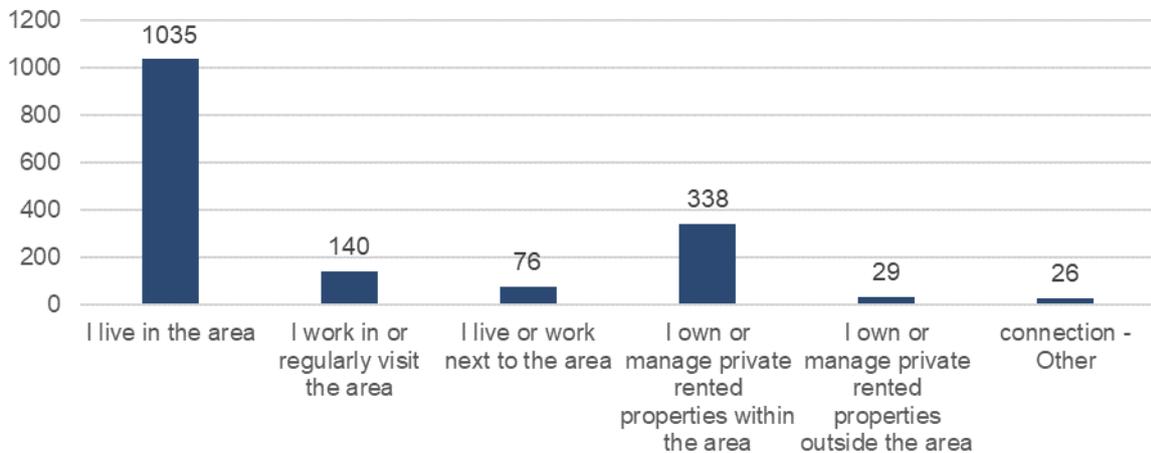
Respondents were asked to select which wards they were commenting on for the consultation. Respondents could select multiple answers. The area with the highest number of responses were "the whole borough" and Catford South (Designation 1).

Areas being commented on:

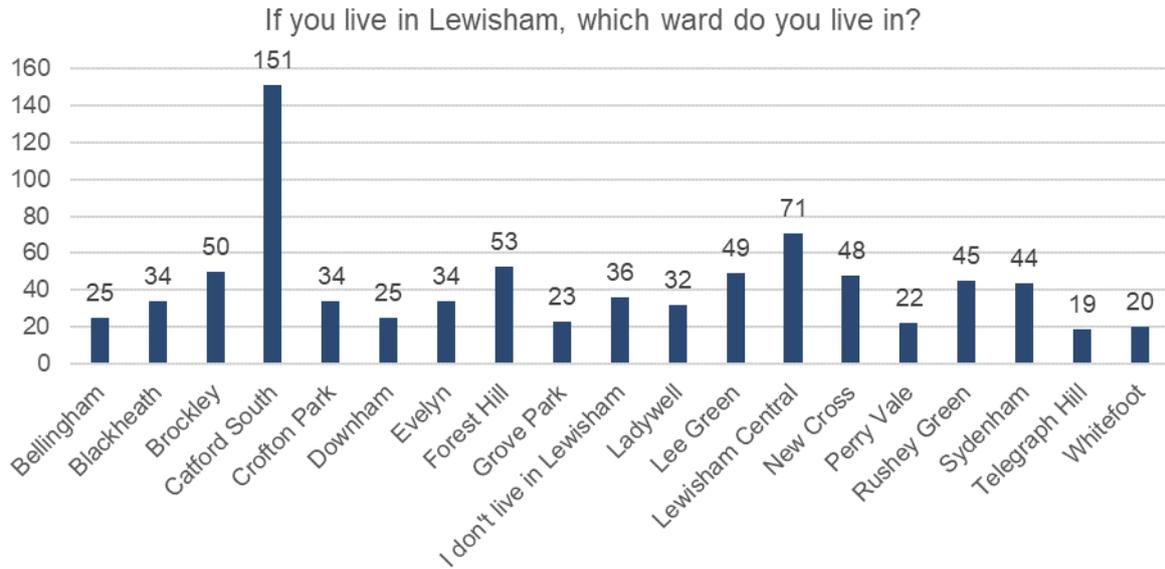


Respondents were asked what their connection was to the areas they were commenting on. Respondents could select multiple answers. The overall majority stated that they live in the area.

Respondents' connections to the area commented on:



Respondents were asked, if they live in Lewisham, which ward do they live in. 815 respondents answered this question. The area with the highest number of responses was Catford South.

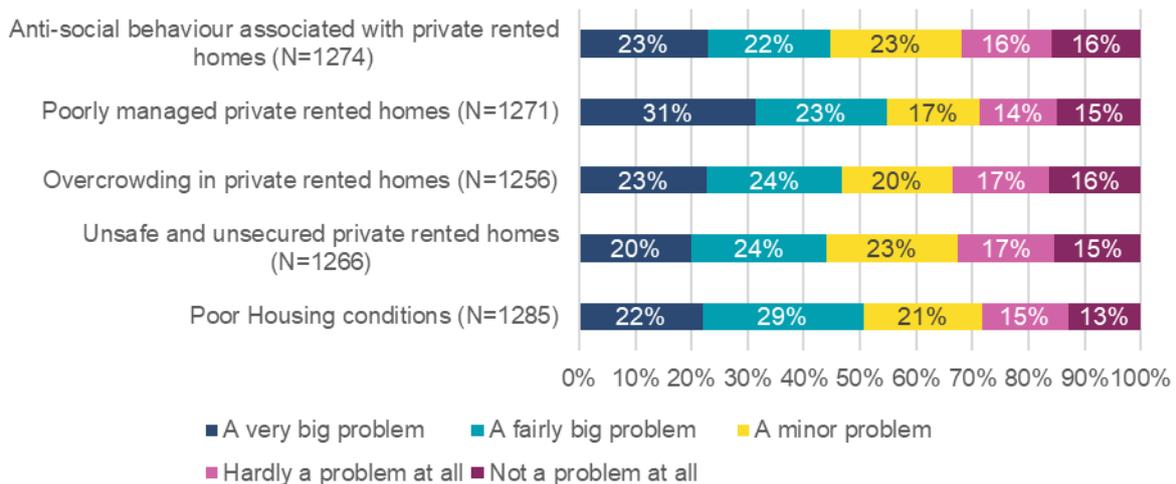


Views on problems with privately rented homes for Lewisham

Respondents were asked for their views on problems for privately rented homes in the areas they were commenting on. (The number of respondents for each question are shown on the graph below as N=).

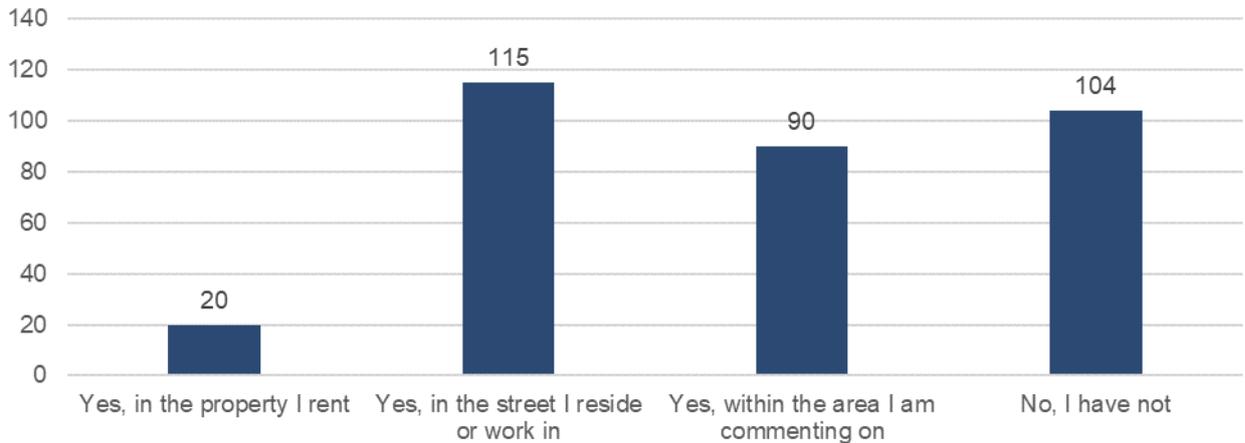
Over 40% of respondents thought that all the problems were either a very big problem or fairly big problem in privately rented homes.

How much of a problem do you think the following are for private rented homes in the area(s) you are commenting on?



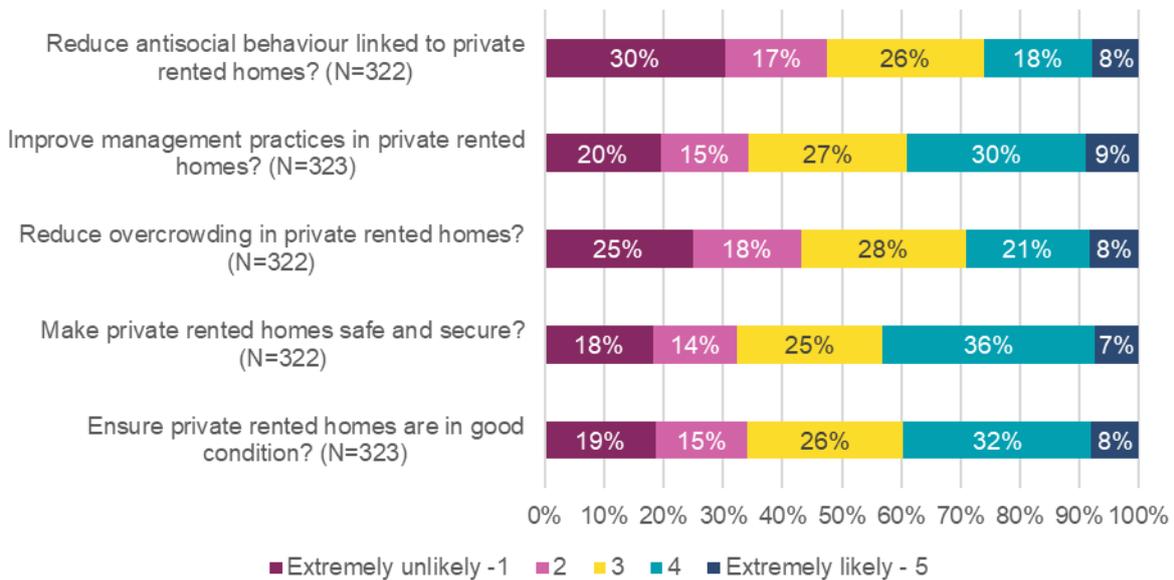
Respondents to the initial three surveys (one for each designation) were asked where they have experienced these sorts of issues in Lewisham.

In the past five years, have you experienced these sorts of issues in Lewisham?



Respondents to the initial three surveys were also asked to rank on a scale of one to five, where one is extremely unlikely and five is extremely likely, how likely that licensing conditions would improve the following conditions in private rented homes. (The number of respondents for each question are shown on the graph below as N=).

In your opinion, (on a scale of 1 to 5, where 1 is extremely unlikely, and 5 is extremely likely) how likely is it that the licensing conditions will:

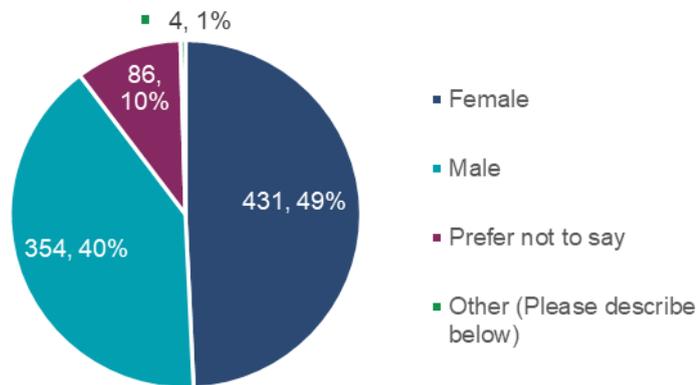


The profile of respondents

Respondents were also asked to provide some demographic information to see if the consultation had captured the views of a group representative of the borough.

875 respondents answered the question regarding their sex. 49% of respondents were female, 40% were male and 10% preferred not to say or describe themselves another way.

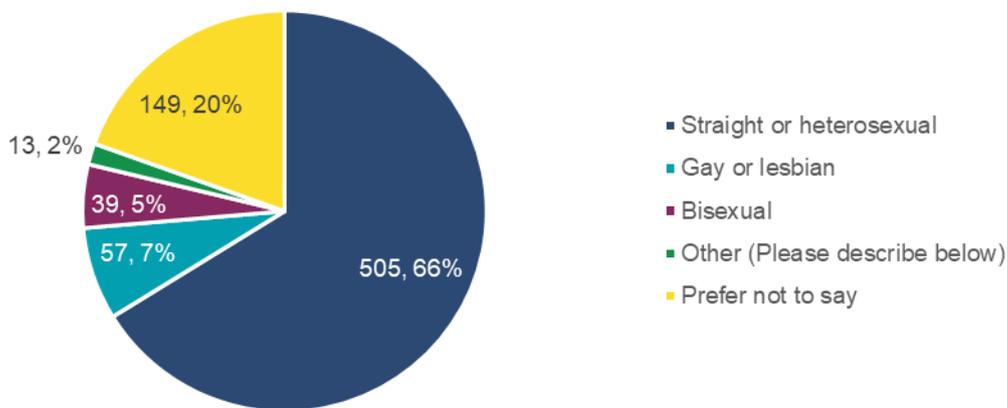
What is your sex?



Respondents were also asked about their sexual orientation and gender identity. 751 respondents answered the question "how do you define your sexual orientation?". 66% of respondents defined their sexual orientation as "straight or heterosexual", 7% as "gay or lesbian", 5% as bisexual and 20% preferred not to answer.

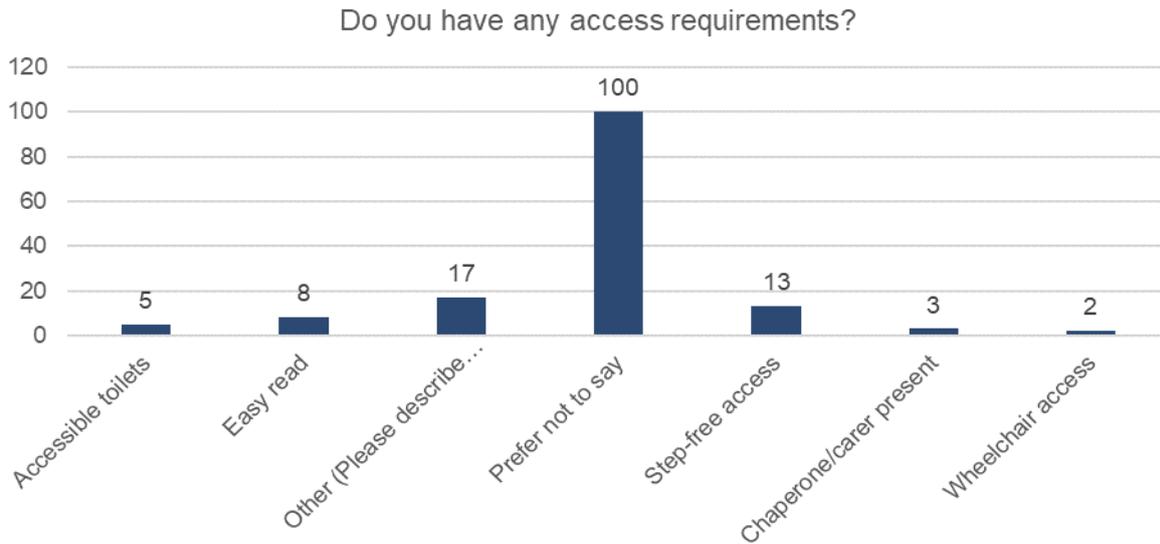
704 respondents answered the question "Is your gender identity different from the gender you were assigned at birth?". 82% of respondents said their "gender identity is the same", 17% answered they would prefer not to say and 1% said their gender identity is different.

How would you define your sexual orientation?

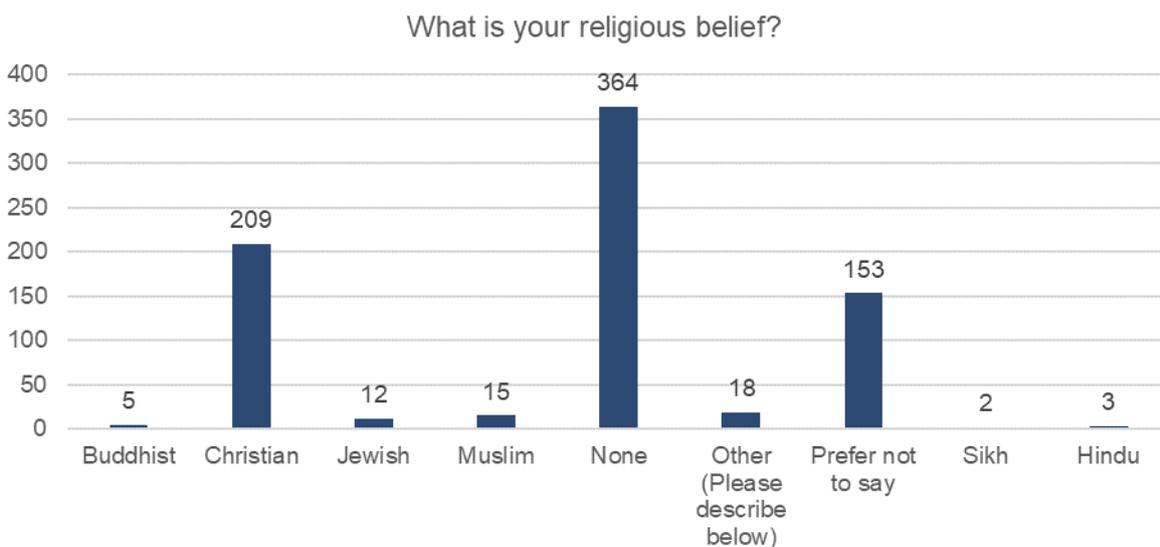


Respondents were asked if they consider themselves a disabled person and if they had any access requirements. 826 respondents answered the question "Do you consider yourself to be a disabled person?". 79% answered no, they did not consider themselves to be a disabled person. 9% answered that they prefer not to say, and 12% answered yes, they do consider themselves to be a disabled person.

144 respondents answered the question regarding access requirements. 66% responded that they prefer not to say, 11% said other, and 9% said they had an access requirement for step-free access.



Respondents were asked about their religious beliefs. 769 respondents answered this question. The highest number of responses were for “none” (363, 47.2%), Christian (199, 25.9%) and “prefer not to say” (152, 19.8%)



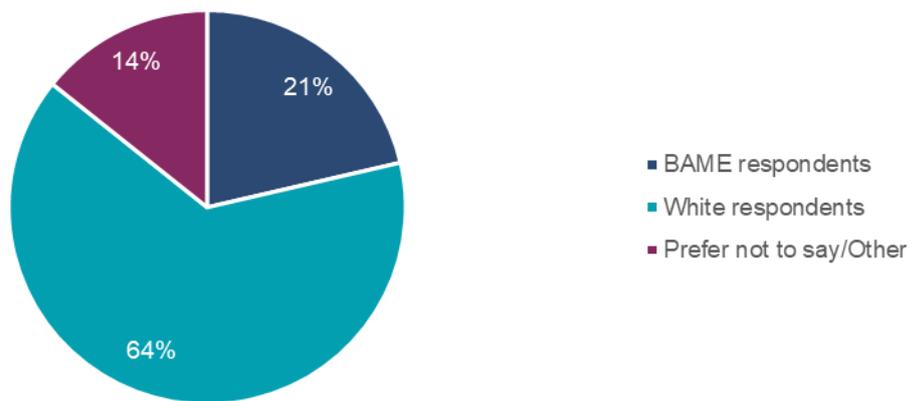
Respondents were also asked about their ethnicity, which was compared with borough’s ethnic composition (Source – GLA 2020). 964 respondents answered this question. The largest proportion of respondents identified themselves as “White – British”.

When compared with borough benchmarks, “White – British” respondents are overrepresented, whereas “Black – African”, “Black - Caribbean”, “Other – Asian” and “Other – Black” are under represented by respondents who answered this question. In summary, 21% of respondents who answered this question were of BAME ethnicity, 64% were white and 14% said they would prefer not to say or describe themselves another way. This is comparable with the responses received by other London boroughs to their consultations on private sector licensing. The response rate from BAME respondents was monitored through the consultation, and every effort was made to ensure that that the consultation was inclusive and accessed all communities. This included distributing posters and leaflets to key community centres, health centres, resident groups, theatres, libraries;

direct emails to more than 400 local community and church groups and advertisements in the Council Tax mail-out, which was sent to approx.135,000 households in Lewisham.

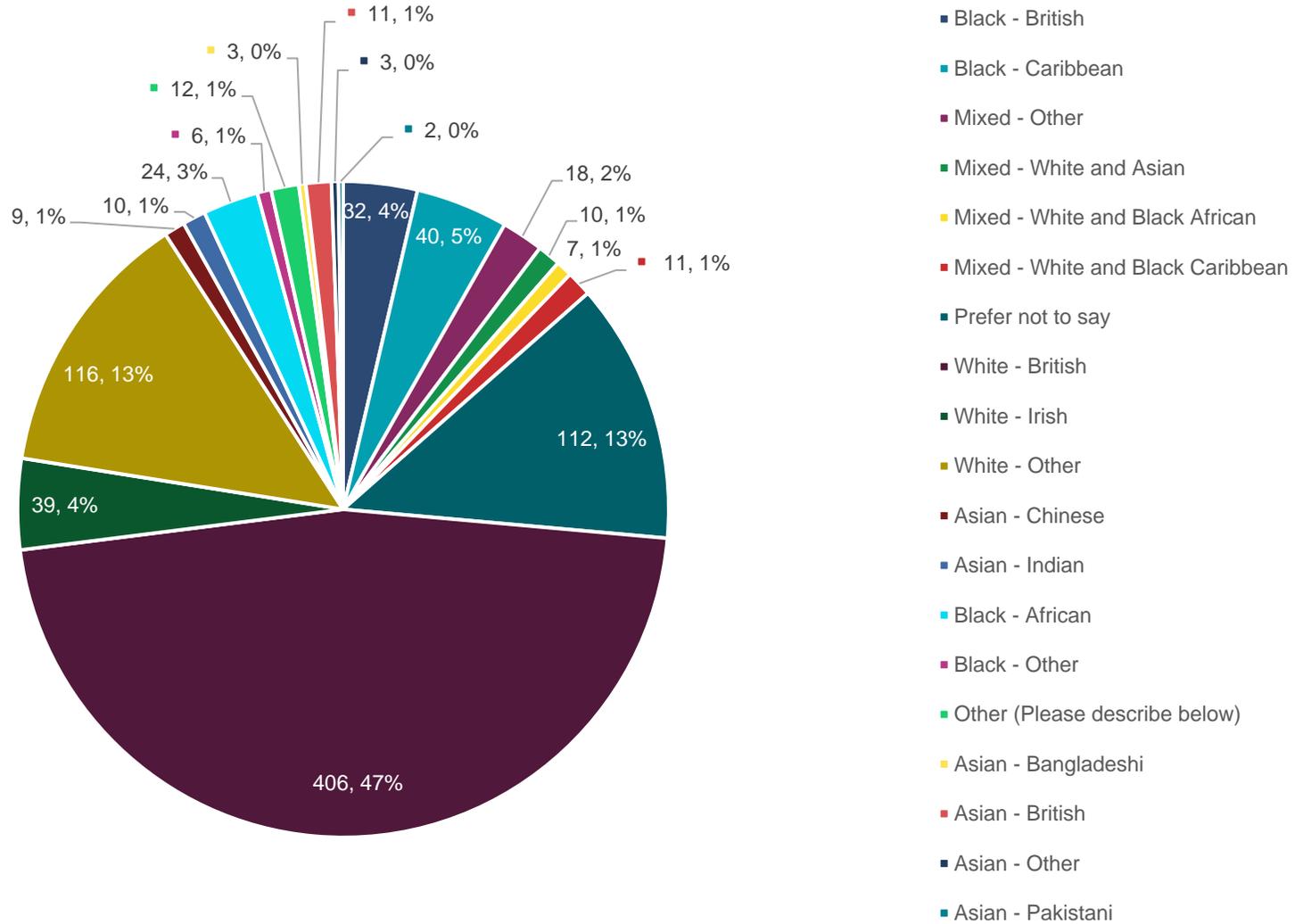
However, the high level of responses from landlords and also from wards within the borough which have higher proportions of white residents is likely to be responsible for the overall results.

Ethnicity of respondents

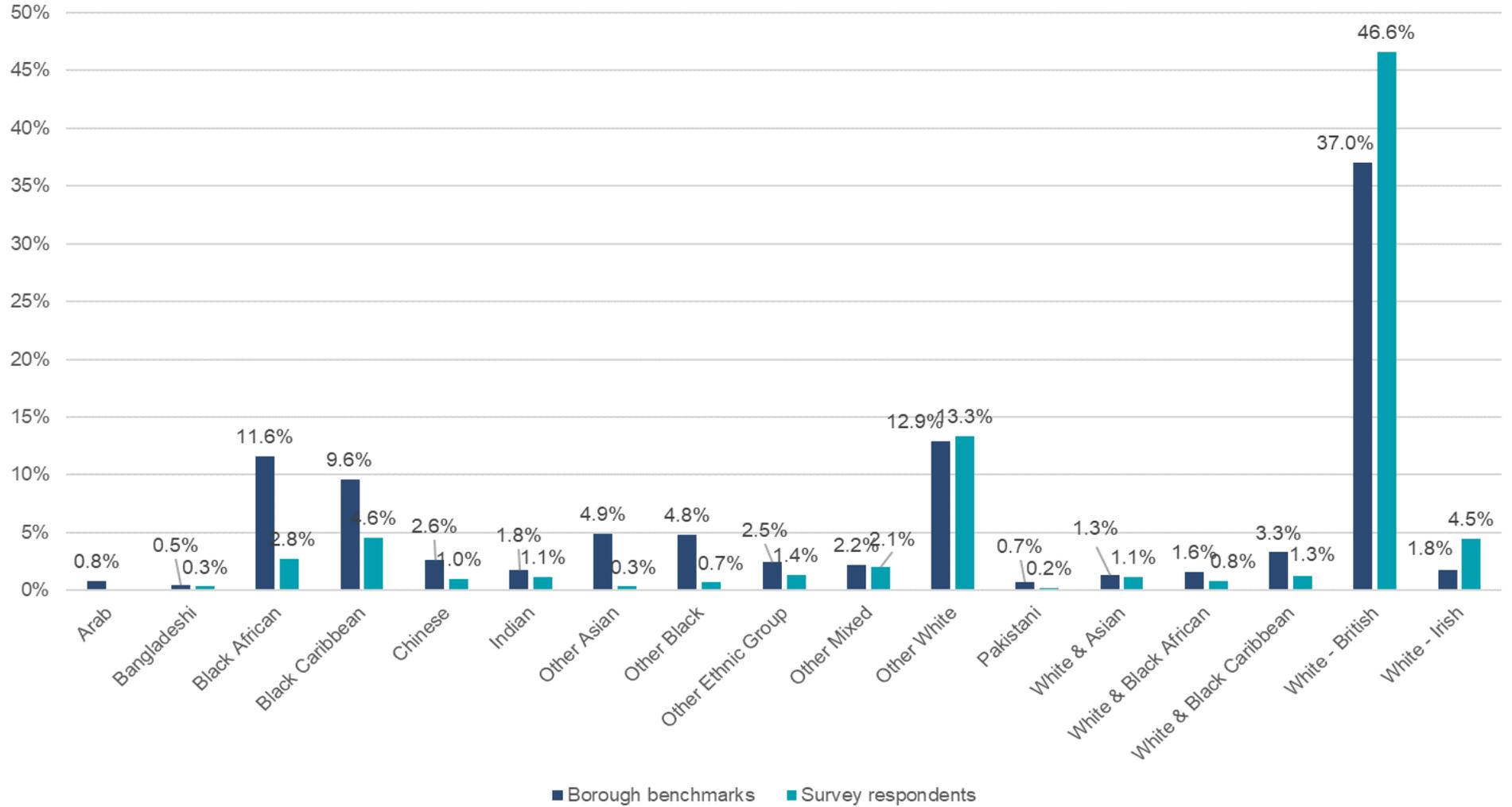


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What is your ethnicity?



Ethnicity of consultation survey respondents compared with the borough's ethnic make-up (Source: GLA 2020)



Feedback from public forums

The council held two public meetings which were attended by 34 people. The meetings were held to provide more information about the proposed scheme and to gather feedback from stakeholders who may be impacted by licensing. The public meetings were held over Zoom, and the council presented information about the proposed schemes, followed by a question-and-answer session. The meetings were advertised on the council's social media, in emails to consultation respondents who had responded positively to the question regarding attending a public forum and in a council landlord and resident e-newsletter.

The majority of attendees in the public meetings were landlords. The questions and comments raised during the meeting were responded to verbally during the meeting, or via the meeting's Zoom chat function. The most common themes of the questions and comments raised during the public meeting were:

- How will licensing address ASB
- Lack of support from the council on dealing with ASB
- Licensing would make landlords responsible for tenants' bad behaviour
- Licensing punishes good landlords
- How will the council identify unlicensed properties?
- How will licensing impact rents?
- How will licensing address deprivation?
- Social housing should be included
- Concerns about the requirement for references
- Questions about the fee and if it could be paid in installments

All representations to the consultation will be considered in line with the Housing Act 2004 and the council's consideration published as an annex to this consultation.

Written feedback

The council accepted feedback on the proposed licensing schemes from by ten emails. The most common themes of the questions and comments raised in the written responses were:

- Licensing would make landlords responsible for tenant's bad behaviour
- Questions about the requirement for references
- Questions about exemptions to the proposed scheme
- Questions if licensing is the best way to address ASB
- Questions about the data used for the designations
- Build-to-rent operators should be excluded
- Questions about bulky waste disposal options at the end of a tenancy
- Queries about enforcement and reporting

Private Sector Licensing
Lewisham Council's response to
comments and representations
received during the public
consultation

Updated February 2022

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Changes to the proposed scheme due to consultation feedback

- 1.1. The result of the public consultation on the introduction of a selective licensing scheme demonstrated clear overall support for all three designations. Though a majority of landlord respondents disagreed with the introduction of all three designations, an overwhelming majority of both private tenants and other respondents agreed with all three designations.
- 1.2. The primary objective of the selective licensing scheme will be to improve the quality of the rental market for private renters and a secondary objective will be to ensure that privately rented homes have a positive impact on neighbourhoods. The council therefore proposes to proceed with the designation to introduce selective licensing in the borough.
- 1.3. At this stage, the council proposes to make some amendments to the scheme on the basis of the consultation response, further intelligence and data gathered since the close of the consultation, and advice from expert Counsel, as set out below. These proposed amendments will be considered by Mayor and Cabinet, and are set out below:
 - 1.3.1. Amending the proposed licence conditions to combine the standard and supplementary licence conditions proposed in the consultation, and that these combined conditions will be applicable to all licensable properties in all designated areas. Previously it was proposed that some supplementary conditions would apply in designations one and two only. This will simplify the licence conditions, making the scheme easier for landlords and tenants to understand, and for the council to administer. The supplementary conditions strengthen landlords' obligations with regard to managing anti-social behaviour within their properties, and conducting repairs in a timely and competent fashion, but do not deviate significantly from the standard conditions consulted on. (see appendix 6 of the March 2023 report to Mayor and Cabinet 'amended selective license conditions')
 - 1.3.2. The addition of a licence condition regarding the exterior of the property, to place an obligation on the licence holder to ensure that all outbuildings, boundary walls, fences, communal gardens and yards are kept maintained and in good order. , where the license holder is responsible for these. This would mirror HMO management regulations and the importance of such a condition was clearly reflected in consultation responses. The proposed licence conditions have been duly amended, and are included as Appendix 6 to the March 2023 report to Mayor and Cabinet.
 - 1.3.3. With regard to fees, some consultation response comments stated that the fee split is unclear. Officers recommend that the fee information be updated with more information about Part A and Part B, how the parts of the fee will be used, and explanatory text outlining things such as how long the licence lasts, who should pay for the licence, what information can be changed without charge (such as change of tenants) and what changes will be charged (change of licence holder). This has been set out in a new fee schedule, included as appendix 7 to the March 2023 report to Mayor and Cabinet.
 - 1.3.4. Clearly setting out which landlord accreditation organisations will be eligible for the landlord discount, to ensure that only reputable accreditation providers are accepted. This has been included in the new fee schedule (see 1.3.4)

Comments about agreement/disagreement with the proposed scheme

Theme	Example Comment/Question	Council response	
Agrees with scheme	I strongly believe that all private landlords should require licences for the reasons given in the proposals, and more. Housing is a right, and nobody should profit from it while some live in substandard conditions (and many don't have a home at all). If private landlords must exist at all, then the absolute minimum they can do is provide good quality housing, especially in the most deprived areas.	<p>The council believes that all properties should be safe and decent for their inhabitants, which is why improving the quality, standard and safety of housing in Lewisham is a key priority of the council (Housing Strategy 2020-2026) and believes that by introducing selective licensing and working with landlords and landlord associations to improve standards and practice across the borough, we can work towards this aim</p> <p>The council understands that some properties let in the private sector can cause issues for their neighbours, and has evidence of persistent issues with ASB, poor housing conditions and deprivation. This evidence was provided as part of the evidence pack for the consultation, and is why the council believes that selective licensing would be a useful tool in addressing these issues</p>	
	All tenants should have the right to safe and clean-living conditions, without the costs passed on to them. I suspect children would particularly benefit.		
	I am concerned about the quality, safety and value for money of privately rented properties in Lewisham and the effects this has on tenants' well-being and the general way of life in the area.		
	Any efficient and complete licensing for any area is essential. I have seen appalling conditions which tenants are expected to live in by lazy and greedy landlords. I hope that there will also be proper protection built in for good landlords who, like myself, have been taken for a ride by careless tenants?		
Areas Experiencing ASB	There is already an increasing level of anti-social behaviour and also local services unable to cope with the numbers in this area.		
	Catford South is rapidly changing due to ASB		
Experience with envirocrime	Fly tipping is a big problem in my ward Catford South. Also, dirty streets and unkempt houses		
	Clear that fly-tipping is a significantly greater problem in SE6 compared with SE14 area.		
Experienced issues with council properties	The only anti-social incidents (only a handful) I have experienced in the last 20 years of property ownership in Lewisham have been down to Lewisham council tenants.		<p>Whilst the council acknowledges that there can be issues with all property types, selective licensing is a tool that the council can use to address the issues in the private rented sector.</p> <p>The council has a legal duty to provide housing for all households within the borough deemed to be homeless and in priority need, who meet the eligibility criteria. This duty is conferred on the council by central government. Due to the shortage of available social housing, the council is forced to house some homeless residents in temporary accommodation in the private</p>
	The Council deem themselves legally obliged to provide housing for the benefit of their tenants and then ignore complaints about said tenants from owner occupiers having to suffer from severe antisocial behaviour such as dealing drugs, fly tipping, nuisance and annoyance from a multitude of similar tenants using the property as a social meeting house. In the 33 months we had one of the Councils tenants residing above us, there were around 80 different visitors, half of whom ignored Covid restrictions during lockdowns, dealt drugs from the property, fly tipped their rubbish		

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	<p>to other private residents bins, as well as dumping in the street, discarding cigarette butts on a daily basis and were generally obnoxious to all and sundry in the vicinity. Do the Council take the view that they have to provide accommodation to criminals?</p> <p>In my experience, it is council tenants and council run properties that is in breach of the behaviour you describe. There is a penalty on private landlords.</p>	<p>rented sector. Selective and additional licensing will help to ensure that all privately rented accommodation meets the required standard, including those properties being used for temporary accommodation.</p> <p>The council website has resources for reporting anti-social behaviour (ASB) in social housing here - Lewisham Council - Report antisocial behaviour if you live in social housing</p>
<p>Experienced issues with HMO properties</p>	<p>My main issue is up to 6 room HMO and anti-social behaviour and lack of actual care for vulnerable tenants</p> <p>We live next door to two HMOs and experience daily issues with ASB including waste management, noise and badly taken care of properties. Would welcome a solution to address existing HMOs too.</p> <p>I live between 2 HMO's privately rented by separate companies/entities, they are both overcrowded, fitting up to 7 people into an identical 2-bedroom house to mine. The issues arising due to overcrowding and mismanagement of properties include damage to my property cry tipping, garbage overflowing, antisocial behaviour especially late at night and a general lack of upkeep to the properties and outdoor spaces which has resulted in a mouse problem in my property which I have had to spend hundreds of pounds on professional pest control to address, and I am still not convinced it is permanently resolved. More regulations are required from the council and monitoring of private rented properties to ensure substandard living conditions created by negligent landlords aren't blighting neighbourhoods.</p> <p>Hopefully this would result in less overcrowded HMOs and landlords taking more responsibility over troublesome tenants and rubbish piled up in front gardens and on the street.</p>	<p>The council understands that there are issues in HMO properties in the privately rented sector. The council introduced an additional licensing scheme in April 2022, which covers small HMOs (with 3-4 sharers) in addition to the existing national mandatory licensing scheme for larger HMOs (5 plus sharers). This means that all HMOs in Lewisham are now required to have a license and meet certain minimum standards. Landlords and managing agents who own and operate unlicensed HMOs in a licensed area could be subject to enforcement action.</p> <p>The conditions for HMOs are available via the council website here and they address minimum room sizes and maximum occupancy, health and safety, refuse and pest control.</p> <p>The register of licensed HMOs is available here. If you believe you have identified an unlicensed HMO, or have concerns about an HMO or other privately rented property in your area, please report it to pshe@lewisham.gov.uk and an officer will be assigned to investigate.</p>
<p>Experienced issues with rented properties</p>	<p>In poorer areas with lower rates of homeownership residents are less likely routinely complain about conditions or to organise amongst neighbours to complain, compared to wealthier areas with organised neighbourhood watch groups for example. This results in under-reporting in some areas which hasn't been taken into account. Evelyn/New Cross also bear the brunt of anyone turned away from Landmann Way (which is very poorly run</p>	<p>As stated above, the council understands that some properties let in the private sector can cause issues for their neighbours, and has evidence of persistent issues with ASB, poor housing conditions and deprivation. This data was provided as part of the evidence pack for the consultation and is why the council believes that</p>

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	<p>compared to the OKR site in Southwark). Most private let's don't have car access needed for so rubbish, mattresses etc is dumped on corners when short-lived tenancies move on. Landlords use the area as a dumping ground for fridges, mattresses etc. The absence of any CPZ in the area also contributes to antisocial littering/residential fly tipping as there is no "natural surveillance" from traffic wardens. All of these issues compound poor rented living conditions and ASB issues.</p> <p>I live in designation 1 area, and am aware of antisocial behaviour, unchecked by landlords, including to some extent in my own block e.g., noise, fly tipping, rubbish left lying around for foxes to spread around, lack of consideration for neighbours</p>	<p>selective licensing would be a useful tool in addressing these issues.</p>
It should be borough-wide	<p>If you are going to licence you need to licence all.</p> <p>I think the same issues occur throughout the Borough, so it's pretty meaningless to single out one group of wards from another</p> <p>I believe all wards should have the same focus - the areas are all present regardless of the extent of deprivation</p> <p>I don't think it's right to stereotype a specific area. Each situation needs to be assessed on its merits</p>	<p>The council can only introduce selective licensing in areas in the borough where there is evidence that the area meets the criteria as laid out in section 80 of the Housing Act 2004 and the Selective Licensing of Houses (Additional Conditions) (England) Order 2015. The council carried out a detailed analysis of the evidence available and has been selective in proposing designations for areas that meet the criteria of poor property conditions, deprivation and ASB.</p> <p>If the council proceeds to make an application to introduce selective licensing, and is successful in doing so, we will continue to monitor the evidence for the need for selective licensing throughout the borough and consider whether there may be a case for borough-wide licensing in the future. The council has already introduced borough-wide HMO licensing, in recognition of the fact that there are particular issues with this type of privately rented housing.</p>
Licensing is a money-making scheme	<p>Tenants already have the ability to report poor conditions, too many tenants in confined spaces. The LA need to make it easier for tenants to report this. This is just lazy LA policymaking to make money. The illegal landlord will keep renting to illegal renters, these are the ones there are no AST's, it's a cash business and LA's need to stamp this out not charge law abiding Landlords.</p> <p>All the additional regulations ultimately duplicate rules for landlords that are already in place. The council is using this purely as a money-making exercise and it will ultimately cause private</p>	<p>Under the law, the Council is not allowed to make money from the licensing schemes. The proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number of licence applications the Council anticipate, under the proposed designations.</p>

Theme	Example Comment/Question	Council response
	<p>rental prices to rise as landlords will need to pass on this cost. Utterly pointless apart from increasing revenue for the council.</p> <p>The licencing scheme will add nothing to the borough as we have seen from other schemes and is used just to make revenue for the council.</p> <p>There is no problem with private rented properties. This proposal is another way for you to make money out of landlords. You are not helping tenants either as the rents will only go up. See other councils for example</p> <p>The proposal is discriminatory and appears to be a way for the council to increase its revenue. You will push small private landlords, who own 1 or two flats out of the rental market. As will not be able to pay extra fees in addition to already being heavily taxed by the government. As someone thinking of becoming a landlord, this will put me off.</p> <p>Why does this apply to some areas and not others is completely unfair and discriminatory</p>	<p>The introduction of licensing schemes can make a transformative difference to the provision of services to improve the private rented sector, as demonstrated in other areas of London. Councils receive no dedicated government funding to address poor conditions in the private rented sector. Therefore, without licensing, councils are reliant on severely overstretched council funds to resource such services. In other councils which do not have discretionary licensing schemes this results in underfunded services that struggle to meet statutory obligations.</p> <p>Income from licensing allows the council to pay dedicated officers to perform vital services like property inspections, ordering improvement works to properties, preventing illegal evictions, and, in cases of non-compliant landlords, issuing fines and preparing prosecutions.</p> <p>The work of such services is extremely resource intensive, and vital to improve the market for both landlords and tenants.</p> <p>There is no evidence that licensing and other regulation has an impact on rents or supply of accommodation. Private rents levels are principally determined by the balance between supply and demand. Demand for accommodation remains high in Lewisham and the cost of licensing is marginal (£100 per year for a selective license). The council therefore does not anticipate any significant impact on the supply of accommodation to result from the introduction of selective licensing.</p>
Licensing is unnecessary	<p>Unnecessary cost to both landlord and tenant. Market forces will ensure tenants have freedom of choice. Good landlords need to keep their tenants so will ensure a high standard. Properties are an investment, so it doesn't make sense to let it depreciate. Private renting is a private contract between counterparties. If there are issues with properties, these are contractual breaches, and they should be dealt with in courts.</p>	<p>Whilst the Council acknowledges that many landlords operating in the borough keep their properties to a high standard, the evidence presented during the consultation shows that there are large scale issues with poor property conditions, and antisocial behaviour in the borough's private rented sector, that licensing can help to address.</p>

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	<p>There are already laws in place to cover these issues. I do not see any need for the Borough to enforce any further licensing on private Landlords. The government are continually updating rental requirements. I would prefer a spot check system or the council to take action where they have had complaints from tenants.</p> <p>I keep my two properties in very good repair and the rents are reflected accordingly. If properties are left in poor condition, then the asking rent will be reduced and therefore not in the landlord's best interest.</p> <p>The market will resolve any issues that you have highlighted.</p> <p>It's a pointless intervention that serves no purpose. Most of the 'problems' listed here are caused by the tenants themselves, not the landlords.</p> <p>I don't think it's needed and I see this as an extra tax on landlords who are already being squeezed by the Government. If Lewisham Council want to police such issues wherever they may exist (in the minority) then there are other ways to go about policing it without introducing an unnecessary and pointless license which is ultimately another revenue earner for Lewisham Council.</p>	<p>The council believes that many landlords will meet the licence conditions, and do keep their properties in good condition, but licensing enables the council to take action against those landlords who place their tenants in unsafe properties.</p> <p>The current imbalance between supply and demand of affordable rental accommodation means that in practice many renters do not feel empowered to complain about their properties for fear of being evicted. Likewise, many renters report feeling trapped in unsuitable rental accommodation due to a lack of affordable housing options. The council is working hard to increase the supply of affordable housing in Lewisham, but in the meantime there is a clear need for proactive enforcement of standards and conditions in the sector.</p>
<p>Licensing punishes good landlords</p>	<p>I am a socially conscious landlord - our tenants have stayed with us five years - we have not put up their rent in that time and we have faced massively increased bills, regulation compliance costs and increase in council tax which we pay and is included in their rent. We are considering giving up and if costs rise anymore - we will no longer do it. Seems unfair to penalise some good landlords for the sins of others</p> <p>The licensing puts added pressure on the landlords in a biased way. The live ending should apply to all landlords or not at all. It should not be selective dependant on the type of tenants. This just penalising good landlord that already follows the rules.</p> <p>I think the council already has sufficient powers to improve housing, antisocial behaviour etc. Good landlords should not be sweeper up in this and the inevitable extra fees that will accompany it.</p> <p>landlords are already suffering. We just bought property for investment and retirement purposes. Burdening us with more and more conditions is unfair.</p>	<p>As stated above, the council understands that many landlords who rent out properties in the private sector manage their properties responsibly. However, the evidence shows that the borough is experiencing large scale issues in the private rented sector with poor property conditions and anti-social behaviour.</p> <p>The Council's intention is to use the regulatory framework provided by selective licensing to focus on those that do not comply. Such landlords impact negatively on the reputation of responsible landlords as well as having a detrimental effect on tenants and neighbourhoods. We will develop guidance and work with landlords to bring about compliance where possible, but we will also use robust enforcement against wilfully non-compliant landlords.</p>

Theme	Example Comment/Question	Council response
Licensing through estate agents already have to meet standards	No evidence that this will improve property conditions or reduce ASB. Private rented accommodation through estate agents already has to meet a specific standard.	The council acknowledges that there are many good estate and managing agents who operate in the borough, however, not all provide a good service, or know what the regulations are with respect to privately rented properties. Membership of professional bodies is, unfortunately, no guarantee of competence. For example, real estate agents are not required to have Housing Health and Safety Rating System training, which the council is required to use to make a decision regarding the safety of a property. Accredited landlords can receive a £128 discount on the cost of the licence.
	I do not see any issues. I rent my flat via a known, responsible management agency. The property is leased out in good shape. The management agency ensures our gas certificate is up to date. He ensures proof of compliance with all mandatory H&S certification regulations (i.e., Smoke and CO Order, Gas safe, PAT testing Electrical Safety) yearly. We provide written tenancy agreements. Money is withheld from rent every month in case an emergency repair is needed. We even lease a out a bit below the going rate.	
	My property is on The Dulwich Estate, albeit with a SE23 postcode, and is managed by an agent that is a professional member of ARLA, NAEA and The Property Ombudsman whose standards are no doubt higher than anything LBL will impose.	
	I don't believe it's necessary to have the licensing, we have a privately rented home which is managed successfully by an estate agent, the freeholders help keep the maintenance under control and the tenants look after their responsibilities too. The council will not have any effect on the condition of the property.	
Licensing will cause landlords to sell/ leave the sector	I am a Sydenham landlord. My property is well kept, fully certificated. I never increase a tenants rent, replace any kit which is broken. I treat people fairly, yet I am tarred with the brush of being a landlord. It is now getting to a stage where I will probably sell up and make my tenants homeless.	We have seen no evidence that landlords have moved elsewhere or that there has been an increase in difficulty in finding rental properties in a licensable area. This is similar to the evidence from other authorities who have also been operating licensing schemes for many years. The private rented sector is a growing sector, and properties continue to be in high demand, including in areas where licensing has been introduced. Landlords whose properties are currently subject to additional or mandatory HMO licensing will not need to apply for a selective license.
	At present we are going through the process of applying for your additional HMO license. This is causing us a headache and costing us thousands of pounds. We are willing to do this if it helps stamps out landlords who take advantage of people who live in unsatisfactory conditions. Though we are far from this type of landlord, we treated the same. Can I ask that those who have gone through this process, have a satisfactory HMO license, be exempt from needing the additional license you are currently considering? We would have already submitted every conceivable document and paid a hefty fee. We will be stretched this year as it is, if we have to pay for another license we will probably have to sell up which would have the opposite effect on the tenants that you are trying to protect.	

Theme	Example Comment/Question	Council response
	<p>I think it is a poor idea to introduce any form of licensing for landlords. I think licensing could be the straw that broke the camel's back and could potentially see an exodus of private landlords in the area. With the continuous financial pressure and regulations, I am certainly considering leaving the market. I believe this will have a negative affect and reduce choice and increase rental prices</p> <p>As a landlady I take extra care and precaution to ensure good living conditions, provide all documentation and ensure maintenance is carried out regularly. All of this is already very costly with the various works required, cost for tradespeople to conduct work, providing certification etc. I don't feel it fair or necessary to provide a blanket license for all landlords as such, as it would only act as a deterrent to rent out property in the area.</p> <p>Private rent sector is good properties for good tenants - this is another tax on landlords which discourages landlords taking rental stock away meaning less properties for tenants.</p>	
My properties are well maintained/ tenants are happy	<p>We have tenants who stay with us for years and are pleased with us and don't want to leave as we look after them very well</p> <p>I know that the property I am charge of is handled, although I can speak to other properties within the designated area.</p> <p>I only know of the one house, that I let to friends. It is in excellent condition throughout and well maintained. Any problems that arise are immediately dealt with. A service contract (financed by me) with maintenance covers plumbing, electrics and drainage. The property is subject to a [unclear], agreed {periodic Tenancy agreement, regular base electric inspections, has an energy performance certificate and tenancy deposit certificate</p>	<p>Whilst the council understand that many landlords will already meet these conditions, licensing enables the council to ensure this is the case and focus on taking action against those landlords who place their tenants in unsafe properties.</p> <p>The council will also offer discounts for landlords who follow good practise through the early bird discount and the discount for accredited landlords.</p>
Need more information on the designations	<p>not enough specific information to make a judgement e.g., about internal housing conditions for the various types of privately rented accommodation in the various designations. I did look at some of the background reports and information, but remain unsure that there are major problems that require new measures</p> <p>Would prefer to see all stats for the designated areas.</p> <p>The entire questionnaire so far lightly mentions that the council has identified evidence, but it hasn't provided it in depth. Asking my opinion is not very helpful beyond politics as my opinion would be based on my limited exposure/example of 2 or two examples that I know about. In a nutshell, residents should be given better</p>	<p>As part of the consultation, the council provided an evidence pack which outlined the evidence for the designations, and a housing stock and stressors report for the borough. This information is still available here on the council website.</p> <p>An additional, higher-resolution map is provided with the proposed notice of designation (see appendix 5 of the March 2023 report to Mayor and Cabinet).</p>

Theme	Example Comment/Question	Council response
	information so that they can have an informed opinion to add to their anecdotal evidence.	
No experience with issues given as justification for the scheme	I and my tenants haven't encountered any anti-social behaviour around new cross area and repairs happen straight away.	The council acknowledges many people have positive experiences in the private rented sector. It is estimated that 31 per cent of the borough lives in the private rented sector. Therefore, the private rented sector plays a key role in housing for the borough, and the council has made it a priority to ensure quality and improve standards in the private rented sector. As explained in the consultation evidence pack, the council has evidence of persistent issues with anti-social behaviour, deprivation and poor property conditions in the private rented sector.
	I am not a resident in the area so only have limited knowledge of the designated area (Brockley) where I own a flat which I rent out. The accommodation is spacious and well-appointed, and I am not aware of any ASB problems in the immediate vicinity. The streets in the immediate area have large, Edwardian houses which do not seem to fit the description of Designation 1. However, I cannot comment on the other areas listed under Designation 1.	
	Myself and my family own properties in this area. We are not aware of the issues being referred to in designations 2 and 3.	
	I only rent one property on a road where there is a mix of council tenants, private tenants and owner occupiers. I am not aware of any problems	
Opposed to the scheme	State interference in the sector will only cause more problems while not helping or making the problems it aims to solve actually worse.	<p>Whilst the Council understands that some stakeholders may disagree with the proposal to introduce selective licensing, the Council has provided evidence of the need for selective licensing to tackle persistent issues with poor property conditions.</p> <p>The Council can only introduce selective licensing in areas in the borough where there is evidence that the areas meet the criteria as laid out in the Selective Licensing of Housing 2015 (Additional Conditions). The council carried out a detail analysis of the evidence available and has been selective in proposing designations for areas that meet the criteria of poor property conditions and anti-social behaviour.</p> <p>The council recognises that many landlords who rent out properties in the private rented sector manage their properties responsibility. However, the council has evidence of persistent issues with poor property conditions in the proposed area.</p> <p>Whilst the council understand that many landlords will already meet these conditions, licensing would enable the council to ensure this is the case and focus on</p>
	It is yet another stealth tax on non-wealthy individuals (I earn £35k pa) who are trying to make prudent provisions for their own retirement (as we are all living longer). Tax large corporate landlords if you must.	
	Strongly disagree with the whole idea. It's a covert way to tax people who can afford to pay. I do not see it as a problem whatsoever. It's best to be left to be managed privately rather than by the government	
	I'm not convinced about the way the designations have been set up. For example, in Grove Park Ward there is some well-maintained property with good living conditions but ASB still takes place. There are also some properties in very poor condition in the same area. A more targeted street by street selective licencing scheme approach would be better.	
	It is ineffective and causes more irregular housing leading to homelessness. This is based on my experience with this which leads to a backlog of licensing requests which take far too long to come in reducing the viability of available properties and increasing the cost of rent throughout the entire area, especially when reinvestment in the area occurs with new owners coming in.	

Theme	Example Comment/Question	Council response
	The constant strain on licensing services due to new landlords exacerbates this problem of wait times.	<p>taking action against those landlords who place their tenants in unsafe or overcrowded properties.</p> <p>Under the law, the council is not allowed to make money from the licensing schemes. The proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number of licence applications we anticipate, under the proposed designations.</p>
Other	<p>Waging war on landlords isn't helpful. The problem is the lack of supply of private rented accommodation. The more supply relative to demand, the more choice and the lower the price for tenants. More bureaucracy doesn't help. We need to encourage more landlords and build more flats and houses.</p>	<p>The council supports more housing being built in the borough and is also building new council housing stock for the first time in a generation. 1,200 new social homes have been delivered in Lewisham since 2018 through the council's Building for Lewisham programme, exceeding the council's original target of 1,000 new homes. These homes are being delivered across the borough, including in Hither Green, New Cross, Forest Hill, Catford South and Brockley. The locations of a thousand additional new homes are set out in the council's draft local plan.</p> <p>However, despite the delivery of new homes, there will continue to be a need for more and better quality privately rented accommodation. The aim of licensing is to ensure that properties that are let out are of a good standard for those renting</p>
	Many landlords won't accept that they have be licensed and a a result, will only rent their properties to families. This is creating a huge lack of available housing for professional sharers which is a large part of the private rental sector. The result will mean groups of sharers who are able to find accommodation will be forced to pay higher rents due to a shortage of supply	Selective licensing covers properties that are let to single family households and two sharers
	If the scheme is approved, the council should consider providing an annual summary of outcomes to demonstrate improvements to tenants' and landlords' behaviour and the impact of licensing on the designated area over the scheme's lifetime. This would improve transparency overall. Should the scheme go ahead and be approved, the council will need to show substantial enforcement work taking place within the designated areas to	The council is committed to improving its communications with renters and landlords alike and will be publicising the scheme and its outcomes using our communications channels and the local press. If the licensing scheme is introduced, the council proposes to increase the landlord forums and support events, with help and guidance.

Theme	Example Comment/Question	Council response
	improve on the patchy enforcement record vastly. This would involve a considerably high level of inspections and robust enforcement when needed.	
Reduce the number of HMOs	<p>And landlord with HMO should be licensed Council must stop HMOs being built They do not conform to space standards</p> <p>A HMO is being implemented in the house 2 doors from mine. It is not sympathetic to history of the building (VICTORIAN)and goes against the covenants that I faced when I bought my house (that it could not converted to individual dwellings). I live on the Corbett estate. The fact that the Corbett estate has lots of families living in houses rather than flats is what makes it desirable to newcomers. This is damaging the community in our area</p> <p>Lewisham as a whole has a reputation for some poor housing, ASB and a lack of cleanliness, where household white goods, rubbish and mattresses are deposited on pavements or left in front gardens for someone else to dispose of. this is in part due to the high concentration of renters in our area, where the individual has only a transient interest in the community, no real interest in the upkeep of the property as it is not owned by the renter who in due course will be moving to another area, Thus, by the Council trying to attract more people to rent in our area will only exacerbate the problem. This does not mean that no blame rests with the landlord, many of whom do not really care about the condition of their property so long as they receive a substantial rental income. This can be made worse by the Council allowing HMO licenses.</p> <p>HMO NO LICENCES IN NORTH LEWISHAM IS WHAT WE NEED ITS REDICULIUS PANDLORDS ARE BUYING ALL THE HOUSES ON THE STREET</p>	<p>As stated above, it is estimated that around 31 per cent of the households in the borough live in private rented accommodation. The council is also aware of the proliferation of large HMO conversions in certain parts of the borough, including Catford South. The private rented sector, including houses in multiple occupation, play an important role in providing housing in Lewisham. However, the council wants to ensure that conversions meet the necessary standards, that properties let out are safe for the tenants who live in them, and that any adverse impacts of this type of development on neighbours and the surrounding area are minimised.</p> <p>As a result, the council introduced additional licensing in April of this year (2022) which covers small HMOs which were not covered by the national mandatory licensing scheme. The licence conditions for HMOs can be found on the council website here are they address minimum space requirements and health and safety. In addition, in June 2022 Lewisham Council's Housing Scrutiny Committee agreed to recommend the extension of the existing Article 4 Direction to the remainder of the borough not currently covered. This means that permitted development rights for the change of use from a dwelling house to a small HMO will be withdrawn, and those wishing to undertake such conversions will need to apply for planning permission.</p>
The cost will be passed onto tenants	<p>This is a further administrative and costly burden on landlords who will only pass those costs on. It's a blunt tool to overregulate what in many cases (my case) are perfectly happy and responsible landlord/tenant relationships. This is admin for the sake of it.</p> <p>While most of selective licensing provisions are good, they unfortunately bar many people from being able to rent, and they</p>	<p>We have seen no evidence that landlords have increased rents to cover their licence fee costs or that landlords have moved elsewhere, and this is similar to the findings from other authorities who have also been operating licensing schemes. Similarly, research carried out by an independent agency on behalf of the</p>

Theme	Example Comment/Question	Council response
	<p>may cause renting costs to rise due to passing on of the increased expenditure.</p> <p>My main concern is making sure that the council make it easy and transparent to get a licence if required. I agree with the principle of improving the housing stock and the role landlords play in refurbishing and maintaining properties, but be aware that if getting the licence becomes onerous (or expensive) then this will inevitably filter through to tenants eventually via higher rents or more void properties which cannot be let due to incorrect paperwork</p> <p>Do not agree with adding additional charges to landlords as this will pass through to tenants and I am hugely concerned by actions of the council constantly driving up prices locally, pushing working class families out of affordable housing.</p> <p>Little transparency on which landlords would be liable. Why not do more to liaise with and if necessary, penalise those landlords that are not assisting the Local Authority to promote change. There's no consideration to the financial status of private landlords. A consequence of imposing charges is landlords will likely pass the cost on to their tenants which seems to be counterproductive.</p>	<p>government (An Independent Review of the Use and Effectiveness of Selective Licensing) showed that selective licensing did not result in an increase in rents in areas with a scheme, that market forces dictated the rent levels.</p> <p>If landlords want to increase the rent, there are procedures which must be followed and any increase above market rents levels can be challenged via the Residential Property Tribunal.</p>
<p>The council should focus on other priorities</p>	<p>It does not need legislation by the local council, concentrate on keeping the streets clean etc! Which has a much greater degree on the happiness of our area.!</p> <p>Lewisham Council is not competent enough for a scheme like this, you will end up bankrupting people, you should rather focus on cleaning the streets and graffiti, as you do not have a simple handle on this even. More Governance does not solve bad governance, you have the tools you need to tackle this, your just incompetent.</p>	<p>The council has a reporting service for fly tipping and graffiti available on the council website here, and has recently introduced new public notices around the borough raising awareness of on-the-spot fines for fly tipping.</p> <p>The council believes that selective licensing is a useful tool to meet the objectives of Lewisham's corporate strategy and would help to bring about the much-needed improvement in conditions for people living in the private rented sector.</p>
<p>The council should target bad landlords</p>	<p>You are proposing on financial burden on all landlords rather than the ones who do not meet standards. You do not have enough properties and cannot afford them and in all the tax changes, private landlords are being forced out. This does not help. What you need to do is start with problem landlords which from the press includes some of the housing associations.</p> <p>The licence fee would be punitive for good landlord like myself who also by the way is an accredited Landlord and a paid of member of National Landlord's Association.</p>	<p>If approved, the Council will carry out inspections under the new scheme to find unlicensed properties and will take action against those who refuse to licence their properties.</p> <p>An independent agency on behalf of the government (An Independent Review of the Use and Effectiveness of Selective Licensing) found that licensing "provides a clearly defined offence (licensed / unlicensed) which</p>

Theme	Example Comment/Question	Council response
	<p>Tax the unfit landlords and the the fit and hardworking ones who take good care of both their tenants and the properties they live in.</p> <p>It will make private landlords pull out of the rental market as Licensing would be burdensome and expensive. It would also deter buy to lets generally and dampen the market leaving few alternatives for private renters. It is also unclear on the frequency of any licensing.</p> <p>How will licensing help poor housing when the some of the poor housing in the private sector is actually run and managed by the council (PSL).</p> <p>Rogue landlords should be reported by tenants, property inspected and then fined heavily... Licensing is just another bureaucracy measure which costs money and on paper look good.</p> <p>I feel Lewisham Council should target Tenants and Property residents for any antisocial behaviour issues. For properties where standard of living needs to be improved, Lewisham should tackle the individual landlords at fault directly. Setting up a licensing scheme will unnecessarily add huge cost and bureaucracy to the letting process.</p>	<p>simplifies enforcement - and where a landlord is intentionally operating without a licence it is highly likely the inspection process will uncover further offences". The council believes that licensing will enable them to work with landlords to raise standards of living in the borough and work to tackle the issues of poor property conditions, and ASB, by holding landlords to a high standard, and by carrying out inspections.</p> <p>Alongside the enforcement powers granted by licensing, the Council will also carry out a comms campaign to make landlords, tenants and residents aware of the licensing schemes, and raise awareness of how to report issues.</p>
<p>The designated areas should be different</p>	<p>I believe that Designation 1 has the greatest need for regulation to protect legitimate tenant rights whereas in Designation 2 think it is less likely. In Designation 3 the housing stock is generally in good repair, and I am not aware of any real tenants' rights issues in the area that are not already covered by existing legislation. The costs to landlords are another hit post Covid and now facing huge energy price rises.</p> <p>The focus between the areas is not necessary and will add confusion to the type of license</p> <p>In addition this approach may have the unintended consequence of simply rotating the problems around the borough</p> <p>With the ward of Ladywell surrounded by wards that are designation 1, I think it would be appropriate to include Ladywell in designation 1. Ladywell is only 5 reports of ASB behind New Cross which is designation 1. Given the geography of the wards in Designation 1 and 2, I am concerned that ASB may move from one ward to the next. I don't think that, given these arguments,</p>	<p>As stated above, the council can only introduce selective licensing in areas in the borough where there is evidence that the area meets the criteria as laid out in section 80 of the Housing Act 2004 and the Selective Licensing of Houses (Additional Conditions) (England) Order 2015.</p>

Theme	Example Comment/Question	Council response
	<p>and Figure 24 of the stressors report, it is justifiable to have Ladywell as designation 2, it should be designation 1.</p> <p>All areas mentioned above requires work in all areas within consultation. I've lived in areas within all designated areas over the last few years. I would recommend looking at ASB for designation three, it really is a poorly kept area and the general low living conditions reflect this, all areas in this third section are generally not nice areas, even to travel through. It's easily one of the most deprived areas in London.</p> <p>The designations seem to look like they are addressing the needs of those wards. However, my concern is that the scope of these licensing designations isn't going to reach the rental sector where it desperately requires stronger licensing and that is the rapidly increasing development of HMOs in many of the wards listed, particularly in those wards in designation 1, who are currently experiencing the most rapid increase in these types of rentals.</p>	
<p>Unclear how licensing will address ASB</p>	<p>As a resident my main concern is rapidly increasing antisocial behaviour. It is not clear how licensing landlords will manage this - unless landlords will be mandated to manage tenants' behaviour.</p> <p>As a human being I am committed to the principle that everyone should have safe housing. This approach will hopefully improve the standards of rented property in the area.</p> <p>I cannot find the model ASB policy so therefore I am unable to comment on it. A general search of your website does not reveal it. I would welcome a policy that everyone has to include in their tenancies if it can result in the removal of tenants displaying anti-social particularly those connected with drugs</p> <p>Antisocial behaviour is not the fault of the landlord so why punish the landlord with extra costs with this licence? I feel the understanding of ASB needs to be addressed within the community, such as youth clubs and appropriate support for the youth of today before they become adults and encourage them to be more responsible and respectful. 'It takes a village to raise a family'. Just by adding yet more tax for a landlord to pay out, it will do nothing for the person involved in the ASB.</p> <p>Living conditions - absolutely yes. And fines for failing to comply. And then forced to sell if it's not suitable accommodation.</p>	<p>As with the council's additional licensing scheme, there will be a public-facing email address where residents can report unlicensed properties and associated issues.</p> <p>Currently the email address is PSHE@lewisham.gov.uk, however the council is working on improvements to our external communications on licensing, and this email address may change. The updated email address will be publicised on the council's website</p> <p>Selective licensing will address ASB through the licence conditions. The aim of the conditions is to make tenants aware of unacceptable behaviour and provide clear guidance on how to deal with complaints. The licence conditions that address ASB are: 11. The licence holder shall put in place written ASB procedures detailing how complaints made to the licence holder will be dealt with, a copy of which shall be provided to the tenants in the information pack. The licence holder shall within seven (7) days of any</p>

Theme	Example Comment/Question	Council response
	ASB is not a result of housing condition, very bizarre no-evidence conclusion. There is already legislation in place to deal with poor housing conditions.	<p>demand by the council provide their written ASB procedure.</p> <p>12. The Licence Holder must ensure that all reasonable and practicable steps are taken to prevent and deal effectively with anti-social behaviour [ASB] resulting from the conduct of occupiers or visitors. The Licence Holder must comply with the requirements of paragraphs (a) to (f) below (If the Licence Holder has an agent, it is still the Licence Holder's responsibility to ensure their agent acts on their behalf in compliance of the conditions):</p> <p>a) The Licence Holder must ensure that the occupiers are provided with a document advising them (amongst other things) what behaviour is not acceptable, that they are responsible for the conduct of their visitors, the impact on the victims and local community, and of the consequences of ASB to their tenancy.</p> <p>b) The Licence holder will take appropriate measures up to and including the service statutory notice and eviction to deal with anti-social behaviour. Where ASB includes criminal offences, the Licence holder will involve the police.</p> <p>c) Any letters, emails, legal notices or other documents relating to ASB, which are sent or received by the Licence Holder, or the agent on behalf of the Licence Holder, must be copied and kept for 5 years by the Licence Holder.</p> <p>d) The Licence Holder shall co-operate with the Police and Authority in resolving ASB in any licensed property under their control. Such co-operation includes attending or being represented at any case conferences or multiagency meetings and providing information to the Police or the Authority when requested.</p> <p>e) Any correspondence, letters and records referred to in conditions (a) to (e) must be provided by the Licence Holder to the Authority within 28 days on demand</p>
Unclear how licensing will address issues outlined in the proposals	I do not think any scheme of this nature has made any impact on improving conditions. I think the council should be required to show how such licensing will improve these "conditions" and what the council will do to enforce them and hold rogue landlords to	The recent Government research ' An Independent Review of the Use and Effectiveness of Selective Licensing ' found that selective licensing can be an "effective policy tool" that can achieve demonstrable

Theme	Example Comment/Question	Council response
	<p>count. How can the council ensure that you will not just push rogue landlords underground?</p> <p>I think the issues mentioned are real, but I actually do not know about details or if the suggested solution is worth the cost which will be passed on. I simply lack good information.</p> <p>It is not clear how the selective licensing scheme will combat the problems listed in question 5. The scheme seems to be a tick box paper exercise that the is recognises some of the issues but does not demonstrate the alleviation of them and therefore becomes and additional cost for those who do manage their properties properly.</p>	<p>positive outcomes, and it also found that licensing “provides a clearly defined offence (licensed / unlicensed) which simplifies enforcement - and where a landlord is intentionally operating without a licence it is highly likely the inspection process will uncover further offences”. The council believes that licensing will enable them to work with landlords to raise standards of living in the borough and work to tackle the issues of poor property conditions, and ASB, by holding landlords to a high standard, and by carrying out inspections.</p>
Use existing powers	<p>There's no evidence introducing these licenses will resolve these issues. It's just more bureaucracy. The council homes are in worse conditions than privately rented properties. It's all over the internet.</p> <p>The council needs to reduce "nannying" of the residents. There are already processes in place for reporting these issues to the relevant authorities.</p> <p>The questions the council are too vague to be of any value. The key consideration that council is avoiding is the extent to which tenants are responsible for the problems that it perceives in the private landlord sector. It seems to me that the council being biased in its questioning and its proposal and in fact believes that private landlords are at fault for all of these problems. This is neither credible nor a fair conclusion. Until the cause of the problems has been established equitable and effective solutions cannot be found. I suspect the council is trying to put the responsible for sorting out the problem on the private landlords when in actual fact the council already has the tools at its disposal to remedy problems but it has bene ineffectual in its use of them.</p> <p>The council have all the powers and access via land registry to find out which landlords and tenants are acting in an anti-social way</p> <p>The idea that private renting occupants, create more litter and are more antisocial is discriminative and unfair. There are enough laws in housing legislation to make sure landlords provide safe and good quality housing.</p>	<p>The council have considered a range of alternatives to selective and additional licensing, but do not believe they are as effective in dealing with poor property conditions, deprivations and ASB in the borough. The current powers the council has, including the use of the Part 1 Housing Act 2004, do not require landlords to declare themselves. This means there is no obligation for landlords to make their properties known to the council or to be proactive in improving conditions, including minor issues (that may still pose a health and safety risk) but still need to be addressed, but which a tenant may not complain to the council about. Formal action under the Housing Act can be a slow process, and improvements to properties can take many months.</p> <p>In addition, any service which relies on tenants coming forward to make complaints is likely to fail in the current market conditions, whereby many renters are afraid to make official complaints and risk losing their accommodation. It is therefore extremely important to place a proactive legal duty on landlords.</p>

Theme	Example Comment/Question	Council response
More enforcement	<p>This depends on (as with other issues within Lewisham) on whether there is proactive enforcement. Something that has been lacking</p> <p>The council need to focus on enforcing licenses if this scheme comes in. They also need not lump responsibility for anti-social behaviour on a landlord who will find it very difficult to evict an anti-social tenant. a judge is not going to grant possession to a tenant because they've got rubbish in the front garden.</p> <p>I think more enforcement and active inspections need to take place.</p> <p>Lewisham's general enforcement background over the last three years is significantly low compared to other London authorities. Landlords will likely view the introduction of selective licensing as the "nuclear option", which the council should and is likely to be mindful of.</p>	<p>If the schemes are approved, the Council's enforcement capability will be increased in line with the number of licences, including pro-active compliance checks. The council will be actively inspecting for unlicensed properties and will take action against those who refuse to license their properties.</p> <p>The council's enforcement activity has been misrepresented in several places. In fact, between April 2020- March 2022 Lewisham Council have issued 38 civil penalties and secured 10 convictions against landlords for Protection from Eviction and Environmental Protection Act offences. This compares favourably with other London councils.</p> <p>In addition, between 2018 and 2022 the Council's Rogue Landlord Team also prevented 233 illegal evictions. The council is currently prosecuting 3 cases in which the landlord is accused of illegally evicting or harassing their tenants, along with two further prosecutions for other offences. Lewisham is one of the few councils in London which pursues convictions for illegal evictions.</p> <p>Selective licensing will very significantly help to support the council's already proactive enforcement activity by helping to raise basic levels of compliance and providing a simple enforcement framework for all properties.</p>
Rents will increase	<p>The landlords will simply add these fees directly to our rents, you are about to make renting in Lewisham even harder for the residents with the least economic choices. Crowding will get worse, landlords will spend less on repairs, and then the council will pat themselves on the back, because you will pass the cost of regulation onto the landlords, who will pass it on to tenants, with the end result being pure gentrification. This is a terrible, terrible idea!</p> <p>concern that the licencing fee will be passed onto tenants making renting in London more expensive</p>	<p>As stated above, the council have seen no evidence that landlords have increased rents to cover their licence fee costs or that landlords have moved elsewhere, and this is similar to the findings from other authorities who have also been operating licensing schemes. Similarly, research carried out by an independent agency on behalf of the government (An Independent Review of the Use and Effectiveness of Selective Licensing) showed that selective licensing</p>

Theme	Example Comment/Question	Council response
	As a responsible landlord this scheme is just a way for the council to raise funds. Lewisham's issues cannot be blamed on Landlords. This scheme will encourage rents to rise & eventually decent landlords to leave the market. The council needs to start improving the social housing they rent out.	did not result in an increase in rents in areas with a scheme, that market forces dictated the rent levels.
The council should deal with ASB another way	<p>I would love to see landlords taking responsibility for their properties. I understand that safety within the properties and externally will be improved. Some ASB will be alleviated but it is naive to assume that ASB and overcrowding Will be eradicated quickly. ASB has multiple causes. There could be an increase in homelessness or people being forced to move out of area with children's education at risk. And more burdens on single parent/low-income households most likely putting pressure on women who have already paid for austerity and been adversely affected by the pandemic. How carefully has the council looked into the impacts and equity for the tenants in this discussion? Draconian H&S driven Rules and benchmarks may not be appropriate in the wider safeguarding and welfare contexts of Lewisham.</p> <p>Could there be consideration of the desires and needs of existing tenants before imposing change on landlords? Changes that may mean uprooting of community networks such as happened in Deptford in post war era.</p> <p>Engagement and understanding of tenants is vital in this process. Otherwise, what is conceived as designed to protect tenants may feel as if it's a punishment.</p> <p>I think this is a step in the right direction, but there are two separate issues here - (1) the poor living conditions rental tenants are subjected to, and (2) antisocial behaviour (which may in some cases be linked to housing conditions, but not always). I do not live in rented accommodation, but I support in principle any measures to improve conditions for those that do. I don't think these measures will be in any way adequate to tackle antisocial behaviour in the borough. Landlords are not responsible for the behaviour of their tenants (and those responsible for antisocial behaviour are not necessarily living in rented accommodation).</p>	<p>The council is addressing issues relating to ASB in a variety of ways, and selective licensing is part of this approach.</p> <p>Selective licensing will address ASB through the licence conditions. The aim of the conditions is to make tenants aware of unacceptable behaviour and provide clear guidance on how to deal with complaints.</p> <p>The council has more information on its website about reducing ASB and youth offending here</p> <p>The council has also produced an anti-social behaviour toolkit available on the council's website here and has also produced resources for landlords to deal with ASB as part of its HMO licensing schemes which are available here</p>
How will it be monitored?	<p>How will monitoring private landlords be implemented?</p> <p>I wonder how and if this will be monitored</p> <p>I'm unclear whether this scheme is mandatory for all landlords and what happens if they don't comply. The value will be in the</p>	If the council is successful in introducing the proposed scheme, the council will be required to evidence its impact in order to demonstrate whether there is a case

Theme	Example Comment/Question	Council response
	penalties for not doing what's asked - i.e., landlords banned from renting if their houses not up to scratch. And does the council have the resources to check?	for renewing the scheme after five years. Changes in the baseline data will therefore be kept under review.
Include HMOs	HMOs are the issue, not single occupancy dwellings! Article 4 protection needs to be given to the Corbett estate	As stated above, the council introduced an additional licensing scheme in April 2022, which covers small HMOs (with 3-4 sharers) in addition to the existing national mandatory licensing scheme for larger HMOs (5 plus sharers).
	Again, it would be helpful to see more action on HMOs in Lewisham Central (to become Hither Green) - particularly on Littlewood Road	Properties covered under the HMO licensing scheme are also required to meet licence conditions to be given a licence, and if landlords run an unlicensed HMO in a licensed area, they could be subject to enforcement action.
	<p>I have read with dismay on my local social media sites the amount of HMO properties that have been made or in the process of being made having circumnavigated planning permissions. 'Tenants' are then installed and as a result areas are being blighted by anti-social behaviour and crime to name but a few. These are very disturbing comments to read.</p> <p>I hope Lewisham are serious in these proposals to reinforce and follow through. Law abiding residents who are paying their council tax deserve to enjoy a decent standard of living in their homes and areas without dodgy HMOs appearing in their areas without consultation.</p>	The conditions for HMOs are available via the council website here and they address minimum room sizes and maximum occupancy, health and safety, refuse and pest control.
		As set out above, in June 2022 Lewisham Council's Housing Scrutiny Committee agreed to recommend the extension of the existing Article 4 Direction to the remainder of the borough not currently covered. This means that permitted development rights for the change of use from a dwelling house to a small HMO will be withdrawn, and those wishing to undertake such conversions will need to apply for planning permission.
Overcrowding is an issue	No mention of overcrowding. Some houses are being converted into HMOs with the space for each renter no bigger than a cupboard	HMO licensing in Lewisham began in April 2022 and the licence conditions include minimum space and maximum occupancy conditions for each property, as well as guidance on pest control and refuse. These are available for reference on the council website here .
	Overcrowding is a major problem on New Cross Road SE14, which means there's too many people living in flats for the rubbish facilities provided. So, the street is filled with overflowing bins, litter, fly tipping and rubbish-filled gardens all the time. The footpaths are all stained from leaking rubbish. Bins get stolen frequently, making the situation worse. Since the bins are constantly full, they're never put away, so the footpaths are	The proposed licence conditions for selective licensing also include conditions for waste management and refuse.

Theme	Example Comment/Question	Council response
	blocked by wheelie-bins 7 days a week, which is obviously an eyesore and also a danger for pedestrians. It also encourages fly tipping, people just dump mattresses, refrigerators, broken furniture or electronics on our footpath. Honestly, the street is often so filthy it doesn't look out of place. In some cases it may not be overcrowding - just students or young tenants who don't care perhaps, landlords that do nothing, and there's just no penalty or system in place to improve that situation. If this license could help deal with the rubbish situation on New Cross Road, my business and the many other businesses on the road would benefit greatly and it would be a much safer and nicer place to work and encourage business into the area.	

Comments about alternatives to licensing

Theme	Example Comment	Council Response
Do nothing	Nothing new needs to happen. Leave it as it is. Do nothing	The evidence presented in the evidence pack available via the council website here demonstrates that additional measures are needed to raise standards in the private rented sector and this cannot be achieved under the current arrangements. Lewisham's current schemes specifically target HMOs and do not cover studios and single-family households. Officers have experienced a significant amount of resistance from landlords who dispute that their properties fall within the requirements of either the mandatory or additional licensing schemes. This has meant the process to license properties to date has been very labour-intensive, focusing on proving the case, sometimes through court, rather than tackling disrepair and poor landlord practice.
Experienced issues with fly tipping	Lewisham Council to be serious about fly tipping on public and private grounds. Lewisham Council to provide proper planning/building consent as inadequate housing has been allowed in neighbourhood with shoddy building works	The council is aware of issues with waste disposal and refuse, and selective licensing would help to address these through the licence conditions.

Theme	Example Comment	Council Response
	<p>the specific issue of fly tipping is a huge issue in Lewisham-managing private landlords will not resolve this issue. a dedicated larger team needs to be managing this</p> <p>The council needs to be managing and monitoring provisions made to house people rather than these grossly inhuman for profit landlords altering properties to cram in large numbers of vulnerable people into inhumane housing conditions.</p> <p>Selective Licensing only applies to the standard of the property, it doesn't deal with the people who live there. Career landlords who buy properties and turn them into HMO's can easily pay nominal fees to the Council. But what about the residents who have to live next to these houses? Who is protecting their interests? The council must find a way to limit or disincentivise HMOs in Lewisham because this can't go on.</p> <p>Raise threshold for number of properties to be licensed to say three or above. Private landlords with one of two properties to let will generally meet standards especially if using managing agents,</p>	
<p>Focus should be on tenants to address ASB</p>	<p>Improvements in property does not equal improved human behaviour. There are already many avenues for tenants to report bad housing and rental mismanagement and I am of the opinion that the pendulum has swung too far in favour of the tenant having had my property damaged and items stolen with little recourse from the tenants deposit scheme.</p> <p>I think Lewisham Council need to focus on regulating bad tenants who affect housing provisions within the area as such damage to a property, anti-social behaviour, non payment of rent etc</p> <p>An alternative would be to have the tenant to have as many restrictions and sanctions as the landlord so if anti-social issues are raised the landlord has the right and support from the local authority to remove said tenants.</p> <p>Licensing does not solve ASB or poor housing conditions. To solve the former, there needs to be proactive policing that responds to complaints from residents & landlords and an accelerated process for eviction for persistent/ serious offenders. To solve poor housing conditions there needs to be a system of inspections, which take into account the tenants behaviour and lifestyle as it contributes to poor housing as well as the landlord's inaction. In the event that a tenants behaviour contributes to poor housing such as not opening windows leading to mould, failing to cut grass or leaving food for pests, breaking windows, doors, losing keys etc. that should be grounds for eviction or the council should have a mediation service</p>	<p>Under the Housing Act 2004, part 3 Section 90 (6) "A licence may not include conditions imposing restrictions or obligations on a particular person other than the licence holder unless that person has consented to the imposition of the restrictions or obligations."</p> <p>The council is addressing issues relating to ASB in a variety of ways, and selective licensing is part of this approach.</p> <p>Selective licensing will address ASB through the licence conditions. The aim of the conditions is to make tenants aware of unacceptable behaviour and provide clear guidance on how to deal with complaints.</p> <p>The council has more information on its website about reducing ASB and youth offending here</p> <p>The council has also produced an anti-social behaviour toolkit available on the council's website here and has also produced resources for landlords</p>

Theme	Example Comment	Council Response
	to ensure the tenants understand the consequence of their actions and a programme where a landlord can claim from a central fund for repairs to damage caused by a tenant in return for not evicting them	to deal with ASB as part of its HMO licensing schemes which are available here
Incentivise landlords/ work in partnership	Using a licence is a bit of a blunt instrument. Incentivising landlords to refurbish properties through more council tax holidays or equivalent would be another way to get targeted improvements where they are needed.	The council aims to support landlords to ensure that properties rented out are safe and to a good standard.
	I miss the other half of the solution which is providing grants and financial help to the landlords in order to improve the condition of their houses. I think it is good that specific licensing will give power to the borough to force the landlords to improve their investments, so it is better for the people who live there, but I also think it is important to motivate the landlords not just force them.	The council is committed to improving its communications with renters and landlords alike and will be publicising the scheme and its outcomes using our communications channels and the local press. If the licensing scheme is introduced, the council proposes to increase the landlord forums and support events, with help and guidance for dealing with anti-social behaviour as part of the programme.
	If the purpose is to help the most deprived in Lewisham, why doesn't Lewisham council look to partnering with landlords to bring properties up to scratch, build suitable properties.	
	Introduce a voluntary code of practice with compliant landlords being able to advertise that they are compliant. Those who chose not to register open themselves up to questions by potential renters as to how deficient they are	
	Just do some random visits in the targeted area. Unfair to add some burden on all tenants for 10-20% not meeting a minimum set of standards. Also give green grants based on the improvement of the grade of the EPC certificate post and prior to changes instead of making them impossible to use.	Grants are available to landlords to bring their property up to the decent homes standard, to resolve any category 1 or 2 hazards which have been included on an Improvement or Prohibition Notice served by the council, and to provide adequate kitchen, bathroom and/or amenities as required within a licensed HMO or to provide 270mm loft insulation and cavity wall insulation (where appropriate). More information on the grants available to landlords can be found on the council website here Accreditation schemes are currently voluntary. The council wants to acknowledge the good practice of landlords who are accredited, and if the scheme is approved, accredited landlords would receive a discount to their licence fee. However, accreditation, while an indication of good intentions, is not a guarantee that the landlord is fully aware of their obligations or that the properties they manage will necessarily be up to standard without greater involvement from the Council. The council is currently working closely with London Councils, and other London boroughs, as well as the

Theme	Example Comment	Council Response
Increase police presence/ enforcement		GLA, on initiatives to improve energy performance in privately rented properties and to discharge its duties under the Minimum Energy Efficiency Standard regulations more effectively.
	We feel there should be more police presence on the streets in Lewisham to tackle anti-social behaviour, and the council should put more resources into dealing with Rouge landlords.	Changes to community policing are not within the remit of a selective property licensing scheme. However, the council is committed to working effectively with all public sector agencies to tackle crime and anti-social behaviour.
	Post more community police in target areas to be more visible and do more to provide play spaces and activities for younger generation	
	More police, proper intervention by Lewisham council when they are told off anti-social behaviour, what will they be doing with their own council tenants in this scenario	
	Entire Area. Council/police take action against those tenants. Having a licensing scheme won't stop this behaviour. If a tenant is a nuisance a landlord could start eviction if appropriate. However, the law is heavily in favour of the tenant	
Police resources and access to dispute resolution services should be increased and inspectors should focus on known problem areas. Making the 'good' suffer along with the bad is a blunderbuss approach and not a solution. Landlords and tenants should be encouraged to follow best practice and resources should instead be focused on increasing the council's ability to respond and deal with abuses - impacting both landlords and tenants.		
Invest in social housing	I like your current policy of offering a long term management service to private landlords, and think it should be extended; build more council houses; could you set up a council owned company that buys houses and rents them privately but affordably(I think I read about a scheme where a different London council was doing this?)	The proposal to introduce selective licensing is part of a wider approach by the council to improve housing in Lewisham. As stated in the council's housing strategy, Lewisham Council is currently in the process of building new council homes for the first time in a generation. The Housing Strategy 2020-2026's first priority is to deliver the homes that Lewisham needs by building council-owned homes (which started in 2012), and its third priority is to improve the quality, standard and safety of housing in Lewisham, through an ambitious programme of works to improve the condition of our social homes and estates. More information on the council's housing strategy can be found on the council website here . However,
	Provide more social housing and affordable homes for purchase. Provide free waste collection so people stop dumping rubbish and an accessible dump.	
	It cannot be piecemeal. It has to be a national or London wide position. You cannot demonise a whole industry due to the actions of a few. And if there was no PRS, how would the council and governments house those that need it? There is very little social housing and the way in which it is managed across the board is shocking.	

Theme	Example Comment	Council Response
	<p>Those who have a full-time job should be able to rent from the Council, and not getting fleeced of all earnings by the Landlord. It's unfair to be paying up to £1500 pcm as rent for a 2-bedroom flat</p> <p>Public housing for poorer tenants and overcrowded houses so that people are not displaced in the process.</p>	<p>whilst the council is building more social housing, it acknowledges that around 40 per cent of residents live in the private rented sector, and selective licensing will enable the council to bring privately rented homes that are unsafe up to a better standard.</p>
Issues should be dealt with separately and directly	<p>Scrap the whole idea. Anti-social behaviour and poor living conditions aren't going to be helped by heaping additional costs on top of an already heavy financial burden.</p> <p>My suggestion would be to approach and resolve the issues with the individual landlords of the properties that are causing these problems rather than increase the cost for the vast majority of the private rented sector which is law-abiding and fit for purpose. These costs are inevitably passed onto the tenant in some way, normally via increased rental prices.</p>	<p>The council believes that selective licensing and the licence conditions will address ASB and poor living conditions.</p> <p>The current process of responding to complaints is very reactive and relies on residents contacting the council. The council believes that a proactive approach will have a greater impact on improving property conditions.</p>
License needs to be free/ affordable	<ul style="list-style-type: none"> - Stronger police presence to tackle ASB - If it is genuinely about improving, then the licence should be free so that the landlords can invest the money on the actual property - Not much tax to be paid by the landlords so they can invest more in the properties <p>I've answered yes – but rather than an alternative, I think you need to price the scheme so that it is affordable and doesn't put people off applying and then renting their property is "of grid" – which would really only add to the safety issues.</p> <p>I do not think that the selective licensing system should be a huge financial burden on landlords but if it results in good standards for tenants, I am fully in favour of it. However, if it is expensive, it will be removing funds that could be spent on maintaining the properties</p> <p>Do a visit to the property without adding a charge to the landlord.</p> <p>You should find a way to perform monitoring of the troublesome properties and set limits on the number of tenants that can live there as well as perform identity checks of tenants. The cost of 640 GBP is outrageously high for responsible landlords that are not in breach of any laws. The landlords that pay would not see any discernible benefits. How has the figure even been calculated? I strongly disagree with the proposal.</p>	<p>The licence fee has been set to cover the costs of the scheme, as required by law. The council does not believe that the fee is unaffordable for a five year licence and is comparable and cheaper than other selective licensing fees for councils in London. The full fee of £640 works out to £2.46 per week</p>
Private tenants should report issues and be helped with reporting Landlords/ private	<p>Yes, make it easier to report illegal landlords, poor housing conditions etc, there is nowhere near enough protection to tenants to report these landlords, the LA has to give the tenant alternative housing, so they have the confidence to report rogue landlords.</p>	<p>The council provide information for landlords and tenants on their responsibilities. This information is available on the council website here - Lewisham Council - Advice for private tenants</p>

Theme	Example Comment	Council Response
tenants should be educated on their rights	<p>Some of the poorest conditions are often provided by housing associations.</p> <p>Investigate and take action when complaints are received from Tenants and Landlords. Encourage the local Police to take action when complaints of anti-social behaviour are reported. Carry out inspections on properties that are believed to be substandard. Ask Landlords on a random basis to produce certifications required for their rental properties and upload them to a secure website when asked to do so.</p> <p>Make aware the existing process in place and how tenants can help themselves. Educate them of channels to report antisocial behaviour, or how to report noncompliance.</p> <p>Introduce a live feedback system where tenants can report underperforming/bad landlords and management agents and introduce penalties for these individual landlords/agents. I am not sure how you would police the SLS and how this would identify these bad landlords going forward.</p> <p>Yes, introduce a redress scheme, so that tenants can register a call with the council if they feel there is a problem and the council can refer to a landlord register. licensing requirements will be ignored by the irresponsible landlords that offer inadequate conditions whilst imposing new administrative and bureaucratic costs on those that already provide decent homes. Lewisham should not interfere or determine what constitutes good/bad provision in the private sector.</p>	<p>The council also believes that the introduction of selective licensing and the use of the licence conditions make clear what is expected by landlords so clear to both parties</p> <p>Any concerns about unlicensed properties, or other issues relating to privately rented homes should be reported to pshe@lewisham.gov.uk and an officer will be assigned to investigate. The council is currently reviewing its external communications tools for licensing, meaning this email address may be subject to change. Please visit the council website for up-to-date information.</p>
Reduce government intervention	<p>The alternative is to let the free market do what it does best, and match buyers to sellers unencumbered by Big Government interference.</p> <p>too many regulations, communism! The government is taking control of everything, where is the free market?</p>	<p>The evidence shows that there are persistent issues with poor property conditions, deprivation and ASB in the borough. Whilst the council understands that many landlords keep their properties to a high standard, there are many who are either not aware of their responsibilities or are ignoring them. Licensing would enable the council to work proactively with landlords to bring up the standards in the properties</p>
Rent controls need to be in place	<p>I think the licensing does not go far enough. I strongly believe that all private landlords should require licences for the reasons given in the proposals, and more. Housing is a right, and nobody should profit from it while some live in substandard conditions (and many don't have a home at all). If private landlords must exist at all, then the absolute minimum they can do is provide good quality housing, especially in the most deprived areas. Furthermore, I strongly believe that the costs of renting should be heavily regulated, and</p>	<p>The council does not have the authority to impose rent controls on private properties in the borough.</p> <p>With regard to improving security of tenure, central government are currently consulting on proposals to amend private sector tenancies and make them indefinite, as opposed to time-limited. Lewisham Council supports these proposals, which will</p>

Theme	Example Comment	Council Response
	<p>affordable. Once again, nobody should profit from housing whilst other people have no home.</p> <p>The council should also do everything in their power to control over inflated rents.</p> <p>Just to reiterate, I think there's an urgent need for nationwide rent controls across London - and the country.</p> <p>Lewisham should start regulating rent increases and the length of contracts. Private landlords only do 1-year contracts and then increase the rent substantially every year, until they price tenants out of the property. At the moment, it's not possible to plan to live long term in the area as a renter. Price increases have been substantially above inflation and pay increases.</p> <p>We need rent control to prevent the most vulnerable from being exploited and living in unsuitable accommodation. This should be considered in addition to licensing</p>	<p>strengthen renters' rights, help to reduce insecurity within the sector and have a stabilising effect on rent increases.</p>
<p>Rented properties should be in good/liveable condition</p>	<p>We believe every rented property should have to have a minimum standard and protocols in place for reporting works. All landlords and managing agents should be held to account. On the flip side all tenants should be forced to adhere to rules more rigorously and communicate openly to their landlord or agent. Landlords should not be able to let u fit properties and tenants should not be able to withhold rent without valid reasons.</p> <p>private rented accommodations are extremely expensive especially for what you are getting. it should be mandatory that all homes are sufficient for each tenant to live in.</p>	<p>The council believes that all properties should be safe and decent for their inhabitants, which is why improving the quality, standard and safety of housing in Lewisham is a key priority of the council (Housing Strategy 2020-2026) and believes that by introducing selective licensing and working with landlords and landlord associations to improve standards and practice across the borough, we can work towards this aim</p>
<p>The council should deal with issues arising from social housing properties first</p>	<p>The council should first consider whether it is doing everything it can to address issues with overcrowding, poorly maintained properties and anti-social behaviour in its own properties first</p> <p>I'd rather have the Council looking after the properties the Council owns or manages.</p> <p>I'd rather have the Council provide help to the impacted tenants or landlords, dealing with renting disputes.</p> <p>Being a landlord is already really expensive - and the cost of this license will be passed onto tenants and increase poverty rates or will reduce the number of landlords and drive-up rents, which is exactly what you don't want to happen. If you want to tackle poverty, do something that works, like, hm, I don't know, offering more affordable social housing to more Lewisham residents and regulate the conditions there. The only antisocial behaviour in our neighbourhood comes from the council estates.</p>	<p>As stated above, the council is in the process of building new council homes for the first time in a generation and has an ambitious programme of works to improve the condition of social homes and estates. Selective licensing is part of a wider programme of work to achieve the council's corporate strategy and improve the quality standard and safety of housing in Lewisham.</p>

Theme	Example Comment	Council Response
<p>The council should focus on other/ additional initiatives to respond to issues in the housing sector</p>	<p>I think the proposal will make it harder for people to rent in the private sector. I think the council should not charge for collecting rubbish that is too much for the normal collections- this might reduce fly tipping</p> <p>I suggest the council should talk to people who own office blocks and start to convert them into affordable homes. Who wants to live in one room? What incentive is that for anyone to make something of themselves and care about their community.</p>	<p>As stated above, around 31 per cent of the households in the borough live in privately rented accommodation. The private rented sector plays a very important role in housing in the borough, and the council does not want to make it harder for people to rent. The aim of selective licensing is to ensure that rented properties are in a good and safe condition.</p>
<p>The council should focus on other priorities</p>	<p>Give young people other opportunities to let their energy be released and to meet, e.g., community centres, playgrounds, athletic areas. By enforcing a license, you will raise the standard of properties and get rid of bad landlords, BUT you will also scare off good landlords or at best increase the rents we need to charge towards tenants. That will also decrease anti-social behaviour but because you are driving people away from Lewisham due to increased rents - which should not be considered a successful outcome. The capital is already too expensive for essential workers to live in.</p> <p>As before. Open up youth centres, invest in training more, more community taskforces...go back to the streets and out of your offices. Labour values were once attractive many many years ago. Completely unrecognisable now.</p> <p>For the entire are, you could consider:</p> <ul style="list-style-type: none"> - placing more bins in the area and emptying them more frequently - more and better areas for young adults and children to spend time and relax in - strengthening the powers of the tenants' ombudsman - when assessing conditions, ask the landlord for before photos of the property with proof of date taken against the state of the property now as it's not always landlords who don't update the property, sometimes tenants mess up the property - anti social behaviour: open up the youth centres again so people can have an outlet. Have recognisable community leaders who people respect to manage the area. - raise living conditions by maybe helping landlords with discount on cleaners for their properties 	<p>The council have a priority aim of reducing anti-social behaviour and youth offending. The Lewisham Youth Justice Strategic Plan sets out the partnership approaches which will be taken to addressing youth crime in Lewisham. These include:</p> <ul style="list-style-type: none"> • Trauma-informed practice – Lewisham YOS is recognised by Department for Education as ‘a trauma informed service’ meaning it is a relationship and trauma based model delivered as a direct intervention and as a workforce development program. • Lewisham YOS is now a Functional Family Therapy Community agency accredited to deliver the program on sight. • Lewisham YOS has led on developing restorative approaches both internally and through MOPAC funded schools based work to address county lines and Serious Youth Violence at a preventative level. • Lewisham YOS continues to lead regional and national best practice development for custody and resettlement into the community focussing on health, social care and education. • Ensuring compliance with National Standards and meeting the actions as set out in the Lewisham YOS National Standards Audit Action Plan. • Improving sentence planning, risk management and safeguarding practices when young people are placed in any secure setting. • Improving the timeliness and quality of assessments and intervention plans, using the new ASSET Plus Assessment tool.

Theme	Example Comment	Council Response
		<ul style="list-style-type: none"> • Ensuring that appropriate plans are put in place to safeguard young people at the start of their Order and that approaches are made in partnership with other relevant agencies, responding to new information as it emerges. • Increasing the range of alternative education provision available for young people to access as an alternative to custody or post custody. • Further developing the out of court disposal interventions that are provided. <p>More information on this can be found on the council website here including the metrics for success</p>
<p>The council should focus on specific properties/ types of properties</p>	<p>Compliance checks to landlords where complaints are received ASB where Neighbourhood Officers report it</p> <p>It should be focused on known properties that are already causing issues and it should be with the large housing associations or private landlords that are letting their properties go into disrepair. Its needs to be targeted not one size fits all. As already mentioned you need to go after these self-contained flats with in bad condition not homes whereby someone lets out a room.</p> <p>Rather than capture all small landlords in a borough wide licensing, I believe it would be wiser to consider licensing on a case-by-case basis. This could be via a database harvested via a type of housing satisfaction surveys from tenants within single family dwellings.</p> <p>This shouldn't be applicable to HMO's, which should continue to be licensed due to the number of tenants in one single dwelling.</p> <p>Select specific areas/roads/estates where anti-social behaviour (ASB), housing conditions and deprivation are actually an issue.</p> <p>Grainger plc supports the exclusion of Build to Rent developments that meet certain criteria from the selective licensing regime. For example, a Build to Rent scheme could be excluded if it meets the London Plan definition of Build to Rent (unified ownership and management, 50+ units, subject to a Build to Rent covenant, all units self-contained and let separately, tenancies of 3+ years, on site management, rent and service charge certainty, complaints procedure, member of ombudsman scheme).</p>	<p>The council does respond to complaints and will respond to complaints raised as part of the licensing scheme, which will increase the awareness of tenants of acceptable standards in privately rented properties.</p> <p>Whilst the council understands that many landlords keep their properties to a high standard, there are many who are either not aware of their responsibilities or are ignoring them. Licensing would enable the council to work proactively with landlords to bring up the standards in the properties.</p> <p>Licensing is also an effective tool for addressing rogue or criminal landlords in the borough.</p> <p>The council has no plans to exclude purpose-built rental developments from selective licensing, in common with the approach taken by other councils across London. As with our current additional HMO licensing scheme, we will have a bulk application process to reduce the burden of applying for a license on those landlords with multiple licensable units.</p>

Theme	Example Comment	Council Response
The council should have considered alternatives	<p>I don't have this expertise, but I'd suggest that considering alternatives is an important part of any decision making process.</p> <p>I work as a designer - there is never just 1 solution to a defined problem. I would expect the council to have conducted due diligence on the options for solving the stated problems. As a resident and landlord, I would like to know about the other options (which could still include this scheme). That said, I like the idea of the scheme - but please do you due diligence and then get feedback.</p>	<p>The council did consider alternatives to licensing as part of the consultation preparation. The alternative considered can be found in the Evidence Pack here</p>
The council should inspect properties	<p>I KNOW IT WOULD COST MONEY BUT COULD SOME COUNCIL EMPLOYEES COME OVER AND DO REGULAR CHECKS ON MINOR THINGS such as : wrong or dirty items in recycling bins, rubbish left lying around, people who do not respect their ASBOS and go on feeding pigeons which create poo all over the place .</p> <p>Some people need only to be told .</p> <p>Or send a questionnaire with the council tax breakdown each year asking the relevant questions about the conditions of the property.</p> <p>Inspections and fines for both tenants and landlords</p>	<p>The council is planning to inspect properties over the lifetime of the scheme. The council also plans to raise awareness of acceptable standards and behaviour of both tenants and landlords, and provide support to both tenants, who may be facing unsafe property conditions that require repairs, and to landlords who may be dealing with difficult tenants</p>
The council should suggest alternatives	<p>I would expect the Council to have researched why this is a good idea and to have considered any alternatives as part of that process.</p> <p>I don't think it's up to me to suggest alternatives to you. You need to review the evidence for licensing and other models to reduce ASB and raise living standards and rental property quality.</p> <p>I don't know, but the council should research and investigate all options before imposing something!</p> <p>Don't know if any alternatives hoping you do. More than one option should be considered</p> <p>Licensing scheme good to stop overcrowding or poor living conditions but council must implement the scheme well and follow up on bad situations</p> <p>Whatever system you finally adopt will be a toothless gesture unless you get an EFFECTIVE SYSTEM OF ENFORCEMENT to follow through if landlords fail in their duties.</p> <p>Do not make this another example of the 20mph limit in Lewisham – political grandstanding but never enforced. See Belmont Hill as one dangerous example.</p>	<p>The council outlined the alternative options to licensing it considered in the Evidence Pack for the consultation (available here) and concluded that they would achieve the same outcome as the proposed selective licensing scheme for the reasons provided. The alternative options would also not help meet the Objectives of Lewisham's corporate strategy and would not bring about the much-needed improvement in conditions for people living in the private rented sector</p>

Theme	Example Comment	Council Response
	Whatever scheme you finally decide on, the most important response of the council will be about ensuring EFFECTIVE ENFORCEMENT of the licences. Please do not let this be another example of political grandstanding with no enforcement which has been the fate of the 20mph limit on Lewisham roads. See the dangerous Belmont Hill as an example.	
There should be council support for other issues that cause ASB	I think we need licencing, but I also think we need proper support for people with drink and drug problems, and monitoring and regulations of programmes that help house these people so that people with antisocial problems aren't all concentrated in one area (Catford south / Whitefoot)	As stated above the council is working to address anti-social behaviour. The Lewisham Youth Justice Strategic Plan sets out the partnership approaches which will be taken to addressing youth crime in Lewisham. More information can be found on the council website here
	Because clearly housing is not sole cause of the issues listed above.	
	Anti-social behaviour in the area is due to the council and the government failing to look after its poorest and most deprived residents. Private landlord are not to blame for the lack of support financially and socially for these individuals.	
Unclear how licensing will address the issue	The issues highlighted do not relate to private rented accommodation. They are simply issues relating to wider social economic factors.	While the Council acknowledges that all property types may have issues with property conditions, deprivation and ASB, licensing is a tool available for the Council to use to address these issues in the private rented sector.
	You seem to assume that such licensing would improve things. Prove it.	The recent Government research 'An Independent Review of the Use and Effectiveness of Selective Licensing' found that selective licensing can be an "effective policy tool" that can achieve demonstrable positive outcomes.
	Because it is not at all clear from this document how your good intentions for rented properties are to be implemented and maintained	
Education for tenants and landlords	Council can spend more time working with tenants to explain their responsibilities to the community and their landlord, i.e., avoid random damage to the property and respect neighbours	The council website has resources for both landlords (here on the council website) and privately renting tenants (here on the council website). The council is also committed to providing better tenant-focussed communications and access to services and has recently undertaken some scoping work in partnership with Generation Rent on this issue.
	Council officers dedicated to liaising between tenants and landlords, to promote discourse and to try and resolve disputes	
	Not instead of Selective Licensing but as well as- Have consultation surgeries for tenants and landlords to help them understand their rights and advise on avenues for help.	
Reporting mechanism for tenants	Perhaps a mechanism for tenants to report their experiences?	As set out above, any concerns about unlicensed properties, or other issues relating to privately rented

Theme	Example Comment	Council Response
	I believe that the Council should have central reporting tools for these problems, which would record the names of landlords and social housing associations. This would allow the Council to deal directly with landlords to help resolve the problems. It would also allow the Council to release periodic reports of the rate of complaints and the rate of successful resolution, highlighting those landlords who are particularly good, or particularly bad.	homes should be reported to pshe@lewisham.gov.uk and an officer will be assigned to investigate. The council is currently reviewing its external communications tools for licensing, meaning this email address may be subject to change. Please visit the council website for up-to-date information.
Other	Exclude live in landlords	Live-in landlords, where the property is their main residence, are exempt from selective licensing under the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006.
	Require landlords to register with the NRLA and become a licensed practitioner.	The council does not have the authority to require landlords to join accreditation organisations.
	It should only be applied to houses, not small 1- or 2-bedroom flats	Selective licensing applies to the household size, regardless of the property size, under the Housing Act 2004

Comments about specific Licence Conditions

Theme	Example Comment/Question	Licence condition	Council response
Managing ASB should not be the landlord's responsibility	I am concerned that the duty on landlords to tackle ASB could be manipulated by landlords to the detriment of tenants	11. The licence holder shall put in place written ASB procedures detailing how complaints made to the licence holder will be dealt with, a copy of which shall be provided to the tenants in the information pack. The licence holder shall within seven (7) days of any demand by the council provide their written ASB procedure. 12. The Licence Holder must ensure that all reasonable and practicable steps are taken to prevent and deal effectively with anti-social behaviour [ASB] resulting from the conduct of occupiers or visitors. The Licence Holder must comply with the requirements of paragraphs (a) to (f) below (If the Licence Holder has an agent it	The council understands that is the responsibility of all residents in the borough not to cause anti-social behaviour. The council do not expect landlords to be responsible for the behaviour of their tenants, but the council would encourage landlords to include clauses in their tenancy agreements about ASB, to follow the proposed licence conditions and to
	It is not for the Landlords to manage ASB, and where required due to these offences taking part in the property, the only option available to the Landlord is eviction, at which point Lewisham Council informs the tenant to stay in the property until legally evicted by the courts. Hence, therefore, Lewisham Council is part of the problem again bringing no value for the implementation of this stealth tax.		
	I think the condition to 'manage anti-social behaviour' leads a landlord, professional or accidental into the role of police officer, investigator, and judge. All		

Theme	Example Comment/Question	Licence condition	Council response
	<p>without any real powers of punishment other than the lengthy eviction process and that cycle.</p> <p>What's to stop malicious ASB reporting so a landlord can evict a tenant. That should be seriously considered for proof of ASB. There should be a requirement that for the ASB element it must be proven by police to have happened and also the landlords own ASB should be considered. i.e. have they been causing nuisance to the tenants etc and if so should be subject to property forfeiture.</p> <p>It is unreasonable to make the landlord responsible for anti-social behaviour by tenants. If tenants are causing a nuisance, then the Council should use its statutory powers to abate that nuisance</p> <p>Landlords are usually not experienced in managing antisocial behaviour and do not have the professional capacity to resolve tenant's' mental health issues or substance dependency. Suppose there are allegations about a tenant causing problems, and a landlord ends the tenancy. In that case, the landlord will have dispatched their obligations under the selective licensing scheme, even if the tenant suffers from any of the above issues.</p> <p>At the commencement of a tenancy, the landlord outlines the tenant's obligations concerning noise (and other matters such as waste disposal, compliance with relevant legislation, and consideration for surrounding neighbours). The landlord can manage a tenant only to the extent of their mutually signed and agreed contract for living in the property- not for a tenant's activities beyond this.</p> <p>Lewisham Council has many existing enforcing powers that can rectify the identified problems as part of the council's housing strategy. These include:</p> <ul style="list-style-type: none"> ● Criminal Behaviour Orders ● Crime Prevention Injunctions ● Interim Management Orders 	<p>is still the Licence Holder's responsibility to ensure their agent acts on their behalf in compliance of the conditions):</p> <p>a) The Licence Holder must ensure that the occupiers are provided with a document advising them (amongst other things) what behaviour is not acceptable, that they are responsible for the conduct of their visitors, the impact on the victims and local community, and of the consequences of ASB to their tenancy.</p> <p>b) The Licence holder will take appropriate measures up to and including the service statutory notice and eviction to deal with anti-social behaviour. Where ASB includes criminal offences, the Licence holder will involve the police.</p> <p>c) Any letters, emails, legal notices or other documents relating to ASB, which are sent or received by the Licence Holder, or the agent on behalf of the Licence Holder, must be copied and kept for 5 years by the Licence Holder.</p> <p>D) The Licence Holder shall co-operate with the Police and Authority in resolving ASB in any licensed property under their control. Such co-operation includes attending or being represented at any case conferences or multiagency meetings and providing information to the Police or the Authority when requested.</p> <p>e) Any correspondence, letters and records referred to in conditions (a) to (e) must be provided by the Licence Holder to the Authority within 28 days on demand.</p>	<p>manage their tenancies and ensure that ASB caused by their tenants is effectively addressed and if necessary appropriate action taken.</p> <p>The council has an ASB policy available via the council website here, as a resource for landlords. The policy gives examples (but is not an exhaustive list) of ASB, such as:</p> <ul style="list-style-type: none"> •Hate-related incidents (e.g. based on race, sexual orientation, gender, disability or belief) •Violence (e.g. Domestic or Physical) •Verbal abuse, harassment, intimidation or threatening behaviour •Vandalism and damage to properties •Prostitution, sexual acts or kerb crawling •Criminal behaviour (e.g. Use of the accommodation for unlawful purposes, such as selling or using drugs) •Misuse of communal areas, public areas (e.g. unsightly rubbish, litter or discarded items left around the property and its exterior) or loitering •Noise Nuisance (e.g. Hosting noisy parties, having music or television turned up very loud or

Theme	Example Comment/Question	Licence condition	Council response
	<ul style="list-style-type: none"> • Empty Dwelling Management Orders • Improvement Notices (for homes that do not meet the Decent Homes Standard) • Litter Abatement Notices (Section 92 of the Environmental Protection Act 1990) • Fixed Penalty Notices or Confiscation of equipment (Sections 8 and 10 of the Noise Act 1996) • Directions regarding the disposal of waste (for example, Section 46 of the Environmental Protection Act 1990) • Notices to remove rubbish from land (Section 2-3 of the Prevention of Damage by Pests Act 1949) 		<p>otherwise causing a noise disturbance</p> <p>If a landlord / licence holder / other party are aware of ASB, the ASB policy also outlines how to report ASB to the council and the steps that will be taken to address it.</p>
ASB reassess	<p>There needs to be a mechanism for those affected by the antisocial behaviour to also have action taken.</p> <p>ASB should include reference to noise nuisance and fly-tipping.</p> <p>You are defining ASB as fly tipping and not including more serious ASB which is more important but extremely difficult for single landlords to tackle alone</p> <p>I'm concerned the focus on anti-social behaviour will be used to deny people access to good, safe housing. It's not clear how you intend to prevent this.</p> <p>The ASB policy must include a provision for removal of the tenant if the tenant does not comply with the ASB policy. A fine for the landlord if they do not comply with all conditions.</p>		
Fit and Proper test unclear	<p>What does fit and proper person test mean? This seems another unnecessary and intrusive measure, particularly if the landlord does not live in the property. Even if he or she does, are you going to require everyone who advertises for a house sharer to also do a fit and proper person test?</p> <p>I have heard that one possibility is that landlord's personal details will be published online. There are people who don't want their personal data published</p>	<p>13.Any licence holder must be a "fit and proper" person. This means he/she must not have:</p> <p>a. convictions for serious violent, sexual, dishonesty or drugs offences,</p> <p>b. findings made against him/her that he has practiced unlawful discrimination against any person or persons who have protected characteristics, or,</p>	<p>The council have used the definition provided by the legislation to define a "fit and proper" person</p> <p>The Housing Act 2004 (Part 3, Section 89) outlines what a "fit and proper" person.</p> <p>For clarity, the wording from</p>

Theme	Example Comment/Question	Licence condition	Council response
	<p>e.g., women fleeing violence. In addition, there is more and more online harassment. If you do publish this would be a particularly unnecessary and egregious step.</p> <p>Pass a proper person test should not be included or reworded and thought through</p> <p>What does 'Pass a fit and proper person test' mean? What does that entail? It sounds very politically wrong in my opinion and insulting to me that Lewisham council is proposing to give landlords tests to prove they're fit and proper. What kind of miracle test would prove that?</p> <p>Fit and proper person test - this is incredibly non descriptive and not required by government. It is open to council interpretation and potential mis use.</p> <p>I'm concerned about the fit and proper person test. Are the conditions fair for anyone regardless of age, race, gender?</p>	c. has convictions or findings of fact that he has contravened housing or landlord and tenant law	<p>the housing act (available here) is shown below:</p> <p>“(a)committed any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (c. 42) (offences attracting notification requirements).</p> <p>(b)practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business; or</p> <p>(c) contravened any provision of the law relating to housing or of landlord and tenant law.”</p>
Fit and proper removed	<p>What is the purpose of the fit person test? That should be removed.</p> <p>Remove the 'pass a fit and proper person test'. It is ridiculous nonsense.</p> <p>I agree with the conditions for landlords (carrying out repair work, etc) however fit and proper persons tests are notoriously difficult to implement and require a lot of resource to be effective. They would be particularly challenging at the scale you are proposing and would be highly susceptible to gaming (e.g., relying on references for landlords). I just don't believe this would be successful here. Again, I don't think the cost benefit case stacks up.</p> <p>I do strongly support the requirements for maximum occupancy levels and for minimum environmental standard of E, though it's not clear to me why this</p>		<p>It is a legal requirement of the Housing Act 2004 (Part 3, Section 88) that the local authority determine if the proposed licence holder is a “fit and proper” person when issuing a selective licence.</p>

Theme	Example Comment/Question	Licence condition	Council response
	should just be concentrated in parts of the borough. Surely this should be a full blanket measure, if pursued at all.		
Conditions for the exterior of the property	Front garden maintenance and bin stores	22. The licence holder must ensure that any common parts, gardens and yards are free from waste, which could provide harbourage for pests and/or is a nuisance and/or is detrimental to the local amenities, other than waste stored in appropriate receptacles for the storage of household refuse and recycling.	The exterior of the property is addressed in the condition relating to pest control, that they must be kept free from waste. Following the legal decision in the Brown v Hyndburn Borough Council, the council cannot impose conditions that are directed to the condition of the property, aside from those that are mandatory conditions as part of Schedule 4 of the Housing Act 2004 or directly relate to addressing the statutory intention of selective licensing (in this case, deprivation, poor housing conditions and ASB)
	They must make sure the front garden and front of house is maintained, cleared of rubbish and made to look tidy.		
	The on-street appearance of the property has not been considered at all. It should be - for the collective wellbeing of everyone		
Repairs	Just know if you want good standard of living the repairs are key that's mould damp and any other repairs	10. The Licence Holder must ensure that occupants receive written notice about how they should deal with repair and maintenance issues and with emergencies, should they arise. This notice must include a contact telephone number and email address to enable tenants to report urgent issues. Copies of the written statement of terms must be provided to the Authority within 28 days upon demand. 21. The licence holder must ensure that all repairs are carried out in a timely manner and records of repairs need to be maintained. These records must be provided to the local housing authority within 28 days of any request.	Issues relating to damp, mould and repairs are covered by the Homes (Fitness for Human Habitation) Act 2018. More information on this and the landlords' responsibilities can be found on the government website here
	I think that all rented properties should meet certain standards of repair and decoration before they are even rented out. What about fining landlords who don't comply with the standards?		
	- hired competent person(s) to carry out any repairs, improvement works or treatments - very subjective, should be removed - copies of receipts and/or invoices for any such works must be provided to the council within 28 days upon request - why? feels like too much interference in the property management, should be removed		
	The type of repairs should either be clearly defined and adhere to existing laws or removed. Some		

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	<p>complaints e.g., condensation or blockages to loo or drains are caused by tenants' lifestyle and disputes can arise about whose responsibility it is to carry out the repairs. If tenants decide to maliciously, deliberately and repeatedly damage the property and also not pay rent (which does happen unfortunately especially in deprived areas), it could take a long time and added stress and legal cost having to deal with the court as well as the licensing department of the council.</p> <p>The Council should consider asking tenants whether the repairs which have taken place were necessary of not and also asked them if the extra money charged (such as fees for hiring a housekeeper) was used appropriately and if the work is regularly done</p>	<p>Additional licence conditions for Designations 1 and 2: All repair work must be carried out within a reasonable timescale with due regard to the severity of the issue. The Licence holder must ensure that any repairs, improvement works, or treatments are carried out by competent person(s). Copies of receipts and/or invoices for any such works must be provided to the Authority within 28 days upon demand.</p>	
Providing proof of receipt should be removed	<p>"Provide receipts" honestly, that's a step too far, any work should be done to decent standard, and it may not be possible to complete some work in 28 days, how will you decide what's acceptable and what isn't.</p> <p>- copies of receipts and/or invoices for any such works must be provided to the council within 28 days upon request - why? feels like too much interference in the property management, should be removed</p> <p>Providing receipts - most landlords get family to do things. This will just prevent landlords doing any repairs and blame tenants for wear and tear so tenants will get charged. Provide repair work within a reasonable timescale - this does not mean anything.</p> <p>Why should landlords have to show invoices for repairs. Could you let me know how you are going to safeguard landlords please?</p>	<p>Additional licence conditions for Designations 1 and 2: The Licence holder must ensure that any repairs, improvement works, or treatments are carried out by competent person(s). Copies of receipts and/or invoices for any such works must be provided to the Authority within 28 days upon demand.</p>	<p>The council is asking for asking for invoices and receipts in designations 1 and 2 to address poor property conditions. A receipt or an invoice should be provided so that where there is a dispute about the quality of repairs there is a means of identifying the person or company responsible and to checking whether the repairs were carried out by a competent person(s)</p>
Reference can be a barrier for housing vulnerable people	<p>I'm not sure about taking up references - many people might find this difficult and if it hinders people from finding secure housing then I would not insist. Issuing an ASB policy and getting a signature would suffice.</p> <p>Remove requirement for references to tackle anti-social behaviour - serious risk of excluding vulnerable individuals who aren't able to secure a reference for another reason</p>	<p>The Licence Holder must ensure that references are demanded from and in respect of all persons who wish to occupy the house. If the licence holder choses to allow an individual who cannot provide references to occupy the property, they must record their reasons for doing so. These reasons must be provided to the council within 28 days of any request</p>	<p>Schedule 4 of the Housing Act 2004 sets out the mandatory conditions to be applied to property licences, including for selective licences that the licence holder must demand and obtain references from</p>

Theme	Example Comment/Question	Licence condition	Council response
	<p>I think the council should think carefully about the potential impact of excluding those with poor references from licensed rental accommodation. You will end up creating violent unlicensed slums. Council should instead offer support/guidance to those with anti-social behaviours</p> <p>Concern that it may be difficult for people in some situations (e.g., vulnerable) to get the references needed and this might exclude them from the rental properties. Requirements would need to be flexible and make adjustments for different circumstances.</p> <p>I think that references can be a barrier to housing for vulnerable people. I am strongly in favour of landlords having a requirement to fix poor housing conditions but by lumping them together in one question you are muddling the issue.</p>	<p>Copies of obtained references are retained for the duration of the licence and that the Authority is provided with a copy of any such references and records within 28 days, on demand. These conditions apply to any agreement made on or after the licence is granted</p>	<p>persons who wish to occupy the house. Guidance on reference checks is available in the governments 'How to Let' guide.</p> <p>Enforcement action is considered on a case-by-case basis and factors impacting on the ability to obtain references will be taken into consideration</p>
<p>Reasonable timescale clarity</p>	<p>'Reasonable timescale' - specify a timescale instead. What's reasonable to a landlord may not be reasonable to the tenants living with the issue.</p> <p>"Reasonable timescale" should be defined as no more than 30 days.</p> <p>There needs to be clearer instructions and timescales</p> <p>What is a 'reasonable timescale' for repairs? Too vague and subjective, needs to be more specific. But of course, the Council itself and housing association need to improve their performance in this area as well!</p> <p>Conditions are too woolly. what exactly is a "reasonable timescale" for example?</p>	<p>21. The licence holder must ensure that all repairs are carried out in a timely manner and records of repairs need to be maintained.</p> <p>24. If the license holder becomes aware of any pest infestation, steps must be taken to eradicate all pests in a timely manner.</p> <p>Additional licence conditions for Designations 1 and 2:</p> <p>All repair work must be carried out within a reasonable timescale with due regard to the severity of the issue.</p>	<p>The council accepts that this condition is not specific. However, strict time limits on repairs in a licence condition are not practical because:</p> <p>a) The council understands that a wide range of works fall under the phrasing of "repair" – ranging from serious structural works to minor repairs to devices, and therefore the timescale which is reasonable for a structural repair is different to a reasonable timescale for a small repair</p> <p>b) Reasonable allows flexibility where, for example, scarcity of particular materials can affect the time required to carry out a repair.</p>

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			However, the council will monitor repairs time frames on a case-by-case basis and follow up with repeat inspections and further action if necessary to ensure repairs are carried out.
Waste Management	<p>Rubbish management needs to be explicitly called out. Tenants failing to recycle properly and/or leaving bins across pavements needs to be dealt with. Fine landlords and tenants for irresponsible rubbish management.</p> <p>Use of front gardens for rubbish dumping for long periods should not be allowed. Leaving rubbish out for a week or two while awaiting removal is OK, I am talking about rubbish left for years with no intention of getting it removed.</p> <p>Make landlord responsible for rubbish and fly tipping</p> <p>Proper disposal of refuse and keeping the front of the property tidy</p> <p>Often when tenants are nearing the end of their contract/tenancy and are moving out, they will dispose of excess household waste by a variety of methods. These include but are not limited to putting waste out on the street for the council to collect. This is in the hope of getting their deposit back and is made worse when the council does not allow landlords access to municipal waste collection points. Local authorities with many private rented properties need to consider a strategy for collecting excess waste at the end of a tenancy in place of selective licensing.</p> <p>Suppose such a scheme is not already in place. Would the council consider a free/low-cost service for private landlords to remove numerous bunk items for when tenants vacate the property and not dispose of such waste beforehand?</p>	<p>18.The licence holder must ensure that all occupants comply with all schemes provided by the local housing authority which relates to the storage and disposal of household waste pending collection.</p> <p>19.The Licence Holder must ensure that new occupiers are given the following information on waste and recycling in writing within 7 days of taking up occupation:</p> <p>a) The collection days for the refuse and recycling bins for the house - https://lewisham.gov.uk/myservices/wasterecycle/your-bins/collection</p> <p>b) Details on assistance available, where the occupants require assistance – https://lewisham.gov.uk/myservices/wasterecycle/your-bins/assisted-collection-service</p> <p>c) Details on what they can and can't recycle - https://lewisham.gov.uk/myservices/wasterecycle/recycling</p> <p>d) How they can dispose of large items- https://lewisham.gov.uk/myservices/wasterecycle/dispose-of</p> <p>e) General waste guidance from the Lewisham's website: https://lewisham.gov.uk/myservices/wasterecycle</p> <p>20.The licence holder must keep themselves informed of any changes or additions to the above and update all occupiers in writing within 7 days of becoming aware of any such change or addition. The licence holder will be treated as</p>	<p>The council believes that the waste management conditions are sufficient to address these points.</p> <p>The council has an existing large items collection service. More information is available on the council website here</p>

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		being aware of changes or additions 10 working days following the publication of any such scheme on the Council's website. A copy of the information provided to the occupiers must be kept for 5 years and provided to the local authority within 28 days on demand.	
Certification	Fire Safety Certificates? Electric testing every 5 years	2. All portable electrical appliances provided by the landlord must be maintained in a safe condition and proper working order. Portable Appliance Testing (PAT) should be carried out every twelve months with records kept for at least five years. Any necessary maintenance or repair work must be undertaken by a competent electrical engineer. Copies of all maintenance records and PAT testing may be provided to the Council within 14 days of request. 3. All furniture and furnishings provided in the house must be kept in a safe condition and must comply with the current furniture and furnishings fire safety regulations. A declaration of furniture safety must be provided to the Council on request.	The council believes that annual PAT testing is a reasonable condition The council cannot require landlords to provide fire safety certificates. However, more information on the landlord's responsibilities and good practice can be found on the London Fire Brigade website here

Comments about Licence Conditions in General

Theme	Example Comment	Council response
Conditions already exist through legislation	I believe that all the above are already covered by legislation and can see no good reason to further licence properties other than HMOs within the borough. All good Landlords will comply, but it those who renting illegally or without the necessary documentation that need to be rooted out and made to comply with already existing tenancy laws. As far as I'm aware, almost all the conditions are already in force via existing legislation so licencing will not introduce anything new of significance The landlords are already required by law to make the homes safe. These conditions are not fit for the intended purpose. The council should approach the problem from an enforcement perspective. No landlord knowingly rents to a person who commits ASB, it would not be in their own interest. All should be removed as there are already national legal requirements for landlords that set out what they can and cannot do.	The council have considered a range of alternatives to selective and additional licensing, but do not believe they are as effective in dealing with poor property conditions, deprivations and ASB in the borough. The current powers the council has, including the use of the Part 1 Housing Act 2004, do not require landlords to declare themselves. This means there is no obligation for landlords to make their properties known to the council or to be proactive in improving conditions, including minor issues (that may still pose a health and safety risk) but still need to be addressed, but which a tenant may not

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	I believe that all the above are already covered by legislation and can see no good reason to further licence properties other than HMOs within the borough. All good Landlords will comply, but it those who renting illegally or without the necessary documentation that need to be rooted out and made to comply with already existing tenancy laws.	complain to the council about. Formal action under the Housing Act can be a slow process, and improvements to properties can take many months.
Already happening	What you are proposing in the standard housing conditions or most of it is already required from a landlord by the law. So as a landlord I have to meet these requirements whether I have a licence or don't have it. The only difference for me would be yet another cost that I need to pay to comply with yet another requirement.	Whilst the Council acknowledges that many landlords operating in the borough keep their properties to a high standard, the evidence presented during the consultation shows that there are large scale issues with poor property conditions, and ASB in the borough's private rented sector, that licensing can help to address. The council believes that many landlords will meet the licence conditions, and do keep their properties in good condition, but licensing enables the council to take action against those landlords who place their tenants in unsafe or overcrowded properties.
	There is no need to introduce a new licence to implement ASB reduction procedures. There are already ASB procedures in place at the moment that are implementable with the current legislation.	
	All should be removed as there are already national legal requirements for landlords that set out what they can and cannot do.	
	Why should a landlord have to show the council information that is already required by law? A lot if these conditions should be applied to those landlords that have tenants whose rent is primarily met by the Govt.	
	Why are you seeking in part to just replicate existing law? Just enforce the existing law properly.	
	All the issues you raise are already statutory, you propose wasting landlords' and council officers' time with repetition.	
Social/council properties should be included	ASB issues appear to be outside the control of landlords, including the Council. H&S issues related to national regulations are dictated in contractual templates and enforced by letting agents. This is just Lewisham Council trying to pretend the issues it is referring to relate to the private sector, when in reality the Council fails to meet its own standards (mould, ASB, pest control, overcrowding etc)	While the Council acknowledges that all property types may have issues with property conditions and ASB, licensing is a tool available for the Council to use to address these issues in the PRS.
	Will Lewisham Council apply the same standards to its properties?	
	These conditions should be imposed on Lewisham Council	
Good landlords will already meet conditions	All good landlords already have checks carried out on potential tenants, having references carried out on potential tenants from their employers, previous landlords, credit checks	The council understands that many landlords who rent out properties in the private sector manage their properties responsibly. However, the evidence shows that the areas in the proposed designation are experiencing persistent issues in the private rented sector with poor property conditions and management.
	I have no problem in providing anything you need as part of a licence - and I am not sure how I can comment on the state of private rented accommodation and associated problems. As a responsible landlord I would obviously comply but having to pay for the privilege is pushing me to think that just isn't worthwhile.	

Theme	Example Comment	Council response
	<p>Already have to do most of this. And where do the responsibilities of the freeholder (Lewisham Homes) fit it?</p> <p>All good landlords will have the relevant legal safety checks in place and will have a tenancy agreement in place. Perhaps this is something that should be properly legislated and policed in the country as a whole, not just in a particular area.</p> <p>All good Landlords have to comply with GS, Electrical and EPC etc. Notice cannot be serviced unless a landlord complies with legislation therefore the above is totally pointless. Who knows what a fit and proper person or Landlord is, this is just all a jobsworth for nothing?</p> <p>These things are done anyway by responsible landlords by law, so can be checked under existing legislation. I understand that new rules will involve charging landlords for things they have already paid out for.</p>	<p>The council is proposing to use the regulatory framework provided by selective licensing schemes to focus on those that do not comply and impact negatively on the reputation of those responsible landlords as well as having a detrimental effect on tenants and neighbourhoods. The council will develop guidance and work with landlords to bring about compliance where possible, but we will also use robust enforcement against wilfully non-compliant landlords.</p>
Burden on Landlord	<p>This is just additional admin burden for landlords and council. I don't want the council having to administer this with my council tax. Just tax owners of properties that are not primary residences instead</p> <p>All this very much puts the onus on the landlord to do everything, yet we know that the Council is very tardy in making any necessary repairs to the extent that one can easily give up! What about the Council's responsibility to undertake repairs and deal with anti-social behaviour? Will you support landlords rather than just making them pay and fill in paperwork and take all the hassle on themselves?</p> <p>All of these represent a much higher standard than is met by many private owners in their own homes. They are not met by Lewisham council tenants.</p>	<p>Properties where the property is the landlords' main residence, are exempt from selective licensing under the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006.</p> <p>Selective licensing aims to improve the quality of housing available in the private rented sector. Owner occupiers and council homes cannot be covered by selective licensing.</p> <p>Licensing is intended to be self-funding, so revenue from council tax will not be used to administer the scheme.</p>
Housing Conditions	<p>With reference to Poor Housing Conditions, I feel that tenants have the right to live in acceptable surroundings which would impact positively on their mental health. The conditions stated only require landlords to do the minimum for their tenants and its totally obvious that's what they do when you look at the rented properties in Evelyn- areas that look totally run-down and approaching slum-like unless something is done asap.</p> <p>Poor housing conditions - rooms with no window and specific number of m2 per person must not be counted as room for renting.</p> <p>ASB is in my view a minor issue compared to poor housing conditions on which the selective licencing scheme should focus</p>	<p>Licence conditions are issued to each specific licenced property. This condition, specifying the room size and maximum occupancy, will depend on how the property is laid out and the facilities available in the property, which are noted during the inspection. The condition is then completed for that specific property</p>
Housing Standards	<p>Building maintenance required to decent standard to ensure tenants are in adequate homes</p> <p>Fire safety standards/rules as some balconies are unable to be used by tenants in case of fires to escape due to too many items on balconies</p>	<p>As stated above, following the legal decision in the Brown v Hyndburn Borough Council, the council cannot impose conditions that are directed to the condition and contents of the property, aside from</p>

Theme	Example Comment	Council response
	<p>Access to the garden if there is one</p> <p>Provision of living room and maximum numbers of people sharing a kitchen or bathroom</p> <p>Provision of central heating</p> <p>Some of the conditions around housing standards need to be mandated rather than only provided on request. Needs to include requirement for landlords to take remedial actions to remove damp and improve insulation.</p>	those that are mandatory conditions as part of Schedule 4 of the Housing Act 2004 or directly relate to addressing the statutory intention of selective licensing (in this case, deprivation, poor housing conditions and ASB)
Opposed to conditions	Remove all of them	The council is required to apply the mandatory conditions (from Schedule 4 of the Housing Act 2004) when implementing selective licensing.
	In my view - all of the proposed conditions should be removed.	
	All should be removed to avoid gentrification and discrimination	
	Remove all of them. It is busy work for busy bodies. Focus on reducing taxes or improving existing services. Stop inventing new jobs for yourselves.	
	I think all conditions are unjustified and should be removed and no extra burden should be placed on landlord. Tenants have plenty of protection and support already and landlords are an easy target who are once again used as a political punch bag.	
Rent cap	I think something needs to happen about rental prices. Some form of guidance or cap on realistically what can be charged or at least a ban on creating or requesting bidding on rental cost.	The council does not have the authority to impose rent caps on private properties in the borough
	It should be ensured that landlords will not raise rent prices.	
	The ability to register a fair rent needs to be widened and a private rented sector rent cap needs to be introduced in line with the LHA. Landlords' ability to increase rent when they like by whatever they like and threatening section 21 eviction if you disagree is unacceptable.	
	I suspect that the council is unable to do so. But I would like to see rent controls included. At a minimum landlords should not be able to increase rents for existing tenants above the rate of inflation and should not be able to evict to get a higher paying tenant.	
	Is it possible to include something about charging a fair rent? We see people that are paying £1000/month for a room - they then have access to shared kitchen and bathroom facilities. These are often not secure e.g., food taken from kitchen.	
Waste of resource and time	Unless registration is completely free this will not work. Chasing no compliance will cost even more on admin ... yet another waste of council taxpayers money ... when we are all struggling to pay current council tax, rents mortgages food etc	The council believes that selective licensing is required to meet the objectives of Lewisham's corporate strategy and would not bring about the much-needed improvement in conditions for people living in the private rented sector.
	These are a waste of time. Decent landlords are already doing this, and your proposal will now just charge them an additional licence fee in order to prove to	

Theme	Example Comment	Council response
	<p>the council that they are doing this. This is a complete waste of time (council and landlord) and money (landlord). Those that aren't doing these things will continue not to do them or use made up documents.</p> <p>You are giving yourselves a massive amount of paperwork/data to work through. Can you cope?</p> <p>I don't agree with the whole licensing scheme as I have not seen any benefit other than another layer of costs and paperwork for councils when better time and money can be used elsewhere. We are already short of resources and there is a cost-of-living crisis and the council is putting through more paperwork and processes because of anti-landlord sentiments, when there are only a minority of rogue landlords.</p>	
Inspection	<p>Physical inspections of properties should be included and made clear to residents and landlords, not just penalties</p> <p>Regular inspections of the property should be made compulsory, every 6-12 months to ensure conditions are being met.</p> <p>An inspection system. Ensuring compliance with regulations does not guarantee there is no damp or mildew, that windows fit or that pipework doesn't leak.</p> <p>Checks need to be carried out at properties to ensure Landlords are compliant and tenants should have a direct line to the council which landlords should legally be enforced to provide to tenants in case they are in breach and can be reported.</p> <p>Include conditions on the tenants to ensure that they look after the property as if it were their own, and that tenants respect their neighbour</p>	<p>The council will carry out inspections on properties during the life of the scheme, and if properties are found not to be compliant, the licence holder could be served with an improvement or prohibition order, or could have their licence revoked</p>
Permissions to convert into HMOs	<p>I think anyone who wishes to convert a property in HMO needs to get planning permission in the first instance. Rogue landlords will find a loophole whereas when they are purchasing properties there is no guarantee that it will be granted. And applications should not be submitted until contracts have been signed</p> <p>Inability to turn small houses into HMOs for 8 persons</p>	<p>Selective licensing applies to properties let to single households and one or two sharers, not to HMOs. Selective licensing conditions cannot address planning permission for HMOs.</p> <p>HMOs in the borough are subject to additional and mandatory licensing. More information on HMOs can be found on the council website here.</p> <p>The council introduced additional licensing in April of this year (2022) which covers small HMOs which were not covered by the national mandatory licensing scheme. The licence conditions for HMOs can be found on the council website here are they address minimum space requirements and health and safety. In addition, in June 2022 Lewisham Council's Housing Scrutiny Committee agreed to recommend the extension of the existing Article 4 Direction to the remainder of the borough</p>

Theme	Example Comment	Council response
		not currently covered. This means that permitted development rights for the change of use from a dwelling house to a small HMO will be withdrawn, and those wishing to undertake such conversions will need to apply for planning permission
Early bird or accreditation discounts	Offer landlord grants to help towards tackling disrepair and offer early bird discounts and discounts for landlords who are accredited or members of a professional body. Wave the fees for the first 100,000 applications	The council is proposing an early bird discount for application made before the scheme goes live, and a discount for accredited landlords (someone who has completed a training course in best practice run by a recognised organisation such as the National Residential Landlords Association.)
Support for landlords	The Council should support good landlords when a tenant wrecks their property after it was given to the tenant in top quality condition. The Council should support good landlords when a tenant wrecks their property after it was given to the tenant in top quality condition.	If the licensing scheme is introduced, the council proposes to increase the landlord forums and support events, with help and guidance for dealing with anti-social behaviour as part of the programme.
Eviction of problem tenants	Evictions of problem tenants Ability to enforce removal of antisocial tenants quickly if they breach rental conditions and removal of landlord licence if the landlord ignores complaints about tenants	
EPC	Energy efficiency of properties should be included so all properties are EPC rating C or above. Also ensure that the H&S check includes damp and mould checks. I also think you need to include some kind of checks to ensure these fees don't end up being put on renters via increased rent,	Following the legal decision in the Brown v Hyndburn Borough Council, the council cannot impose conditions that are new standards on properties, aside from those that are mandatory conditions as part of Schedule 4 of the Housing Act 2004 or directly relate to addressing the statutory intention of selective licensing (in this case, deprivation, poor housing conditions and ASB).
Address damp	The stated conditions are NOT robust enough or measurable. Needs to include structure i.e., suitable air flow to prevent damp and noise insulation. The landlords know how to evade, the regulations must be prescriptive. Where landlords target the more vulnerable groups, they must demonstrate sign posting support as a minimum for drugs and alcohol. They must liaise with the directly impacted neighbours. They must leave an email and contact number. There is nothing on dampness, physical security of the property.	Conditions relating to dampness and security are covered by Part 1 Housing Act 2004. If selective licensing is approved, the council would be able to pro-actively inspect properties to ensure compliance with the licence conditions and Part 1 Housing Act.
Other	A contact to report neglected damp, mould, water leaks. Adequate heating and ventilation.	Any concerns about unlicensed properties, or other issues relating to privately rented homes should be

Theme	Example Comment	Council response
		<p>reported to pshe@lewisham.gov.uk and an officer will be assigned to investigate. The council is currently reviewing its external communications tools for licensing, meaning this email address may be subject to change. Please visit the council website for up-to-date information.</p> <p>If selective licensing is implemented, tenants will be able to report their property if it does not meet the licence conditions to the property licensing team, who will be able to inspect the properties</p>
	Repeat offending landlords should have their licences suspended in the offending area for a set period	Licence holders who do not abide by the licence conditions can have their licence revoked. Rogue and persistently irresponsible landlords will be subject to civil penalties and fines incurred following a successful prosecution. The “fit and proper” person test also considers if someone has “contravened any provision of the law relating to housing or of landlord and tenant law”, and therefore further licences may not be given.
	I think PAT testing should only be required on appliances that have been left by the landlord. The tenant is responsible for their own electrical appliances.	PAT testing is only required on electrical appliances provided by the landlord
	Included should be grants to pay for improvements or or interest free loans	The Council does offer grants to bring properties up to a decent standard. More information on grants available to landlords can be found on the council website here
	Publicly accessible register available online	The council will be introducing a register of licensed properties for selective licensing
	Soundproofing	Following the legal decision in the Brown v Hyndburn Borough Council, the council cannot impose conditions that are new standards on properties, aside from those that are mandatory conditions as part of Schedule 4 of the Housing Act 2004 or directly relate to addressing the statutory intention of selective licensing (in this case, deprivation, poor housing conditions and ASB).

Comments about the Licensing Fee and Discount

Theme	Example Comment	Council Response
Accreditation	<p>Any accredited landlord would know exactly the right procedure in renting a property. Less help is required therefore the fee should be lower than the suggested.</p> <p>Early bird price gives no consideration for accredited landlords. I.e., no additional discount. Accredited landlords show they been educated on letting property and should be the cheapest. There should be a discount for more than one property</p> <p>I think accreditation should be encouraged. Furthermore, the frequency of the fee has not been clarified. Annually? 5 years, in line with accreditation?</p> <p>Why should a charity be heavily discounted, but an accredited landlord not have the same level? These landlords who have provided good, clean safe homes should be recognised and should see discounts that show they are doing right by their tenants and the local community. The only way to provide competitive homes and making landlords care about property and their clients is to be incentivised - tax breaks, discounts and rewards.</p>	<p>As stated above, the council wants to acknowledge the good practice of landlords who are accredited, and if the scheme is approved, accredited landlords would receive a discount to their licence fee. However, accreditation, while an indication of good intentions, is not a guarantee that the landlord is fully aware of their obligations or that the properties they manage will necessarily be up to standard without greater involvement from the Council.</p>
Charities	<p>I tend to think charities shouldn't be charged a fee.</p> <p>Support an increase to the regular landlord cost in order to provide a further discount/exemption for charities and local housing associations. Or where private landlords pass their property management to a housing association.</p> <p>Eligible charities discount should be greater at the expense of other discounts.</p> <p>Only charities should receive a discount. The license should be subject to annual review & the fee paid annually.</p> <p>Fees for Charity housing should be very low, and the private market take up the extra. Profits from private rentals are high so landlords can probably stand to pay more.</p>	<p>There is a discount for eligible charities. 'Eligible charity' means Corporations, organisations or bodies which are charities, including almshouses, whose charitable objectives include the provision of housing (a) let at below-market rent and (b) that is specially designed or adapted to meet the needs of the disabled, the elderly or the infirm or of other persons having a protected characteristic within the meaning of the Equality Act 2010.</p> <p>Selective licensing only applies to privately rented housing. The council has reviewed possible discounts and is satisfied that the correct ones are proposed. However, we will keep this under review.</p>

Theme	Example Comment	Council Response
Early Bird Discount should be removed	<p>Early bird application should be removed. Landlords should not need financial encouragement to get it, they should be required to have it.</p> <p>I would be inclined to remove the early bird application fee</p> <p>early bird should probably be removed. probably just one standard fee better.</p> <p>I am not sure why early bird applications are being encouraged. If it is compulsory to register with the scheme this should not be problematic.</p>	<p>The council wants to reward responsible landlords who apply promptly for a licence by offering them a discount. Incentivising early applications also helps the council to manage the considerable administrative work of assessing applications at the start of a scheme.</p>
Good practice should be exempt from fees	<p>I think for landlords that do look after their property to a good standard could possibly have a further discount after 1 or 2 years. If this is not maintained, then they should go back to the higher rate.</p> <p>If this does go ahead why not give a 100% refund to compliant landlords. Is this another way to generate a revenue stream? It punishes what I believe to be the majority of good landlords for the minority of bad ones.</p> <p>Discounts for consistently good feedback from tenants, which would require the council to survey tenants in licenced landlords' properties.</p> <p>Good landlord behaviour discounts - no complaints from tenants, etc in set number of years</p> <p>Maybe a discount for those landlords whose houses are already up to a very good standard. Like after the inspection and checks they can get a discount because they were already doing the right thing.</p>	<p>As stated above, the council understands that many landlords who rent out properties in the private sector manage their properties responsibly. However, the evidence shows that the areas in the proposed designation are experiencing persistent issues in the private rented sector with poor property conditions and management.</p> <p>The council proposes to use the regulatory framework provided by selective licensing schemes to focus on those that do not comply and impact negatively on the reputation of those responsible landlords as well as having a detrimental effect on tenants and neighbourhoods. The council will develop guidance and work with landlords to bring about compliance where possible, but we will also use robust enforcement against wilfully non-compliant landlords.</p>
Higher fees	<p>Many HMO developers portray themselves as charities, housing vulnerable residents, however these are often in properties without adequate access to public transport or other public services. It does not seem like adequate assessment of landlords is being carried out. Licensing fees need to be raised and discounts minimised.</p> <p>No, fee should be higher if anything</p> <p>Fees should be higher, and annual, landlords are making money out of poorer people who cannot afford to buy, extra money should go towards benefit of all people in the Borough</p> <p>It's too cheap. I paid £750 in Bexley</p>	<p>Under the law, the Council is not allowed to make money from the licensing schemes. The proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number of licence applications the Council anticipate, under the proposed designations.</p> <p>However, the council will monitor costs throughout the lifetime of the scheme, and as and when schemes are due for renewal, these will be reviewed.</p>

Theme	Example Comment	Council Response
No discount should be applied	<p>For some landlords the fees will be very high (small, single property etc) and may encourage illegal off-books arrangements. Increases in fees must be capped at below inflation.</p> <p>No discounts should be considered at all</p> <p>I strongly disagree with the proposed discounts, and I do not want any proposed fees and/or discounts implemented.</p> <p>I think all landlords should pay the full fee, with no exception, unless perhaps they can demonstrate that they are charging tenants at or below market averages.</p> <p>Why should big corporations be allowed to develop so many HMOs. We need housing for families not bedsits. They should not have any discounts they are not providing any homes just problems for what was a decent area and turning it into an even more deprived area.</p> <p>No discounts should be given as such fees are easily covered by rental income receivable.</p>	<p>The council has reviewed possible discounts and is satisfied that the correct ones are proposed. However, we will keep this under review.</p> <p>The council wants to reward responsible landlords who apply promptly for a licence, and those who are voluntarily accredited, by offering them a discount.</p>
No fees	<p>Disagree with fees totally</p> <p>No fee should be allowed. Only fines for those who do not look after tenants and properties</p> <p>It should all be free, we already pay extortionate amounts of tax for renting the property, mortgage and repair subsidies have been reduced ... this just makes it even less money to use and update the rental property .</p> <p>I do not think landlords should have to pay for these kinds of measures to be out in. They already pay for these measures through agents etc. Perhaps a licensing arrangement with no fees would be more appropriate</p> <p>Remove the fee to begin with. Absolute joke for Lewisham Council to try and suck up more money from working people. Scandalous behaviour pretending it is for the tenant's sake. All you seek to do is increase Lewisham Council's bulging wallet.</p>	<p>The schemes are required to be self-funding therefore for the council to be able to implement and run the schemes and carry out inspections, there is a need for a fee.</p>
Portfolio landlords should not receive discount	<p>Portfolio landlords are already financially privileged and should not receive a discount</p> <p>An eligible portfolio landlord should have the highest cost and be subjected to the most stringent standards possible.</p> <p>There shouldn't be a discount for the 'eligible portfolio landlord' - there's no need to help landlords who have accumulated large</p>	<p>There is no discount for portfolio landlords. As with our current additional HMO licensing scheme, we will have a bulk application process to reduce the burden of applying for a license on those landlords with multiple licensable units. The fee per unit remains the same</p>

Theme	Example Comment	Council Response
	<p>portfolios and associated income to make even more savings/income. It just encourages large scale landlordism.</p> <p>Portfolio landlords don't need any reduction due to the scale of their business however smaller landlords ought to have more considerations. With the costs and efforts required from the landlords, the proposed scheme as is will only promote increased rental prices due to the increased effort and cost to landlords.</p> <p>Agree with most except for discounts offered to landlords of large groups of properties. I don't think there should be financial incentives for this kind of mass-landlord.</p>	
<p>Single property landlord discount</p>	<p>Much larger discount for people who own one property, especially the standard fee</p> <p>The discounts don't go far enough for landlords of single and small properties whose rents will be low. And the early bird discounts may work unfairly for big business owners of properties as against the individual owners.</p> <p>Landlords with one property, to which they can establish a personal connection of some standing, should not be treated the same as offshore companies with hundreds of properties and one managing agent who lives in Norwich.</p> <p>This process seems to skew against single or low digit property landlords. It's highly unlikely that an individual is going to be accredited and it's often those with larger portfolios that are the poorest landlords.</p> <p>Again, you are hitting the "small landlords". They probably care the most given they own just one or two extra properties.</p> <p>A one-off landlord isn't going to be trained but a big company probably cares less but will get a discount - why!?</p> <p>You don't need to be trained to be a landlord! You need to care about the property, tenants and neighbours.</p>	<p>The licence fee is set based on the cost of the schemes. The fee is not permitted to be set based on the number, size or rental value of the property</p>
<p>Too costly</p>	<p>Too expensive. Landlords are not earning any money. mortgages, taxes, continual repairs and maintenance, general costs. Yields are below 4%.</p> <p>These fees are way too high per property. This is probably needed but you need to be reasonable. Owning a property cost a lot too.</p> <p>It is a nominal amount and not enough to deter poor standards</p> <p>I recognise that care has been taken to set fees at cost basis rather than profit basis, but it creates yet another tier of</p>	<p>Under the law, the council is not allowed to make money from the licensing schemes. The proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number of licence applications we anticipate, under the proposed designations.</p>

Theme	Example Comment	Council Response
	<p>bureaucracy which will inevitably become more costly in its administration.,</p> <p>Far too costly and you should offer it to be paid with instalments</p>	
<p>Discounts for landlords who house tenants considered vulnerable</p>	<p>Discounts for income poor (for example retired person with a small pension) individual landlords whose main income is represented by rents.</p> <p>Landlords who let their properties to council tenants in need and refugees should get a discount to encourage people do to that</p> <p>I don't think there should be any discounts based on the profile of the applicant. If the applicant can prove that they are offering discounted rents to vulnerable groups – then perhaps they should be entitled to some discount.</p> <p>Should there be a bigger discount for a homeowner who lets part of their property? For example, an elderly or disabled person who needs someone around in case of emergencies, or simply to get by on benefits?</p> <p>Discount for landlords who guarantee acceptance of tenants with income from benefits - serious need to tackle 'no DSS' listings</p>	<p>Discounts for those letting to vulnerable tenants would cost significantly more to process and administer. Should the council use these discounts this would mean having to set a higher licence fee to cover the additional cost, which would pass the burden on to all landlords.</p> <p>Many landlords letting to low-income tenants already enjoy significant support from the council in the form of housing benefit, property management services and incentive payments. This is not related to the need to fund high quality enforcement of standards in the private rented sector, which is especially important for the most vulnerable renters, many of whom live in poor quality accommodation.</p>
<p>Fees should be linked to the number of properties / rents</p>	<p>The fee needs to take into account a landlord's profits. Some are making huge profits and should pay accordingly. For others like myself they have a rental property which is actually making a loss and so these fees will end up being passed on to tenants.</p> <p>Fees should be based upon a percentage of rents collected</p> <p>landlords who own more than one rental property are investors who reduce available housing stock and result in increased rental prices -- their licensing fees should be very high</p> <p>Discount for landlords with a single property - otherwise you are just incentivising large scale overseas landlords /large companies</p> <p>A much higher fee for those with multiple properties. These people are making a lot of money!</p> <p>Fee should take into consideration rental income. The higher the income the larger the fee.</p>	<p>As stated above, the licence fee is set based on the cost of the schemes. The fee is not permitted to be set based on the number, size or rental value of the property</p>
<p>Discount if using a letting / managing agency</p>	<p>Discount where properties are let through an agent should be the same as for accredited landlord. Not everyone has the time to a totally hands on landlord but instead use an agent to take care of the legality of renting</p>	<p>The council acknowledges that there are many good estate and managing agents who operate in the borough, however, not all provide a good service, or</p>

Theme	Example Comment	Council Response
	<p>Using a reputable management agency means this is completely unnecessary. Most of these issues you mention are common with Council-as-Landlord properties; not private.</p> <p>Discounts should be made if a property is rented using a managing agent</p>	<p>know what the regulations are with respect to privately rented properties.</p> <p>Real estate agents are not required to have Housing Health and Safety Rating System training, which the council is required to use to make a decision regarding the safety of a property.</p>
Unclear	<p>Is this an annual fee, or a one-off fee. It is not made clear.</p> <p>Who's paying for this licence. The landlord or me as a tenant???</p> <p>Still unsure if this is a one-off fee, Annual fee or every time the tenancy changes. Basically, comes down to being charged to run your property better but with no support for what issues you want to address- which makes it a money-making tick box exercise.</p> <p>Do the fees apply irrespective of property? I.E., different rates for apartment vs house or 1 bedroom vs 5 bedroom or leaseholder in council property vs freehold?</p>	<p>The licence fee is taken in two parts, part a on application, and part b when they licence is approved. Once paid, the licence lasts for up to 5 years. If a tenant changes, you will be able to update your licence with the new information free of charge. The licence holder, usually the landlord, should pay the fee. The fee is the same regardless of the property size, if it is a house or a flat/apartment, and if it is a freehold/leasehold of a council property, if it is rented out privately.</p>
Discretionary discounts	<p>Implement discretionary application for special cases - ex. Elderly owners with dependant of rents, families divorcing in low incomes...</p> <p>These costs should be for old properties build before 2015. Newer properties already comply with these requirements and offer high quality accommodation and this is just another burden for the landlord. Who might decide to sell and find another borough? The council should be encouraging the letting of newly built properties instead of adding fees.</p> <p>The rates should be means tested.</p>	<p>Discretionary or means tested discounts cost significantly more to process and administer. Should the council use these discounts this would mean having to set a higher licence fee to cover the additional cost, which would pass the burden on to all landlords.</p>
Information on how the fee will be used	<p>The fee does not link to the issues trying to be resolved. There is no fee breakdown to assess what the fee actually costs and how funds will be used.</p> <p>You need to provide a breakdown to state how the fee has been calculated</p>	<p>The fee has been set to make the scheme cost neutral, taking into account the cost of inspections, compliance checks, and the discounts available to landlords.</p> <p>The fee is to be paid in two parts:</p> <p>Part 1: Fee of £160 for processing and determination of the application payable on application for a licence.</p> <p>Part 2: Fee of £480 for administration, management and enforcement of the scheme payable before a licence is issued. The final licence will not be issued until the full fee has been paid.</p>

Theme	Example Comment	Council Response
Add annual or renewal fee	<p>Initial fees should be lower to support landlords who may find it hard to afford the fees and reduce rogue landlords who may decide not to apply at all. Then there should be a renewal fee (e.g., every 2 years) as once a landlord obtains a fee, bad practices could return after a while.</p> <p>Add an annual or some sort of renewal fee to maintain license.</p>	<p>Under the Housing Act, selective licences last for five years. If the scheme is approved, and then if in five years the council wishes to continue a selective licensing scheme, the council may choose to review the fee structure.</p>
The fees need to cover the staff to monitor the scheme	<p>Need to ensure funds generated can support a dedicated team to monitor, otherwise it will be misused, and no one will especially the deprived will be further exploited.</p> <p>Has it been taken into account how many extra team members Lewisham council will need to enforce the proposal and do these fees cover decent salaries for the new members of staff required?</p>	<p>As stated above, the proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number of licence applications the Council anticipate, under the proposed designations</p>
Other	<p>Discounts for landlords letting to long term, stable private renters.</p> <p>Fees/fines for additional inspections and compliance checks if works not carried out in a timely manner and to a reasonable standard.</p> <p>There should be NO fee for the first round to get landlords on board. We owned property before this scheme was proposed. Landlords that have owned property for >12m should get a 'renewal' discount at each renewal</p> <p>How about resident landlords who live on the premises who in their interest in safety meet all the requirements, who in theory are live in caretakers.</p> <p>100% discount should be given to properties with energy rating of C and above.</p>	<p>Similar to above, the burden and time to assess if a tenant is long term, and verify this information, would increase the cost to the council. As the scheme is required to be cost neutral, this would increase the overall fee.</p> <p>The council will carry out inspections on properties, and if properties are found not to be compliant, the licence holder could be served with an improvement or prohibition order, or could have their licence revoked</p> <p>As stated above, the licence runs for five years. If the scheme is approved, and then if in five years the council wishes to continue a selective licensing scheme, the council may choose to review its fee structure. Whilst the council understands that this is a change for landlords in the borough unfortunately length of ownership of a property does not means that the property is kept in a good and safe condition.</p> <p>As stated above, live in landlords, where the property is their main residence, are exempt from selective licensing under the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006</p> <p>The council is currently working closely with London Councils, and other London boroughs, as well as the GLA, on initiatives to improve energy performance in privately rented properties and to discharge its duties under the Minimum Energy Efficiency Standard regulations more effectively</p>

Private Rented Sector Licensing in Lewisham

Evidence for consultation 2022



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1. Glossary

Term	Meaning
Socially rented	Homes rented from the council or a housing association
Privately rented	Homes rented from a private landlord
Private rented sector (PRS)	The portion of housing in the borough that is rented from private landlords
Category 1 hazard (Cat 1 hazard)	A serious or immediate risk to a person's health and safety that is related to housing
Category 2 hazard	A less serious or less urgent risk that can still be regarded as placing the occupiers' health, safety and welfare at risk
Housing Health and Safety Rating System (HHSRS)	A government prescribed system that rates housing hazards based on their risk to occupiers' health, safety and welfare
Designation	A geographical area chosen for licensing based on evidence
Deprivation	Living on low income and not having the money to pay for some basic requirements.
Indices of Multiple Deprivation	A dataset produced by the government to give a relative value to how deprived an area is, compared to the rest of the country.
Barriers to housing and services	One of the government's measures of deprivation. It combines measures relating to housing affordability, overcrowding and homelessness.
Anti-social behaviour (ASB)	Behaviour related to a rented property that causes annoyance and irritation to neighbours and the community. Most commonly noise, litter and waste.
Selective Licensing	A local scheme which requires landlords to have a licence to legally let their property to a family or two sharers
Additional HMO Licensing	A local scheme which requires landlords to have a licence to legally let their property to three or four sharers
Mandatory HMO Licensing	A national scheme which requires landlords to have a licence to legally let their property to five or more unrelated sharers.

2. Executive Summary

The council is committed to supporting Lewisham's citizens in accessing and living in good quality housing that improves their opportunities for employment, education, health and wellbeing. We recognise that suitable housing is central to creating dynamic and prosperous communities that are well-connected to the opportunities that London offers. The quality of housing in the private rented sector is of particular concern and the council will not turn a blind eye to conditions that put the safety of residents at risk.

In 2018, the council looked at the possibility of introducing a borough-wide selective scheme. The information gathered at the time showed a clear link between private rented properties, antisocial behaviour, crime and deprivation. This evidence was used in the public consultation conducted in the summer of 2019.

In March 2020 the Mayor and cabinet approved the submission of an application to the Secretary of State, Department for Levelling Up, Housing and Communities, for borough wide selective licensing. However, the process of moving forward to making that application was halted by the Covid-19 pandemic. Post lockdown, the council reviewed housing conditions in the borough, and this has led to a fundamental rethink on how best to operate Selective Licensing in Lewisham. Therefore, a new public consultation is required

The council is proposing a five-year selective licensing scheme made up of three areas or designations. Due to the size of the scheme, after being agreed by the London Borough of Lewisham, these designations would need confirmation by the Secretary of State at the Department for Levelling Up, Housing and Communities (DLUHC). If approved, these could be introduced in 2023.

The wards of Telegraph Hill and Blackheath are not included in any of the designations as there was not sufficient evidence. However, with the rapid growth of PRS in Lewisham, the service will continue to monitor the ASB and property conditions in these wards and if required, apply for selective licensing at the appropriate time.

Your thoughts and views are welcome on the proposed selective licensing scheme and any representations and suggestions will be carefully considered when coming to a final decision on the scheme.

3. The private rented sector in Lewisham

Population growth, a limited supply of new homes and a huge increase in house prices has caused profound shifts in the private rented sector. There has been a 38% increase in the number of households living in private rented properties over the last ten years, including a growing number of families with children. Lewisham's PRS is now calculated to make up 31% of housing stock¹. This compares to 24.3% of households in 2011 (ONS). There are a total of 128,798 residential dwellings in Lewisham, an estimated 39,674 of which are now privately rented.

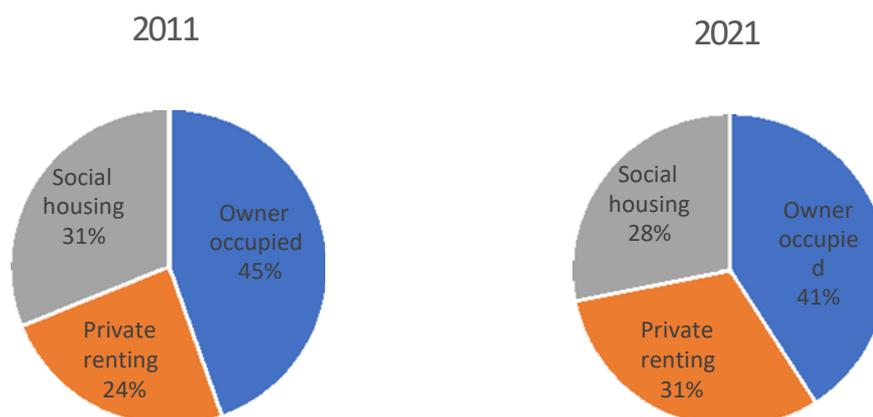


Figure 1 Tenure profile from 2001 to 2021 (Source: ONS & Metastreet)

The increase in the private rented sector in Lewisham over the last two decades has been consistent with the wider London trend. Private renting has grown at the expense of owner occupation and social housing. However, a sizable proportion of the growth appears to come from new supply².

One of the major changes to the PRS across London over the last 20 years has been the increase in rent. This has resulted in problems with residents being able to afford and access decent, affordable housing. This trend has resulted in many households being forced to put up with sub-standard properties, with a range of housing hazards.

Housing hazards are rated by severity. A category 1 hazard is a serious or immediate risk to a person's health and safety. A significant category 2 hazard, although less serious or less urgent, can still be regarded as placing the occupiers' health, safety and welfare at risk. These are defined in the [Housing Health and Safety Rating System \(HHSRS\)](#).

In 2020, 13% of private rented dwellings in England had at least one Category 1 hazard³. The PRS in Lewisham has 22.7% of properties with at least one category 1 hazard; much higher than the national average.

Housing conditions are affected by the level of maintenance and quality of repair, thermal efficiency, type of construction and the age of the property. There is a gradient of risk with the age of the property, the risk being greatest in dwellings built before 1900, and lowest in the more

¹ Housing Stock and Stressors Report, Metastreet, 2021

² Housing Stock and Stressors Report, Metastreet, 2021

³ [English Housing Survey, Dec 2020](#)

energy efficient dwellings built after 1980⁴. Lewisham has a significant number of residential properties (53.4%) built pre-Second World War⁵. Wards with a majority of older properties tend to have more hazards such as excess cold, fire & electrical issues, damp and mould.

4. Property licensing schemes

Property licensing allows the council to improve the condition and management of privately rented properties. This helps to make renting in the private rented sector safer and fairer for tenants.

There will potentially be three types of property licensing schemes operating in Lewisham:

Selective Licensing	Additional HMO Licensing	Mandatory HMO Licensing
<ul style="list-style-type: none"> • Applies to properties let to single family household or two sharers • Area designated by the council • Large schemes need approval by the Secretary of State 	<ul style="list-style-type: none"> • Applies to houses and flats in multiple occupation (HMOs) let to 3 or 4 unrelated people, forming 2 or more households who share amenities such as a kitchen or bathroom. • Area designated by the council 	<ul style="list-style-type: none"> • Applies to large HMOs, let to 5 or more unrelated people, forming 2 or more households who share amenities such as a kitchen or bathroom. • National scheme
		

5. Licensing schemes in Lewisham

Licensing schemes require landlords letting privately rented properties in the designated areas to hold a licence and comply with the licence conditions. The council has worked collaboratively with landlords to make sure these requirements are met. The council has carried out enforcement actions when needed to raise standards.

The London Borough of Lewisham has not previously adopted selective licensing.

An Additional Licensing scheme started in February 2017 and continues for five years until 10 February 2022. A new Additional Scheme will come into force on Tuesday 5 April 2022 and will

⁴ [Housing Health and Rating System, Operation Guidance, 2006](#)

⁵ Housing Stock and Stressors Report, Metastreet, 2021

apply to any HMO property in Lewisham that is not captured by the national Mandatory Scheme or is specifically excluded from Licensing.

The national Mandatory HMO licensing scheme came into operation since April 2006 when the council was required to run it by law.

Whilst the HMO schemes have enabled the council to begin to make real progress in raising standards in the private rented sector, there is still much more to do. The data shows that issues exist across the private rented sector. For example, properties converted into studios share many of the same issues associated with HMOs, such as ASB, Waste Management, etc.

Listed below are several examples of landlord behaviour and issues that have been reported to Lewisham Council. These highlight the need for the PRS to be regulated through licensing.

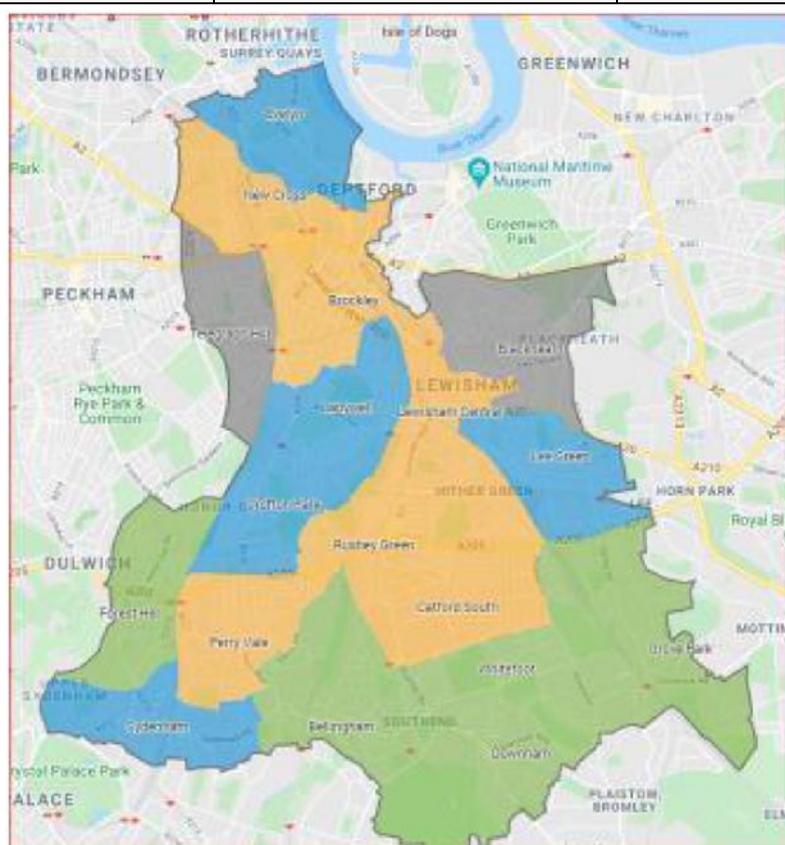
- A landlord forced tenants to move out of their studio for 13 days in order to pass an inspection, which would have made the property look like a one-bedroom flat, rather than two studios. The tenants received no compensation for this inconvenience.
- A landlord ignored complaints from the tenants about antisocial behaviour for over two years.
- The tenant complained to their landlord about a leak in the ceiling and was threatened with violence.
- The landlord had allowed the property to fall into disrepair and wanted the tenant to leave. She had no running water in the property, which she shared with her eleven-year-old daughter.
- The tenant called the landlord to ask them to change the time at which thermostat came on. The tenant was told that she was causing a disturbance. She was asked to leave the property within six days, when the tenancy agreement stated it had to be 30 days. The police found this to be a criminal eviction.
- The tenant moved into a property that was damp on the day they moved in caused by water leaking through the ceiling.

6. Proposed licensing Schemes for Lewisham

Lewisham Council has been truly selective in proposing the areas for this licensing scheme. Thorough evidence gathering has been carried out to ensure that the most severe problems in each ward can be dealt with appropriately through licensing. The council proposes to introduce selective licensing in three areas or designations. The justification for dividing the wards in this way is due to the varying levels of ASB, poor housing conditions and deprivation in the areas. Due to the size of the proposed designation, if the scheme is agreed by Lewisham Council's Mayor and Cabinet Committee, it will need confirmation by the Secretary of State at the Department of Levelling Up, Housing and Communities (DLUHC).

All properties in the designated areas that are rented to single families (or two sharers) will need to have a licence to be legally let.

Designation 1	Designation 2	Designation 3
High Repeat ASB and Poor Housing Conditions	Poor Housing Conditions	Deprivation
Rushey Green, Brockley, New Cross, Catford South, Lewisham Central and Perry Vale	Evelyn, Ladywell, Lee Green, Crofton Park and Sydenham.	Downham, Bellingham, Whitefoot, Forest Hill and Grove Park.



6.1 High levels of PRS

In order for a selective licensing scheme to be considered, the area must contain a high proportion of properties in the private rented sector. The PRS in Lewisham is distributed across all 18 wards. The number of PRS dwellings per ward ranges from 4,398 (Lewisham Central) to 1,492 (Downham). The percentage of PRS properties in each ward ranges from between 41.1% (Lewisham Central) to 23.8% (Downham) (Figure 2). Therefore, all of Lewisham’s wards have a higher percentage PRS than the national average of 19%.⁶

⁶ [EHS Headline 2019-20](#)

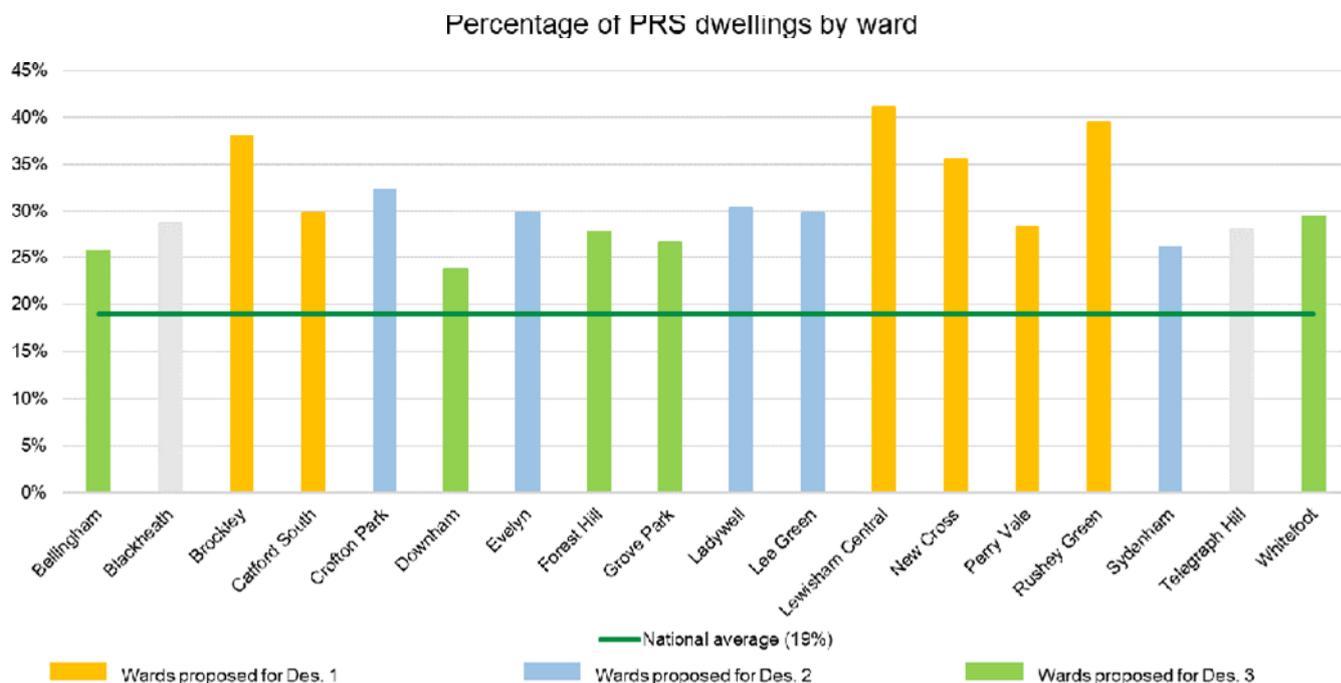


Figure 2 Percentage of PRS dwellings by each ward (Source Ti 2021).

All schemes have a set of conditions attached to the issuing of the licence. The licence conditions deal with issues such as repairs, permitted occupancy and other issues that affect the health and welfare of tenants. There are different conditions attached to each designated area. This is to ensure that specific issues such as cold, damp, ASB, energy efficiency and fuel poverty are dealt with accordingly. The three areas have been designated based on the following data displayed in the table below.

6.2 High levels of poor property conditions

There are 8,995 private rented properties in Lewisham that are likely to have at least 1 serious housing hazard (Category 1, HHSRS)⁷. This represents 22.7% of the PRS stock. PRS properties with serious hazards are distributed across the borough.

⁷ Housing Stock and Stressors Report, Metastreet, 2021

Ward	Dwellings			Poor Property Conditions (PPC) Indicators				High Repeat ASB Indicator			Deprivation (Dep) Indicator		Designation
	Total dwellings	PRS ¹	% PRS (minus known HMOs) ²	PRS with at least 1 Cat 1 hazard ³	PRS dwellings with at least 1 Cat 1 (%) ⁴	PRS complaints recorded	PRS notices served	ASB incidents (2016-21)	No. PRS with repeat ASB	No. repeat ASB incidents ⁵	Tenancy Deposit Scheme Register	HB claims 2016-21	
Brockley	8059	3056	37.90%	488	16	177	50	444	67	250	1756	1150	1
Lewisham Central	10688	4398	41.10%	717	16.3	267	100	483	85	222	2018	2286	1
Rushey Green	7271	2863	39.40%	736	25.7	261	81	513	95	242	983	2827	1
New Cross	8176	2905	35.50%	515	17.7	204	90	352	55	153	7232	1623	1
Catford South	5872	1744	29.70%	611	35	174	57	451	80	231	674	1280	1
Perry Vale	6849	1936	28.30%	462	23.9	121	18	354	66	200	770	1004	1
Evelyn	9273	2761	29.80%	390	14.1	167	94	283	33	85	1067	1228	2
Ladywell	5796	1761	30.40%	459	26.1	116	39	318	50	154	1644	882	2
Lee Green	6296	1868	29.70%	457	24.5	104	36	278	45	120	1175	873	2
Sydenham	7099	1851	26.10%	771	41.7	126	59	263	46	125	656	1218	2
Crofton Park	6356	2049	32.20%	493	24.1	178	51	322	49	127	2285	1105	2
Bellingham	6656	1717	25.80%	424	24.7	120	16	343	66	170	922	2082	3
Downham	6271	1492	23.80%	404	27.1	97	35	309	49	122	1613	1256	3
Forest Hill	6834	1899	27.80%	394	20.7	64	11	217	34	88	808	690	3
Grove Park	6368	1702	26.70%	407	23.9	88	14	292	43	114	3104	1156	3
Whitefoot	6009	1769	29.40%	482	27.2	120	25	315	45	116	1126	2168	3
Telegraph Hill	6816	1907	28.00%	419	22	141	42	224	32	90	7690	1005	
Blackheath	6944	1996	28.70%	366	18.3	77	39	187	32	86	2203	489	
Grand Total	128065	39674	30.98%	8995	22.7	2602	857	5948	972	2695	37726	24322	

Table 1 Summary of Data by Ward

7. Designation 1: ASB and poor property conditions

Wards included - Brockley, Catford South, Lewisham Central, New Cross, Rushey Green and Perry Vale.

7.1 Evidence of significant and persistent ASB

Significant and persistent ASB occurring within the property or its immediate vicinity is the main criteria for this designation. This includes intimidation or harassment, noise, rowdy and nuisance behaviour, animal and vehicle-related nuisance, antisocial drinking, drugtaking or dealing, graffiti and fly posting, and litter and waste.

These wards have the highest levels of ASB connected to the PRS compared to the other wards in the borough. The wards have high and repeat ASB due to the evidence of;

- PRS properties with a high number of recorded incidents of ASB linked to them, and, (Fig 3)
- a very high number of ASB incidents linked to the same properties (Fig 4).

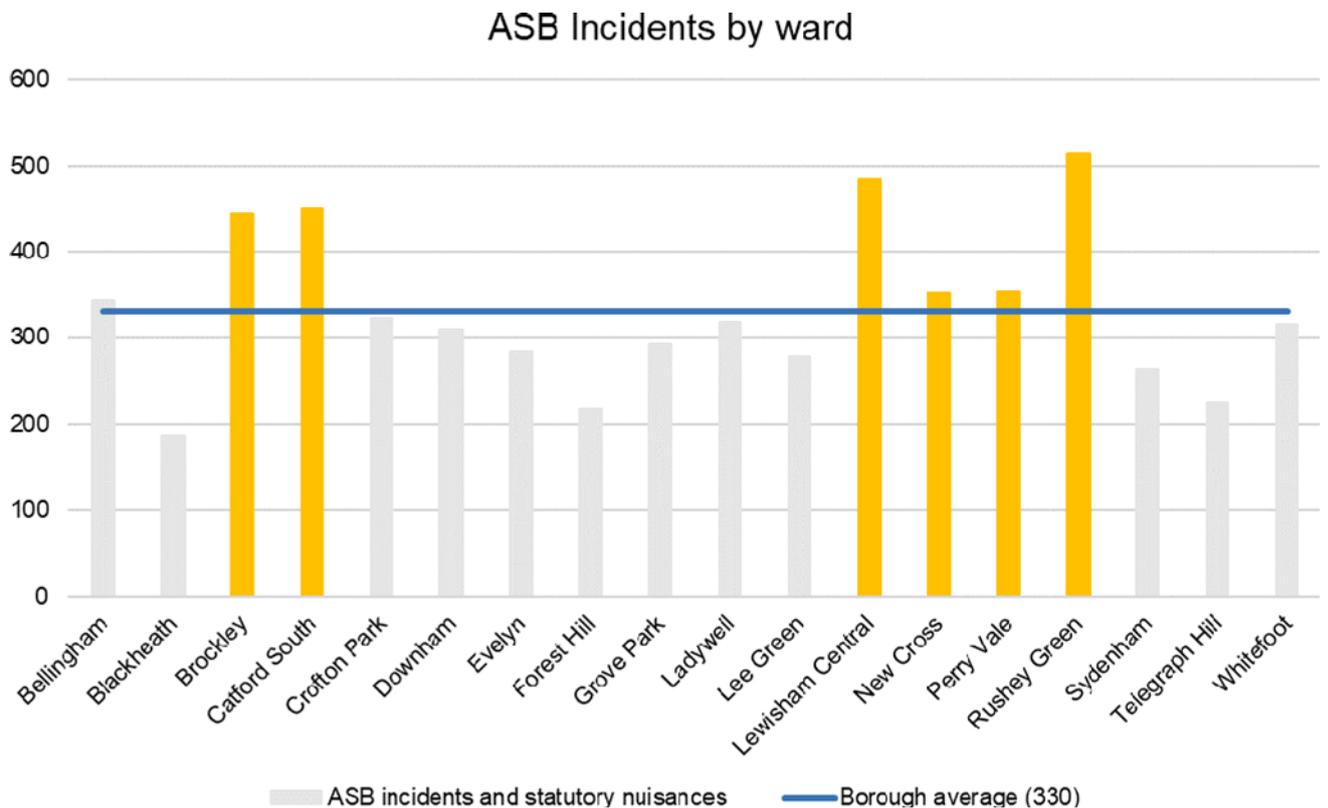


Figure 3 ASB incidents by ward (2016 – 2021)

Ward	PRS properties with repeat ASB
Bellingham	66
Blackheath	32
Brockley	67
Catford South	80
Crofton Park	49
Downham	49
Evelyn	33
Forest Hill	34
Grove Park	43
Ladywell	50
Lee Green	45
Lewisham Central	85
New Cross	55
Perry Vale	66
Rushey Green	95
Sydenham	46
Telegraph Hill	32
Whitefoot	45
Borough average	54

Figure 4 Number of PRS with repeat

ASB, by ward

7.2 ASB by tenure

This graph show that there is evidence of increased ASB in the wards in the designation, and that there is more ASB in the PRS than in either social rented or owner-occupied properties. The table also shows that the repeat ASB in these wards is worse than the borough average.

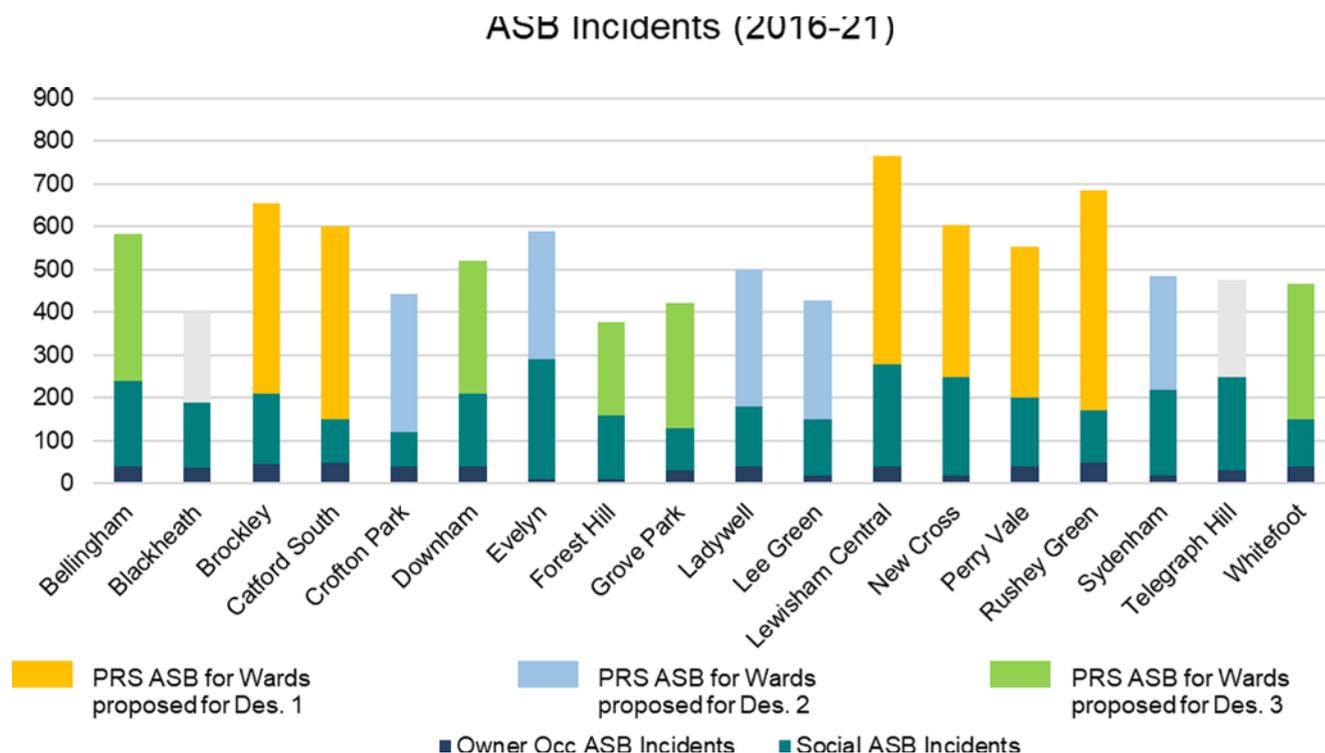


Figure 5 ASB Incidents by tenure type by ward (Source: Ti 2021).

7.3 Poor property conditions

The Housing Stock and Stressors Report⁸ assessed properties in the private rented sector that are likely to need an inspection to determine whether any of those properties contain Category 1 hazards. This also takes into account properties where the council has received complaints about the PRS.

The wards in the designation showed significant indicators of poor property conditions. This means that the wards in this designation are likely to have poor property conditions that are much worse than the national average. (See Figure 5 under Designation 2).

7.4 How will selective licensing deal with ASB in the designated area?

A designation of these six wards would allow the council to work proactively with the landlords and owners of the properties to prevent ASB and, where necessary, deal with ASB in their properties. The licence conditions will clearly state the responsibilities of landlords to prevent and deal with any ASB that arises. The council will provide guidance and support for landlords on how to manage tenants who are causing ASB. Information for tenants about their responsibilities about causing ASB will also be available.

A selective licensing scheme in these wards would give the council greater intelligence about the PRS and powers to deal with the property issues that cause problems for neighbours and the community.

⁸ Housing Stock and Stressors Report, Metastreet, 2021

7.5 The proposed selective licence conditions for designation 1

As designation 1 is based on ASB there are specific, licence conditions relating to ASB that we propose to enforce in addition to the standard set of licence conditions. These are:

- a) To empower landlords to take up references before renting, issue an ASB policy as part of the tenant information pack (a model policy is available to the landlord on Lewisham's website). The licence holder will be asked to demonstrate what measures they have taken to address ASB in/around their property within 7 days of the request.
- b) To make failing to effectively manage ASB in their properties, they would be in breach of licence conditions for which they can be either fined or prosecuted. Serious or repeated breaches of licencing conditions could result in the licence being revoked. Multiple civil penalty notices (CPNs) or a conviction will make the licence holder no longer fit and proper to hold a licence to rent in England and Wales.
- c) All repair work must be carried out within a reasonable timescale with due regard to the severity of the issue.
- d) The Licence holder must ensure that any repairs, improvement works or treatments are carried out by a competent person(s). Copies of receipts and/or invoices for any such works must be provided to the Authority within 28 days upon demand.

8. Designation 2: Poor Housing Conditions

Wards included - Evelyn, Ladywell, Lee Green, Crofton Park and Sydenham.

8.1 Evidence of poor property conditions

A study was carried out to predict the number of PRS properties in the borough and whether these properties are likely to contain any category 1 hazards. Using a sample of properties that are known to have at least one serious housing hazard (Category 1, HHSRS), it is possible to predict the number of PRS properties with at least one serious hazard across the borough.

Predicted number of dwellings with Category 1 hazards by ward

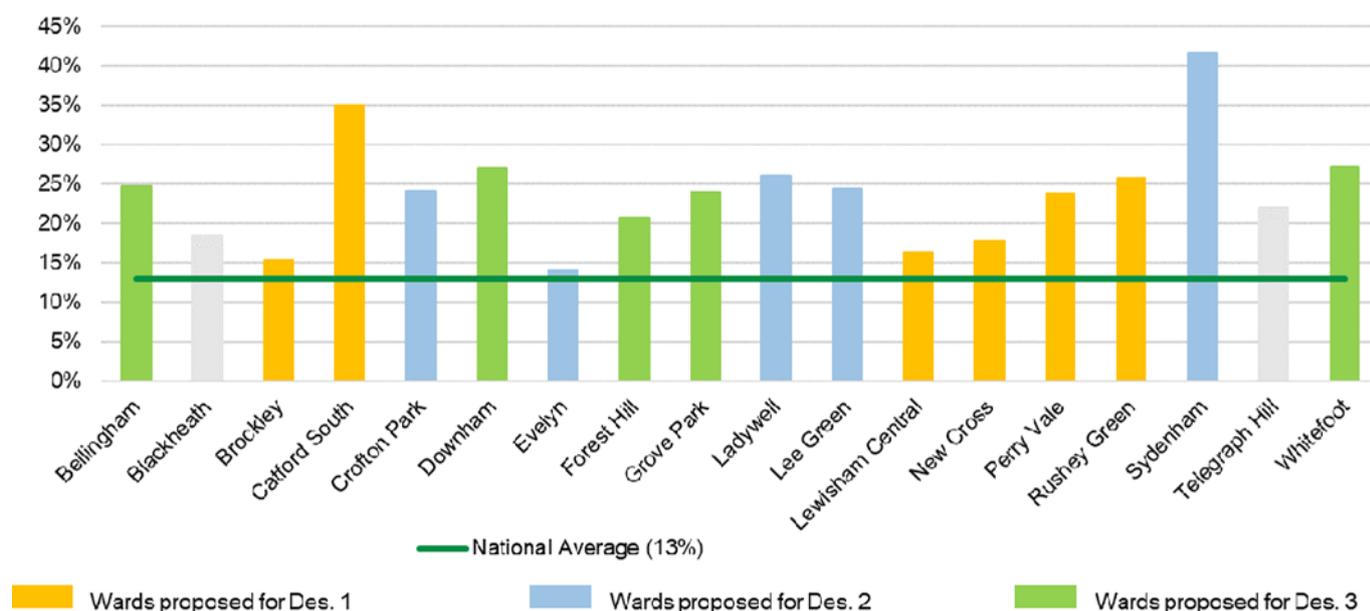


Figure 6 Predicted number of dwellings with Category 1 hazards by ward (Source: Ti 2021).

All of the wards in the borough are predicted to have more cat 1 hazards in the PRS than the national average of 13%⁹. The five wards in designation 2 have a level of PRS properties with cat 1 hazards that is higher than the national average. Sydenham in particular has very high levels of predicted cat 1 hazards.

Whilst there are some other wards that have high levels of cat 1 hazards, Catford South and Downham, for example, these are included in the other designations under a main criterion which requires other interventions.

Complaints made by PRS tenants and investigated by Lewisham Council regarding poor property conditions and inadequate property management are a direct indicator of low quality PRS. Lewisham recorded 2,602 complaints from private tenants over a 5-year period (Figure 7).

⁹ [English Housing Survey Headline Report 2019/20](#)

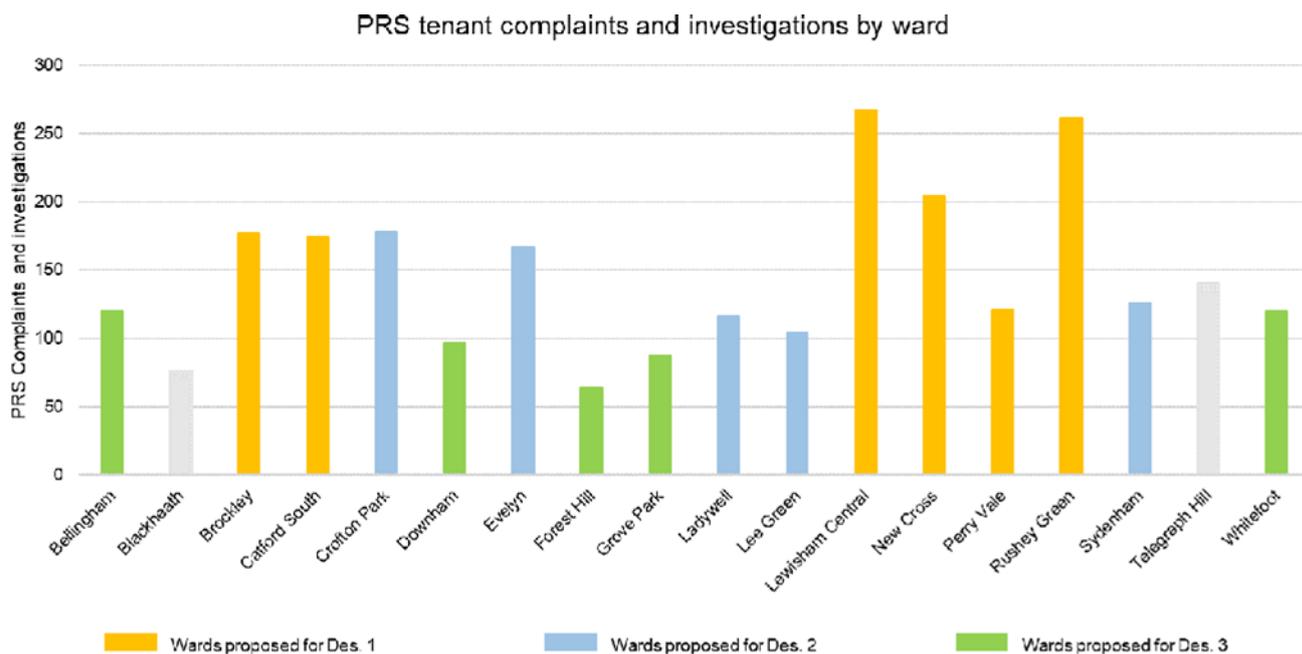


Figure 7 . PRS tenant complaints and investigations (Source Ti 2021)

8.2 How will licensing deal with poor property conditions in the designated area?

There will be clear licence conditions relating to the standard and management of rented properties in the area. Higher risk properties will be prioritised for inspection by officers to check for hazards and compliance with licence conditions. The council will take enforcement action (under Part 1 of the Housing Act or against breaches of licence conditions), where necessary, to improve poor property conditions.

It is much easier to rectify property issues under the legal framework of the licensing scheme and when the landlord and other property management companies are known to the council. The licence conditions will be used to ensure continued compliance with property conditions and standards to prevent a further deterioration in the rented properties. Landlords who fail to license their properties or maintain their properties to a licensable standard could receive a civil penalty or be prosecuted.

Information and support on the professional management of properties will be available to landlords through the council's website. The licence conditions relating to the management of the properties will help ensure that properties are properly managed to prevent further deterioration.

The outcome of the designation should be (together with other measures) a reduction of the problems with housing in the private rented sector contributing to the high level of deprivation.

8.3 Proposed Selective Licensing Conditions for Designation 2

As designation 2 is based on poor property conditions there are specific licence conditions that we propose to enforce in addition to the standard set of licence conditions. These are:

- a) All repair work must be carried out within a reasonable timescale with due regard to the severity of the issue.
- b) The Licence Holder must ensure that any repairs, improvement works or treatments

are carried out by a competent person(s). Copies of receipts and/or invoices for any such works must be provided to the Authority within 28 days upon demand.

For a full breakdown see - [Selective Licence Conditions](#)

9. Designation 3: Deprivation

Wards included - Bellingham, Downham, Forest Hill, Grove Park and Whitefoot.

9.1 Evidence of deprivation

These five wards are all in the bottom 50% of deprived wards in the country. The government uses a range of measures to produce Indices of Multiple Deprivation. This allows areas to be ranked nationally between 0.1 as the most deprived and 10.0 as the least deprived. These five wards sit between 2.3 and 5.0 and are some of the most deprived in the borough. The council knows that poor property conditions make deprivation worse. People living in deprived areas have fewer choices about where they can live and are often stuck in overcrowded, poorly maintained accommodation.

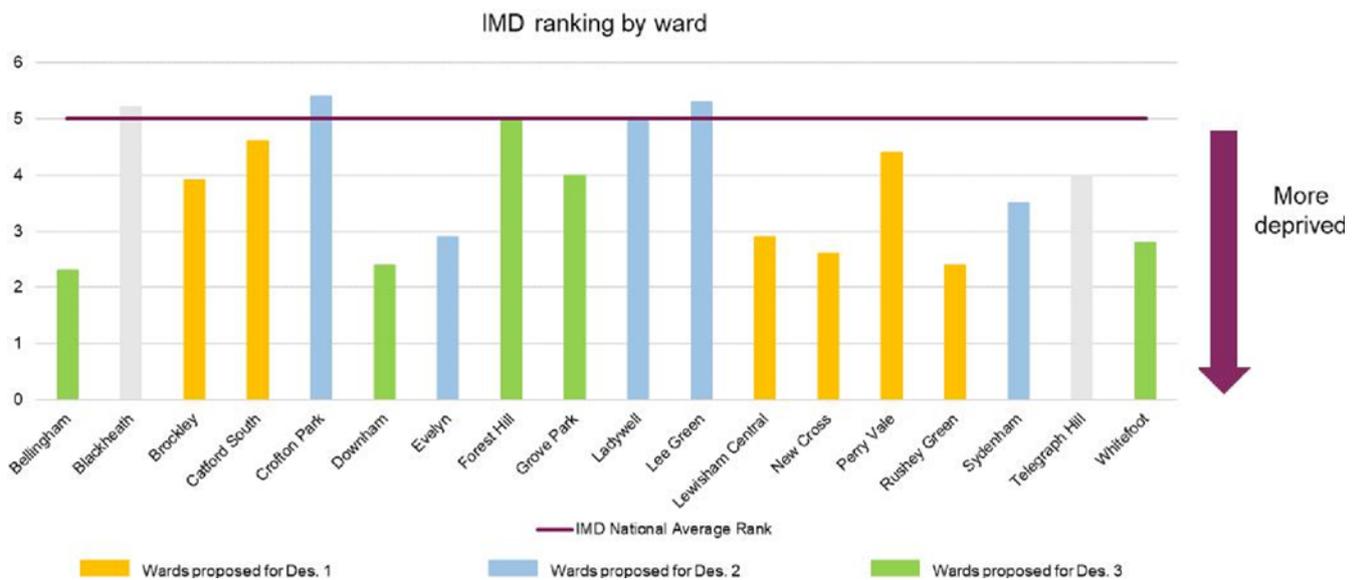


Figure 8 Indices of Multiple Deprivation (Source: Ti 2021).

An additional measure that inputs to the Indices of Multiple Deprivation is based on barriers to housing and services. In Lewisham, all wards are in the bottom 50 percentile of wards in England for this measure, with the wards in this designation performing particularly badly.

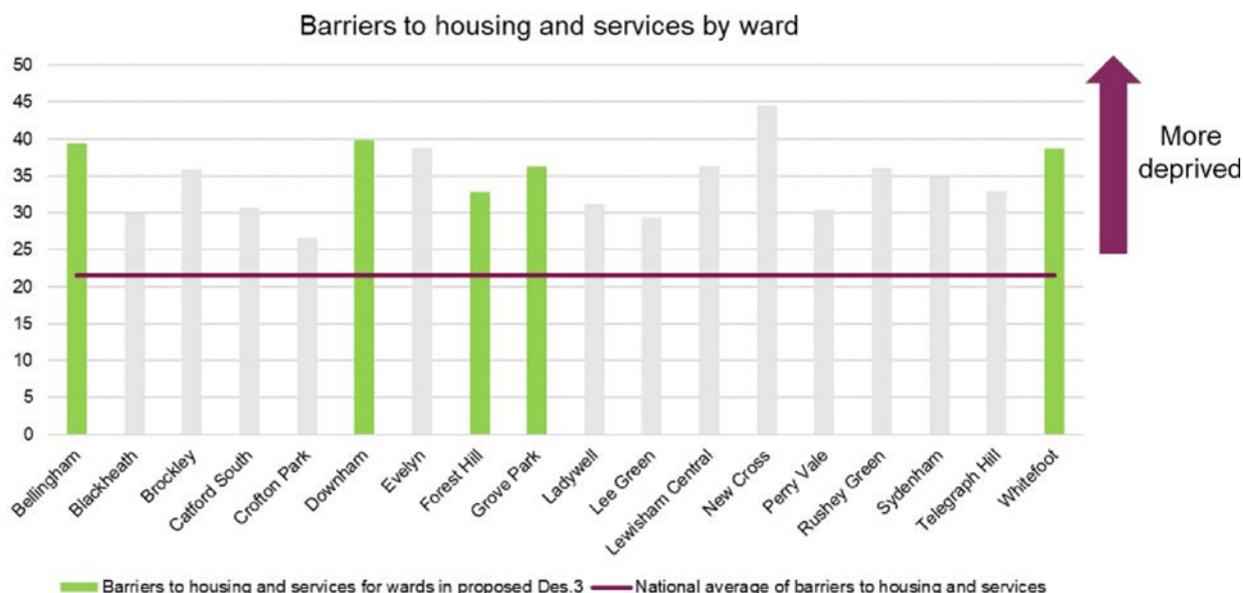


Figure 9 Barriers to Housing and Services (Source: Ti 2021).

The legislation suggest that the following factors may be considered when assessing whether an area is suffering from high levels of deprivation; the employment status of adults; the average income of households; the health of households; the availability and ease of access to education, training and other services for households; housing conditions; the physical environment; levels of crime and average income of households.

The following housing benefit data is an indication of the low average income of households in the designation¹⁰.

Ward	HB claims 2016-21
Bellingham	2,082
Downham	1256
Forest Hill	690
Grove Park	1,156
Whitefoot	2,168

9.2 How will licensing deal with deprivation in the designated area?

The designation of these wards will help the council to deal with the poor property conditions and issues that make deprivation worse, including overcrowding and fuel poverty. The licence conditions clearly state the maximum occupancy of the property to prevent overcrowding; these are either a single family or two unrelated sharers. The licence holder must ensure that

¹⁰ Lewisham Council

the rented property meets the minimum energy efficiency of an E rating EPC (unless an exemption applies). This should help to alleviate fuel poverty. Having the designation in place gives the council the resource to be able to enforce this legal standard.

It is much easier to rectify property issues under the legal framework of the licensing scheme and when the landlord and other property management companies are known to the council. Landlords who fail to license their properties could receive a civil penalty for failure to license. Where possible, the council will work with landlords to address poor property conditions and the factors that make deprivation worse, to help them to comply with the licence conditions in these wards.

The outcome of the designation should be (together with other measures) a reduction in the problems with housing in the private rented sector contributing to the high level of deprivation in his area.

9.3 Proposed Selective Licensing Conditions for Designation 3

For this designation, we propose to enforce the standard set of conditions as set out in the Lewisham Standard Housing Conditions document.

[Selective Licence Conditions](#)

10. Proposed licence fee

It is proposed that the fee for a selective licence is £640 per property before applying discounts. This fee has been set to make the scheme cost neutral, taking into account the cost of inspections, compliance checks, and the discounts available to landlords.

The fee is to be paid in two parts:

Part 1: Fee of £160 for processing and determination of the application payable on application for a licence.

Part 2: Fee of £480 for administration, management and enforcement of the scheme payable before a licence is issued. The final licence will not be issued until the full fee has been paid.

Fee element	Amount £
Full fee	£640
Part 1	£160
Part 2 (full fee)	£480
Part 2 – early bird	£352
Part 2 - accredited landlord	£352
Part 2 – eligible charities	£160
Part 2 – eligible portfolio landlords	On application

Early bird applications are those made before the official scheme goes live (date to be published).

An **accredited landlord** is someone who has completed a training course in best practice run by a recognised organisation such as the National Residential Landlords Association.

'Eligible charity' means Corporations, organisations or bodies which are charities, including almshouses, whose charitable objectives include the provision of housing (a) let at below-market rent and (b) that is specially designed or adapted to meet the needs of the disabled, the elderly or the infirm or of other persons having a protected characteristic within the meaning of the Equality Act 2010.

An **'eligible portfolio landlord'** is a person or company applying for licences on multiple properties at the same time. These properties must consist of a total of fifteen or more (15+) lettable units.

The cost of the fees is a valid business expense for tax purposes. VAT is not applied to licence fees.

10.1 Comparison with other London boroughs

The fees being proposed have been benchmarked with those charged by other London boroughs that have Selective licensing schemes.

Local Authority	Selective Fee per property
Southwark	£900
Croydon	£750
Newham	£750
Waltham Forest	£700
Lewisham (proposed)	£640

The licensing fees have been set with reference to actual costs in administering and enforcing the schemes, in compliance with the Housing Act 2004. The primary purpose of licensing properties is to ensure they are safe to occupy. Lewisham takes this duty seriously, and the efforts Lewisham intend to undertake is reflected in the level of the fee.

The Council will assess every licensable property as part of the licensing process. The council will inspect properties that have been identified as high risk or where tenants have complained about their housing conditions before a licence is issued. The council will inspect every licensed property during the life of the scheme and provide schedules for the ones where we inspect before they are licensed. The council will provide schedules where required on post licensing inspections.

The proposed licence holder will be provided with a full schedule of works necessary to tackle any category 1 hazards present and to bring the property up to licensable standards. Every licensed property will be inspected at least once during the period of the five-year licence and all properties in the borough where there are complaints of disrepair and/or dangerous housing conditions will be inspected.

11. Proposed Scheme objectives

Lewisham would ideally like its citizens to live in homes that are safe and secure, on estates and streets that are well maintained and presentable, and in thriving communities free from crime and antisocial behaviour.

The Council's strategy sets a vision for providing our citizens with the opportunity to live their best life, protecting the individual identities of our neighbourhoods and making Lewisham a place citizens love to live in. Better and safer housing conditions are a key component of this vision, and the proposed selective licensing scheme will aim to:

- Ensure that all licensable properties in the borough conform to Lewisham's licensing standards.
- Reduce the number of repeat complaints on housing standards through a combination of informal and formal actions
- Reduce the number of repeat ASB linked to licensed properties over the life of the scheme.
- Ensure all vulnerable tenants including those on or claiming housing benefits or universal credit are housed in properties that are safe and well-managed.

11.1 Achieving the Scheme Objectives

For each designation, there will be clear licence conditions relating to the standard and management of rented properties in the area. The council will use data and analytics to identify higher-risk properties or unlicensed properties. These will be prioritised for inspection by officers for compliance with licencing conditions. The council will take enforcement action, where necessary, to improve poor property conditions. Landlords who fail to license their properties will face prosecution or receive a civil penalty for failure to license.

11.2 Multi-agency working

The council will work with Crime Enforcement and Regulation, Planning, Building Control, Adult and Children's/young people's social services, Community Mental Health, the Fire Brigade and others to identify properties that need improvement. It will work with local community groups and ward councillors to identify tenants living in poor conditions and properties that can be improved.

The council will work with landlords to address poor property conditions, anti-social behaviour and factors that make deprivation worse, to help them to comply with the licence conditions in Lewisham.

12. Alignment with council-wide strategies

The Corporate Strategy 2018–22 commits to tackling the housing crisis and ensuring everyone has a decent home that is secure and affordable. The council is committed to improving standards across all housing sectors and a wider landlord licensing scheme is pivotal to this pledge. In addition, there are a number of other council strategies that support the implementation of a wider licensing scheme, and are a requirement of the legislation for a scheme.

12.1 Housing Strategy 2020-26

Lewisham’s vision is that everyone should have a safe, stable and genuinely affordable home where they can live an independent and prosperous life. The housing strategy¹¹ 2020–26 outlines the strategic direction, key priorities and actions that will help to achieve this vision. There is a commitment to expanding the licensing regime in the borough under Priority 3: improving the quality, standard and safety of housing in Lewisham; the council aims to *‘Improve standards in the PRS, through:*

- *expanding our licensing regime*
- *working with landlords and landlord associations to improve standards and practice across the borough*
- *using data from our licensing schemes to improve our service’.*

The five objectives of Lewisham Housing Strategy are:



12.2 Empty Properties

Part of Lewisham’s overall Housing Strategy is to deliver the homes that its constituents need. Lewisham aims to make as much housing as possible by building more social housing, designing good quality homes with ample space where people actually want to live. The

¹¹ [Housing Strategy 2020-26](#)

intention is to create multi use homes for all member of society that are close to facilities and can be easily managed and maintained. Lewisham is aware of the number of poor quality homes and by making use of homes that are currently vacant and vacant council owned properties for housing purposes, it will be able to increase the amount of high quality homes.

All enquiries from the public about individual properties are inspected and the Council receives an annual report of vacant properties. Landlords are encouraged to engage with the Council. If there is a credible plan to bring the dwelling into use, Lewisham can and do offer support. This can take the form of discretionary grants to help fund renovations and VAT exemption certificates can be issued where there is evidence from Council Tax that the property has been empty for 2 years or longer. These certificates are accepted as evidence that the discount is available by HMRC. The exemption applies to material and labour costs of renovation.

12.3 ASB

Lewisham recognises that anti social behaviour is a problem and needs to be addressed and managed. The safer Lewisham Partnership has committed to working with the Mayor's Office for Policing and Crime (MOPAC) Police and Crime Plan. This advocates a multi-disciplinary and problem-solving approach between the council and the police, using all the powers and resources at their disposal to tackle and prevent antisocial behaviour (ASB)¹². This work underpins the ASB function of the licensing scheme and is a key component of how the council deals with ASB in the PRS.

12.3 Homelessness

Lewisham's overarching vision is that is that everyone should have a safe, secure, and genuinely affordable home. For this to be a reality, the Council must work towards ensuring that no one becomes homeless in Lewisham.

The Housing Strategy 2020–26 outlines five key priorities for Lewisham¹³. One of these priorities is 'preventing homelessness and meeting housing needs' this outlines the overarching strategic approach to preventing homelessness.

The Homelessness and Rough Sleeping strategy underpins Lewisham's Housing Strategy. It provides more detail on how homelessness and rough sleeping will be prevented; it also outlines how, with the help of partners, Lewisham is able to work with and support those who are at risk of or experiencing homelessness. Licensing is vital to reducing homelessness as it allows the council to continue 'Working with landlords or friends and family to prevent them from evicting people.'

Lewisham's top five priorities for tackling homelessness are to:

- Prevent homelessness at the earliest opportunity with the most appropriate level of support
- Support people to access a stable and secure home
- Support rough sleepers to enable access to services and accommodation
- Adapt and be agile in our service delivery to support residents impacted by COVID-19
- Strengthen partnership working.

¹² [Lewisham Housing Strategy 2020- 26](#)

¹³ [Lewisham Housing Strategy 2020- 26](#)

13. Alternative options considered

A number of other courses of action have been considered. These are:

13.1 Maintaining current licensing arrangements

The evidence presented demonstrates that additional measures are needed to raise standards in the private rented sector and this cannot be achieved under the current arrangements. Lewisham's current schemes specifically target HMOs and do not cover studios and single-family households. Officers have experienced a significant amount of resistance from landlords who dispute that their properties fall within the requirements of either the mandatory or additional licensing schemes. This has meant the process to license properties to date has been very labour-intensive, focusing on proving the case, sometimes through court, rather than tackling disrepair and poor landlord practice.

13.2 Introducing only borough-wide additional licensing for HMOs

The data shows that issues exist across the private rented sector and an additional scheme alone would not solve these problems. For example, properties converted into studios share many of the same issues associated with HMOs, such as ASB, Waste Management, etc.

13.3 Introducing selective licensing to less than 20% of the borough

The problems identified with the private rented sector extend to most areas in the borough and it is therefore necessary to pursue a scheme to tackle issues in all the identified areas, not just a small area. The percentage of PRS properties in each ward ranges between 41.1% (Lewisham Central) and 23.8% (Downham). Therefore, 18 out of 18 Lewisham wards have a higher percentage PRS than the 23.8% (Downham). Therefore, 18 out of 18 Lewisham wards have a higher percentage PRS than the national average in 2020 (19%). No single ward would meet the less than 20% threshold.

13.4 Voluntary accreditation

We recognise and support a voluntary accreditation scheme and a discount is made available to accredited landlords when licensing their properties. Despite this, less than half the landlords who apply are accredited and works are often still needed to bring the property up to standard for a number of the accredited landlords. Accreditation, while an indication of good intentions, is not a guarantee that the landlord is fully aware of their obligations or that the properties they manage will necessarily be up to standard without greater involvement from the Council.

13.5 Conclusion

Having reviewed the above options, it is not considered that they would achieve the same outcome as the proposed selective licensing scheme for the reasons provided. The alternative options would also not help meet the objectives of Lewisham's corporate strategy and would not bring about the much needed improvement in conditions for people living in the private rented sector.

Lewisham Council Public Consultation - Selective Licensing for properties in the private rented sector

We have launched a consultation on plans to implement a selective licensing scheme covering all privately rented properties occupied by a single household or two unrelated individuals in certain parts of the borough.

We are proposing three selective licensing designations that would cover 16 wards for a period of five years. If approved, all landlords and or managing agents with properties in the area that are privately rented to single households (or two sharers) will need to apply for a licence to legally let the property.

Designation One would cover Brockley, Lewisham Central, New Cross, Rushey Green, Catford South and Perry Vale wards (focused on reducing anti-social behaviour and improving housing conditions).

Designation Two would cover Evelyn, Ladywell, Lee Green, Sydenham and Crofton Park wards (focused on improving housing conditions).

Designation Three would cover Bellingham, Downham, Forest Hill, Grove Park and Whitefoot wards (focused on raising the living conditions of the most deprived).

We want all landlords, tenants, residents and business owners to have a say on housing in the community. That's why we have extended the consultation period and made the consultation quicker and easier to complete.

1. You are ...Select one or more options

- a tenant living in private rented accommodation
- an owner occupier of a residential property
- a housing association/council tenant
- a landlord who manages their own property
- a landlord who uses a managing agent
- a representative of a lettings or managing agency
- a representative of a registered charity
- a representative of a landlord association
- a representative of a registered provider or housing association
- a representative of a business not specified above
- other

If other, please explain...

2. Please select the ward(s) that you are commenting on. You can still take part in this consultation even if you do not live in the wards listed below.

Designation 1	Designation 2	Designation 3	Other
<input type="checkbox"/> Perry Vale	<input type="checkbox"/> Evelyn	<input type="checkbox"/> Bellingham	<input type="checkbox"/> Blackheath
<input type="checkbox"/> Brockley	<input type="checkbox"/> Ladywell	<input type="checkbox"/> Downham	<input type="checkbox"/> Telegraph Hill
<input type="checkbox"/> Lewisham Central	<input type="checkbox"/> Lee Green	<input type="checkbox"/> Forest Hill	<input type="checkbox"/> The whole borough
<input type="checkbox"/> New Cross	<input type="checkbox"/> Sydenham	<input type="checkbox"/> Grove Park	<input type="checkbox"/> Other (if other please explain)
<input type="checkbox"/> Rushey Green	<input type="checkbox"/> Crofton Park	<input type="checkbox"/> Whitefoot	
<input type="checkbox"/> Catford South	<input type="checkbox"/> All wards in Designation 2	<input type="checkbox"/> All wards in Designation 3	
<input type="checkbox"/> All wards in Designation 1			

3. What is your connection to the area you are commenting on? Select one or more options

- I live in the area
- I work in or regularly visit the area
- I live or work next to the area
- I own or manage private rented properties within the area
- I own or manage private rented properties outside the area
- Other

If other, please specify

4. If you are a landlord or a managing agent of private rented homes, how many do you own or manage in Lewisham? Select one option

- 1
- 2-5
- 6-10
- 10-15
- 15+
- None

Conditions in the area

Lewisham Council is committed to supporting our citizens in accessing and living in good quality housing that improves their opportunities for employment, education, health and wellbeing.

We recognise that private rented properties play a valuable role in providing housing for residents of the borough. An estimated 31% of Lewisham’s residential properties are now private rented. We know many landlords operate professionally and the private rental sector provides housing options for local people. Our assessment has shown Lewisham suffers from high levels of deprivation, high and repeat anti-social behaviour and poor housing conditions linked to private rented properties. We believe more could be done to work with landlords to improve housing conditions, reduce antisocial behaviour (ASB) and improve living conditions of the most deprived tenants.

We would like to know your views on the conditions in the area(s) you are commenting on. For clarity purposes, we have defined some key terms here:

- Good housing conditions means the property is structurally sound and has working basic amenities. Examples of basic amenities are heating, running water (hot and cold), cooking facilities, toilets, and ventilation, etc.
- A well-managed property will have proper documentation, regular repairs and good financial practices. Examples include transparent and documented fees, secure rental deposits, receipts provided for charges, speed of response to maintenance issues, etc.

5. Antisocial behaviour examples include rubbish in gardens, fly-tipping, littering, etc. How much of a problem do you think the following are for private rented homes in the area(s) you are commenting on?

	A very big problem - 1	2	3	4	Not a problem at all - 5
poor housing conditions					
unsafe and unsecured private rented homes					
overcrowding is in private rented homes					
poorly managed private rented homes					
antisocial behaviour associated with private rented homes					

Selective Licensing designations

What is a Selective Licensing Designation?

A Selective Licensing Designation gives Lewisham the power to introduce licensing for all private rented properties in a given area. This excludes properties already

covered by existing licensing designations, such as the Mandatory HMO (House with Multiple Occupancy) Licensing and the Additional HMO Licensing.

The licensing requirement will apply to single tenancy dwellings in Lewisham if they fall within a Selective Licensing Designation Area.

Proposed Designation Areas

Our assessment has shown areas in Lewisham suffer from high levels of deprivation, high and repeat anti-social behaviour and poor housing conditions linked to private rented properties. We are grouping 16 of the 18 current wards in Lewisham into three areas to tackle antisocial behaviour (ASB), housing conditions and deprivation:

Designation Area One with a special focus on reducing ASB and improving housing conditions. Wards included are Brockley, Lewisham Central, New Cross, Rushey Green, Catford South and Perry Vale.

Designation Area Two with a special focus on improving housing conditions. Wards included are Evelyn, Ladywell, Lee Green, Sydenham and Crofton Park.

Designation Area Three with a special focus on raising the living conditions of the most deprived. Wards included are Bellingham, Downham, Forest Hill, Grove Park and Whitefoot.

Note: Blackheath and Telegraph Hill did not meet the necessary conditions to fall into any of the Selective Licensing Designations. For more details, please read the Selective Licensing Proposal in the documents folder.

Note: Ward boundaries in Lewisham are change in 2022. These ward changes will not affect the licensing status of properties within the currently laid out designated areas where we propose to introduce selective licensing.

6. To what extent do you agree or disagree with the following statements?

	Strongly agree	Tend to agree	Tend to disagree	Strongly disagree	Don't know
To what extent do you agree or disagree with the proposal to designate the specified wards in Designation 1 for Selective Licensing?					
To what extent do you agree or disagree with the proposal to designate					

the specified wards in Designation 2 for Selective Licensing?					
To what extent do you agree or disagree with the proposal to designate the specified wards in Designation 3 for Selective Licensing?					

7. If you would like, please explain your answer

8. Do you think the Council should consider alternatives to a Selective Licensing scheme to effectively regulate private rented property conditions and management, help tackle anti-social behaviour, and raise the living conditions of the most deprived in Lewisham? Select one option
 - Yes
 - No
 - Don't know

9. If 'Yes', please specify the alternatives and indicate whether they would be relevant to the entire area covered by the proposed Selective Licensing scheme or a specific part of it:

New licence conditions

Under this proposal, the council plans to introduce a set of conditions that will ensure improved housing conditions, reduce antisocial behaviour linked to the private rented sector and raise living standards of the most deprived.

The licence holder must meet the Lewisham Standard Housing Conditions for Selective Licensing. At a minimum, they must:

- Show proof of compliance with all mandatory H&S certification regulations (i.e. Smoke and CO Order, Gas safe, PAT testing Electrical Safety) yearly or as otherwise specified in the legislation.
- Provide written tenancy agreements
- Pass a fit and proper person test

The Lewisham Standard Housing Conditions for Selective Licensing document can be viewed in the consultation document library.

In addition to the Lewisham Standard Housing Conditions for Selective Licensing, the following supplementary conditions will in place for:

Designation 1 and 2 - Poor housing conditions

The licence holder will have to demonstrate to the council on request that they have

- carried out repair work within a reasonable timescale with due regard to the severity of the issue
- hired competent person(s) to carry out any repairs, improvement works or treatments

Copies of receipts and/or invoices for any such works must be provided to the council within 28 days upon request.

Designation 1 - Significant and repeat antisocial behaviour (ASB)

The licence holder will be required to take up references before renting and must issue an ASB policy as part of the tenant information pack. The licence holder will have to demonstrate to the council on request that they have taken prompt and appropriate action to manage antisocial behaviour

10. Do you agree that Lewisham's Standard Property Conditions should be applied to the designations?

- Strongly agree
- Tend to agree
- Tend to disagree
- Strongly disagree
- Don't know

11. Do you agree that the Supplementary ASB and Poor Housing Conditions should be applied to designations 1 & 2?

- Strongly agree
- Tend to agree
- Tend to disagree
- Strongly disagree
- Don't know

12. Are there any conditions you think should be included or removed?

Proposed Fees and Discounts

The proposed fee for selective licensing of private rented property is £640 for each property, before applying discounts. The fee is to be paid in two parts:

- Part 1: Fee of £160 for processing and determination of the application payable on application for a licence.
- Part 2: Fee element for administration, management and enforcement of the scheme payable before a licence is issued. The final licence will not be issued until the full fee has been paid.

Discount Type	Part 2 Fee
Standard Fee	£480
Early bird¹ application	£352
Accredited² Landlord	£352
Eligible Charity³	£160
Eligible Portfolio Landlord⁴	On application

1. Early bird applications are those made before the official scheme goes live (date to be published).

2. An accredited landlord is someone who has completed a training course in best practice run by a recognised organisation such as the National Residential Landlords Association.

3. 'Eligible charity' means Corporations, organisations or bodies which are charities, including almshouses, whose charitable objectives include the provision of housing (a) let at below-market rent and (b) that is specially designed or adapted to meet the needs of the disabled, the elderly or the infirm or of other persons having a protected characteristic within the meaning of the Equality Act 2010.

4. An 'eligible portfolio landlord' is a person or company applying for licences on multiple properties at the same time. These properties must consist of a total of fifteen or more (15+) lettable units.

This fee has been set to make the scheme cost neutral, taking into account the cost of inspections and compliance checks, and the discounts available to landlords. The fees being proposed have been benchmarked against those charged by other London boroughs that have Selective Licensing schemes.

For more details on the fees and comparisons to other London boroughs, please read the Selective Licensing Proposal in the documents folder.

13. Do you think the proposed fee for selective licensing is reasonable?

- Strongly agree
- Tend to agree
- Tend to disagree
- Strongly disagree
- Don't know

14. Do you think the proposed discounts for selective licensing are reasonable?

- Strongly agree
- Tend to agree
- Tend to disagree
- Strongly disagree
- Don't know

15. Are there any discounts that should be removed or additional discounts that could be considered?

Equalities

16. Why are we asking for this information?

The following monitoring questions help us to be fair and inclusive in the work that we do. All of these questions are **OPTIONAL** and you do not have to answer them.

The personal data that you do provide is used to help us understand who is sharing their views and influencing our decision-making, though your identity will remain anonymous.

This data is also used to ensure that nobody is discriminated against unlawfully in the provision of our functions and services.

Any personal data that you choose to share will be treated confidentially in accordance with the General Data Protection Regulations (GDPR).

17. How old are you? **Please select one only**

- | | |
|-----------------------------------|--|
| <input type="checkbox"/> Under 18 | <input type="checkbox"/> 60-64 |
| <input type="checkbox"/> 18-24 | <input type="checkbox"/> 65-74 |
| <input type="checkbox"/> 25-29 | <input type="checkbox"/> 75-84 |
| <input type="checkbox"/> 30-44 | <input type="checkbox"/> 85+ |
| <input type="checkbox"/> 45-59 | <input type="checkbox"/> Prefer not to say |

18. What is your sex?

- Male
- Female
- Prefer not to say
- Other

If other, please specify

19. What is your ethnicity?

- | | |
|--|--|
| <input type="checkbox"/> White - British | <input type="checkbox"/> Asian - Indian |
| <input type="checkbox"/> White - Irish | <input type="checkbox"/> Asian - Pakistani |
| <input type="checkbox"/> White - Gypsy or Irish Traveller | <input type="checkbox"/> Asian - Bangladeshi |
| <input type="checkbox"/> White - Other | <input type="checkbox"/> Asian - Chinese |
| <input type="checkbox"/> Mixed - White and Black Caribbean | <input type="checkbox"/> Asian - Other |
| <input type="checkbox"/> Mixed - White and Black African | <input type="checkbox"/> Black - British |
| <input type="checkbox"/> Mixed - White and Asian | <input type="checkbox"/> Black - African |
| <input type="checkbox"/> Mixed - Other | <input type="checkbox"/> Black - Caribbean |
| <input type="checkbox"/> Asian - British | <input type="checkbox"/> Black - Other |
| | <input type="checkbox"/> Prefer not to say |
| | <input type="checkbox"/> Other (Please describe below) |

20. Do you consider yourself to be a disabled person

- Yes
- No
- Prefer not to say

How would you describe your disability?

- Physical or mobility related
- Visual or hearing related
- Mental Health condition
- Cognitive or learning disability
- Longstanding illness or health condition

Prefer not to say

Other

If other, please specify

Do you have any access requirements?

Easy read

BSL / Interpreter

Chaperone / carer present

Step-free access

Accessible toilets

Wheelchair access

Prefer not to say

Other

If other, please specify

21. What is your religious belief?

None

Buddhist

Christian

Hindu

Jewish

Muslim

Sikh

Prefer not to say

Other

If other, please specify

22. How would you define your sexual orientation?

Straight or heterosexual

Gay or lesbian

Bisexual

Prefer not to say

Other

If other, please specify

23. Is your gender identity different from the gender you were assigned at birth?

If your gender identity is different to that which you were assigned at birth you may choose to share this here. You do not have to do this, but it may help us to understand the impact of our policies or service changes on transgender people.

- Yes my gender identity is different
- No my gender identity is the same
- Prefer not to say

24. If you live in Lewisham, which ward do you live in?

- Bellingham
- Blackheath
- Brockley
- Catford
- Crofton Park
- Downham
- Evelyn
- Forest Hill
- Grove Park
- Ladywell
- Lee Green
- Lewisham Central
- New Cross
- Perry Vale
- Rushey Green
- Sydenham
- Telegraph Hill
- Whitefoot
- I don't live in Lewisham

Engagement

25. How did you hear about this consultation?

- Email
- Letter/leaflet to your home
- In the press
- On the radio
- Through other people
- At an event
- Other

If other, please specify

26. Would you be interested in attending one of our online forum events?
Please check this box and make sure you have left your email address at the end of this section

- Yes I would be interested
- No

27. We want to hear more about your experiences as a private renter in Lewisham. Would you be interested in attending a private renter session led by Lewisham Council and Generation Rent? Please check this box and make sure you have left your email address at the end of this section and name if you wish to attend

- Yes I would be interested
- No

28. Lewisham Council is working with private renters to help establish a dedicated organisation to provide a voice for tenants in Lewisham.

Would you be interested in being part of this organisation? Please check this box and make sure you have left your email address at the end of this section and name if you wish to attend

- Yes I would be interested
- No

29. What is your email address.

Thank you for taking the time to complete this survey, it is greatly appreciated.



Housing Select Committee

Report title: Council response to the 2022 selective property licensing consultation

Date: 20 September 2022

Key decision: Yes

Class: Part 1

Ward(s) affected: 16 out of 18 (Blackheath and Telegraph Hill unaffected)

Contributors: Fenella Beckman, Director of Housing Services

Outline and recommendations

Housing Select Committee are asked to review the report and the proposed response and to provide comments.

Housing Select Committee are asked to support the approval of this response by Mayor and Cabinet, and the recommendation to proceed with an application for approval to introduce the proposed selective licensing scheme to the Department for Housing, Levelling Up and Communities.

Timeline of engagement and decision-making

24 April 2019	Previous approval to consult on selective licensing
28 May to 21 August 2019	Previous Selective Licensing consultation
11 March 2020	Mayor and Cabinet approved the submission of an application to the Secretary of State for the proposed scheme (subsequently postponed due to the Covid 19 pandemic).
20 October 2021 – 20 May 2022	Second public consultation (Extended in January 2022)

1. Summary

- 1.1. This report summarises the responses to the public consultation carried out on the council's proposals to introduce selective property licensing in 16 out of 18 wards. The consultation results demonstrate clear overall support for all three selective licensing designations proposed by the council.
- 1.2. It also sets out officers' recommendations that the council should proceed to make an application to the Department for Housing, Levelling Up and Communities (DHLUC) for approval to introduce the proposed licensing scheme, based on the response to the consultation.
- 1.3. The report of the consultation, produced by Cadence Innova, the organisation contracted by the council to carry out the consultation, is attached as Appendix 1.
- 1.4. The full summary of consultation responses and the council's proposed responses is included as Appendix 2.

2. Recommendations

- 2.1 Housing Select Committee are asked to review the report and the proposed council response to the consultation and to provide comments.
- 2.2 Housing Select Committee are asked to support the approval of the consultation report, the council's response to the consultation, and the proposed selective licensing designations and conditions, by Mayor and Cabinet.
- 2.3 Housing Select Committee are asked to support the recommendation to Mayor and Cabinet that the council should proceed to make an application to the DHLUC for approval to introduce the proposed selective licensing scheme.

3. Policy Context

- 3.1. The contents of this report are consistent with the Council's policy framework. It supports the achievements of the following Corporate Strategy objectives:
 - Tackling the housing crisis – everyone has a decent home that is secure and affordable.
- 3.2. The contents of this report support the achievement of the following Housing Strategy 2020-26 objectives

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- preventing Homelessness and meeting housing need;
- improving the quality, standard and safety of housing, and;
- supporting our residents to live safe, independent and active lives.

4. Background

- 4.1. According to the Office for National Statistics (ONS) and the Housing Stock and Stressors report findings, the private rented sector (PRS) in Lewisham has grown from 24 per cent in 2011 to 31 per cent in 2021; an increase of almost 30 per cent over 10 years. This shift has come as a result of population growth in tandem with a limited supply of new and affordable homes and therefore has resulted in soaring house prices. The Private Rented Sector has helped address the housing shortage and now 39,674 of Lewisham's 128,798 residential dwellings are privately rented.
- 4.2. The increased demand for privately rented homes has, however, also seen an increase in rents being charged in the borough. This has resulted in residents having to compromise on property standards and their health and safety to access affordable housing. The English Housing Survey (Dec 2020) indicates that 12 per cent of private rented dwellings in England had at least one category 1 hazard; a hazard that poses a serious or immediate risk to a person's health and safety. In stark contrast, 22.7 per cent of Lewisham's PRS properties were found to have at least one category 1 hazard.
- 4.3. Over half of the residential properties in the borough were built pre-Second World War (Housing Stock and Stressors Report, Metastreet, 2021). Housing conditions tend to be worse in older properties and pose greater risk to the health and safety of its inhabitants. For example, the HHSRS Operational Guidance (2006) published by the Office of the Deputy Prime Minister, stressed that there is a greater risk of winter deaths in dwellings with low energy efficiency ratings and this correlates with the age of the property. Dwellings built after 1980 are more energy efficient and are therefore safer. Wards comprising mainly of older properties are inclined to have more hazards, such as excess cold, fire and electrical issues, damp and mould.
- 4.4. The national mandatory HMO licensing scheme came into operation in April 2006.
- 4.5. Following the end of the previous additional HMO licensing scheme in February 2022, a new additional scheme came into force on Tuesday 5 April 2022.
- 4.6. The Council therefore currently operates the following licensing schemes:
 - 4.6.1. Mandatory scheme relating to all Houses of Multiple Occupation (HMO) where five people across two or more households (families) live in the same property and share facilities such as a kitchen or bathroom. This is a national scheme.
 - 4.6.2. Additional licensing applying to any HMO property in Lewisham that is not captured by the National Mandatory Scheme, other than those specifically excluded from licensing.
- 4.7. The Council previously consulted on introducing a Selective Licensing scheme in 2019; however due to the pandemic, plans to seek approval for the proposals from the Government were put on hold. As lockdown restrictions came to an end, the council reviewed housing conditions in the borough once again to take into account any demographic shifts as a result of the pandemic. Some modifications were made as to how a selective licensing scheme could operate in the borough and consequently, following Mayor and Cabinet approval to do so, the council launched a further public consultation to gain feedback on the proposals.

5. Summary of consultation and findings

- 5.1. Lewisham Council carried out a public consultation on proposals to introduce a selective licensing scheme in 16 wards. The council proposed introducing selective

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licensing in three designations, designed to tackle the most pressing issues within the wards.

5.2. Designation One – high repeated antisocial behaviour (ASB) and poor housing conditions:

- Brockley
- Catford South
- Lewisham Central
- New Cross
- Perry Vale
- Rushey Green

5.3. Designation Two – poor housing conditions:

- Crofton Park
- Evelyn
- Ladywell
- Lee Green
- Sydenham

5.4. Designation Three – deprivation:

- Bellingham
- Downham
- Forest Hill
- Grove Park
- Whitefoot

5.5. To consult with landlords, tenants, residents, stakeholders and other interested parties, the council carried out an online survey. The council also hosted public meetings with landlords, tenants, residents, and landlord groups. The council used digital and print media to advertise the consultation, as well as in-person methods, following the easing of social distancing rules.

5.6. The consultation ran for 30 weeks from 20th October 2021 to 20th May 2022.

5.7. In total 1,356 responses were received from the online survey. Qualitative feedback was received at two public meetings and ten written responses from interested parties

5.8. The consultation considered the level of support for introducing selective licensing. The consultation also looked at views on the proposed licence conditions, fees, and the respondents' perceptions of the issues in the borough.

5.9. Table of key findings:

	Overall	Landlords	Privately renting tenants	Other
Total consultation survey responses	1202	361	257	584
Agree with Selective Licensing in Designation 1	52%	13%	69%	69%
Disagree with Selective Licensing in Designation 1	36%	70%	17%	23%

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	Overall	Landlords	Privately renting tenants	Other
Total consultation survey responses	1064	337	242	488
Agree with Selective Licensing in Designation 2	47%	10%	66%	63%
Disagree with Selective Licensing in Designation 2	37%	70%	28%	23%
Total consultation survey responses	1036	321	240	475
Agree with Selective Licensing in Designation 3	48%	11%	68%	65%
Disagree with Selective Licensing in Designation 3	33%	65%	23%	20%
Total consultation survey responses	1298	391	271	636
Agree that the standard property conditions should apply to all designations	64%	29%	80%	79%
Disagree that the standard property conditions should apply to all designations	30%	61%	17%	17%
Total consultation survey responses	1250	380	264	606
Agree that the Supplementary ASB and Poor Housing Conditions should be applied to designation 1 & 2	59%	24%	74%	75%
Disagree that the Supplementary ASB and Poor Housing Conditions should be applied to designation 1 & 2	32%	63%	20%	18%
Total consultation survey responses	1307	393	273	641
Agree that the proposed fee for selective licensing is reasonable	44%	7%	47%	50%
Disagree that the proposed fee for selective licensing is reasonable	47%	90%	36%	40%
Total consultation survey responses	1293	387	273	633
Agree that the proposed discounts for selective licensing are reasonable?	37%	13%	46%	47%
Disagree that the proposed discounts for selective licensing are reasonable?	47%	73%	34%	37%

6. Conclusions

- 6.1. The result of the public consultation on the introduction of a selective licensing scheme demonstrated clear overall support for all three designations. Though a majority of landlord respondents disagreed with the introduction of all three designations, an overwhelming majority of both private tenants and other respondents agreed with all three designations.

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- 6.2. The primary objective of the selective licensing scheme will be to improve the quality of the rental market for private renters and a secondary objective will be to ensure that privately rented homes have a positive impact on neighbourhoods. Officers therefore recommend that the members of the Housing Select Committee should note the results of the consultation, approve the consultation report and the council's response, pending any comments the committee wish to make (see appendices).
- 6.3. Officers further recommend at this stage that some minor amendments to the scheme should be made on the basis of the consultation response, and that officers be given additional time to consider whether further amendments may be appropriate prior to seeking approval from Mayor and Cabinet committee. Officers are currently engaging with our advisors and the Department for Levelling Up, Housing and Communities on whether more material changes are advisable. Members of HSC will be updated if any further changes are made. The minor amendments officers recommend at this time are:
- The addition of a license condition regarding the exterior of the property, to place an obligation on the licence holder to ensure that all boundary walls, fences, communal gardens and yards are kept in a safe condition. This would mirror HMO management regulations and the importance of such a condition was clearly reflected in consultation responses.
 - With regard to fees, some consultation response comments stated that the fee split is unclear. Officers recommend that the fee information be updated with more information about Part A and Part B, how the parts of the fee will be used, and explanatory text outlining things such as how long the licence lasts, who should pay for the licence, what information can be changed without charge (such as change of tenants) and what changes will be charged (change of licence holder).
 - Clearly setting out which landlord accreditation organisations will be eligible for the landlord discount, to ensure that only reputable accreditation providers are accepted.
- 6.4. Officers also recommend that the committee should approve the selective licensing proposals, and support the recommendation to Mayor and Cabinet that the council should proceed to make an application to the DHLUC for approval to introduce the proposed selective licensing scheme.

7. Next steps

- 7.1. Officers will prepare a report for the council's Mayor and Cabinet committee, reflecting the recommendations of the Housing Select Committee, outlined above.
- 7.2. The report will recommend authority be delegated to the Executive Director for Housing, Environment and Regeneration to;
- finalise the application for a Selective Licensing scheme and submit to the DHLUC for ministerial approval, and;
 - implement the Selective Licensing Scheme and publish the 3-month Statutory Notice for the scheme as part of the implementation, pending necessary approvals from the Parliamentary Under-Secretary of State for Rough Sleeping and Housing.

8. Financial implications

- 8.1. This report asks Housing Select Committee to review the responses to the selective licence consultation and the proposed response. It seeks the Committee's comments and support for the approval of this response by Mayor and Cabinet, and the recommendation to proceed with an application for approval to introduce the proposed

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selective licensing scheme to the Department for Housing, Levelling Up and Communities. As such there are no direct financial implications.

- 8.2. A report was presented to Mayor and Cabinet on 11th March 2020 seeking approval for the introduction of an additional licencing scheme for all Houses in Multiple Occupation (HMOs) and for permission to apply to the Secretary of State for approval to introduce a selective licencing scheme. Although approval was granted at that time, the introduction of the schemes were delayed due to the Covid pandemic. The HMO additional licencing scheme was formally launched in April 2022. This report now proposes that permission is sought to proceed with the selective licencing application to DHLUC.
- 8.3. As outlined in the March 2020 Mayor and Cabinet report, for the selective licencing scheme, this will mean that a new fee charge would need to be introduced in order to recover the costs incurred.
- 8.4. There are significant staffing and operational costs associated with the implementation of a selective borough-wide licencing scheme. These costs, will need to be fully covered by the implementation of a licencing fee to ensure full cost recovery.
- 8.5. A comprehensive financial model has been developed to assess the resourcing implications of a new selective licencing scheme over the five-year licencing period. Based on current assumptions within the financial modelling undertaken, a fee in the region of £640 for selective licencing would be sufficient to recover costs incurred.
- 8.6. Whilst the financial modelling is robust, it does rely on assumptions of the number of licensable properties. There is a risk that the numbers could have been over/under estimated resulting in additional costs or loss of income.
- 8.7. In addition, as there is a statutory requirement to split the selective licencing fee into two parts, there is a risk that some of the fee income will remain outstanding and result in a requirement to set-up an impairment allowance (bad debt provision). This has been included within the current forecasts and financial modelling for the scheme. However, every effort will be made to ensure applicants pay the enforcement fee prior to putting forward any outstanding amounts for write-off action.
- 8.8. Mitigation against this and other risks are that staffing levels can be flexed to bring the scheme back into balance. In addition, quarterly reviews of the scheme, its implementation and resourcing will be undertaken to ensure that operational and financial performance is within the scope outlined in this and the 11th March 2020 Mayor and Cabinet reports.

9. Legal implications

- 9.1. Selective Licensing Schemes
- 9.2. Sections 79- 81 of Part 3 of the Housing Act 2004, provide local authorities with power to introduce selective licensing schemes for other houses falling outside of Part 2 of the Act, which deals with licensing of HMOs.
- 9.3. The types of houses to be licensed under a selective licensing scheme are defined within s. 79 (2) of the 2004 Act. Namely, it applies to a house “if (a) it is in an area that is for the time being designated under section 80 [for selective licensing], and (b) the whole of it is occupied either- (i) under a single tenancy or licence that is not an exempt tenancy, or (ii) under two or more tenancies or licences of different dwellings contained in it, none of which is an exempt tenancy or licence...” Further statutory considerations for a local authority apply under Part 3 of the Housing Act 2004 for selective licensing schemes, pursuant to section 80 (2)(a) and (b). These include conditions in relation to housing conditions, deprivation, migration and conditions in relation to crime and anti-social behaviour.

- 9.4. Before making a decision to introduce selective licensing the local authority must:
- consult with those who are likely to be affected, including those who live, work or operate businesses in adjoining local authority areas where they will be affected
 - consider whether there are other effective methods of achieving the intended objective.
- 9.5. Approval by the Secretary of State is required for selective licensing schemes.
- 9.6. The Secretary of State will take into account when deciding whether to confirm a Scheme, the robustness of the proposed measures to ensure compliance. In particular, the Secretary of State will expect to be assured there are systems in place to monitor compliance and enforcement measures will be in place where there is non-compliance. Approval of the Secretary of State will be required for a selective Licensing scheme as the proposed borough-wide scheme will:
- cover more than 20% of the authority's area, and / or,
 - affect more than 20% of privately rented homes in the authority's area. Selective licensing may come into force no earlier than three months after the designation has been approved (or it falls under the general approval).
- 9.7. When fixing fees, the local housing authority may pursuant to s. 87 of the 2004 Housing Act (subject to any regulations made under subsection 5) take into account:
- all costs incurred by the authority in carrying out their functions under this Part, and,
 - all costs incurred by them in carrying out their functions under Chapter 1 of Part 4 in relation to Part 3 houses (so far as they are not recoverable under or by virtue of any provision of that Chapter).
10. Equalities implications
- 10.1. A draft Equalities Analysis Assessment has been completed and is included at Appendix 3. It will be finalised prior to the report being presented to Mayor and Cabinet for approval.
11. Climate change and environmental implications
- 11.1. The licensing scheme will complement the council's existing licensing schemes in identifying climate and environmental issues not already known such as energy performance, fly-tipping and waste management issues directly linked to properties in the PRS.
- 11.2. A coordinated approach will be taken to engage with landlords. Inspections will focus on the eradication of category 1 and 2 hazards on cold and thermal efficiency, especially for vulnerable residents.
- 11.3. Inspections of these properties will be conducted on a risk basis including analysis of potential poor standards in the stock and will work to address poor standards including damp and cold.
- 11.4. Our officers will be trained to provide advice on potential issues relating to energy efficiency, root damage, subsidence and light.
- 11.5. The council will undertake targeted work with all landlords and using landlord forums to promote energy efficiency, including engaging with landlord accreditation schemes that promote energy efficiency.
- 11.6. The council will also take steps to engage more effectively with renters across the

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borough to raise awareness of the Climate Emergency, and to flag up measures to tackle it, in particular by highlighting renters' rights with regard to the removal of category 1 hazards such as excess cold. This will be particularly important in the context of the current cost-of-living crisis.

- 11.7. The licensing and enforcement team is committed in support Lewisham's climate change initiatives by supporting the climate initiative team in:
- developing a programme to target high-risk streets and neighbourhoods with tailored advice including the publication and promotion of initiatives
 - assessing the actions and investment needed to get all buildings in the PRS to an average of EPC B and in identifying energy inefficient properties
 - exploring the potential to provide a discount on the licence fees based on their EPC rating

12. Crime and disorder implications

- 12.1. One of the objectives of the proposed schemes includes tackling ASB and crime. The scheme will identify crime and disorder issues as a result of inspections and investigation. This may result in an increase in anti-social behaviour casework, which is investigated primarily by the Council's Safer Communities service.
- 12.2. The Private Sector Housing Agency will tackle ASB and crime through active and robust enforcement working in partnership with a range of internal and external agencies including the Safer Communities service and the police, where necessary.
- 12.3. However, the council is clear that the licensing scheme confers powers on the council to take action against criminal and unlawful behaviour by landlords with regard to the management and standards of their rental properties only. This is the primary purpose of selective licensing.
- 12.4. The Council's licensing and housing enforcement service has limited powers and remit to deal with anti-social, or unlawful behaviour on the part of tenants, which, in common with any other resident of the borough is properly the purview of the Safer Communities service, or the police. Landlords are required to have an anti-social behaviour policy as part of the license conditions, and the council can remind landlords of this obligation. The licensing and housing enforcement service is committed to working closely with colleagues in all other relevant council services and other public agencies to support the delivery of safer communities in the borough.

13. Health and wellbeing implications

- 13.1. A key component of delivering the scheme outcomes is the promotion of careers in PRS housing to young people. We will create additional opportunities to promote careers in housing and environmental health to young people, to create a long-term pipeline of qualified officers. Providing new, attractive career options for young residents will have a positive impact on their health and wellbeing.
- 13.2. A poorly managed private rented sector detracts from the look and feel of streets and neighbourhoods, and can have a negative impact on residents' perception of themselves and our borough. A good quality private rented offer, which has a positive impact on neighbourhoods by creating genuinely mixed communities will encourage residents to stay in the borough.
- 13.3. Housing has a huge influence on our mental health and wellbeing. Those who are vulnerable – elderly or young, isolated, without a support network, and adults with disabilities – are more likely to be affected. Poor housing conditions have a long-term impact on health, increasing the risk of severe ill-health or disability by up to 25 per cent during childhood and early adulthood. Children living in crowded homes are more

likely to be stressed, anxious and depressed, have poorer physical health, and attain less well at school. An improvement in property conditions is expected to lead to a general improvement in residents living conditions and their health.

14. Appendices

- 14.1. Appendix 1: Draft report of the public consultation findings by Cadence Innova
- 14.2. Appendix 2: Draft London Borough of Lewisham response to the consultation on the introduction of a selective licensing scheme
- 14.3. Appendix 3: Equalities Analysis Assessment
- 14.4. Appendix 4: Licensing conditions

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NOTICE OF DESIGNATION OF AREAS FOR SELECTIVE LICENSING

The London Borough of Lewisham Designation of Areas for Selective Licensing 2023.

The London Borough of Lewisham in exercise of its powers under sections 80 to 84 of the Housing Act 2004 ("the Act") hereby designates for selective licensing the areas described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. These designations may be cited as the London Borough of Lewisham Designations for Areas for Selective Licensing 2023.
2. The Designations were made on **dd mm yyyy**
3. The Designations fall within a description of designations for which confirmation is required by the Secretary of State.
4. On **dd mm yyyy** the Secretary of State confirmed the Designations, and the Designations shall come into force on **dd mm yyyy**.
They shall cease to have effect on **dd mm yyyy** (not more than 5 years) or earlier if the Council revokes the schemes under section 84 of the Act.

AREAS TO WHICH THE DESIGNATIONS APPLY

6. These designations shall apply to areas of the London Borough of Lewisham as delineated and shaded orange, blue and green on the map in Annex A.
7. Designation one (pre-May 2022 ward boundaries):
 - Brockley
 - Catford South
 - Lewisham Central
 - New Cross
 - Perry Vale
 - Rushey Green
8. Designation two (pre-May 2022 ward boundaries):
 - Crofton Park
 - Evelyn
 - Ladywell
 - Lee Green
 - Sydenham
9. Designation three (pre-May 2022 ward boundaries):
 - Bellingham
 - Downham
 - Forest Hill
 - Grove Park
 - Whitefoot

APPLICATION OF THE DESIGNATIONS

10. These designations apply to any house¹ which is let or occupied under a tenancy or licence within the areas described in paragraphs 7, 8 and 9, unless:
- a. the house is a house in multiple occupation [HMO] that falls within the nationally prescribed category of HMO that is required to be licensed as a 'mandatory HMO' under section 55(2)(a) Part 2 of the Act²;
 - b. the house is a house in multiple occupation that falls within the prescribed category of HMO that is required to be licensed under the London Borough of Lewisham Additional HMO Licensing Scheme made under Section 56 of the Housing Act 2004³;
 - c. the tenancy or licence of the house has been granted by a registered social landlord⁴;
 - d. the house is subject to an Interim or Final Management Order under Part 4 of the Act;
 - e. the house is subject to a temporary exemption under section 86 of the Act; or the house is occupied under a tenancy or licence which is exempt under the Act or the occupation is of a building or part of a building so exempt as defined in Annex B.

¹ For the definition of "house" see sections 79 and 99 of the Act

² Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371)

³ Additional Licensing covers HMOs that are not within the scope of Mandatory HMO Licensing where tenants share one or more 'basic amenities' i.e. a WC, personal washing facilities or cooking facilities. We are not licensing 'Section 257' HMO buildings under the additional licensing scheme – individual rented flats within such a building would need a selective licence assuming they are occupied by a single household. If an individual flat was itself multiply occupied, it would need an additional or mandatory HMO licence depending on the number of persons accommodated.

⁴ Section 79 (3) of the Act. For the definition of a Registered Social Landlord see Part 1 of the Housing Act 1996

EFFECT OF THE DESIGNATIONS

11. Subject to sub paragraphs 10.a to 10.e every house in the areas specified in paragraphs 7,8 and 9 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.⁵
12. The London Borough of Lewisham will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under these designations, as required under section 232 of the Act.⁶
13. The Scheme to which the designations apply is subject to obtaining General Approval under section 80 of the Housing Act 2004 by the Secretary of State under the Housing Act 2004. Further information can be found in [‘Selective licensing in the private rented sector; A guide for local authorities’](#), which came into force in 2015.
14. A person having control of or managing a property to which these designations apply must apply to the London Borough of Lewisham for a licence. If you are a landlord, managing agent or a tenant, or if you require information regarding these designations, or to apply for a licence, further information and assistance is available from the Council’s Private Sector Licensing and Housing Enforcement Team by telephone on 020 8314 6420 or by email to PSHE@lewisham.gov.uk or by writing to Private Sector Licensing and Housing Enforcement, London Borough of Lewisham, Laurence House, 1 Catford Rd, London SE6 9SE.
15. These Designations may be inspected at the above address during office hours. All landlords, managing agents or tenants within the designated areas should obtain advice to ascertain whether their property is affected by these Designations by contacting the Council’s Private Sector Licensing and Housing Enforcement team.
16. Upon the Designation coming into force any person having control of or who manages a licensable property without a licence or allows a licensed property to be occupied by more households or persons other than as authorised by a licence, is liable to prosecution and upon summary conviction is liable to an unlimited fine pursuant to the provisions of section 95 of the Housing Act 2004.
17. A person who breaches a condition of a licence is liable upon summary conviction to an unlimited fine. The Council, as an alternative to initiating a prosecution, may pursue one or more of a range of other enforcement actions including the imposition of a

⁵ Section 232 of the Act and paragraph 11 of SI 373/2006

⁶ See the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 370/2006

financial penalty of up to £30,000 and/or taking management control of the unlicensed property.

18. Further, where an offence has been committed an application may also be made by the Council and/or tenant under the provisions of section 96 and 97 of the Housing Act 2004 for a Rent Repayment Order to pay back up to 12 months' rent, Housing Benefit or Universal Credit. No notice under section 21 of the Housing Act 1988 may be given in relation to an assured shorthold tenancy of the whole or part of an unlicensed house so long as it remains an unlicensed house.

Signed

Cllr Sophie Davis

Cabinet Member for Housing Management and Homelessness

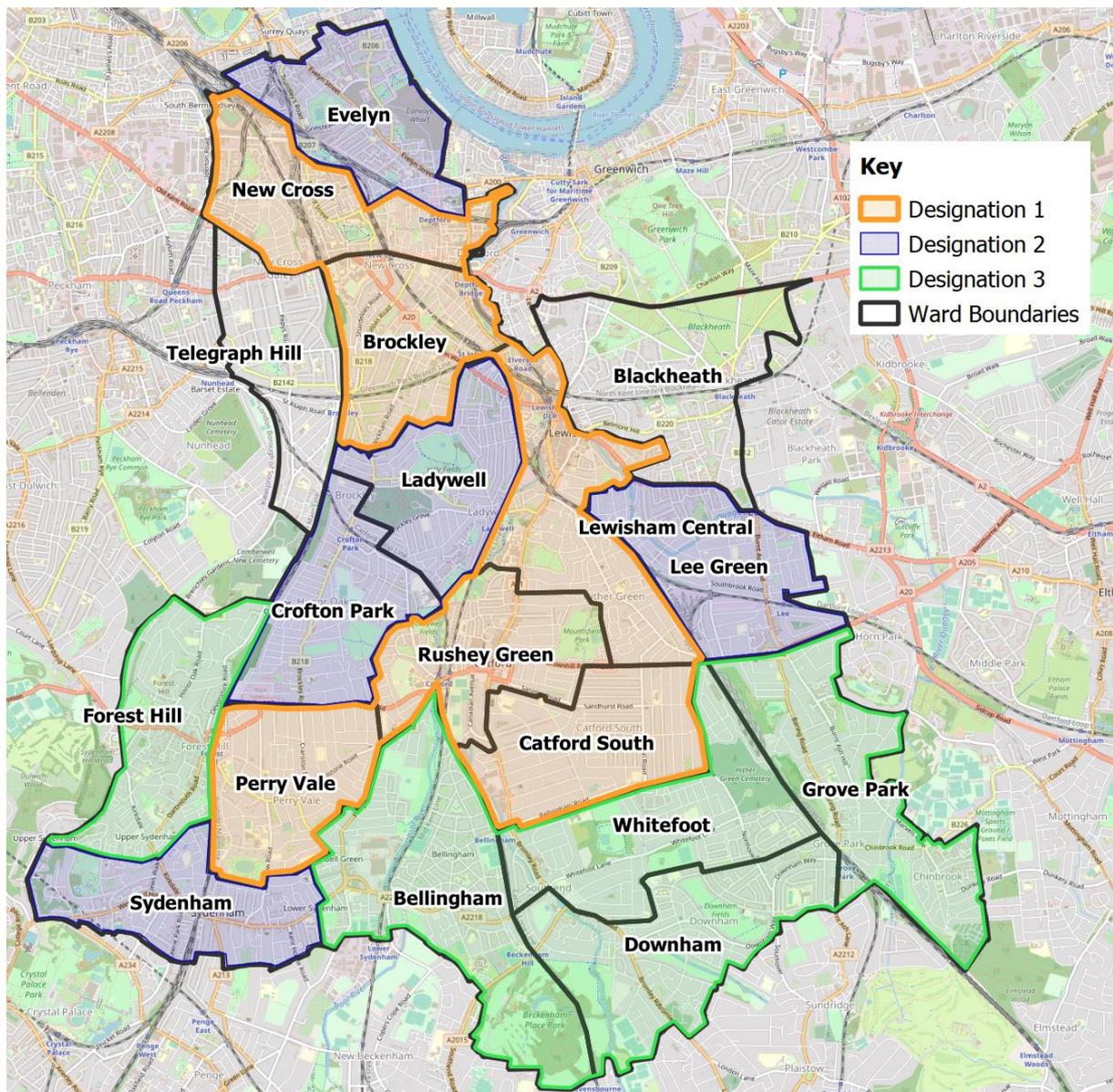
For and on behalf of London Borough of Lewisham

DATE 2023

Annex A

Designation boundary map of the selective licensing designations

(The boundary of designation one shown in ORANGE, the boundary of designation two in BLUE and the boundary of designation three in GREEN).



Annex B

Paragraph 5.0: Exempted tenancies or licences⁷

Prohibition of occupation by law

1. A tenancy or licence of a house⁸ or a dwelling⁹ within a house where the house or the dwelling is subject to a prohibition order made under section 20 of the Act the operation of which has not been suspended under section 23.

Certain tenancies which cannot be assured tenancies

2. A tenancy which cannot be an assured tenancy by virtue of section 1 (2) of the Housing Act 1988 comprised in Part of Schedule 1 of the Act and which is:
 - a. a business tenancy under Part II of the Landlord and Tenant Act 1954;
 - b. a tenancy under which the dwelling-house consists of or comprises premises, which, by virtue of a premises licence under the Licensing Act 2003, may be used for the supply of alcohol (within the meaning of Section 14 of that Act) for consumption on the premises¹⁰;
 - c. a tenancy under which agricultural land, exceeding two acres, is let together with the house¹¹;
 - d. a tenancy under which the house is comprised in an agricultural holding or the holding is comprised under a farm business tenancy if it is occupied (whether as tenant or as a servant or agent of the tenant), in the case of an agricultural holding, by the person responsible for the control of the farming of the holding, and in the case of a farm business tenancy, by the person responsible for the control of the management of the holding¹².

Tenancies and licences granted etc. by public bodies

3. A tenancy or licence of a house or dwelling within a house that is managed or controlled¹³ by:
 - a. a local housing authority;
 - b. a police authority established under section 3 of the Police Act 1996 or the Metropolitan Police Authority established under section 5B of that Act;
 - c. a fire and rescue authority under the Fire and Rescue Services Act 2004;
 - d. a health service body within the meaning of section 4 of the National Health Service and Community Care Act 1990.

Tenancies, licences etc. regulated by other enactments

4. A tenancy, licence or occupation of a house which is regulated under the following enactments:
 - a. sections 87 to 87D of the Children Act 1989;
 - b. section 43 (4) of the Prison Act 1952;
 - c. section 34 of the Nationality, Immigration and Asylum Act 2002;
 - d. The Secure Training Centre Rules 1998¹⁴;

⁷ See the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 370/2006

⁸ Sections 79(2) and 99 of the Act

⁹ For the definition of a dwelling – see Section 99 of the Act

¹⁰ See paragraph 5 of Schedule 1 of the 1988 Act as amended by section 198(1) and paragraph 108 of Schedule 6 of the Licensing Act 2003

¹¹ For the meaning of 'agricultural land' section 26(3)(a) of the General Rate Act 1967

¹² See paragraph 7 of Schedule 1 of the 1988 Act as amended by section 40 and paragraph 34 of the Schedule to the Agricultural Tenancies Act 1995

¹³ For the definition of "person managing" and "person having control" see section 263 of the Act

¹⁴ SI 472/1998 as amended by SI 3005/2003

- e. The Prison Rules 1998¹⁵;
- f. The Young Offender Institute Rules 2000¹⁶;
- g. The Detention Centre Rules 2001¹⁷;
- h. The Criminal Justice and Court Service Act 2000 (Approved Premises) Regulations 2001¹⁸;
- i. The Care Homes Regulations 2001¹⁹;
- j. The Children's Homes Regulations 2001²⁰;
- k. The Residential Family Centres Regulations 2002²¹.

Certain student lettings etc.

- 5. A tenancy or licence of a house or a dwelling within a house –
 - a. which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and
 - b. the occupiers of the house or dwelling are undertaking a full-time course of further or higher education at the specified establishment²² and
 - c. the house or dwelling is being managed in conformity with an Approved Code of Practice for the management of excepted accommodation under section 233 of the Act²³

Long leaseholders

- 6. A tenancy of a house or a dwelling within a house provided that –
 - a. the full term of the tenancy is for more than 21 years and
 - b. the tenancy does not contain a provision enabling the landlord (or their successor in title) to determine it other than by forfeiture, earlier than at the end of the term and the house or dwelling is occupied by a person to whom the tenancy was granted or their successor in title or by any members of either of those person's family.

¹⁵ SI 728/1999 as amended by SI 1794/2000, SI 1149/2001, SI 2116/2002, SI 3135/2002. SI 3301/2003 and SI 869/2005

¹⁶ SI 3371/2000 as amended by SI 2117/2002, SI 3135/2002 and SI 897/2005

¹⁷ SI 238/2001. Section 66 (4) of the Nationality, Immigration and Asylum Act 2002 provides that the reference to a detention centre is to be construed as a reference to a removal centre as defined in Part VIII of the Immigration and Asylum Act 1999

¹⁸ SI 850/2001

¹⁹ SI 3965/2001 as amended by SI 865/2001. SI 534/2003, SI 1590/2003, SI 1703/2003, SI 1845/2003, SI 664/2004, SI 696/2004, SI 1770/2004, SI 2071/2004 SI and SI 3168/2004

²⁰ SI 3967/2001 as amended by SI 865/2002, SI 2469/2002, SI 664/2004 and SI 3168/2004

²¹ SI 3213/2002 as amended by SI 664/2004, SI 865/2004 and SI 3168/2004

²² See the schedule to The Houses in Multiple Occupation (Specified Educational Establishments) (England) (No 2) Regulations 2006 for the list of specified bodies

²³ The relevant codes of practice are approved under SI 646/2006 – The Housing (Approval of Codes of Management Practice) (Student Accommodation) (England) Order 2006 (and if there are two or more persons at least one of them so occupies).

Certain family arrangements

7. A tenancy or licence of a house or a dwelling within a house where –
 - a. the person who has granted the tenancy or licence to occupy is a member of the family of the person who has been granted the tenancy or licence and
 - b. the person who has granted the tenancy or licence to occupy is the freeholder or long leaseholder of the house or dwelling and
 - c. the person occupies the house or dwelling as their only or main residence

Holiday lets

8. A tenancy or licence of a house or a dwelling within a house that has been granted to the person for the purpose of a holiday.

Certain lettings etc. by Resident Landlord etc

9. A tenancy or licence of a house or a dwelling within a house under the terms of which the person granted the tenancy or licence shares the use of any amenity with the person granting that tenancy or licence or members of that person's family. An "amenity" includes a toilet, personal washing facilities, a kitchen or a living room but excludes any area used for storage, a staircase, corridor or other means of access.

Definitions in Annex B

1. a "person" includes "persons", where the context is appropriate;
2. a "tenancy" or "licence" includes "a joint tenancy" or "joint licence", where the context is appropriate;
3. "long leaseholder" in paragraph 7.b has the meaning conferred in paragraphs 6.a and (ii) and in those paragraphs the reference to "tenancy" means a "long lease";
4. a person is a member of the family of another person if –
 - a. they live with that person as a couple;
 - b. one of them is the relative of the other; or
 - c. one of them is, or is a relative of, one member of a couple and the other is a relative the other member of the couple

For the purpose of paragraph 4 in Definitions in Annex B –

- i. "couple" means two persons who are married to each other or live together as husband and wife or in an equivalent arrangement in the case of persons of the same sex;
- ii. "relative" means a parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin;
- iii. a relationship of the half-blood is to be treated as a relationship of the whole blood and
- iv. a stepchild of a person is to be treated as their child.

London Borough of Lewisham

Selective Licensing Scheme

Proposed Standard Licence Conditions

Housing Act 2004
Part 3 – Selective licensing of other residential accommodation
(Section 90 and schedule 4)

SELECTIVE LICENCE CONDITIONS

Standard Licence Conditions

Definitions

In these proposed licence conditions:

- a. “Selective licensed property” refers to the building or such part of it as is licensed under Part 3 of the Housing Act 2004;
- b. “Local Authority” or “Local Housing Authority” refers to the London Borough of Lewisham;
- c. “Licence Holder” refers to: (a) the person or the legal entity the Authority has granted this licence to; and (b) from the date of their consent, any other person or legal entity who agrees to comply with the licence restrictions and obligations that follow; and
- d. “Mandatory Licence Conditions” refers to conditions that the Authority is obliged to impose under any licence granted under Section 90 and Schedule 4 of the Housing Act 2004

Tenancy Management

Written statement of terms and conditions

- 1.1. The licence holder must ensure all parties to the tenancy agreement are provided a written statement of the terms and conditions of occupation at the start of their tenancy, and must satisfy themselves that the tenant has understood their rights and responsibilities.
- 1.2. The licence holder must provide the local housing authority with a copy of any such statement or statements and how they were satisfied that the tenant understood their rights and responsibilities within 28 days on request.

References

- 2.1 The licence holder must ensure that references are demanded from and in respect of all persons who wish to occupy the house.
- 2.2 Copies of obtained references must be retained for the duration of the licence and the Local Authority shall be provided with a copy of any such references and records within 28 days on request.

These conditions apply to any agreement made on or after the licence is granted.

Advice and documentation for tenants

- 3.1 At the start of each tenancy, the licence holder must ensure that
- a) Occupants are given appropriate fire safety advice regarding the means of escape in case of fire and other fire precautions. In particular, the importance of keeping fire doors closed and keeping the escape route clear, plus how to use the fire alarm system, fire extinguishers and fire blankets.
 - b) A full inventory must be carried out at the start of each tenancy. The inventory must include all areas exclusively occupied by the tenant and the tenant must be provided with a signed copy and must be asked to sign an agreement that the inventory is correct. Copies of the inventory must be provided to the Local Authority within 28 days on request.
 - c) Occupiers are given a written rent receipt within 7 days of receiving the rent, where rent or licence fees are collected or received in cash. This can be an email or written invoice confirming to the tenant, the date and amount paid. Copies of the rent receipts and records must be provided to the Local Authority within 28 days on request.
 - d) All parties to the tenancy agreement must receive a written notice about how they should deal with repair and maintenance issues and with emergencies, should they arise. This notice must include a contact number and an email address to enable the tenants to report urgent issues out of normal business hours. Copies of the notice must be provided to the Local Authority within 28 days on request.

The licence holder must satisfy themselves that each occupant has understood this process and retain written records of how they were so satisfied. These records must be produced to the authority within 14 days on request.

- 3.2 Tenants must be told who is responsible for holding their deposit. If part of the deposit is to be withheld at the end of the tenancy, the tenant must be given a full written breakdown of defects and associated costs to explain why the deposit has been withheld. This information must be provided to the Local Authority within 28 days on request.

Health and Safety

Gas safety

- 4.1 If gas is supplied to the property, a Gas Safe certificate must be submitted annually to the Council. The gas safety certificate must relate to the whole gas installation and include all gas appliances. It must demonstrate that all appliances have been serviced and safety checked within the previous twelve months. Any defects noted on the certificate must be promptly rectified.
- 4.2 Gas safety certificates must be provided to the Local Authority within 14 days on request.

The licence holder must demonstrate to the local housing authority that they must have held a valid gas safe certificate for the duration of the licence. This will involve services and certifying the whole gas installation, including all gas appliances, annually.

Electrical appliances

- 5.1 All portable electrical appliances provided by the licence holder must be maintained in a safe condition and proper working order. Portable Appliance Testing (PAT) should be carried out every twelve months with records kept for at least five years. Any necessary maintenance or repair work must be undertaken by a competent electrical engineer. Copies of all maintenance records and PAT testing must be provided to the Local Authority within 14 days on request.

Furniture and furnishings

- 6.1 All furniture and furnishings provided in the house must be kept in a safe condition and must comply with the current furniture and furnishings fire safety regulations. A declaration of furniture safety must be provided to the Local Authority within 14 days on request.

Smoke alarms

- 7.1 With regards to smoke alarms, the licence holder must ensure that:
- a) a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation; and that,
 - b) each such alarm is kept in proper working order; and that,
 - c) the Local Authority is supplied with a declaration by them as to the condition and positioning of any such alarms within 14 days on request; and that
 - d) the installed smoke alarms are appropriate to the house (see below).

For the purpose of this condition, bathrooms and lavatories are treated as rooms used as living accommodation.

licence holders and property owners are strongly advised to take professional advice about fire safety and the installation of appropriate alarms systems. A written fire risk assessment may be helpful. The London Fire Brigade provide advice on appointing a Fire Risk Assessor and on fire safety generally [here](#).

Carbon monoxide (CO) alarms

- 8.1 The licence holder must ensure that:
- a) a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a fixed combustion appliance other than a gas cooker;
 - b) any such alarm is kept in proper working order; and
 - c) the Local Authority is supplied with a declaration by them as to the condition and positioning of any such alarm within 14 days on request.

For the purpose of this condition, “room” includes halls and landings; and bathrooms and lavatories, all of which are treated as rooms used as living accommodation.

Electrical installations and remedial works

- 9.1 The licence holder must ensure that every electrical installation in the house must be maintained in a safe condition and proper working order. A full electrical safety inspection must be carried out at least every five years, or sooner if indicated in the report, and an NICEIC or other equivalent electrical safety certificate obtained. Any necessary maintenance or repair works must be undertaken by a competent electrical engineer in accordance with Part P of the Building Regulations.
- 9.2 The licence holder must supply the Local Authority with a declaration confirming the safety of such electrical installations within 14 days on request.

Antisocial Behaviour (ASB)

- 10.1 The licence holder shall put in place written anti-social behaviour (ASB) procedures detailing how complaints made to the licence holder will be dealt with, a copy of which shall be provided to the tenants at the start of the tenancy. This ASB procedure shall be provided to the Local Authority within 7 days on request.

A model ASB policy is available on Lewisham Council's website

- 10.2 The licence holder must ensure that all reasonable and practicable steps are taken to prevent and deal effectively with anti-social behaviour (ASB) resulting from the conduct of occupiers or visitors. The licence holder must comply with the requirements of paragraphs (a) to (f) below (If the licence holder has an agent it is still the licence holder's responsibility to ensure their agent acts on their behalf in compliance of the conditions):
- a) The licence holder must ensure that the occupiers are provided with a document advising them (amongst other things) what behaviour is not acceptable, that they are responsible for the conduct of their visitors, the impact on the victims and local community, and of the consequences of ASB to their tenancy.
 - b) The licence holder will take appropriate measures up to and including the service of a statutory notice and eviction to deal with anti-social behaviour. Where ASB includes criminal offences, the licence holder will involve the police.
 - c) Any letters, emails, legal notices or other documents relating to ASB, which are sent or received by the licence holder, or the agent on behalf of the licence holder, must be copied and kept for 5 years by the licence holder.
 - d) The licence holder shall co-operate with the Police and Authority in resolving ASB in any licensed property under their control. Such co-operation includes attending or being represented at any case conferences or multiagency meetings and providing information to the Police or the Authority when requested.

- e) Any correspondence, letters and records referred to in conditions (a) to (d) must be provided by the licence holder to the Local Authority within 28 days on request.

Fit and Proper Person

11.1 If the Licence Holder becomes aware that they or any other person involved in the management of the property have received a conviction, caution, informal warning or reprimand in respect of any offence as detailed in the Licence application form, they must notify the Council in writing within 14 days of the information coming to their attention.

In deciding whether someone is fit and proper, the Local Authority must consider:

- *Any offences involving fraud or other dishonesty, violence, drugs, or any offence listed in Schedule 3 of the Sexual Offences Act 2003*
- *Any unlawful discrimination on grounds of sex, colour, race, ethnic or national origins, or disability*
- *Any contravention of the law relating to housing or landlord and tenant law*
- *Whether the person has a 'banning order' in force under section 16 of the Housing and Planning Act 2016*

[Housing Act 2004, section 89](#)

Material Changes

12.1 The licence holder must ensure that the Local Housing Authority is informed within 28 days of any material changes in their own circumstances and, within 28 days of becoming aware of any known and material change in the circumstances of any person managing or involved in the management of the property, such as:

- a) details of any unspent convictions not previously disclosed to the Local Authority that may be relevant to the licence holder or the property manager or the status of either of them as a 'fit and proper person', including in particular a conviction in respect of any offence involving fraud or dishonesty, violence, drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
- b) Details of any finding by a court or tribunal against the licence holder and/or the property manager that they have practised unlawful discrimination.
- c) Details of any contravention on the part of the licence holder or property manager relating to housing, public health, environmental health, or landlord and tenant law, which has led to civil or criminal proceedings and a judgment or finding being made against him or her.
- d) Information about any property the licence holder or property manager owns or manages, or has owned or managed:
 - i. which has been made subject to a control order under section 379 of the Housing Act 1985, in the five years preceding the date of the application; or
 - ii. which has been the subject of any enforcement action described under Part 1 sections 5(2) or 7(2) of the Housing Act 2004, concerning Category 1 and Category 2 housing condition hazards; or

- iii. in relation to which any local housing authority has either refused to grant a licence under Part 2 or 3 of the Act or has revoked a licence, or
 - iv. which has been the subject of an interim or final management order under the Housing Act 2004
- e) A change of property manager
 - f) A change of address of the licence holder or property manager
 - g) The undertaking of any substantial works including conversions and modernisations that would affect the licence or the licence conditions

Overseas Landlords

- 13.1 All landlords resident outside the UK are required to appoint a management agent to oversee the management of the licensed property. Landlords based in the UK may also appoint a management agent. The managing agent must:
- a) be a person or a company based in the UK;
 - b) be a 'fit and proper person' within the meaning of Housing Act 2004 s66;
 - c) provide their consent in writing to the imposition of the restrictions and obligations of the licence conditions on them;
 - d) have access to sufficient funds to enable them to carry out the day to day management of the property, including dealing with ASB, carrying out repairs, and dealing with emergencies;
- 13.2 The licence holder must inform the Council if the identity of any UK based person or company acting as managing agent changes within 7 days of any change. Where the licence holder has obtained a discount on the basis that the managing agent is a member of ARLA or another approved accreditation scheme, the licence holder must continue to instruct an ARLA or similar approved agent throughout the duration of the licence.

Managing Agents

- 14.1 If the licence holder appoints a management agent to manage the property during the period of the licence, they must:
- a) before or upon the agent's appointment, obtain from the agent a written declaration identifying the licence conditions, above and below, if any, by which they agree to be bound;
 - b) ensure that the declaration includes:
 - i. A recital that the agent has read and understood the licence conditions;
 - ii. A notice informing the agent that a failure to comply with the conditions may result in criminal and/or civil liability, including an unlimited fine or a financial penalty of up to £30,000 for each breach;

- iii. A notice that, if the agent requires advice about the conditions or any failure to comply with them, he or she should seek independent legal advice before signing the declaration;
 - iv. A recital that the agent understands the consequences of failing to comply with the licence conditions;
 - v. A recital that either (a) the agent agrees to be bound by all of the licence conditions, above and below, (b) the agent agrees to be bound by such of the conditions as the declaration specifies or (c) a recital that the manager does not agree to be bound by any of the licence conditions, above or below; and
 - vi. In the case of (b) or (c) above, a statement that the person to whom the licence was granted alone is bound by the licence conditions;
- c) ensure that the aforementioned declaration is signed and dated by the appointed agent; and
 - d) ensure that the local housing authority is provided with a copy of the above declaration within 28 days of the agent's appointment.

Refuse and Waste Management

- 15.1 The licence holder must ensure that all occupants comply with all schemes provided by the local housing authority which relates to the storage and disposal of household waste pending collection.
- 15.2 The licence holder must ensure that new occupiers are given the following information on waste and recycling in writing within 7 days of taking up occupation:
- a) The collection days for the refuse and recycling bins for the house - <https://lewisham.gov.uk/myservices/wasterecycle/your-bins/collection>
 - b) Details on assistance available, where the occupants require assistance – <https://lewisham.gov.uk/myservices/wasterecycle/your-bins/assisted-collection-service>
 - c) Details on what they can and can't recycle - <https://lewisham.gov.uk/myservices/wasterecycle/recycling>
 - d) How they can dispose of large items- <https://lewisham.gov.uk/myservices/wasterecycle/dispose-of>
 - e) General waste guidance from the Lewisham's website: <https://lewisham.gov.uk/myservices/wasterecycle>
- 15.3 The licence holder must keep themselves informed of any changes or additions to the above, and update all occupiers in writing within 7 days of becoming aware of any such change or addition. The licence holder will be treated as being aware of changes or additions 10 working days following the publication of any such scheme on the Council's website.

15.4 A copy of the information provided to the occupiers must be kept for 5 years and provided to the Local Authority within 28 days on request.

Repairs

16.1 The licence holder must ensure that all repairs are carried out in a timely manner and records of repairs must be maintained. These records must be provided to the Local Authority within 28 days on request.

16.2 The licence holder must ensure that any repairs, improvement works or treatments are carried out by competent person(s). Copies of receipts and/or invoices for any such works must be provided to the Local Authority within 28 days on request.

Pest Infestations

17.1 The licence holder must ensure that any common parts, gardens and yards are free from waste, which could provide harbourage for pests and/or is a nuisance and/or is detrimental to the local amenities, other than waste stored in appropriate receptacles for the storage of household refuse and recycling.

17.2 The licence holder must take such steps as are necessary and reasonable to keep the property free from pests. "Pests" includes rats, mice, cockroaches and pharaoh ants.

17.3 If the licence holder becomes aware of any pest infestation, steps must be taken to eradicate all pests in a timely manner. Records of any pest treatment programme shall be kept of such treatment programs and these must be provided to the Local Authority within 28 days on request.

Outbuildings

18.1 The licence holder where responsible, shall ensure that all outbuildings, boundary walls, fences, communal gardens and yards are kept maintained and in good order.

PENALTIES

Failure to comply with any licence condition is a criminal offence.

This may result in prosecution proceedings or a civil penalty of up to £30,000.

On conviction, the Court may impose an unlimited fine.

Serious or repeated breaches of licence conditions could result in the licence being revoked.

Multiple civil penalties (CPS) or a conviction will make the licence holder no longer 'fit and proper' to hold a licence to rent in England and Wales.

SELECTIVE LICENSING

SCHEDULE OF FEES & CHARGES

1. PAYMENT OF FEES

- 1.1. The licence fee is payable in two parts.
- 1.2. Part A will be payable on submission of the application and will cover the cost of processing and the administration in determining the application. Should the application be refused or rejected by the council or withdrawn by the applicant this first Part A payment will not be refunded.
- 1.3. Part B will be payable once the application has been assessed and the decision is made to grant the licence. This will cover the administration, management, and enforcement of the licensing functions for the scheme.
- 1.4. The final licence will not be issued until the full fee has been paid.

2. LICENCE FEE

- 2.1 The licence fee is set out in the table below.

Part A	Part B	Total Fee
£160	£480	£640

3. DISCOUNTS

- 3.1. Early bird
Applicants who apply three months prior to scheme commencement will receive a 20% discount.
- 3.2. Accredited Landlords
If you are **accredited** under one of the following schemes, you may be entitled to a 20% discount:
 - London Landlord Accreditation Scheme (LLAS)
 - National Residential Landlords Association (NRLA)
 - UK Association of Letting Agents (UKALA)

If you are a **member** of one of the following schemes, you may be entitled to a 20% discount:

- Association of Residential Letting Agents (ARLA)
- Royal Institution of Chartered Surveyors (RICS)
- Safeagent

3.3. Eligible Charities

If you are **an eligible charity**, you may be entitled to receive a 50% discount on the TOTAL fee.

'Eligible charity' means Corporations, organisations or bodies which are charities, including almshouses, whose charitable objectives include the provision of housing (a) let at below-market rent and (b) that is specially designed or adapted to meet the needs of the disabled, the elderly or the infirm or of other persons having a protected characteristic within the meaning of the Equality Act 2010.

3.4. The table below shows discounts and their effect on the total fee payable

	Discount	Part A	Part B	Total payment after discount
Early Bird	20%	£160	£352	£512
Accredited landlord	20%	£160	£352	£512
Eligible charities	50%	£160	£160	£320

Notes:

- 1.) Any discounts stated will apply to the **total fee**, however, **£160** in all cases is **payable on submission of the application** (Part A). Therefore, any discount from the **total fee** would hence be deducted from the balance due when paying Part B. *For example, if you qualify for the Early Bird discount of 20%, this entitles you to £128 discount (20% of £640). You would then pay £160 for Part A as normal and the £128 discount would be deducted from the balance due in Part B; which leaves £352 payable (£480 - £128).*
- 2.) Only one discount will apply per application, for example, the applicant cannot apply both the Early Bird and Accredited Landlord discounts simultaneously if they qualify for both, the maximum discount in this case would be 20%.

4. LICENCE VARIATION FEES

4.1 These fees are applicable where the property is already licensed.

Variation to Licence	Fee
Change of licence holder's address	None
Change of manager's address	None
Change/appointment of manager (unless they are also the licence holder)	None
Change of name (marriage/divorce/deed poll)	None
Change in amenities	None

Reduction in the number of maximum occupiers and/or households for licensing purposes	None
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5. OTHER FEES AND CHARGES

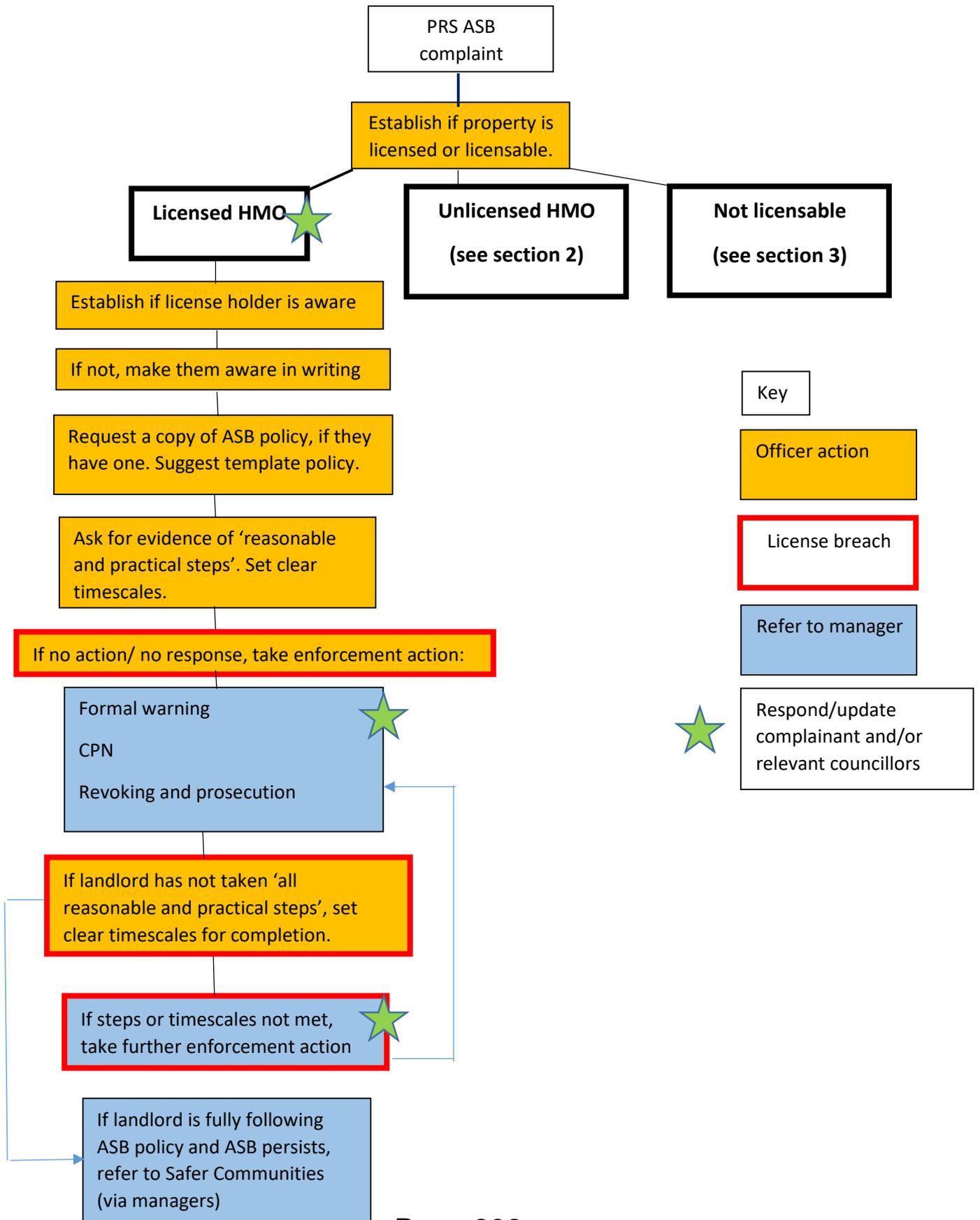
Action	Applicable Fee
Change of Licence Holder	New application fee
Revocation of licence	None
Application to licence following revocation of licence	New application fee
Application refused or rejected by the council	First instalment payment
Application withdrawn by the applicant	First instalment payment
Temporary Exemption Notice (TEN) made by the council	None
Application received following the expiry of a Temporary Exemption Notice (TEN) made by the council	New application fee

Licences will be issued for a maximum of five years.

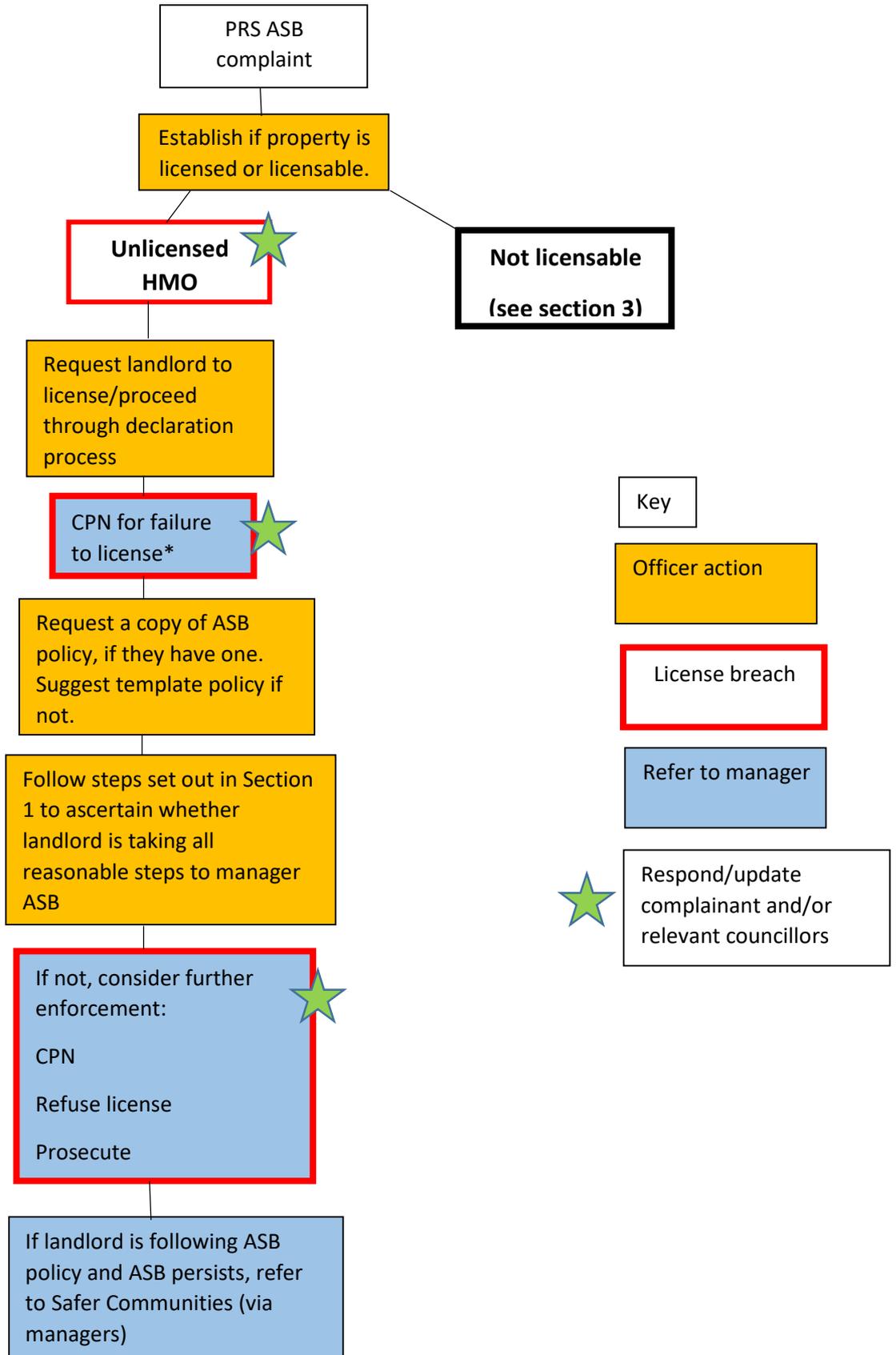
We may issue a licence for a shorter period of time if we have concerns about the management of the property.

Lewisham Licensing and Housing Enforcement team
Anti-social behaviour (ASB) complaint handling process map

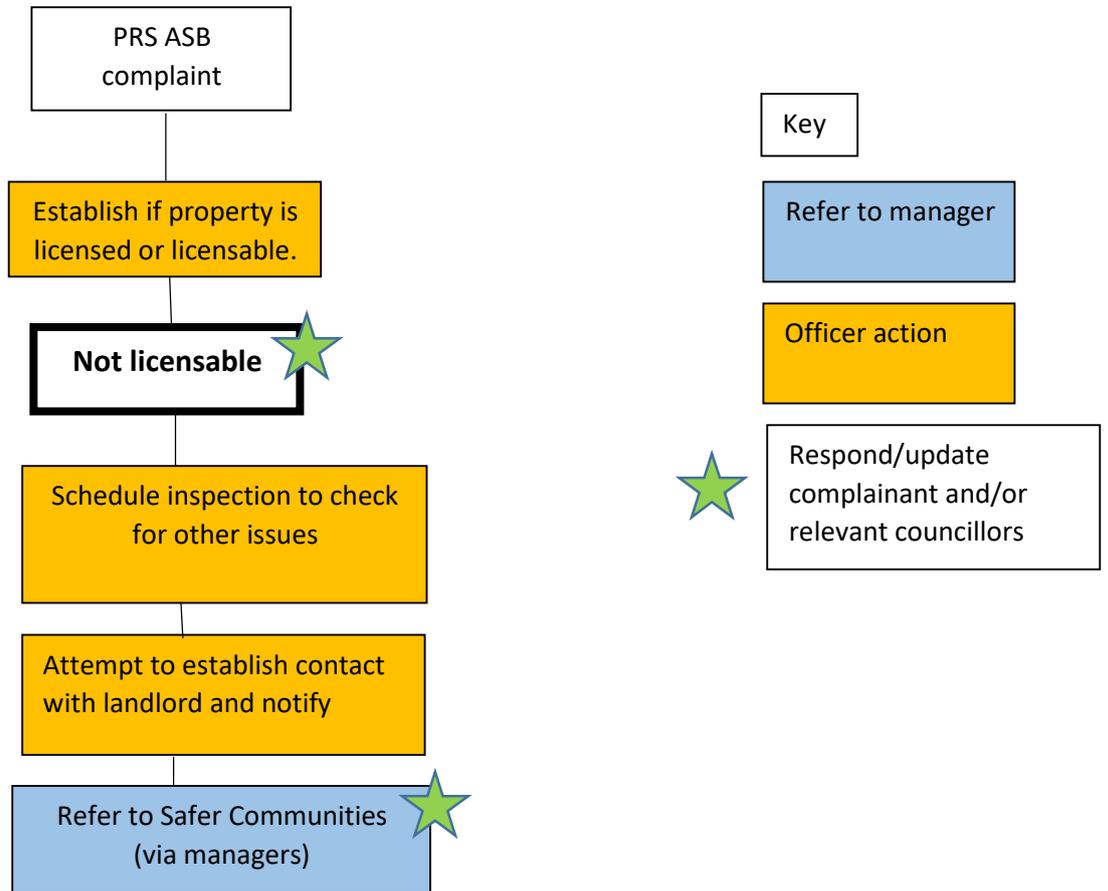
Section 1 – licensed HMOs



Section 2 – unlicensed HMOs



Section 3 – property not currently licensable



*As set out above, new standard letters for landlord communication will be produced

Rhona Brown
Head of Private Sector Housing and Home Improvement
Housing, Regeneration & Public Realm
London Borough of Lewisham

8 February 2023

Dear Rhona,

Generation Rent is supportive of Lewisham's proposals to implement a Selective Licensing scheme in 16 of its 18 wards. In the current absence of a national landlord registration scheme, we support licensing schemes that place an obligation to register with the local authority on as many landlords as possible, in order to improve the standards of private rented properties under their jurisdiction. Licensing gives council officers much more effective powers to prevent landlords from letting out unsafe homes.

Selective licensing gives local authorities (and tenants) a more streamlined enforcement process – if a landlord is in breach of the licensing scheme then councils can take more immediate action to penalise the landlord – and tenants are protected from eviction and can claim back rent, giving them an incentive to check their landlord's compliance and raise concerns.

It also allows councils to build up intelligence in their local rental market, target enforcement resources effectively and also bring landlords into the formal economy where they pay their fair share of taxes (and provide a better service to tenants).

That councils such as Brent, Liverpool and Croydon have had applications to introduce or expand licensing schemes rejected by Westminster over the past few years is disappointing and has led to a reduced ability to combat criminal landlords and improve the quality and affordability of the PRS.

We would encourage the council to consider how to encourage renters to find out if their landlord has applied for a licence and to seek a Rent Repayment Order if they have not.

Last year, Generation Rent completed a project with councils around Great Britain on how they can better engage with their local private renters. You can find out more information here:

https://www.generationrent.org/local_renter_voices

Yours Sincerely,

Conor O'Shea
Policy and Public Affairs Manager
Generation Rent

Generation Rent is a renter-led campaign organisation working to make every home in the private rented sector safe, secure, and affordable.

Rhona Brown
Head of Private Sector Housing and Home
Improvement

1st February 2023

London Borough of Lewisham

Dear Rhona

Selective Licensing Scheme

I am writing to give support for the London Borough of Lewisham's application to the Secretary of State to implement selective licensing in the borough.

Selective Licensing has been an invaluable tool in Brent to bring about a significant change in the way that we deal with the private rented sector. Not only have we seen improvements in the conditions of privately rented properties, it has enabled us to provide support and guidance to landlords and managing agents in the borough.

As it has in Brent, we believe that the introduction of selective licensing in Lewisham will deliver a range of positive benefits for tenants to live in safer and better quality homes

Brent Council fully supports Lewisham's selective licensing applications and hopes that the Secretary of State consents to their licensing designation. We firmly believe that selective licensing is an important tool to bring about improvements in privately rented accommodation and the wider community.

Yours Sincerely



Spencer Randolph - Head of Service
Private Housing Services
London Borough of Brent



Rhona Brown
Head of Private Sector Housing and Home
Improvement

London Borough of Lewisham

Please reply to: Tina Fasi
Private Rented Housing
Email: Tina.fasi@enfield.gov.uk
Phone: 0208 132 2803
My Ref:
Your Ref:
Date: 3 November 2022

Dear Rhona

Selective Licensing Scheme

I am writing to express support for the London Borough of Lewisham's application to the Secretary of State to implement selective licensing in the borough.

Enfield Council introduced its first selective licensing scheme on 1 September 2021, and we are already seeing the positive impact the scheme is having in improving property and management standards of such premises in the borough. Through licensing we are helping to provide support and guidance to landlords and managing agents, encouraging a more professional property management approach.

We recognise that Lewisham has already been doing significant work in improving property standards in the private rented sector using the existing legislation, but that this is reactive rather than proactive. The implementation of a Selective Licensing Scheme operating alongside the Additional HMO scheme will deliver a range of positive benefits for tenants to live in safer and better-quality homes as well as address property and tenant related ASB issues, improving the neighbourhoods for residents.

The proposed licence fees contribute to the funding of vital enforcement action and the comprehensive licence conditions provide a clear set of standards for landlords, specifically relating to anti-social behaviour and property standards.

Enfield Council fully supports Lewisham's selective licensing proposals and hope that the Secretary of State approves their licensing application, as we believe a licensing regime provides the best opportunity to improve standards in accommodation which is poorly managed and does not meet the legal requirements, and which have far reaching benefits for your wider community.

With best wishes
Tina Fasi
Head of Private Rented Housing



Rhona Brown
Head of Private Sector Housing and Home Improvement
Housing, Regeneration & Public Realm
London Borough of Lewisham

Waltham Forest Town Hall
Forest Road
London E17 4JF

Telephone: 020 8496 4441
Email: cllr.khevyn.limbajee@walthamforest.gov.uk

Date: 6th February 2023

By email to Rhona.Brown@lewisham.gov.uk

Dear Rhona

Re: London Borough of Lewisham - Private Rented Property Licensing Consultation

I am writing to express support for the implementation of large-scale private rented property licensing schemes in the London Borough of Lewisham to tackle identified problems of ASB, poor housing conditions and deprivation in certain wards within the borough.

Waltham Forest Council fully supports the introduction of selective licensing in Lewisham. We recognise the importance of the private rented sector in providing homes for people who want to live in the borough. Our experience is that many landlords take their responsibilities very seriously and provide well managed rented homes that are maintained to a good standard but there are widespread issues of disrepair and housing hazards in the private rented sector and poorly managed properties that give rise to significant and persistent ASB compared to homes in other sectors. In this regard, we believe that your proposed schemes will give your authority the best opportunity to ensure that all private sector landlords across the borough meet the highest possible standards.

We believe that selective licensing has brought long overdue regulation to the private rented sector, and we share your view that your scheme objectives cannot adequately met by means other than large scale property licensing. We have seen the merits of selective licensing first hand since it came into force in Waltham Forest on 1 April 2015. During our first large-scale scheme, which expired in 2020, we issued more than 25,000 licences and oversaw the improvement of 3000 privately rented homes. Since then, we have improved hundreds more privately rented homes through the administration and enforcement of our second large-scale selective licensing scheme which commenced in May 2020.

Our licensing schemes have helped Waltham Forest Council to effectively regulate private housing and tackle rogue landlords. It has enabled us to drive up property standards and increase confidence in the private rented sector, as well as help to reduce anti-social behaviour. At the same time, we have been able to administer the scheme in a way that the borough's responsible landlords experience a light-touch approach to enforcement and are supported in the letting and management of their rented homes.

Licence fees are funding vital front line enforcement action. We carry out extensive multi-agency work under our Neighbourhood Tasking Days, which represent a coordinated and



intelligence-led approach to enforcement. These tasking days feature joint actions involving agencies such as Trading Standards, Food Safety, Enviro-Crime, Planning Enforcement, Housing Standards, MPS, Revenue and Benefits and the police to tackle such issues as street drinking, liquor licensing, illegal shop workers, prostitution, beds in sheds and underage sales.

Private rented licensing, which we made 'digital by default', has also enabled us to better connect to and communicate with landlords through our regular landlord forums and e-newsletters. We are also able to provide support to responsible landlords.

I hope that Lewisham is granted permission to implement its proposed large-scale licensing schemes to support the council in driving up standards in the sector, tackle rogue landlords and reduce anti-social behaviour.

I strongly believe that rented property licensing schemes are an invaluable way for London councils like Lewisham and Waltham Forest to help solve London's housing crisis.

Yours sincerely



Cllr Khevyn Limbajee
Cabinet Member for Community Safety

Author	Ella McCarthy / Rhona Brown	Directorate	Housing
Date	26/09/2022	Service	Housing Partnerships & Service Improvement / Private Sector Housing and Home Improvement

1. The project or decision that this assessment is being undertaken for

Selective Licensing Scheme

The housing landscape has changed substantially in recent years and continues to do so. Greater numbers of families and single people are now relying on the private rented sector to provide a home, and not just in the short term. This is consistent with the trend across London where the growth in private renting continues.

The aim of this project has been to gain a thorough understanding of the private rented sector (PRS) (size and areas of need) in Lewisham and use this knowledge to:

- develop an implementation plan for a selective landlord licensing scheme
- submit a robust application for a licensing scheme to cover 16 out of 18 wards in the borough.

There is a requirement to submit substantial evidence and consult residents and landlords prior to introducing a selective licensing scheme.

Selective Licensing of Houses (Additional Conditions) Order 2015 states licensing can be used if the area is experiencing one or more of the following:

- Low demand
- High Anti-Social Behaviour
- High migration
- Poor housing conditions
- High levels of deprivation
- High level of crime

The overall aim of this project is to gain approval to implement the scheme for 16 out of 18 wards in the borough where evidence supports it. Implementation of the licensing scheme aims to:

- improve property standards, security and decency generally;
- help tenants feel safe and secure in their homes through advice, support and effective enforcement;
- deliver a “level playing field” for all landlords by demanding the same standards of accommodation and management across all landlords. The gap between the poor and good landlords will be radically reduced and professional standards will be raised;
- support landlords both during but also after the five year scheme, utilising the data and intelligence about the landlord sector so services can be tailored to their needs;
- assertively crack down on criminal and non-compliant landlords.

Reports have previously been submitted to Housing Select Committee and Mayor & Cabinet, and a public consultation commenced from 20th October 2021 to 20th May 2022. Following the conclusion of the consultation, a report has been prepared for the Housing Select Committee in September 2022. A further report will be submitted to Mayor and Cabinet before a submission is made.

2. The protected characteristics or other equalities factors potentially impacted by this decision

<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Ethnicity	<input checked="" type="checkbox"/> Maternity	<input checked="" type="checkbox"/> Language spoken	<input type="checkbox"/> Other, please define:
<input checked="" type="checkbox"/> Gender	<input checked="" type="checkbox"/> Gender identity	<input checked="" type="checkbox"/> Disability	<input checked="" type="checkbox"/> Household type	
<input checked="" type="checkbox"/> Religion	<input checked="" type="checkbox"/> Carer status	<input checked="" type="checkbox"/> Sexual orientation	<input checked="" type="checkbox"/> Income	

These protected characteristics have been selected since the private rented sector is open to all households and changes to the way the sector is regulated could affect anyone. It is anticipated that any impact will be positive, through better regulation of living conditions and ensuring landlords are fit and proper persons. Analysis produced

by the Greater London Authority¹ suggests that young people, migrants, and people on low incomes are more likely to be private renters, and in addition more than one third of renting households now contain dependent children. Finally, older people now also form a growing minority of private tenants. This means that efforts to improve the rental market are likely to have a disproportionately beneficial effect on those with protected characteristics or equalities factors related to age, ethnicity, income and maternity. However, there could also be a negative impact on these groups if landlords pass on the costs they incur to tenants, or if tenants are evicted as a result of enforcement action and this will need to be monitored.

Likewise, the ownership of housing is open to all households and as such the impact on landlords within these groups must be considered. In particular research conducted by Shelter and others suggests that a significant proportion of private landlords are older people.

The public consultation was promoted to reach as many residents and landlords as possible. If the scheme is approved, we will need to ensure a robust communications plan is implemented to ensure that landlords and tenants from all backgrounds are informed of the licensing requirements. This will need to consider language and accessibility requirements.

3. The evidence to support the analysis

The private rented sector

The housing landscape has changed substantially in recent years and continues to do so. Greater numbers of families and single people are now relying on the private rented sector to provide a home, and not just in the short term. This is consistent with the trend across London where the growth in private renting continues.

Between the 2001 census and 2016 the Greater London Authority (GLA) estimates that the number of households in social housing in Lewisham decreased by 14%, the number of owner occupiers increased by 9% and the number of private renters increased by 98%.

This rapid increase in the private rented sector is due in part to the unaffordability of home ownership in Lewisham as a result of rapidly increasing house prices. House prices in Lewisham have increased substantially, with the average house price now over £500,000.

In addition, there are a substantial number of households on the housing waiting list (over 10,300 households as of August 2022) and a decreasing number of lets available. This combined with the aforementioned increase in the cost of housing in Lewisham means that Lewisham residents are more reliant on the private rented sector than ever before.

Issues with the private rented sector

The condition of housing in the private rented sector is also shown to be below that of other sectors. The [2020/21 English Household Survey](#) found that privately rented dwellings were more likely to be older with 23% built before 1919, with a high proportion of converted flats and the highest proportion of non-decent homes. Housing Health and Safety Rating System (HHSRS) hazards are more prevalent in the private rented sector and the sector has the lowest proportion of homes with central heating.

Furthermore, extensive research documented in the [2010 Fair Society, Healthy Lives Marmot Review](#) demonstrates that “Bad housing conditions – including homelessness, temporary accommodation, overcrowding, insecurity, and housing in poor physical condition – constitute a risk to health”.

The [Chartered Institute of Housing and the Chartered Institute of Environmental Health carried out joint research](#) of 20 local authorities with selective licensing schemes. It found “numerous examples of inspections leading to very high numbers of serious hazards and defects being identified and addressed in licensed areas”. Licensing is not a ‘quick win’ with regard to anti-social behaviour, due to the complex nature of this problem, but it has been

¹ London Housing Strategy 2018 Equalities Impact Assessment and *Housing in London 2021*

associated with a reduction in these types of incidents. For example, one area of Doncaster saw a “reduction of 35% in noise complaints, 44% in nuisance complaints and a 20% fall in reports of unkempt properties. Fly tipping has also reduced”.

[The Independent Review of Selective Licensing](#) carried out by MHCLG in 2019 found that ‘selective licensing is an effective tool when implemented properly’ as part of a wider effort by local authorities to address the problems in the private rented sector. The report specifically sets out that the key benefits of licensing as an agent of change are that:

- selective licensing allows councils to recover the costs associated with enforcement,
- it provides a clear enforcement framework and that,
- it places a proactive, rather than reactive duty on both councils and landlords

Consultation

A public consultation was launched following detailed analysis undertaken on behalf of the council. The consultation ran for 30 weeks from 20th October 2021 to 20th May 2022. To capture as much feedback as possible from landlords, tenants, residents and other stakeholders the council used several approaches to promote the consultation across the borough, and outside the borough. Activities for the consultation, including releasing new communications and publicity, were paused during the pre-election period of (21st March 2022 to 6th May 2022), in the lead up to the 2022 local elections.

The consultation and survey were initially hosted on the Commonplace platform, with three surveys, one for each designation, to gather the feedback from stakeholders. The consultation page also had the supporting evidence for the designations, and the proposed licence conditions as well as information about the proposed fees and discounts.

Following a review of the consultation responses and consultation page in January 2022, the survey was consolidated into one survey to make it easier for respondents and for the council to gather feedback on all the designations. This was moved to the council website from the Commonplace platform. The evidence pack was also reviewed and edited to make the designations and supporting evidence clearer. This renewed evidence base, as well as the proposed licence conditions and information about the proposed fees and discounts were also available on the council website, on the same page as the survey.

1,356 people responded to the consultation. Respondents were also asked to provide some demographic information to see if the consultation had captured the views of a group representative of the borough.

When compared with borough benchmarks, “White – British” respondents were overrepresented, whereas “Black – African”, “Black - Caribbean”, “Other – Asian” and “Other – Black” were under represented by respondents who answered this question. However, this is explained in part by the fact that a very high proportion of residents from the Catford South ward responded to the consultation, and the demographics of this ward differ from the overall borough benchmarks. The response rate from BAME respondents was monitored through the consultation, and every effort was made to ensure that that the consultation was inclusive and accessed all communities. This included distributing posters and leaflets to key community centres, health centres, resident groups, theatres, libraries; direct emails to more than 400 local community and church groups and advertisements in the Council Tax mail-out, which was sent to approx.135,000 households in Lewisham.

4. The analysis

Findings relating to the size of the private rented sector

The private rented sector is an integral part of the housing landscape, and provides housing for increasing numbers of households. In Lewisham, the private rented sector makes up more than a quarter of the borough’s housing stock.

Findings relating to the issues in the private rented sector

The data analysis undertaken as part of the project has provided significant findings when considering evidence for a borough-wide selective licensing scheme in Lewisham. The particular points of interest are:

- International migrants are more likely to live in the private rented sector than other sectors and therefore likely to be affected by any decisions linked to the private rented sector
- Levels of deprivation tend to be higher in wards with more privately rented homes and therefore people experiencing lower incomes and high unemployment, for example, are likely to be affected by any decisions linked to the private sector

Impact of project on protected characteristics based on findings

Based on the findings, it is rational to consider all protected characteristics when considering a borough-wide licensing scheme as it would affect all tenants and landlords, who could display any number of protected characteristics. In particular, positive impacts can be expected for those living in the private rented sector. Private tenants will come from all sections of community; above findings placing particular focus on international migrants and those on low incomes.

The below positive effects are expected to apply to all groups with protected characteristics:

- Additional monitoring of landlords will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.
- Additional monitoring of landlords will provide the Council with greater control over poor landlord practice such as not tackling anti-social behaviour. As a result instances of ASB, discrimination and hate crime are expected to be reduced.
- Licensing will improve the standards of privately rented homes resulting in better accommodation, thereby reducing negative impacts on health – particularly by reducing instances of HHSRS hazards.
- Licensing will improve security of tenure for tenants, as landlords will not be able to evict good tenants as easily as they can in unlicensed properties. As a consequence tenant turnover may be reduced resulting in better opportunities for increased community cohesion.

The below negative effects are expected to apply to all groups with protected characteristics:

- If the scheme is approved, landlords will be obliged to pay license fees. This may negatively impact their ability to rent out their properties.
- There is a risk that licensing will discourage private renting which would reduce the supply of property for private renters.
- There is also a risk that landlords will divert fees to tenants via the rent, affecting tenants' ability to afford their rent.

Consultation Response

Analysis of responses suggested that there was widespread support from respondents for the introduction of a selective licensing scheme. Owner occupiers, privately renting tenants and housing association/council tenants generally tended to be in favour of the proposals, whereas landlords and representatives of letting/managing agents tended to be opposed. This reflects the rapid growth of the private rented sector as a source of accommodation for an increasing number of households. As the sector grows it is increasingly representative of the local area as a whole, and the wide range of responses that were received as part of the consultation is reflective of this.

5. Impact summary

Age

The following should be considered:

- Ease of responding to consultation for elderly stakeholders
- If scheme approved - ease of applying for a license for elderly landlords
- If scheme approved and landlords divert fees to tenants via the rent, this may affect elderly tenants' affordability - they may be less able than others to find resources to cover the increased rent.
- Licensing will increase landlords' knowledge of legal requirements, positively impacting vulnerable tenants such as the elderly.

- As per the aforementioned [Marmot Review](#), a child's physical and mental health and education attainment is negatively impacted by poor accommodation standards. Licensing will improve the standards of privately rented homes, positively impacting pregnant women, mothers and their children.
- Similarly, improved accommodation will positively impact the health of elderly people.

Ethnicity

The following should be considered:

- Residents with non-British ethnicity may be international migrants. High international migration suggests a level of transience in the borough's residents and therefore a high demand for privately rented properties. This is corroborated by the rapid increase in the private rented sector between the 2001 census and today. There is a risk that licensing will discourage private renting which would reduce the supply of property required.
- Conversely, data analysis shows that international migrants are more likely to live in private rented homes. Improved standards in this sector will therefore positively impact international migrants relying on the private rented sector.

Maternity

The following should be considered:

- If scheme approved and landlords divert fees to tenants via the rent, this may affect tenants' affordability if their income is affected by a period of maternity leave - they may be less able than others to find resources to cover the increased rent.
- Licensing will improve the standards of privately rented homes, positively impacting the health of pregnant women, mothers and their children.

Language spoken

The following should be considered:

- When writing up consultation documents, the needs of stakeholders where English is not their first language need to be considered.
- If scheme approved – when providing information regarding the requirement to licence, the needs of landlords where English is not their first language need to be considered.
- As demonstrated in the data analysis, there is a relatively high proportion of international migration into Lewisham. Unfortunately there are rogue landlords who exploit foreign tenants who may not know their rights and/or obligations as tenants and who may struggle to understand these if they are not fluent in English. Selective licensing would increase the Council's ability to address these landlords and ensure a safe and secure home for Lewisham's private tenants.
- Licensing will improve the standards of privately rented homes resulting in better accommodation and security of tenure for tenants. As a consequence tenant turnover may be reduced resulting in increased community cohesion.
- Residents where English is not their first language may be international migrants. High international migration suggests a level of transience in the borough's residents and therefore a high demand for privately rented properties. There is a risk that licensing will discourage private renting which would reduce the supply of property required.
- Conversely, we know from data analysis that international migrants are more likely to live in private rented homes. Improved standards in this sector will therefore positively impact international migrants relying on the private rented sector.

Gender

Proposed licensing and the associated consultation have no specific gender-related impact, however additional monitoring of landlords will provide the Council with greater control over poor landlord practice such as not tackling ASB. As a result instances of ASB, discrimination and hate crime will be reduced.

Gender identity

Proposed licensing and the associated consultation have no specific gender identity-related impact, however additional monitoring of landlords will provide the Council with greater control over poor landlord practice such as not tackling ASB. As a result instances of ASB, discrimination and hate crime will be reduced.

Disability

The following should be considered:

- When writing up consultation documents, the needs of stakeholders with disabilities need to be considered.
- If scheme approved – when providing information regarding the requirement to licence, the needs of landlords with disabilities need to be considered.
- The negative health impacts of poor standards of accommodation are well documented. As part of licensing the Council will be working closer with landlords in order to support them in providing decent homes for their tenants. This has the potential to positively impact tenants with disabilities, for example licensing will help to ensure that properties are up to standard and therefore not having an adverse effect on the health and lifestyle of tenants with disabilities.
- Licensing will increase Landlords' knowledge of legal requirements positively impacting vulnerable tenants.

Household type

The following should be considered:

- If fees are deemed to be prohibitive there is a risk that licensing will discourage private renting which would reduce the supply of property required.
- Conversely, the proposed licensing schemes will give the Council greater control to bring private rented homes to required standards and crack down on rogue landlords – thereby improving safety and security for all household types.
- There is no evidence from other London boroughs who have introduced selective licensing that this form of regulation has any impact on the size of the market or the availability of rental accommodation, which is much more likely to be driven by global factors such as demand for accommodation, achievable rental yields and house prices.

Religion

Proposed licensing has no specific religion-related impact. However licensing will improve the standards of privately rented homes resulting in better accommodation and security of tenure for tenants. As a consequence tenant turnover may be reduced resulting in increased community cohesion.

Carer status

The following should be considered:

- If a carer resides with the person they are caring for in a privately rented home, both tenants may be adversely affected if scheme is approved and landlords divert fees to tenants via the rent. Both a full time carer and the cared-for person are likely to have relatively low incomes so may be less able than others to find resources to cover the increased rent.
- Conversely licensing will help to ensure that properties are up to standard and therefore not having an adverse effect on the health and lifestyle of tenants with care needs. Subsequent positive impacts on type and amount of support needed from their carer(s) can be expected.

Sexual orientation

Proposed licensing has no specific sexual orientation-related impact, however additional monitoring of landlords will provide the Council with greater control over poor landlord practice such as not tackling ASB. As a result instances of ASB, discrimination and hate crime will be reduced.

Income

The following should be considered:

- If scheme approved and landlords divert fees to tenants via the rent, this may affect tenants' affordability depending on their income.
- If scheme approved, landlords with lower incomes may be less able than other landlords to find resources to cover the fees. Again this may increase the chance of them passing on the fees to tenants, or discourage private renting.

6. Mitigation

The main issues arising from the above impact summary are:

1. Understanding of requirement to license and ease of application process (adaptability and language concerns)
2. Diversion of fees to tenants and the impact on tenants
3. Discouragement of private renting, thereby reducing property supply in the private rented sector.

Mitigation actions considered:

1. If the scheme is approved, the requirements to license will be advertised across numerous forums and media, including local news, via leaflets, local publications, landlord resources, mailing lists, etc. A detailed communications plan will be developed in order to ensure that landlords from all sections of the community are aware of their obligations.

The application process will be kept as simple as possible and the Private Sector Housing Agency will support landlords where required. Information provided online and elsewhere will be written in plain English without jargon / acronyms.

2. Licenses will last for five years, making the monthly liability small.
3. The proposed schemes are part of wider actions to work with decent landlords and support them in providing a decent private rental sector for Lewisham's residents. Plans include best practice guides, landlord forums and advice on dealing with issues affecting the private rented sector. This work will continue after the scheme has ended, providing a lasting legacy and ensuring long term help for landlords beyond the period of the scheme.

Licensing will also encourage landlords to take advantage of the financial support available for their licensed properties, for example grants for:

- bringing homes up to decent homes standard
- resolving category 1 or 2 hazards
- providing adequate facilities and amenities in HMOs
- providing adequate insulation
- bringing empty properties back into use (non-HMOs)
- converting properties into self-contained flats / maisonettes (non-HMOs)

This work is anticipated to improve our network of decent landlords, develop mutually beneficial partnerships with them and increase the supply of safe, warm and decent housing accommodation in the private rented sector.

7. Service user journey that this decision or project impacts

If schemes approved:

- Landlords will be informed about the requirements to licence via a variety of media as part of a robust communications plan. This will include the prescribed manner as defined by national authorities as per the Housing Act.
- Landlords can apply for their license online. If applications are made during the prescribed 'early-bird' period, reduced fees will apply.
- Landlords can contact the Private Sector Housing Agency for support / concerns.
- Tenants can contact the Private Sector Housing Agency for support / concerns about their landlord's license and health and safety concerns.

Savings proposals:

- These proposals are not part of a savings proposal.
- The scheme will wholly cover the costs of licensing and enforcement and will not make a profit.

- However, the anticipated reduction in issues linked to the private rented sector (e.g. relevant crimes and ASB) will deliver long-term savings and improvement in safety and security for our residents. The licensing schemes will be part of a wider strategy to work closer with partners such as the police to ensure that the schemes are delivering the anticipated improvements.
- Improvements in housing conditions will also deliver savings in the long term as the enforcement burden on the Council will reduce. Again, this ties in with a wider partnership strategy to work with partners such as London Fire Brigade and registered housing providers to ensure that privately rented homes are safe, secure and decent for Lewisham's residents.

**Signature of Head
of Service**



For further information please see the full [Corporate Equality Policy](#).

Agenda Item 13

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input type="checkbox"/>

Date of Meeting	8 th March 2023	
Title of Report	Approval to procure and award Oracle Fusion Licensing for 5-year period	
Author	Monica Langridge	Ext. 47569

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	✓	
Legal Comments	✓	
Cabinet Briefing consideration		
EMT consideration	✓	

Signed:



Cabinet Member for Finance and Strategy
Date: 15th February 2023

Kathy Freeman

Signed:
Executive Director of Corporate Resources
Date: 27/02/2023

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor and Cabinet

Report title: Approval to procure and award Oracle Fusion Licensing for 5-year period

Date: 8th March 2023

Key decision: Yes

Class: Part 1.

Ward(s) affected: N/A

Contributors:

Mark Kelly (Head of Applications Management)

Claire Harvey (Applications Portfolio Manager)

Mark Froud (IT Procurement Manager)

Peter Allery (Strategic Business Partner - Group Finance)

Melanie Dawson (Principal Lawyer - Place for Director of Law, Governance & Elections)

Outline and recommendations

This report seeks approval to award a contract for the procurement of licensing for Oracle Fusion Cloud products under the framework agreement RM6194

– Crown Commercial Service, Back Office Software (BOS) agreement which has been designed to provide all public sector customers a route to buy software as a service (SaaS) including enterprise resource planning (ERP), human capital management (HCM) and productivity software directly from major vendors. This agreement will also cover the procurement of support and maintenance for these products.

Current licensing expires May 2023

Timeline of engagement and decision-making

The licensing award is required to be in place to provide continuance of licensing by May 2023

1. Summary

- 1.1. The council established a three-year licensing agreement in May 2020 following the commencement of the implementation of the Oracle Fusion Cloud service in May 2017
- 1.2. The oracle license arrangements are scheduled for renewal in May 2023 under a new three-year minimum license arrangement.

2. Recommendations

- 2.1. It is recommended that Mayor and Cabinet:
 - 2.1.1 Approve the use of the Framework Agreement RM6194 – Crown Commercial Service, Back Office Software Agreement.
 - 2.1.2 Approve the award of contract under the framework agreement to Oracle Corporation for Oracle Fusion Cloud Subscription which will cover a 5-year licence for a total value not exceeding £4,135,787.36. The licence would start on 21st May 2023 and expire on 31st May 2028.
 - 2.1.3 Delegate to the executive Director Corporate Resources to approve the final licence renewal price for a period of five years up to a maximum value of £4,135,787.36

3. Policy Context

- 3.1. The contents of this report are consistent with the Council's Corporate Strategy 2022-2026. It supports the delivery of all the corporate priorities by the provision of technical architecture and systems which are fully licensed to all users across the council.
- 3.2. The licencing is required for the software that Lewisham Council uses to support business operations, in particular the provision of Finance, HR (Human Resources) and Payroll through Oracle Fusion Cloud HCM (Human Capital Management) and Oracle Fusion Cloud ERP (Enterprise Resource Planning).
- 3.3. Without this licencing, the Council will not be able to operate the Finance, HR and Payroll systems from 21st May 2023

4. Background

- 4.1. The implementation of the current Oracle Fusion Cloud service for the ERP (Enterprise Resource Planning) financial system and HR and Payroll systems agreement was approved at Mayor & Cabinet on 7 December 2016 and implementation has proceeded utilising a systems integrator to upgrade systems to Oracle Cloud.
- 4.2. The implementation of the Oracle ERP system is mostly complete having been in live operation since May 2018, supported at the current time by the incumbent system integrator.
- 4.3. The implementation of the Oracle HR and Payroll system is mostly complete. A period of support under HyperCare support will then ensue whilst a full support model is implemented.
- 4.4. The HR & Payroll systems are being updated further to include additional usage in respect of Lewisham Homes and Lewisham Schools.

Is this report easy to understand?

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- 4.5. The licensing approval is not to procure a new system or solution, it is purely to cover the existing Oracle product licences across the entire Oracle Fusion product stack for the next five-year period.
- 4.6. The licences for the current Oracle Fusion Cloud ERP finance and procurement system and HR & Payroll systems have been previously procured directly from Oracle without a separate procurement exercise.
- 4.7. In support of the Oracle Fusion Cloud implementation licences were required, and a three-year agreement was originally established with Oracle directly in 2020.

5. New License Procurement Proposals

- 5.1. The rationale for the retention of the current systems and solutions are:

The Oracle Fusion suite of products are critical Line of Business Systems, and there is still scope to enhance Oracle through maximising its usage by staff and budget managers across the Council.

The Council still needs time to get full value from the Oracle Fusion systems following the implementation of Oracle Cloud in May 2018

Staff and managers are now using the system effectively to book annual leave, manage appraisals and expenses which has created a significant shift in how the Council operates

The councils Human Resources team have recently implemented Oracle Recruitment Cloud which should streamline existing processes

When Lewisham Homes staff and services transfer to Lewisham Council there may be a need for additional licenses to be procured. Oracle agree for any additional licenses to be purchased at the negotiated rate or use the rebalancing option.

Rebalancing option has been included in new licence proposal. Oracle will offer Lewisham the option to re-allocate the User and Usage quantities among the following Oracle Cloud Services (Oracle Fusion Cloud, Taleo Enterprise Cloud Services, Eloqua Cloud Services, Oracle RightNow Cloud Services and BigMachines Cloud Services)

- 5.2. From the points set out above, there is a clear rationale for continuing with the current systems and solutions. There is however a need to ensure the Council has licences in place to continue using the system for up to another 5 years.

- 5.3. Benefits of a Direct Award:

- Quicker route to market for known requirements
- Pricing listed on the eMarketplace
- Supplier can update listings on the eMarketplace at any time.
- Suppliers can provide a range of software and services under direct award via the Government eMarketplace, provided these are in the scope of the Framework Schedule 1 – specification. These include software licences, license renewals, support and maintenance of both new software and software already intrinsically linked.

- 5.4. The cost of Oracle cloud licences, Oracle Fusion Analytics and Cloud Subscription for the next five-year licensing period is £4,135,787.36 inclusive of indexation

- 5.5. Oracle will be working with Lewisham IT Procurement colleagues to explore opportunities to improve the economic, social and environmental wellbeing of Lewisham and effectively deliver Social Value outcomes that are more Lewisham specific. Oracle are developing a Social Value roadmap and already have a number of opportunities open to Lewisham such as Oracle Intern Programme, Oracle Academy

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and a supporting communities initiative offering product donations and discounts, pro bono services and capacity building to non profit organisations.

5.6. RM6194 – Back Office Software framework included a 10% weighting being attributed to the quality evaluation in line with the Procurement Policy Note (PPN) 06/20 – taking account of social value in the award of central government contracts. The area of Social Value that was chosen for the tender process was on the theme fighting climate change.

5.7. The costs of the renewals:

	Current Contract Per Annum	Year 1-3 Per Annum	Year 4 -5 Per Annum	Total 5 Year Cost
Total	£ 669,551.40	£ 797,929.12	£ 871,000.00	£ 4,135,787.36

Year 4 & Year 5 are inclusive of capped indexation at 10%

6. Financial implications

6.1. This report recommends the approval to enter into a new contract with Oracle for a five year period from May 2023, for the purchase of licences to operate the Councils financial management and human resource systems, at an annual cost of £798k for years 1 to 3 and £871k for years 4 and 5.

6.2. The current contract with Oracle is a 3-year contract and the annual cost is £670k and so the new contract is therefore approximately 23% higher but reflects indexation (inflation increases) over the 5 year period.

6.3. The budget for these and other software licences is within the IT & Digital Division and stands at £1.9m. This budget is currently fully committed and an increase to the Oracle licence costs will be built into the IT & Digital budget from April 2023 onwards. The additional costs were factored into the medium term financial planning process.

7. Legal implications

7.1. The Council has sufficient powers to enter into the contract as proposed in this report.

7.2. The Council may use a framework agreement where that framework agreement has been procured in accordance with the Public Contracts Regulations 2015 and allows for the Council to use the Framework Agreement. The Crown Commercial Service framework RM6194 has been procured in accordance with the Regulations and the Council is entitled to use that framework.

7.3. The Council's Contract Procedure Rules set out the requirements for entering into a contract for a service to be provided under the terms of a framework agreement (that service is then provided through a 'call-off contract'). Further information about how the service is procured is set out in the body of the report. The framework agreement has predefined terms and conditions for the call-off contract which the Council must use, subject to a certain amount of amendment as necessary for the particular service.

7.4. In order to join the framework Lewisham Council would need to sign a call off contract. The call-off contract must be approved in advance of commencement by Legal Services on behalf of the Director of Law and Corporate Governance and, given the proposed value, must be sealed.

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8. Equalities implications

8.1. There are no equalities implications for this project

9. Climate change and environmental implications

9.1. There are no climate change and environmental implications for this project

10. Crime and disorder implications

10.1. There are no crime and disorder implications for this project

11. Health and wellbeing implications

11.1. There are no health and wellbeing implications for this project.

12. Social Value implications

12.1. The supplier will be asked to deliver social value over the lifetime of the contract and will be followed up at contract management meetings.

12.2. RM6194 – Back Office Software framework included a 10% weighting being attributed to the quality evaluation in line with the Procurement Policy Note (PPN) 06/20 – taking account of social value in the award of central government contracts. The area of Social Value that was chosen for the tender process was on the theme fighting climate change.

13. Background papers

13.1. Not applicable

14. Glossary

14.1. Not applicable

15. Report author and contact

15.1. Monica Langridge, Senior IT Procurements & Contracts Officer – IT & Digital Solutions
Monica.Langridge@lewisham.gov.uk 020 8314 7569

Agenda Item 14

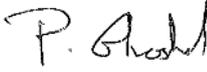
Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	8 March 2023	
Title of Report	Permission to consult on the proposal to open a new SEN Provision at Launcelot Primary School	
Author	Matt Henaughan	Ext. 43321

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	x	
Legal Comments	x	
Cabinet Briefing consideration	x	
EMT consideration	x	

Signed: 
 Cabinet Member for Children and Young People and Community Safety
 Date: 24/2/23

Signed: 
 Executive Director for Children and Young People
 Date: 24/2/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor and Cabinet

Report title: Permission to consult on the proposal to open a new SEN Provision at Launcelot Primary School

Date: 8 March 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: Whole Borough

Outline and recommendations

This report seeks the permission of Mayor and Cabinet to conduct the statutory consultation on the proposal to add a Special Educational Needs (SEN) provision catering for up to 16 children with Autism Spectrum Disorder (ASD) at Launcelot Primary School with an anticipated implementation of January 2024.

The Mayor and Cabinet are recommended:

- to note the report and provide permission for officers to conduct the statutory Publication and period of Representation for consultation on the proposal, prior to reporting back to Mayor and Cabinet seeking a Decision.

Timeline of engagement and decision-making

17 March 2023 – Publication of proposal

17 March – 12 May 2023 – Period of Representation (consultation period)

21 June – Mayor & Cabinet decision

January 2024 – Planned Implementation

1. Summary

- 1.1 The report seeks the permission of Mayor and Cabinet for officers to publish a statutory notice and conduct the period of representation relating to the proposal to add a SEN provision at Launcelot Primary School for up to 16 children with ASD, with an implementation date of January 2024.

2. Recommendations

- 2.1 The Mayor and Cabinet are recommended:
- 2.2 to note the report and provide permission for officers to conduct the statutory publication and period of representation for consultation on the proposal for the addition of a SEN provision catering for up to 16 children with ASD at Launcelot Primary School with an implementation date of January 2024, and conduct the relevant period of representation, before presenting the results of this consultation back to Mayor and Cabinet for a decision.

3. Policy Context

- 3.1 The proposal to add a SEN provision at Launcelot Primary School will contribute to the following key priority outcome of Lewisham's Corporate Strategy 2022-2026:
- 3.2 We will continue the fantastic work of the last four years, supporting our schools to improve and increasing the opportunities for young people in Lewisham within our inclusive, comprehensive schools.
- 3.3 The Local Authority has a duty to ensure the provision of sufficient places for pupils of statutory school age

Education Strategy 2022-27

- 3.4 The Lewisham Education Strategy has a priority focussed on providing 'A place in a good school/setting for all of our children and young people'. This specifically refers to effective planning of high-quality school places (including for SEND) to meet demand through continuous monitoring and review of population projections.
- 3.5 Within this the strategy also highlights the need to review the provision we have within the borough that caters for children and young people with special educational needs and disabilities (SEND), to ensure that the correct provision is provided in the right place at the right time.

School Organisation Requirements

- 3.6 Proposals to add a SEN provision at a school must comply with the provisions set out in *The Education and Inspections Act 2006 (EIA 2006)* and *The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013*. These set out the statutory process for making changes to a school, and statutory guidance on making changes to a maintained school indicates 4 stages to making a prescribed alteration to a maintained school. These are:
- 1) Publication of a Statutory Notice
 - 2) Representation period
 - 3) Decision making
 - 4) Implementation
- 3.7 In the case of a community school (which Launcelot Primary School is) the Local

Authority must propose and conduct the publication and representation periods, with the Mayor and Cabinet (as statutory decision maker) then making the decision.

4. Background

- 4.1 In 2019, Lewisham Council started the coproduction and consultation process for the Local Area SEND Strategy which was due to be launched in 2020. From the consultation a number of areas were highlighted as gaps in current provision across the Council. One of these was around sufficiency and place planning. Therefore, as part of the SEND Strategy there is a work stream on Sufficiency, and Place Planning. To ensure that the plan reflected the current picture of gaps in provision a number of data exercises were carried out.
- 4.2 The data continues to show an increasing demand for specialist provision for children and young people with Autism. Currently over one third of the number of EHC plans that are issued by Lewisham include Autism as an identified need.
- 4.3 As such the proposal to add a SEN provision at Launcelot Primary School comes as part of a wider piece of work that the council is undertaking to enable more Lewisham young people to be educated in Lewisham schools. This follows on from recent decisions to add a SEN provision into both Edmund Waller Primary School and Forster Park Primary School and to expand Drumbeat School, which together with this proposal is providing an additional 100 SEN places over the next 12 months.
- 4.4 Our ASD Special School (Drumbeat) along with our ASD resource bases continue to receive large numbers of consultations for places. At present we are having to find Independent Placements outside of Lewisham for a high proportion of these pupils, as we do not currently have sufficient capacity within our ASD provisions.
- 4.5 All provisions for students with autism are currently over their commissioned numbers and the demand for these specialist places continue to grow.
- 4.6 The objective of the proposal is to help ensure sufficiency of places offering the right level of support to students with a primary need of ASD within the Borough.
- 4.7 This proposal forms part of Lewisham Council's response to the statutory obligation to provide sufficient school places.

Implementation of the proposal

- 4.8 The addition of the resource base will allow the school to cater for up to 16 pupils with ASD over time. With the first pupils arriving in January 2024.
- 4.9 The provision will utilise spare capacity within the school site, with some minor modifications made to ensure that the spaces are fit for purpose.

Effect on other educational institutions in the area

- 4.10 It is not anticipated that the proposed resource base will have any impact on other educational institutions within the local area. The proposal has been made to accommodate the continued increase in students diagnosed with ASD and requiring additional support.

5. Financial implications

Capital Financial Implications

- 5.1 It is estimated that £95k capital funding is required for this project. This is available within the capital programme as is currently unallocated within CYP resources.

Revenue Financial Implications

- 5.2 The report outlines the proposed introduction of a new resource base for SEN provision of up to 16 ASD places at Launcelot Primary School, with an implementation date of January 2024.
- 5.3 In line with all Local Authorities, SEN need is currently outstripping the provision available especially within Lewisham.
- 5.4 The proposed establishment of the resource base is part of a mitigation plan being progressed with Schools Forum and Schools to meet demand and reduce costs especially those associated with high cost out of borough placements
- 5.5 There are no direct financial implications for the General Fund. However, transport is funded from the General Fund, it is anticipated that should a pupil placed at this provision with transport associated costs, the position would be more favourable than an out borough placement
- 5.6 The revenue income and expenditure for any additional places forms part of the High Needs Block within the Dedicated Schools Grant funding. As previously stated, this provision should support longer term Lewisham strategy towards reducing costs.
- 5.7 For 2024/25, there will be a pressure on the High Needs Block as a consequence of practicalities of establishing the ASD unit and the basis on which funding allocations are made to Local Authorities however, longer term, the unit is anticipated to support delivering better value.

6. Legal implications

- 6.1 The recommendations in this report are consistent with the Council's statutory obligations set out in the Human Rights Act 1998 (which safeguards the rights of children in the borough to educational provision), Section 14 of the Education Act 1996 (which obliges each local authority to ensure that there are sufficient primary and secondary school places available for its area) and the Children Act 2014 (which requires local authorities to keep the provision for children and young people with SEN and disabilities under review).
- 6.2 The Education and Inspections Act 2006 places requirements on local authorities to make their significant strategic decisions concerning the number and variety of school places in their localities against two overriding criteria:
- to secure schools likely to maximise student potential and achievement;
 - to secure diversity and choice in the range of school places on offer.

Section 19 of the Education and Inspections Act 2006 provides that where a local authority or the governing body of a maintained school proposes to make a prescribed alteration to a maintained school and it is permitted to make that alteration, it must publish proposals.

- 6.3 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 provide that a change in designation of a SEN provision at a maintained school is a prescribed alteration which means that statutory proposals have to be published, and there must be a period of four weeks for representations before a decision is made. Proposals for the change in designation of a SEN provision at a maintained school will be determined by the local authority as decision maker.

- 6.4 Any decision to change the designation of the SEN provision at Launcelot Primary School should be taken in the light of the representations received to the statutory consultation at Appendix 4 and the DfE Guidance for Decision-Makers attached at Appendix 3.
- 6.5 Mayor and Cabinet must make a decision on the proposals within a period of two months of the end of the representation period otherwise the proposals must be referred to the Schools Adjudicator.
- 6.6 In accordance with the Council's Constitution, decisions relating to alteration of schools and in relation to the publication of any notice in relation to schools are to be made by Mayor & Cabinet.

7. Equalities implications

- 7.1 This report supports the delivery of the Council's Equalities programme by ensuring that all children whose parents/carers require a place in a Lewisham school will be able to access one.
- 7.2 Specifically this report seeks to consult on the expansion of the SEN provision within the borough to ensure that we are best delivering for the current cohort of young people in Lewisham, and therefore ensures that we are taking due regard for their needs.

8. Climate change and environmental implications

- 8.1 The proposed reduction in students travelling long distances to appropriate provision, and a lesser reliance on transport will have a positive benefit regarding emissions and helping tackle the climate emergency.

9. Crime and disorder implications

9.1 There are no crime and disorder implications.

10. Health and wellbeing implications

- 10.1 The proposed provision of additional school places for children with ASD within Lewisham will have a positive impact on the health and wellbeing of children and their families. Reducing the amount of travel that they have to endure, and also ensuring that they are educated closer to home and their home communities.

11. Glossary

Term	Definition
ASD	Autism Spectrum Disorder
Representation	Period in which people can make comments. Like consultation

12. Report author and contact

- 12.1 Matt Henaughan, Head of Business, Infrastructure and Education Operations
Matt.Henaughan@lewisham.gov.uk 0208 314 3321

13. Comments for and on behalf of the Director of Finance

13.1 Mala Dadlani, Malasona.Dadlani@lewisham.gov.uk

14. Comments for and on behalf of the Director of Law and Corporate Governance

14.1 Sohagi Patel, Sohagi.patel@lewisham.gov.uk Commercial Education and Employment Lawyer, 0208 314 7368 and Melanie Dawson, Principal Lawyer – Place, melanie.dawson@lewisham.gov.uk

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input checked="" type="checkbox"/>
Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	8 March 2023	
Title of Report	Approval to Award report for Agency Managed Service Provider Procurement	
Author	Courtney Richards	Ext. 46008

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	x	
Legal Comments	x	
Cabinet Briefing consideration		
EMT consideration	x	
Agenda Planning Group consideration		



Signed:
Cabinet Member for Finance and Strategy

Date: 23/02/23



Signed:
Chief Executive
Date: 24/02/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	

Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor and Cabinet

Permission to Award Contract for Agency Managed Service Provider

Date: 8 February 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: N/A

Contributors: Head of Learning, Talent and Resourcing; Director of People and Organisation Development; Senior Lawyer and Head of Financial Services Partner

Timeline and Engagement

14 September 2022	M&C approves procurement approach for the Agency Managed Service Provider via direct award using the London Collaboration Contracts (LCC) for either a master or neutral vendor under the ESPO MSTAR 3 Framework Agreement.
October-November 2022	Carried out survey of frequent hiring managers and consulted with DMTs in order to hone specification and criteria for tender evaluation of Master and Neutral vendors.
November 2022	Specification and criteria finalised and shared with vendors in advance of procurement presentations.
5 January 2023	Vendor presentations to group of key stakeholders including Executive Directors, Heads of Service and key end users.
16 January 2023	Evaluation of presentations collated and preferred supplier/vendor identified and agreed by panel.

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Outline and recommendations

Mayor and Cabinet are recommended to award a contract to the following provider as set out below to deliver Lewisham Council's Managed Service Provider (MSP) for agency workers:

- 1) This report recommends that Matrix SCM Ltd are awarded the contract to deliver a MSP for the provision of agency workers as required by the Council.
- 2) This will be a direct award via the London Councils Collaboration contract. The annual estimated value of the contract is £23.7m. The contract term is proposed as a two-year contract from 1 July 2023 to 30 June 2025, with the option to extend for a further two years at the Council's discretion. Therefore, the estimated total value would be £94.8m over the length of the entire contract, including discretionary extensions.

1. Summary

- 1.1 The report outlines the procurement exercise undertaken to find a suitable Managed Service Provider (MSP) to deliver the provision of agency workers as required on an ad-hoc basis by the Council according to demand.
- 1.2 The Council currently has a MSP delivered via Eastern Shires Purchasing Organisation, Managed Services for Temporary Agency Resource (known as the ESPO MSTAR3 framework). This framework agreement was commissioned by the Local Government Professional Services Group and allows access by organisations within the Public Sector. The Council's current contract on this framework ends on 31 March 2023.
- 1.3 The London Collaboration Contract (LCC) is a MSTAR framework delivered alongside the ESPO MSTAR 3 framework. Set up in 2011, with the London Borough of Havering acting as the lead authority, this framework provides at least 10% costs savings vs. going directly through the ESPO MSTAR3 framework. There are two suppliers in the LCC Framework, Lot 1A Neutral Vendor and Lot 1B Master Vendor.
- 1.4 The Council's existing MSP contract is due to expire on 31 March 2023. Permission to procure this service via a direct award using the LCC framework was agreed by Mayor and Cabinet on 14 September 2022.
- 1.5 A three month mobilisation period will be put in place to ensure a smooth transition to the new supplier.
- 1.6 Officers have undertaken a full review of the current provision to develop proposals to better meet the Council's need for the provision of agency workers.
- 1.7 This report summarises the work undertaken and procurement approach implemented to recommend the contract award.

2. Recommendations

- 2.1 It is recommended that the Mayor and Cabinet:
 - 1) Authorise officers to award a contract to Matrix SCM Ltd to deliver the provision of agency workers as required via a MSP. The annual estimated value of the contract is £23.7m. The contract term will be for an initial period of two years from 1 July 2023 to 30 June 2025, with the option to extend for a further two years at the Council's discretion.
 - 2) Approves the total budget for the scheme, details of which are contained within Part 2 of the report.
 - 3) Approve an interim extension to the existing contract held by REED, to ensure a smooth mobilisation from the incumbent to the new supplier. The extension will be from 1 April 2023 for a period of 6 months with a break from the 30 June allowing a notice period of one month for the remaining 3 months.

3. Policy Context

- 3.1 The proposed award of the contracts detailed in this report aligns with the Council's Corporate Priorities set out in the Lewisham's "Corporate Strategy 2022-2026" as follows:
 - **A strong local economy** - We will actively work to attract jobs and businesses to Lewisham, building on the success of Lewisham Works and creating more spaces for pop-up stores and markets in shops that are temporarily empty. We will continue to work with businesses across the borough, encouraging them to

become London Living Wage employers.

- **Cleaner and greener** – the contract will deliver local jobs for local people which should reduce the amount of travel outside the borough
- **Health and Wellbeing** – the contract will allow residents to access a range of quality employment opportunities. All temporary workers engaged through this contract will be paid at least the London Living Wage, currently £11.95 per hour. Officers in the People and Organisation Development Service will work with the MSP to ensure that all temporary workers are fully aware of and benefit from their rights to fair and equal treatment, including pay parity, access to internal job vacancies, and paid annual leave. The MSP have committed to engaging local SMEs in their supply chain and to a social value offering of careers advice, group employability workshops, staff volunteering days and setting up a local talent pool.

4. Background

- 4.1 The Council engages on average 504 agency workers per month (financial year 2021-22). The average spend on agency workers over each of the last 5 years was £23.7m, which compares to a pan London median of £23.3m spend over the same period. The Council is determined to ensure a reduction in agency numbers and spend. The LCC savings of around 10% compared to the EPSO MSTAR3 contract will contribute to this objective.
- 4.2 These workers provide vital additional people resourcing to the Council particularly in areas where we are unable to attract and recruit in the open market e.g. social workers. They also give the Council the ability to flexibly scale resources up and down as required e.g. waste management services.

5. Procurement Arrangements

- 5.1 The procurement followed the process outlined in the London Collaboration Contract (LCC) framework.
- 5.2 The LCC is a Managed Services for Temporary Agency Resource (MSTAR) contract delivered alongside Eastern Shires Purchasing Organisation (ESPO), with the London Borough of Havering acting as the lead authority. A 'mini procurement process' was carried out in 2011, under the ESPO framework agreement that would create a further contract (the LCC) which all London Boroughs, including Lewisham Council, could sign up to, if they wished, when their individual managed supplier contracts finished with their existing providers. When the LCC was first launched, because so many boroughs were involved, it allowed the boroughs to leverage greater economies of scale. By pulling together the collective spending power of the London Boroughs (14 in 2011, but as at January 2023, 22 Boroughs are signed up), the LCC were able to achieve savings of around 10% compared to the ESPO MSTAR3 framework.
- 5.3 One of the key benefits of the LCC is there is no need for a procurement process. There are two providers on the contract: one for Lot 1A (Neutral Vendor) and one for Lot 1B (Master Vendor). Both providers on the framework have already been fully vetted for financial stability and have track records of technical and professional excellence.
- 5.4 Under the LCC, the Council can directly appoint one of the two pre-selected suppliers.
- 5.5 Officers carried out a survey of managers who frequently engage agency workers and consulted with Directorate Management Teams (DMTs) to hone specification and

criteria for further evaluation of the Master and Neutral vendors on the LCC framework.

- 5.6 Following an analysis of the survey, the specification and a set of essential criteria were developed that represented the “10 must haves” as cited by hiring managers (see Appendix 1).
- 5.7 A comparison of the costings for both neutral and master vendor options was undertaken based on the agency worker hours per job family undertaken in the last financial year, details of which are outlined in Part 2 of the report.

6. Synopsis and evaluation of the presentations

6.1 The two vendors representing Lot 1A and 1B were provided with the specification and invited to present their service offers on 5 January 2023 before a group of key stakeholders including Executive Directors, Heads of Service and key end users. Each provider attended for an hour, consisting of 45 minutes for presentation followed by 15 minutes Q&A with the panel. Each provided:

- An overview of their provider model and its benefits
- Their proposed account management and service delivery structure and on/off-site model
- A description of their implementation process with specifics on their process with incumbent suppliers and temporary workers
- Information of how they source workers in all categories and hard to fill / niche skills
- Any unique additional offering that in their experience adds value to the council

6.2 Each presentation was evaluated for quality against the “must haves” criteria and each element scored in the following way: Met (M), Part Met (PM), Not Met (NM). The preferred supplier/vendor was identified and agreed by the panel. Out of the 11 raters, 10 chose Lot 1A, the Neutral Vendor model, for which Matrix SCM Ltd is the supplier under the LCC framework.

6.3 Full synopsis can be found in section 6 of Part 2 report

6.4 A credit check was run on Matrix SCM Ltd by the Council’s Procurement team in January 2023, which demonstrated the company was considered low risk.

7. Financial implications

7.1 This report seeks approval to award a contract to Matrix SCM Ltd for the provision of a Neutral Vendor agency staff provider service. The contract is for an initial 2 years from July 2023 with an option to extend for a further 2 years.

7.2 The council has a staffing budget of £137.8m which it uses to fund the salary expenditure for permanent staff. When there is a gap in permanent staffing that cannot be managed within the service there may be a need for agency staff support for a short-term period. Any agency costs incurred are managed from within unspent staffing budgets within the services arising from posts being vacant in the first instance and across the division when this is not possible.

7.3 The average expenditure on agency staff over the past five years is approx. £23.7m however the annual amount has fallen in recent years and the council spent £22.7m on agency staff under the current REED contract during 2021/22. The level of agency staffing is dependent on need each financial year but could be reasonably estimated at £45.4m over the next 2 financial years. These amounts include the payment to the agency worker themselves and the oncost charged by the agency. A comparison of the

element charged by the agency under the new contract with Matrix compared to the existing contract with REED indicates that across a range of types of agency worker the oncost charged will be less overall.

7.4 Credit safe report is set out in section 15.1 in Part 2 report.

8. Legal implications

8.1 The report seeks approval to future delivery of agency managed services by an external provider. Given the potential spend on this contract (at a length of 2 + 2 years) this contract would be categorised by Contract Procedure Rules as a Category A contract. The report also seeks approval to use the contract procured by LCC under the ESPO framework agreement by a mini competition. The report sets out the other options considered and explains why these are the recommended options.

8.2 Assuming that Mayor and Cabinet accepts the recommendation for future delivery of agency managed services by an external provider, Contract Procedure Rules place requirements on how that should happen. Under the Council's Contract Procedure Rules, the Council may use a framework agreement set up by a public sector body where that framework agreement has been procured in accordance with the Public Contracts Regulations 2015 ("Regulations") and allows for the Council to use the Framework Agreement. It appears that the framework agreement has been procured in compliance with the Regulations and that the Council is entitled to use the framework agreement and the contract procured by a mini competition under the framework agreement by LCC.

8.3 The Rules require that when letting contracts steps must be taken to secure value for money through a combination of cost, quality and competition, and that competitive tenders or quotations must be sought depending on the size and nature of the contract (Rule 5). Given the potential spend on this contract the Regulations will also apply. The requirements of both Contract Procedure Rules and the Regulations would be satisfied by use of the contract procured by LCC under the ESPO Framework Agreement. The process for procurement and the award of the contract would have to be in accordance with the Contract Procedure Rules. As a Category A contract, it would be for Mayor and Cabinet to take a decision on the award of a contract.

9. Equalities implications

9.1 The agency managed service provider contract provides services for temporary workers to the Council. The service is required to abide by equality legislation.

9.2 The Council's Single Equality Framework for 2020-24 will provide an overarching framework and focus for the Council's work on equalities and help ensure compliance with the Equality Act 2010.

9.3 The Council's Equalities objectives are addressed in the contract documentation and were part of the tender evaluation criteria.

10. Climate change and environmental implications

10.1 There are no environmental implications.

11. Crime and disorder implications

11.1 There are no crime and disorder implications.

12. Health and wellbeing implications

12.1 There are no specific health and wellbeing implications.

13. Social Value

13.1 The Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the wellbeing of the local area can be secured.

13.2 Using Matrix SCM Ltd could result in the Council being able to build up a talent pool of candidates from which agency workers can be sourced to work for the Council. The talent pool enables maximisation of existing bank staff as first option for resourcing temporary requirements. Some London Boroughs are successfully using talent pools as a social value vehicle (Camden; Barnet, Barking and Dagenham, and Haringey). Hackney Works are encouraging local people to join the talent pool so they can be considered for jobs. There is a potential opportunity for Lewisham Works to use the talent pool in the same way.

13.3 Matrix offers the following as part of their social value offering:

- Careers advice
- Group employability workshops
- Staff volunteering days
- 10x30 mins One to One CV writing and Interview Practice (bi-annually) for anyone the Council identifies, including staff at risk of redundancy, apprentices coming to the end of their placement, job seekers or hard to reach people within the community.

Specific commitments will be discussed at the initial start-up meeting.

13.4 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.

13.5 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. Contract Management

14.1 In accordance with the Council's contract management framework this contract is a tier 1 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.

15. Background papers

15.1 Permission to Procure Report for Mayor and Cabinet



Approval to Procure
MC - Temp Agency F

16. Glossary

Term	Definition
LLW	London Living Wage
MSP	Managed Service Provider
MV	Master Vendor
NV	Neutral Vendor
LCC	London Collaboration Contracts

17. Report author and contact

17.1 Courtney Richards - Head of Learning, Talent & Resourcing
Courtney.Richards@lewisham.gov.uk

17.2 **Comments for and on behalf of the Executive Director for Corporate Resources**

17.3 Nick Penny – Head of Service, Finance Nick.Penny@lewisham.gov.uk

17.4 **Comments for and on behalf of the Director of Law, Governance and HR**

17.5 Mia Agnew – Senior Lawyer Mia.Agnew@lewisham.gov.uk

Appendix 1

Officers carried out a survey of frequent hiring managers and consulted with Directorate Management Teams in order to hone the specification and criteria for tender evaluation. This was distilled into a list of Top 10 'must haves' as required by managers (in no particular order)

1. Dedicated support team to search for candidates, book interviews etc
2. Immediate access to a wide choice of agency workers
3. Streamlined, easy processes (no duplication of effort)
4. Ability to go directly to individual agencies with managers self-servicing
5. Service consistency and standardisation including management information
6. Simple communication channels
7. The Council having control through a single point of contact
8. Ability to provide good quality candidates quickly taking into account service needs
9. Ability to immediately access agency workers in niche areas from a pool of specialist agencies
10. Talent pool from which to source (local) candidates

Agenda Item 16

Report for: Mayor and Cabinet		
Part 1	<input checked="" type="checkbox"/>	
Part 2	<input type="checkbox"/>	
Key Decision	<input type="checkbox"/>	
Date of Meeting	8th March 2023	
Title of Report	Reduction and Recycling Plan 2023 – 2025	
Author	Wendy Nicholas	Ext. 42194

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	x	
Legal Comments	x	
Cabinet Briefing consideration	x	
EMT consideration	x	



Signed:
Cabinet Member for Environment and Climate Action
Date: 16.02.2023



Signed:
Executive Director Housing, Regeneration & Public Realm
Date: 27.01.2023

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor & Cabinet

London Borough of Lewisham: Reduction and Recycling Plan 2023 – 2025

Date 8th March 2023

Key decision: No

Ward(s) affected: All

Contributors: Wendy Nicholas, Strategic Waste and Environment Manager

Danielle Emery, Head of Street Environment Services

The purpose of this report is to brief the Mayor and his Cabinet on the Reduction and Recycling Plan (RRP) 2023-2025.

It is recommended that Mayor and Cabinet approve the Reduction and Recycling Plan actions and targets so that it can be submitted to the Greater London Authority (GLA) for approval by the Mayor of London.

Timeline of engagement and decision-making

- Reduction & Recycling Plan to be submitted to the Greater London Authority (GLA) for consideration by the Mayor of London – 30th Sept 2022
- GLA Waste Officers review RRP, feedback provided to Deputy Mayor – Oct '22 – Feb'23
- GLA/ReLondon discussion. RRP amended if necessary. – Oct '22 – Feb '23
- LB Lewisham Mayor & Cabinet sign off – Feb – March '23
- Deputy Mayor signs off RRP – by 31st March 2023

1. Summary

The report provides members with an update on the Reduction and Recycling Plan Objectives, actions and targets for two years from April 2023-25.

2. Recommendations

It is recommended that Mayor and Cabinet approve the Reduction and Recycling Plan so that it can be submitted to the Greater London Authority (GLA) for approval by the Mayor of London.

3. Policy Context

The Government's Resources and Waste Strategy, published in 2018, builds on the commitments detailed in the 25 year Environment Plan. The strategy contains five strategic ambitions:

- to work towards eliminating food waste to landfill;
- to double resource productivity;
- to work towards ensuring all plastic packaging placed on the market is recyclable, reusable, or compostable;
- to eliminate avoidable waste of all kinds;
- to eliminate avoidable plastic waste.

In May 2018, the Mayor of London published the London Environment Strategy (LES). The strategy set out a number of objectives and targets to ensure the effective management of London's municipal waste and to accelerate the transition to a circular economy. The strategy's waste objectives, targets, and minimum service levels for London are:

- Objective 7.1 – drive resource efficiency to significantly reduce waste focusing on food waste and single-use packaging
- Objective 7.2 – maximise recycling rates
- Objective 7.3 – reduce the environmental impact of waste activities (greenhouse gas emissions and air pollutants)
- Objective 7.4 – maximise local waste sites and ensure London has sufficient infrastructure to manage all the waste it produces

The key London-wide targets the Lewisham are working towards are:

- To cut food waste and associated packaging waste by 50% per person by 2030
- To achieve a 65% municipal waste recycling rate by 2030, including a 50% recycling rate for local authority collected waste (LACW) by 2025
- To achieve a 75% recycling rate for commercial waste by 2030
- To achieve a 45% recycling rate for household waste by 2025
- To send zero biodegradable or recyclable waste to landfill by 2026
- London to manage net 100% of all the waste it produces by 2026

Proposal 7.2.1a in the London Environment Strategy sets a minimum level of service for household waste recycling that all waste authorities are expected to deliver by 2023, being that all properties with kerbside recycling collections are to receive a separate food waste collection services. Furthermore, it is expected that all properties are to receive a

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collection of, at a minimum, the six main dry materials (glass, cans, paper, card, plastic bottles and mixed rigid plastics).

The Council's Waste Management Strategy which was approved in December 2021, consists of six key priority areas, as outlined below.

- Leading the way forward – making sure that the Council show innovation and leadership in the way waste is managed and; ultimately reduced in Council workplaces, schools, community centres, public spaces and future developments.
 - Shaping services in line with the Waste Hierarchy – which gives top priority to preventing waste and reducing and reusing resources.
 - Working together for an improved local environment – giving residents and businesses the tools and information that they need to improve local waste management and decrease waste crimes.
 - Using waste as a resource, in line with circular economy principles – repurposing materials to keep them in use for longer, supporting the local sharing, exchanging and repairing of products, and reducing reliance on single-use items.
 - Reducing carbon emissions, decreasing energy waste and improving air quality – including making sure that Council buildings and services are energy efficient and ensuring that waste is managed locally and transported by low emission vehicles.
 - Adding social value – increasing local employment opportunities, supporting community initiatives and promoting the use of local products and services.
- 3.5 All waste authorities in London have a legal duty to perform their waste functions in general conformity with the waste provisions of the Mayor of London's Environment Strategy. Whilst Lewisham's Waste Management Strategy 2021-31 implemented January 2022, is a non-statutory document it seeks to guide future action.
- 3.6 In February 2019, Lewisham Council declared a climate emergency. The Council must take action to achieve its goal of carbon neutrality by 2030. This requires looking at all aspects of the Council's work, including waste management.
- 3.7 The Council's new Corporate Strategy 2022-2026 details a number of priorities, including how we will create a cleaner and greener borough. Efficiently dealing with the waste produced within the borough will help the Council to deliver this outcome.

4 Background

- 4.1 In May 2018, the Mayor of London published the London Environment Strategy which sets out objectives, targets, and policies for the effective management of London's municipal waste and to accelerate the transition to a circular economy.
- 4.2 The London Environment Strategy Proposal 7.2.1b sets out the Mayor of London's expectation for local authorities to develop Reduction and Recycling Plans (RRPs), which should include local reduction and recycling targets that contribute to the Mayor's London wide targets. Every local authority in London is expected to produce and submit their RRP to the Mayor of London.
- 4.3 LB Lewisham produced their first RRP following the publication of the London Environment Strategy 2018. The plan set out how Lewisham would put the mayor's policies on waste into practice at the local level.
- 4.4 The first round of RRPs were for four-year plans, 2018 - 2022 and were written prior to the Covid-19 pandemic. The pandemic has since led to changes in waste volumes and composition, staff shortages and social distancing challenges. LB Lewisham has worked hard to keep services running smoothly, but this understandably had an impact on progress of the agreed actions set out in the first set of RRPs.

- 4.5 Due to the uncertainty surrounding the Resource & Waste Strategy reforms and the changes in waste composition due to Covid-19, local authorities were asked to review their existing targets for 2025 against current trends. However, the Mayor of London expects local authorities to continue maintaining ambitious recycling targets and LA's will be asked to review these once the outcomes of the RWS are clearer.
- 4.6 The Mayor of London confirmed on the 9th of December 2022 that Lewisham's draft edition of the RRP 23-25 is in general conformity with the requirements, with only minor clarifications.
- 4.7 The final draft of the RRP is contained in Appendix 1. It is now ready, subject to the approval sought by this report, for submission to the Mayor of London for approval in March 2023.
- 4.8 The Reduction and Recycling Plan consists of four key objectives. These are set out below, with a summary of any work that will be carried out up until 2025 to meet the four objectives:

1. Objective 1: *Actions to help cut waste and boost materials reuse*

- The approval of the Council's Waste Strategy was approved December 2021. The strategy details the Council's priorities and sets the future direction for waste and recycling across the borough for the next 10 years.
- The Council will investigate the possibility of opening a re-use shop or stall within the borough. A full project plan will be created with an aim to divert waste from incineration or recycling and encourage the reuse of items as directed by the waste hierarchy.
- Officers are working with ReLondon on a Pan London Food waste reduction campaign; the main objective of the campaign is to reduce the consumption- based emissions associated with in-home food behaviours and to increase sustainable diets. The campaign will run for a period of 2 years and will commence March 2023. The campaign is funded by the majority of London boroughs, with some commercial partners. The project is governed by a steering group, which Lewisham is a member of as a representative of Lewisham, Greenwich, Bexley, and Southwark.
- Officers will implement communication and awareness campaigns and initiatives covering a range of reduction topics such as Love Food, Hate Waste and home composting.
- During the roll out of food waste collection services to estates, Officers will carry out a review of residual bins on all estates. Any 240ltr residual waste bins that are currently in use will be replaced by 180ltr residual bins. The number of communal residual bins will be reduced encouraging residents to use the recycling bins and communal food bins.
- Officers will produce new policies on side waste and lid down. This will outline our policy of crews collecting good quality recyclable side waste and not collecting residual side waste from bins that cannot be closed. These service standards will be delivered to coincide with serving of Section 46 notice.
- Officers will continue to hold a number of events each year to help reduce waste, such as Give and take and Swap shop events.

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2. Objective 2: Maximise recycling rates

- The current provision of collection services for food waste and fortnightly residual waste is set to continue, under which collection will be rolled out from schools, flats, and estates. A full comprehensive communication programme will be delivered as part of each roll out. Officers expect to see a reduction in the amount of waste collected based on findings from the initial roll out to kerbside properties.
- The Council has also carried out a trial on food waste collection at a number of primary schools during 2022. The service will be rolled out to schools during 2023.
- Following the success of a project to minimise contamination of waste on an individual estate, a project plan is being created for a number of estates across the borough. The aim will be to address high levels of contamination and improve the quality of recycling sent for sorting. By working in partnership with housing partners we plan to engage with residents through different means to provide education and advice to all.
- Officers will work on a new commercial waste recycling policy, reducing the contamination of commercial recycling, and increasing the number of businesses that currently have waste agreements in place with LB Lewisham.
- A new food waste disposal contract commenced April 2022. Officers will work with the contractor East London Biogas Ltd, to help promote the food waste service with bin stickers and information for residents on the environmental benefits of recycling food waste via anaerobic digestion.
- A local draft plan aimed at eliminating waste and the continual use of resources will be worked on to encourage a circular economy approach for developers in Lewisham. Major development proposals should aim to be net zero-waste and they will be required to submit a Circular Economy Statement, as part of the Sustainable Design Statement, in line with the requirements of the draft London Plan policy S17 (reducing waste and supporting the circular economy). A
- As part of the comprehensive communication plan Officers will provide information and reassurance on the standards in place for the disposal of the recycled waste collected within the borough. Where any of Lewisham recycle is sent abroad, the contractor will only work with EA-accredited and licensed facilities and will ensure that the contractor has a robust system of traceability with regard to its supply chain and is able to demonstrate reprocessing has taken place.
- Officers have carried out a review of the market cleansing arrangements at Lewisham market, changes have been implemented to increase the recycling of cardboard and organic waste, and to achieve a better overall cleansing standard throughout the day. Electric technology was also introduced in December 2022, reducing overall emissions for waste collection and disposal. Officers will continue to work with the market team to ensure quality cardboard and all organic waste is sent for recycling. Further work is to be carried out to improve waste services at all markets within the borough of Lewisham.
- Officers are working with Lewisham's textile contractor on two new initiatives for textile collections. Investigation is underway on additional collection systems that allow residents to dispose of their textiles through donation station at convenient location such as schools or community buildings and the collections of textiles via postal locker collections at garages, stations and shops. LM Barry are in discussions with Evri to see if they are able to aid in the recycling and transportation of textiles.

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Objective 3: Reduce the environmental impact of waste activities (greenhouse gas emissions and air pollutants)

- Contractors will be asked to commit to minimising emissions through intelligent logistics and using electric vehicles and other low zero emission options. Work will be carried out to make Lewisham a carbon neutral borough by 2030.
- Investigate types of new vehicles required for procurement in 2024/25. An options appraisal will be conducted to identify how electric vehicles can be used for the Council's fleet. It should be worth noting that all Council vehicles currently used for Street Environment Services comply with the ULEZ requirements.

Objective 4: Maximise local waste sites and ensure London has sufficient infrastructure to manage all the waste it produces

- Landmann Way is the only centre for reuse and recycling within the borough and has limited space. The centre is undergoing improvements which include new containers and new signage. An area is going to be considered for a re-use point where residents can browse items for re-use. If successful in creating the reuse site, it will create a reduction in the waste disposed of at the Reuse and Recycling Centre.
- Officers will investigate the opening times of the Reuse and Recycling Centre following feedback from residents during the consultation to see if timings can be extended during peak times.
- Highlighted in the findings from the consultation was the lack of awareness residents had about bring sites located in the borough. Officers will implement communication and awareness campaigns to residents to cover a range of topics including textile and small electronic devices recycling.

Reduction and Recycling Plan is attached in Appendix A. The table has been rag rated to show the following:

Red – Delays – due to issues outside of our control

Amber – Possible delays – due to resource issues

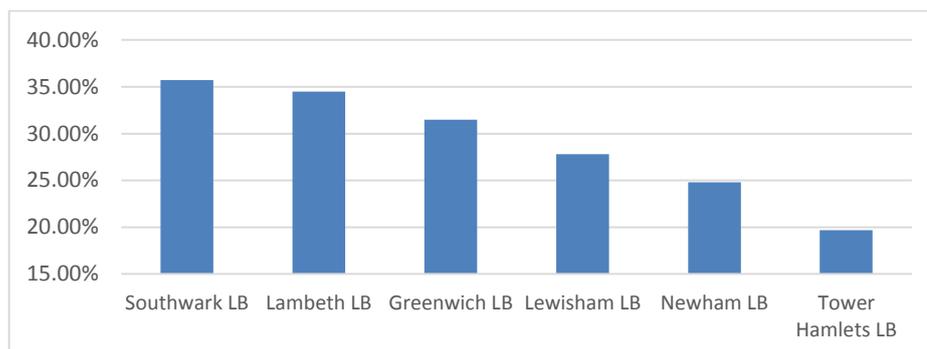
Green – No delays – within existing resources

4.9 Current Situation

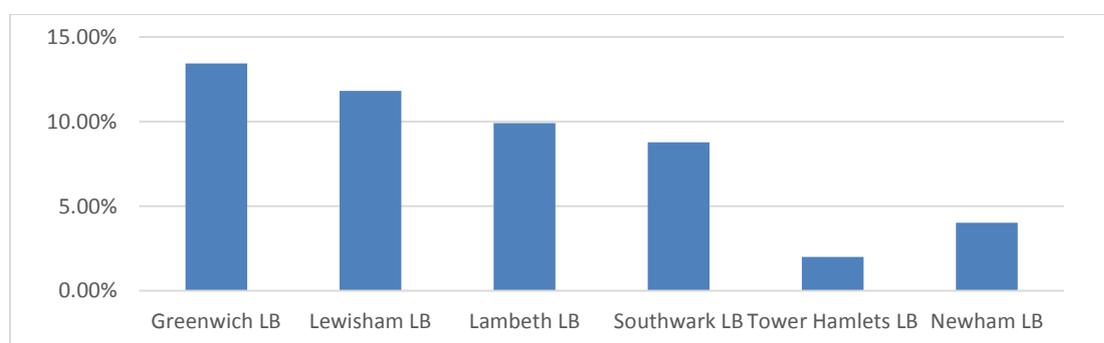
- 4.9.1 The recycling rate in Lewisham for 2021/22 was 28%. Lewisham is ranked in the bottom 50% on recycling when compared to LAs within the UK, within the same region and LAs with a similar population. Lewisham is within the top 50% for food waste collection when compared to LAs within the UK but falls within the bottom 50% when compared to LAs within the same region and within the bottom 25% compared to LAs with a similar population.

The graphs below show 2021/22 performance comparisons with some of our 'family' boroughs:

Recycling/composting/reuse percentages 2021/22



Organic waste percentages- 2021/22



- 4.9.2 Over the last 24 months, the service area has encountered unprecedented challenges, particularly with the COVID-19 pandemic and a national shortage of HGV drivers. As a result, maintaining a quality service has been a challenge. The waste market has also been affected, and disposal costs have increased year on year, most recently with an increase related to the cost of living crisis. It's now more important than ever that waste is reduced where possible, not only to help with the climate emergency but to also reduce the significant financial pressure waste disposal has on local authorities.
- 4.9.3 The priority for Street Environment Services over the last 12 months, where possible, has been to improve the performance and efficiency of the overall service area. The key theme has been to modernise the services to ensure they are fit for purpose and deliver a high quality output for our residents.
- 4.9.4 There has been a reduction in the level of complaints and repeat complaints that required further action, offsetting significant costs that would have otherwise occurred from repeat actions (eg returning for a missed collection).
- 4.9.5 The food and garden waste services have now been completely split following a turbulent period. Operational difficulties prevented the smooth rollout of the new food and garden waste contract. With the service now split, we have seen an increase of 252.7% from October 2022 to December 2022, in the food waste tonnage that has been sent for Anaerobic digestion (AD), which will reduce the overall cost of disposal.
- 4.9.6 A review of the market cleansing arrangements has taken place. Changes have now been implemented and cardboard and organic waste are collected and disposed of as recycling, from Lewisham Market. An electric vehicle was also introduced in December 2022, reducing overall emissions for waste collection and disposal

4.10 Future Plans

- 4.10.1 Managers are currently reviewing the structure within Street Environment Services and planning to re-organise to free up staffing levels which would allow additional support within the Waste Strategy team. The additional support will allow Officers to engage with residents/businesses and provide education and target areas with poor recycling participation and high levels of contamination, which will help improve the percentage of waste that is recycled.
- 4.10.2 Officers are currently drafting new service standards. The standards will set out what residents can expect from us and what is expected of them on all waste services. This will lay the groundwork for future services by ensuring the current service delivery is adhered to by the council and residents.
- 4.10.3 Plans are being drafted to implement food waste collections for primary schools initially. As previously explained, the food and garden waste services have now been completely split. Schools food waste can now be collected, and scheduling work will commence to bring in the schools on existing rounds. This should significantly increase the Council's overall recycling rate, and divert a substantial amount of waste from incineration where it will be sent for anaerobic digestion.
- 4.10.4 Officers will introduce in-cab technology/ new reporting systems which will help to gather data and to enforce the new service standards. The data will allow Officers to build a picture of what is happening within the borough and allow us to create ambitious plans.
- 4.10.5 These changes alone will not enable us to meet the ambitious targets in the plan. However they lay the framework for larger scale changes that will allow us to meet the targets. Once the changes are in place officers will explore service changes such as:
- Dual stream recycling collections which will improve the quantity and quality of recycle.
 - Move residual waste collections to three or four weekly cycles.
 - Expansion of our commercial waste collection service, focusing on the delivery of food waste and recycling collections to our commercial customers. Officers will also look to support this expansion with a targeted communications campaign.
 - Roll out of the Flats Recycling Package. The package was initially rolled out by ReLondon on Peabody estates in Lambeth, The roll out showed that big improvements can be achieved by providing a range of dry mixed recycling interventions, including new bins and collection services for food, large card, small electricals and textiles. The package works on the basis of making it easier for residents to recycle; motivating them to recycle; and improving their knowledge around what can and cannot be recycled.
 - Implement Reduce, Reuse & Recycle campaigns, This would involve new leaflets, JC Decaux messages, new bin stickers for each waste receptacle, waste vehicles with clear information on acceptable material for each type of waste stream and identify the vehicle with the waste that it is collecting. Also to investigate digital messaging for waste trucks, this would allow messaging to change to inform residents, visitors and businesses with relevant and up to date information.

4.11 Risk

- 4.11.1 As this plan is for a two-year period it does not detail how we will meet our commitment to 65% recycling; however, this plan will allow us to set the foundation to move towards

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achieving this by 2030.

The targets for 2025 that Lewisham have set within the RRP are challenging. Without financial and political support, it is possible that we will not achieve the target of 40% within 2 years. Over the last few years, the service has seen a number of savings made against their budgets, which has impacted on service provision and seen a reduction in the annual performance outturns.

4.11.2 Though the M&C report has no direct financial implications, there may be implications that will arise later. The RRP refers to actions that will be impacted by the Government resource and waste strategy reforms. Consultation on these reforms took place in 2021, but we are still awaiting Government responses. There are 3 main reforms proposals:

- A Deposit Return Scheme for drinks containers, where consumers will be incentivised to take their empty drinks containers to return points hosted by retailers.
- Extended Producer Responsibility for packaging, where manufacturers will pay the full costs of managing and recycling their packaging waste, with higher fees being levied if packaging is harder to reuse or recycle.
- Consistency in household and business recycling collections. The Environment Bill requires all local authorities to arrange for the collection of glass, metal, plastic, and paper and card, from households, for recycling. Domestic properties to receive separate weekly food waste collections from households, including flats, proposal for the free collection of garden waste and to provide separate collections for dry recycling.

As stated above Officers are awaiting on further guidance on the reforms and how the calculation will work for any funding that LA's will receive to assist with the cost for vehicles and containers. Once confirmation on the LA's full responsibilities and on the funding, Lewisham will receive, Officers will be able to provide a more detailed report that will be taken to Mayor and Cabinet seeking approval for additional budget to implement the changes.

5. Financial implications

5.1 The service will seek to deliver the objectives stated in Section 4 within existing budgets however it is likely that additional costs will be incurred in achieving some of the objectives stated in section 4 above, over the period covered by this report, 2023 to 2025. The majority of the cost of the staffing input required in implementation will be contained within existing budgets. However, there remains the likelihood of additional costs being incurred, one example of this could be under objective two, where it is more than likely that the Council will have to purchase dedicated food disposal vehicles.

5.2 The key areas likely to drive costs are:

- a) maximising the household recycling rate (by volume)
- b) reducing the environmental impact of waste activities
- c) maximising local waste sites

5.3 DEFRA has been consulting local authorities, the last time being in 2021, in line with the Government's Resources and Waste Strategy (RWS). Officers are awaiting the Government's response to these consultations and are anticipating the announcement of new regulations which will form the basis of any statutory change required. Officers will then

be in a position to provide more information on implementation and delivery costs. The Government response is expected in February 2023.

5.4 DEFRA has indicated that additional resources will be made available to local authorities to assist with the delivery of particular aspects of the Government's RSW, which this report ultimately stems from. The Government is working on the allocation and application of this funding for each local authority. There is a possibility that the funding awarded will not be sufficient to cover the expenditure required to deliver the objectives. Once funding levels are known however, officers will return to Mayor and Cabinet with more details on the specific work required to deliver the objectives along with detailed financial costings.

6. Legal implications

6.1 The recommendations set out within this report are within the Council's powers and duties.

6.2 In particular, pursuant to s.355 of the Greater London Authority Act 1999, the Council as a waste authority must Act in general conformity with the provisions of the London Environment Strategy dealing with municipal waste management, save to the extent that compliance does not impose excessive additional costs on the authority. The Council must also act in accordance with any guidance from the Secretary of State for determining what is to be regarded as acting in general conformity or imposing excessive additional costs.

6.3 The Mayor of London review and sign off process of the Council's RRP has concluded and once approved by Mayor and Cabinet, the Council's RRP will run for a two-year period from the beginning of April 2023 to the end of March 2025

6.4 Any policies, changes to service provision and/or contracts entered into in contemplation of the approved RRP will require separate approval in accordance with the Council's constitution.

7 Equalities implications

7.1 There are no direct equalities implications as a result of this report. Officers will identify any equality implications upon the commencement of any key actions and will seek approval at Mayor and Cabinet.

8 Climate change and environmental implications

8.1 Due to the nature of this report, environmental implications are mentioned with regard to Lewisham's responsibility as a waste disposal authority.

8.2 The GLA have strategic powers with regards to waste and recycling, and the wider environment. The Reduction and Recycling Plan has been created to adhere to the requirement place on the Council as a London authority.

8.3 Moving waste up the waste hierarchy by ensuring more waste is re-used or recycled rather than sent for incineration or landfill contributes to the Council's efforts to mitigate the impact of climate change by reducing the carbon footprint of the Council waste management service.

9 Crime and disorder implications

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

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10. Health and wellbeing implications

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

11. Background papers

Please find below link to view the Reduction and Recycling Plan
<https://lewishamcouncil.sharepoint.com/sites/CS/ECD/Reports%20%20Briefings/Reduction%20and%20Recycling%20Plan/RRP%2023-25%20V7.docx?web=1>

12. Glossary

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[Link to Oxford English Dictionary here.](#)

See Section 7 – “Glossary” in the guidance for more information.

Term	Definition
RRP	Reduction & Recycling Plan
LACW	local authority collected waste

10. Report author(s) and contact

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11. Appendices

- *Appendix A – Reduction & Recycling Plan*

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Part 1 –Reduction and Recycling Plan (RRP) April 2023 to March 2025

1. *London Borough of Lewisham:*

The London Borough of Lewisham is passionate about creating a cleaner, greener, more environmentally sustainable borough and making Lewisham a place where everyone is proud to live, work and study in, and visit. The council is working with its partners to adapt their services to consumers needs following the waste hierarchy which gives priority to preventing waste and encourages reducing and reusing resources. This will support our ambition of moving towards a more circular economy – which keeps resources in use for longer. Lewisham already meets the mayor’s minimum recycling collection requirements, as the 6 main items plus a weekly food collection for kerbside properties is already in place. Lewisham commenced with a new food waste disposal contract via anaerobic digestion in April 2022.

The London Borough of Lewisham is an inner London borough with a highly transient population. The recycling rate in Lewisham is currently 28% (2021/22). This is impacted upon by our current and future housing stock. It is generally accepted that recycling is more difficult for residents in flats and there is a high proportion of flats in the borough. Lewisham’s London Plan has set the housing target of 1667 new homes per year. Most new build housing developments are expected to be flatted developments which means that achieving recycling levels comparable with outer London boroughs with a lower proportion of flats will be challenging.

Lewisham has only one small reuse and recycling centre located in the North of the borough where residents are able to dispose of their household waste. The centre does not accept any DIY or commercial waste at this location due to the size of the centre.

2. **Key strategic documents linked to this plan:**

This RRP has been developed in line with the London Borough of Lewisham’s:

Waste Strategy - <https://councilmeetings.lewisham.gov.uk/documents/s92378/Waste%20Strategy%20Final%20Design.pdf>

Climate Emergency Action Plan - <https://councilmeetings.lewisham.gov.uk/documents/s81350/Climate%20Emergency%20Action%20Plan.pdf>

Local Plan - <https://lewisham.gov.uk/-/media/files/imported/corestrategyadoptedversion.ashx>

Corporate Strategy - <https://lewisham.gov.uk/-/media/files/lewisham-council-corporate-plan-2022-2026.ashx>

Park & Open Space Strategy - <https://lewisham.gov.uk/-/media/parksandopenspacestrategy2020.ashx?la=en>

3. RRP Dashboard

<i>Set Common Performance Targets</i>	Baseline Performance (2019/20)	Performance Target 2024/25	Metric Guidance / Data source	Target Guidance
Total annual household waste per head (kgs/head)	319.05	280	Defra stats (Ex BVPI84a)	Borough sets own targets, informed by ReLondon /WRAP good practice.
Total annual household residual waste collected per household (kgs/household)	555.59	450	Defra stats (Ex NI191)	Borough sets own targets, informed by ReLondon/WRAP good practice.
Total annual household avoidable (edible) food waste (kgs/head)	73	69	Borough to estimate based on own or WRAP food waste composition data. Estimates should be based on avoidable food waste produced (i.e., not just food waste collected).	Based on estimated avoidable food waste produced. Borough to set own targets, informed by ReLondon/WRAP good practice and support programmes (e.g., Trifocal).
Annual household waste recycling rate (% by weight)	27%	40%	Defra stats	Borough sets own targets, informed by ReLondon/WRAP Route Map modelling and other good practice. The GLA will use the borough recycling benchmarking table in the Route Map modelling as a reference point when assessing local authority targets set in the RRP process (See Appendix 2 of the London Environment Strategy, page 111: https://www.london.gov.uk/sites/default/files/les_appendix_2_-_evidence_base_0_0.pdf)
Annual LACW recycling rate (% by weight)	24%	40%	Defra stats	Borough sets own targets, informed by ReLondon/WRAP good practice. Targets should at least match household recycling targets, going beyond the mayor's 50 per cent LACW recycling target by 2025 where possible.

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<i>Set Common Performance Targets</i>	Baseline Performance (2019/20)	Performance Target 2024/25	Metric Guidance / Data source	Target Guidance
<u>Proportion (%) of properties receiving the mayor's minimum level of service for household recycling:</u>				
% of kerbside properties (all households on a kerbside collection) collecting six main dry materials (glass, cans, paper, card, plastic bottles, and mixed rigid plastics (pots, tubs, and trays) <u>and separate food waste</u>	100%	100%	Borough to take from own info. Separate food waste does not include co-mingled with garden waste	Borough sets own target, informed by ReLondon/WRAP good practice. Separate food waste does not include co-mingled with garden waste
% of kerbside properties (all households on a kerbside collection) collecting six main dry materials (glass, cans, paper, card, plastic bottles, and mixed rigid plastics (pots, tubs, and trays)	100%	100%	Borough to take from own info (<i>Nb included for boroughs that are unable to provide food waste collections due to long term contractual issues</i>).	Borough sets own target, informed by ReLondon/WRAP good practice.
% of flats (communal collections, <u>excluding flats above shops</u>) collecting six main dry materials <u>and separate food waste</u>	0%	90%	Borough to take from own info.	Borough sets own target, informed by ReLondon/WRAP good practice.
% of flats (communal collections, <u>excluding flats above shops</u>) collecting six main dry materials (glass, cans, paper, card, plastic bottles and mixed rigid plastics (pots, tubs and trays).	100%	100%	Borough to take from own info.	Borough sets own target, informed by ReLondon/WRAP good practice.
% of flats above shops (FAS) collecting six main dry materials (glass, cans, paper, card, plastic bottles, and mixed rigid plastics (pots, tubs and trays)) <u>and separate food waste collection</u>	0%	30%	Borough to take from own info.	Borough sets own target, informed by ReLondonL/WRAP good practice and FAS data.

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Set Common Performance Targets	Baseline Performance (2019/20)	Performance Target 2024/25	Metric Guidance / Data source	Target Guidance
% of flats above shops (FAS) collecting six main dry materials (glass, cans, paper, card, plastic bottles and mixed rigid plastics (pots, tubs and trays)).	100%	100%	Borough to take from own info.	Borough sets own target, informed by ReLondon/WRAP good practice and FAS data.
Proportion (%) of waste fleet heavy vehicles that are ULEZ compliant	100%	100%	See www.tfl.gov.uk/modes/driving/ultra-low-emission-zone	Borough should aim to operate a fully ULEZ compliant waste fleet as a minimum, with aspirations to introduce zero emission vehicles where practicable. Please include baseline and target % of waste vehicles that are zero emission where applicable
Performance of LACW activities against the Mayor's EPS (tonnes of CO2eq per tonne of waste managed).	-0.069	-0.084	Use tool found here Boroughs to set by uploading WDF data into the GLA tool.	Borough to run their own scenarios using GLA tool to determine planned service changes (DSO borough) or new contract options against the EPS for target years (2024/5). See London Environment Strategy Proposal 7.3.2.b

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4. RRP Actions: Part one

Ref	Theme <ul style="list-style-type: none"> • Waste Reduction • Maximising Recycling • Reducing Environmental Impact • Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated
Lewisham Page 349	Maximising Recycling Waste Reduction	Food service collection roll out to estates borough wide	<ul style="list-style-type: none"> • Trial of different food waste bins/housing units on Lewisham Homes & Pinnacle estates. • Procure food caddies, internal and external. • Provision of 180ltr residual waste bins to ground floor residents • Removal of excess 1280ltr recycling bins. • Ongoing targeted education/ engagement with residents on estates. 	<ul style="list-style-type: none"> • All estate properties to receive food waste collections. • 100% coverage by March 2024 • Diversion from incineration, increase in food waste tonnages. Increase of 2.5% in recycling target 	<ul style="list-style-type: none"> • March 2024 • Food waste Communications: October 2023 to May 2024 	UA	Delay in Government response on Consistency changes
Lewisham 2	• Maximising Recycling	Food service collection roll out to flats borough wide	<ul style="list-style-type: none"> • Residents in flatted properties currently do not have a food waste collection. Once the roll out to estates has been completed, Officers will work with Managing agents to 	<ul style="list-style-type: none"> • All flatted properties to receive food 	<ul style="list-style-type: none"> • March 2025 • Food waste Communications: 	UA	Delay in Government response on

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Ref	Theme <ul style="list-style-type: none"> Waste Reduction Maximising Recycling Reducing Environmental Impact Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated
Page 350			<p>trial bins/housing units to identify suitable containers for flatted properties.</p> <ul style="list-style-type: none"> Officers will meet with other local authorities to investigate possible collection solutions for flats Ongoing targeted education/ engagement with residents. Officers will work closely with colleagues in Lewisham Homes to maximise the effectiveness and reach of communications. Audit on bin numbers to be carried out per block to reduce the number of general waste bins once food waste collection has been implemented. 	<p>waste collections.</p> <ul style="list-style-type: none"> 100% coverage by March 2025 Diversion from incineration, increase in food waste tonnages. Increase of 5% in recycling target 	October 2023 to May 2025		Consistency changes
	Lewisham 3	Maximising Recycling	Food service collection roll out to flats above shops borough wide	<ul style="list-style-type: none"> Residents in flatted properties currently do not have a food waste collection. Once the roll out to flats has been completed, Officers will work with Managing agents to trial bins/housing units to identify suitable containers for flats above shops. Officers will meet with other local authorities to investigate possible collection solutions for flats above shops. Officers will look to work with boroughs that have trialled this service in order to build on 	<ul style="list-style-type: none"> All flats above shops to receive food waste collections. 30% coverage by March 2025 Diversion from 	<ul style="list-style-type: none"> March 2025 Food waste Communications: October 2023 to May 2025 	UA

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Ref	Theme <ul style="list-style-type: none"> Waste Reduction Maximising Recycling Reducing Environmental Impact Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated
			<p>existing knowledge and to identify best practice</p> <ul style="list-style-type: none"> Ongoing targeted education/ engagement with residents. 	<p>incineration, increase in food waste tonnages. Increase of 1% in recycling target</p>			
Page 351 Lewisham	<ul style="list-style-type: none"> Waste Reduction Maximising Recycling 	Waste Strategy objectives – Residual Waste Reduction/Contamination	<ul style="list-style-type: none"> Implement a range of waste awareness campaigns such as swap shops, Cleaner Lewisham and right thing, right bin” campaign to reduce and discourage contamination and promote what waste goes in which bin. Investigate the possibility of purchasing digital messaging for refuse trucks. New Polices to be agreed and implemented on side waste and lid down – this will outline our policy of crews collecting good quality recyclable side waste and not collecting residual waste from bins that cannot be closed New service standards to be agreed and implemented, Delivery of service standard to coincide with the serving of Section 46 notice. 	<ul style="list-style-type: none"> All bins to be re-stickered with updated information relating to recycling and food waste. Service Standards to be approved and re-issued. Attend 45 schools outreach events Attend 8 Community event per year 	<ul style="list-style-type: none"> Ongoing events to be held by March 2025 Service standards to be re-issued by April 2023 New leaflets, sticker & bin tags to be created and produced by April 23 	UA	<p>No delay</p> <p>No delay</p> <p>Possible delay due to the financial costs of implementation of In Cab technology</p>

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Ref	Theme <ul style="list-style-type: none"> Waste Reduction Maximising Recycling Reducing Environmental Impact Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated
Page 352			<ul style="list-style-type: none"> Effective education, engagement, and communication plan- detailing attendance at events, schools' community groups and resident associations. New bin tags for all types of waste bins to be issued to crews. 				No delay
							No delay
Lewisham 4.2	<ul style="list-style-type: none"> Waste reduction Maximising Recycling 	Waste Strategy Objectives – Food Waste Reduction	<ul style="list-style-type: none"> Implement a range of food waste awareness campaigns and initiatives such as Love Food Hate Waste, Food recycling-use your bin, home composting. Explore partnership working and local promotion of apps such as To Good to Go, Olio and Refill New food waste stickers to be created for all residual and recycling bins Home composting campaigns to be introduced along with workshop to encourage the home composting 	<ul style="list-style-type: none"> Minimum of 4 food reduction events per year. Promotion of apps Participation in the Pan London food campaign. Hold 4 Compost works shops per year Increase in the number of home 	<ul style="list-style-type: none"> Pan London food campaign to run for 2 years, commences March 2023 	UA	No delay No delay Delay – Financial implications No delay

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Ref	Theme <ul style="list-style-type: none"> Waste Reduction Maximising Recycling Reducing Environmental Impact Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated
				compost bins purchased to previous year			
Lewisham 5	<ul style="list-style-type: none"> Maximising Recycling 	Increased participation in garden waste service	<ul style="list-style-type: none"> Targeted communications to encourage greater participation in the garden waste scheme. 	<ul style="list-style-type: none"> Number of new subscriptions – Target 13,500 by April 2025 	<ul style="list-style-type: none"> Communications plan to align with growing seasons i.e., leading into Spring Ongoing 	UA	No delay
Lewisham 6	<ul style="list-style-type: none"> Maximising Recycling 	External Funding	<ul style="list-style-type: none"> Officers to investigate and apply for external funding to help support key campaigns Funded activities to assist in outreach and engagement, improving education around waste minimisation and recycling 	<ul style="list-style-type: none"> Number of successful funding applications 	<ul style="list-style-type: none"> Ongoing as and when funding is available 	UA	No delay
Lewisham 7	<ul style="list-style-type: none"> Waste Reduction 	Investigate the possibility of opening a Re-use shop/stall	<ul style="list-style-type: none"> Investigate the possibility of opening a re-use shop or stall at Deptford Market. Visit other Local Authorities to see how they opened their re-use sites. Investigate the possibility of opening a virtual reuse shop. Look at possibilities of working with eBay for textiles and furniture Hold 3 Swap Shops per year 	<ul style="list-style-type: none"> Waste reduction 	<ul style="list-style-type: none"> Investigate reuse shop/stall Summer 2023 Investigate working with eBay Summer 2025 Swap shop on going event 	UA	No delay

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Ref	Theme <ul style="list-style-type: none"> Waste Reduction Maximising Recycling Reducing Environmental Impact Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated
Lewisham 8	<ul style="list-style-type: none"> Waste Reduction Maximising recycling 	Improved recycling and waste reduction on markets	<ul style="list-style-type: none"> Engagement with stall holders at the licensing stage promoting waste reduction Engagement with stall holders by market officers promoting waste reduction on the market Investigate the possibility of reducing plastic bag usage from market stalls Implementation of cardboard recycling Investigate the possibility of providing food waste collection service. Following on from the successful outcome at Lewisham Market, Officers will explore the possibility to roll out the cardboard and organic waste collection at all markets within the borough. 	<ul style="list-style-type: none"> Waste reduction in tonnages collected from markets Increase in cardboard recycling Food waste diverted from incineration to anaerobic digestion, an expected increase of 3% in waste sent to AD. 	<ul style="list-style-type: none"> Summer 2024 Spring 2024 	UA	No delay
Lewisham 9	<ul style="list-style-type: none"> Maximising Recycling 	Working with Private Sector Housing Team re HMO's	<ul style="list-style-type: none"> Targeted communication detailing landlord responsibility to be provided. Targeted communication to tenants. On how to use services provided. 	<ul style="list-style-type: none"> Waste reduction Reduced complaints 	<ul style="list-style-type: none"> Ongoing periodically – 6 monthly reviews 	UA	No delay

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			<ul style="list-style-type: none"> Look to tighten up waste management procedures regarding HMO licenses. Work with the Strategic Housing Team to incorporate waste management into the landlord licensing process 				
Lewisham Page 355	<ul style="list-style-type: none"> Maximising recycling 	Expand the range of kerbside collections	<ul style="list-style-type: none"> Investigate the feasibility in providing pop up electrical, textile, battery, and coffee pod collections 	<ul style="list-style-type: none"> Increase in recycled tonnage 	<ul style="list-style-type: none"> March 2025 	UA	<p>No delay with investigation</p> <p>Delay in implementing - Financial implications</p>
Lewisham 11	<ul style="list-style-type: none"> Maximising recycling 	Target campaigns	<ul style="list-style-type: none"> Following the completion of the participation and compositional survey, target areas for improved recycling, increased garden waste collections and food waste. Including flats and estates to reduce the level of contamination 	<ul style="list-style-type: none"> Reduction of contamination Improved recycling 	<ul style="list-style-type: none"> March 2024 	UA	Possible delay due to limited resources
Lewisham 12	<ul style="list-style-type: none"> Maximising recycling 	Improved Textile recycling	<ul style="list-style-type: none"> Refurbished textile banks across the borough. QR codes on all banks – this will allow residents to easily get information about services relating to textile recycling/reuse and to identify the purpose of the banks 	<ul style="list-style-type: none"> Increase in materials sent for recycling and re-use. Increase in re-use material expected to increase by 2% 	<ul style="list-style-type: none"> March 2024 	UA	<p>No delay</p> <p>Possible</p>

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Ref	Theme <ul style="list-style-type: none"> Waste Reduction Maximising Recycling Reducing Environmental Impact Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated	
Page 356			<ul style="list-style-type: none"> Investigate the possibility of doorstep textile collections Donation station at more convenient local locations Investigate the provision of locker drop textile service working in partnership with contractor 				delays due to partnership working	
	Lewisham	Waste Reduction	Reuse and Repair activities & events	<ul style="list-style-type: none"> Officers to arrange 6 Give and Take day across the borough per year. Investigate the possibility within shopping centres / libraries for pop up reuse and repair events. Work with partners to establish alternative bulky waste collections for reuse 	<ul style="list-style-type: none"> Reduction in waste collection. Work with partners re bulky waste collection 	• Summer 2023	UA	No delay
	Lewisham 14	<ul style="list-style-type: none"> Maximising Recycling Waste Reduction 	Commercial waste collections	<ul style="list-style-type: none"> Officers will make use of engagement tools in order to promote the recycling service to businesses. Implement time banding across the borough and enforce 	<ul style="list-style-type: none"> Expected increase of commercial business waste to be sent for recycling by 25% Reduction in commercial waste fly tips 	• Summer 2023	UA	Possible delays due limited resources
	Lewisham 15	Maximising Recycling	Schools' food waste collection	<ul style="list-style-type: none"> Trial food waste collections at a number of primary schools Investigate the possibility of rolling out a commercial waste food collection service for schools. 	<ul style="list-style-type: none"> Expected increase of 4% in food waste sent for anaerobic digestion. 	<ul style="list-style-type: none"> Primary schools' collection July 2023 Secondary school 	UA	No delay No delay

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Ref	Theme <ul style="list-style-type: none"> Waste Reduction Maximising Recycling Reducing Environmental Impact Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated
					collections March 2025		
Lewisham 16	Maximising Recycling	Commercial waste recycling policy	<ul style="list-style-type: none"> New Service standards to be created and implemented for commercial businesses This policy will align with Lewisham's commitment to maximising recycling, commercial waste officers will prioritise and promote recycling services when dealing with customers. Food waste collections will be rolled out to businesses Commercial waste officers will provide businesses with information relating to waste reduction. 	<ul style="list-style-type: none"> Improved waste management with businesses 	<ul style="list-style-type: none"> June 2023 	UA	<p>No delay</p> <p>Delay in Government response on Consistency changes</p>
Lewisham 17	Maximising Recycling	Council Tax letter	<ul style="list-style-type: none"> Officers to ensure that information relating to waste and recycling is sent out with Council Tax letters 	<ul style="list-style-type: none"> Improved awareness 	<ul style="list-style-type: none"> Ongoing - annually 	UA	No delay
Lewisham 18	Maximising Recycling	Parks & Open Space Strategy – recycle waste from Parks	<ul style="list-style-type: none"> Work closely with relevant internal departments and key partners to investigate the possibility of recycling waste from Parks Educational campaign planned to encourage park visitors to reduce their use of single-use plastics and encourage the use of reusable items 	<ul style="list-style-type: none"> Increase in recycling 1% Improved waste management at events Improved education 	<ul style="list-style-type: none"> Summer 2024 	UA	No delay

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Ref	Theme <ul style="list-style-type: none"> Waste Reduction Maximising Recycling Reducing Environmental Impact Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated
Page 358			<ul style="list-style-type: none"> Investigate the possibility of providing food waste collections to food facilities within parks and open spaces. Work with the parks team and events team to ensure there is a policy in place to recycle waste from events e.g., London Marathon, Blackheath Festival, Peoples Day 				
	Lewisham	Maximising Recycling	Cleaner Lewisham	<ul style="list-style-type: none"> Implement a Low Plastic Zone in phases to businesses and market traders, encouraging commercial customer to sign up to plastic pledge reduction. Part of the campaign will be providing information on correct means of waste disposal, including information on recycling locations for soft plastic, WEEE and batteries 	<ul style="list-style-type: none"> Reduced single used plastics Positive PR for council Increase business participation 	<ul style="list-style-type: none"> December 2024 	UA
Lewisham 20	Waste Reduction	Food Waste Reduction	<ul style="list-style-type: none"> Campaign to be launched promoting the reduction of food waste, messaging will be in line with campaigns such as 'Love Food Hate Waste' Messaging to be promoted at community events, schools, Goldsmiths University, and residents' associations 	<ul style="list-style-type: none"> Minimum of 4 food events carried out per year. Reduction in food waste by 4 kg per head 	<ul style="list-style-type: none"> March 2023 	UA	No delay

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Ref	Theme <ul style="list-style-type: none"> Waste Reduction Maximising Recycling Reducing Environmental Impact Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated
			<ul style="list-style-type: none"> Work will be done with our internal communications team to develop this campaign 				
Lewisham 21 Page 359	<ul style="list-style-type: none"> Maximising Recycling Waste Reduction 	Lewisham Homes Estate Project	<ul style="list-style-type: none"> Work will be done to roll out these projects to more estates in the borough Engagement with residents concerning proper use of the recycling bins Work with managing agents to reinforce this messaging Survey of waste disposal facilities in place on the estate Continue the roll out of improved recycling facilities on estates through the MetroSTOR waste containerised project. Improved communication Embed recycling message through Envirocrime pilot Investigate the possibility of introducing compost areas to engaged community group gardens / pilot area / sheltered blocks. Officers will investigate the possibility of implementing ReLondon's Flat Recycling Package to a number of Lewisham Homes estates in order to support these targets – 	<ul style="list-style-type: none"> Reduction in contamination on trial estates by 10% Reduction in fly tipping 	<ul style="list-style-type: none"> Ongoing – but will be aligned with Government funding once clear guidelines have been provide – Due spring 2023 	UA	No delay

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Ref	Theme <ul style="list-style-type: none"> Waste Reduction Maximising Recycling Reducing Environmental Impact Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated
			the implementation of this package will be subject to budgetary constraints				
Lewisham 22 Page 360	<ul style="list-style-type: none"> Waste Reduction Reducing Environmental Impact 	Local Plan	<ul style="list-style-type: none"> Lewisham is currently working on its Local Plan; this document will guide Lewisham's planning decisions through 2040 The document is currently in the drafting stage, changes are being made based on a recent consultation Circular economy principles will be prioritised in the borough. Development projects will be net-zero waste; they will need to submit a Circular Economy Statement in line with the requirements of the draft London Plan policy s17. Development proposals must be designed to ensure adequate on-site provision for the sorting of recyclable material, composting of organic material and the disposal of general waste during the occupation stage. 	<ul style="list-style-type: none"> Local plan to be approved Improved engagement with planning officers 	<ul style="list-style-type: none"> March 2023 		No delay
Lewisham 23	<ul style="list-style-type: none"> Reducing Environmental Impact 	Zero Carbon City	<ul style="list-style-type: none"> The Council is committed to working towards a zero-carbon city and zero emission transport network by 2050 The Council is committed to becoming a carbon neutral borough by 2030 	<ul style="list-style-type: none"> 100% ULEZ compliant vehicles in use Procurement of new vehicles Contribute towards Mayor of 	<ul style="list-style-type: none"> Autumn 2024 		No delay

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Ref	Theme <ul style="list-style-type: none"> Waste Reduction Maximising Recycling Reducing Environmental Impact Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated
Page 361			<ul style="list-style-type: none"> Ensuring contractors use ULEZ compliant vehicles and minimise the movement of vehicles Include CO2 emission KPI's in contracts Deliver a carbon reduction and energy efficiency program in the Council's social housing stock Implement a decentralised energy strategy for the borough Investigate the possibility of using energy generated by SELCHP to charge electric vehicles 	London /Lewisham zero carbon city by 2030			
	Lewisham 24	Reducing Environmental Impact	Electric Vehicles	<ul style="list-style-type: none"> Officers will seek funding for the trial of electric fleet vehicles Officers will trial alternative collection vehicles to reduce the number of collection vehicles within the borough Investigate the possibility of utilising electricity from SELCHP at LB Westminster site for electrical vehicles 	<ul style="list-style-type: none"> 100% ULEZ compliant vehicles in use Procurement of new vehicles Contribute towards Mayor of London /Lewisham zero carbon city by 2030 Contribute to Lewisham air quality target 	<ul style="list-style-type: none"> Dec 2023 Dec 25	

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Ref	Theme <ul style="list-style-type: none"> • Waste Reduction • Maximising Recycling • Reducing Environmental Impact • Maximising local waste sites 	Action title	Action Description	Expected Target / Impact	Timescale for action	WCA/WDA	Rag rated
Lewisham 25	<ul style="list-style-type: none"> • Maximising Local Waste Sites 	CA Site Communications Campaign	<ul style="list-style-type: none"> • Produce new literature promoting the CA Site • Improve signage at the Site • Review opening times of the site to make it more accessible to residents • Implement single stream bring bank area 	<ul style="list-style-type: none"> • Improved access • Wider material acceptance 	<ul style="list-style-type: none"> • Review of RRC items to be completed by September 2023 		No delay

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5. RRP Action update

- To be completed annually
- Action table to be updated with new dates/targets etc. at same time

Ref	Action title	Action update	Status <ul style="list-style-type: none"> • Completed • On track • Not on track • On hold • Awaiting data • Cancelled 	Date of Update
	•		•	
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Ref	Action title	Action update	Status <ul style="list-style-type: none"> • Completed • On track • Not on track • On hold • Awaiting data • Cancelled 	Date of Update
	•	•		
	•	•	•	
	•	•	•	
	•	•	•	

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Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input type="checkbox"/> N

Date of Meeting	8 March 2023	
Title of Report	Climate Emergency Action Plan: update 2022/23	
Author	Martin O'Brien	Ext. 46605

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	Y	
Legal Comments	Y	
Cabinet Briefing consideration	Y	
EMT consideration	Y	
Agenda Planning Group consideration	Y	



Signed:

Cabinet Member for Environment and Climate Action

Date: 22.02.23



Signed:

Executive Director for Housing Regeneration and Public Realm

Date: 22.02.23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	
Date submitted to Legal & Finance	
Date submitted to Cabinet Members for sign off	
Date submitted to Executive Director for sign off	



Mayor and Cabinet

Climate Emergency Action Plan: update 2022/23

Date: 8 March 2023

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Climate Resilience Manager

Outline and recommendations

This report provides Mayor and Cabinet with an update on delivery of Lewisham's Climate Emergency Action Plan.

Timeline of engagement and decision-making

In February 2019 Lewisham councillors agreed a motion to declare a 'Climate Emergency' and asked Mayor and Cabinet to adopt an action plan by the end of 2019/20 with the aim of making the borough carbon neutral by 2030.

<https://councilmeetings.lewisham.gov.uk/documents/s62942/Motion%20%20proposed%20Cllr%20Anwar%20seconded%20Cllr%20Krupski.pdf>

Mayor and Cabinet agreed Lewisham's Climate Emergency Action Plan on 11 March 2020.

<https://councilmeetings.lewisham.gov.uk/documents/s72555/Climate%20Emergency%20Action%20Plan.pdf> and has reviewed progress on an annual basis:

- 10 March 2021 M&C Climate Emergency Action Plan update
<https://councilmeetings.lewisham.gov.uk/documents/s78637/Lewishams%20Climate%20Emergency%20Action%20Plan.pdf>
- 9 March 2022 M&C Climate Emergency Action Plan update
<https://councilmeetings.lewisham.gov.uk/documents/s96746/Climate%20Emergency%20update.pdf>

An update on the Climate Emergency Action Plan was reviewed by the Housing Select Committee on 5 January 2023 and by Sustainable Development Select Committee on 10 January 2023.

1. Summary

- 1.1. This report provides Mayor and Cabinet with an update on Lewisham's Climate Emergency Action Plan, published in March 2020.

2. Recommendations

- 2.1. Mayor and Cabinet is invited to review and comment on the update on progress and agree the response provided below to a referral made by the Sustainable Development Select Committee following its meeting on 10 January 2023.

3. Policy context

- 3.1. In 2016, the UK Government ratified the Paris Agreement, part of the United Nations Framework Convention on Climate Change, which commits countries to taking action to prevent the global average temperature increasing 2°C above pre-industrial levels. In 2019 the Climate Change Act 2008 (2050 Target Amendment) Order 2019¹ committed the UK to a legally binding target of net zero emissions by 2050. In 2021 the Government published its Net Zero Strategy setting out proposals to deliver the UK's commitment under the Paris Agreement. In the 2022 Autumn Statement the Government set a national ambition to reduce energy consumption by 15% by 2030, with a new Energy Efficiency Taskforce to drive improvement in energy efficiency in households, business and the public sector. The Autumn Statement also announced £6bn new funding in 2025-28 in addition to the £6.6bn from existing manifesto commitments.
- 3.2. Lewisham Council's Corporate Plan 2022-26 identifies the climate emergency as one of four local challenges, and states that
 - We continue to strive towards being a net zero borough by 2030, and will continue to lobby the government and work with our partners to achieve this.
 - We will lead by example, by using 100% renewable energy, retrofitting public buildings where possible to make them more energy efficient, and supporting residents to make their homes warmer and more efficient.
 - Our parks and green spaces are a lifeline to the health and wellbeing of our residents, and provide important resilience against the climate emergency. We will continue to invest in them, and continue to plant more trees – adding to the 25,000 we've planted since 2018.
 - The progress of our Climate Emergency Action Plan will be reviewed annually by our Executive Management Team and through our scrutiny committee process, including reporting annually to the Mayor and Cabinet. We will publish a public update once a year setting out what has been done in that year and updating our set of actions going forward.
- 3.3. The Corporate Plan priority 'Greener and Cleaner' commits to continue to embed the response to climate change throughout the Council and identifies work on tree planting, parks and active travel as part of this work. The priority on 'Quality Housing' includes a commitment to improve the borough's housing stock, working with all housing providers to encourage retro-fitting as part of our drive to be carbon-neutral by 2030.

¹ <https://www.legislation.gov.uk/ukdsi/2019/9780111187654>

4. Background

- 4.1. In February 2019 Lewisham Councillors approved a motion declaring a Climate Emergency and setting the ambition for Lewisham to be carbon neutral by 2030². Lewisham's Climate Emergency Action plan was developed over the course of 2019 through an internal working group, discussions with residents and community groups, and input from the Sustainable Development Select Committee and was approved by Mayor and Cabinet on the 11 March 2020³.
- 4.2. The Action Plan identified the following priorities:
 - The scale of threat from climate change requires us to be ambitious
 - Action on climate change is action on social justice
 - Responding to the climate emergency delivers across a range of Council priorities
 - The Council must demonstrate leadership through its own operations
 - Net Zero Lewisham cannot be delivered by the Council alone
- 4.3. An assessment of progress against each of the actions in Lewisham's Climate Emergency Action Plan is included as an annex to this report.

5. Referral from Sustainable Development Scrutiny Committee

- 5.1. The Sustainable Development Scrutiny Committee discussed an update on the Climate Emergency Action Plan at its meeting on 10 January 2023. Following the meeting the Committee made the following referral to Mayor and Cabinet:
- 5.2. *The Committee welcomes the update from officers and notes the good practice on which the plan has been developed. However, the Committee is unclear about the likelihood of achieving those actions which are identified in the plan as 'ongoing'.*
- 5.3. *The Committee recommends that the Council should seek to further risk assess, prioritise, and effectively categorise the actions in the plan. Members believe that there needs to be an enhanced focus on how and when the actions will be delivered, which may include an assessment of the work that needs to take place to achieve this.*
- 5.4. *The Committee believes that, where priority actions have already been agreed upon, then this should be clearly communicated to members and the relevant stakeholders. Furthermore, the Committee believes that consideration must be given to ensuring there is transparency around the tasks of risk assessing, prioritising, and categorising other 'ongoing' actions.*

Response to the referral

- 5.5. The update on the Action Plan presented to Mayor and Cabinet has been revised in response to Sustainable Development Scrutiny Committee's request. The update is intended to provide additional analysis of the actions identified as 'Ongoing' to support a more transparent discussion on risk, priority and the challenges involved in delivering the Action Plan. In each case the narrative against the action sets out the steps that have been achieved and any constraints that have been identified. In addition the latest version of the update provided to Mayor and Cabinet includes a Red / Amber / Green 'RAG' rating. This RAG rating is based on whether the action has been achieved or not combined with the original forecast of when the action would be complete.
- 5.6. When the Climate Emergency Action Plan was published in 2020 an estimate of the date when each action would be completed was included, and has been part of the

² <https://councilmeetings.lewisham.gov.uk/documents/s62942/Motion%202020proposed%20Cllr%20Anwar%20seconded%20Cllr%20Krupski.pdf>

³ <https://councilmeetings.lewisham.gov.uk/documents/s72555/Climate%20Emergency%20Action%20Plan.pdf>

information routinely circulated as part of the updates. These dates were either:

- 2020/21
- Short term (defined as by March 2023)
- Medium term (defined as March 2026)
- Long term (defined as March 2031)

5.7. This has enabled a simple but effective approach to identifying individual actions as either Red, Amber or Green as follows:

- Green = 'Achieved'; or 'Ongoing'/Date: long term
- Amber = 'Ongoing'/Date: medium term
- Red = 'Not achieved'; or 'Ongoing'/Date: 2020/21; or 'Ongoing'/Date: short term

5.8. It should be noted that the risk ratings are an assessment against the original planned action as set out in March 2020. There has inevitably been significant change since then including the pandemic and economic instability. The narrative update for each action seeks to provide details of how risks have been mitigated and updated plans for each action. These is expanded on below in paragraphs 6.10-6.15.

5.9. In addition to the material provided to Mayor and Cabinet, officers are working on creating a public-facing more accessible version of this material to set out the achievements and priorities of the Climate Emergency Action Plan over the next 3 years. This information is expected to be published by the end of Q1 in 2023/24.

6. Update on delivery

6.1. The 143 actions in the March 2020 Action Plan are divided across the following themes:

- Leading by Example;
- Sustainable Housing;
- Decarbonised Transport;
- Greener Adaptive Lewisham;
- Inspiring, Learning and Lobbying.

6.2. An annotated list of the actions is attached as an annex to this report. Each action has a narrative update and is then assessed as either: 'Achieved', 'Not Achieved' or 'Ongoing'. As described above in the response to the Sustainable Development Select Committee (paragraphs 5.5-5.9 above), each action has also been given a RAG rating.

6.3. The following table shows these assessments by Action Plan thematic:

	Achieved	Ongoing	Not Achieved
Leading by Example (45)	64%	31%	4%
Sustainable Housing (43)	67%	28%	5%
Decarbonised Transport (22)	50%	45%	5%
Greener Adaptive Lewisham (14)	64%	36%	0%
Inspiring Learning and Lobbying (19)	89%	11%	0%
All (143)	66%	30%	3%

Note: rounding errors may mean some rows do not add to 100%

	Green	Amber	Red
Leading by Example (45)	67%	7%	27%
Sustainable Housing (43)	70%	7%	23%
Decarbonised Transport (22)	73%	5%	23%
Greener Adaptive Lewisham (14)	64%	0%	36%
Inspiring Learning and Lobbying (19)	89%	0%	11%
All (143)	71%	5%	24%

Note: rounding errors may mean some rows do not add to 100%

Achievements since 2020

6.4. Key achievements since Lewisham's Climate Emergency Action Plan was published in March 2020 include:

6.5. *Leading by Example: achievements*

- In 2022 Climate Emergency UK published a scored assessment of all UK Climate Emergency Plans. Lewisham's was scored 77%, 4th highest in London and 12th nationally (see action 1.1.1).
- In 2021 Lewisham Council was awarded £3.5m to deliver works to 10 corporate and school buildings under the Government's Public Sector Decarbonisation Scheme. The works, completed in 2022, cut carbon emissions by 316 tonnes a year through replacing gas boilers with heat pumps and retrofitting insulation, lighting upgrades and wider improvements to heating and ventilation (1.2.1).
- In 2021 the Pension Investment Committee approved a low carbon mandate to divest the Council's pension scheme from carbon and moved assets into holdings supporting positive investment in carbon reduction (1.5.1).
- A range of Council services have adopted improvements that are reducing emissions associated with delivery. This includes upgrades to the Council's fleet (1.3.2), electrification of tools used in parks and green spaces (1.3.9), adopting 'warm mix' for road surfacing works (1.3.10) and the roll out of food waste collections to schools (1.4.7).
- In 2020 the Council switched its corporate electricity contracts to 100% renewable (1.5.5)

6.6. *Sustainable Housing: achievements 2020-23*

- In 2022 Lewisham's Housing Retrofit Task & Finish Scrutiny Group published a

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range of recommendations aimed at supporting retrofit and reducing carbon emissions across housing in the borough of all tenures (2.3.1)

- In 2021 Lewisham Homes approved an Asset Management Strategy and Sustainability Strategy setting out plans to improve Lewisham Homes' housing stock to 2030 in line with the Lewisham Climate Emergency Strategic Action Plan (2.1.1). This approach informed the development of an application by the Council in November 2022 for £2.9m funding from the Social Housing Decarbonisation Fund as part of £9m decarbonisation works to the Lewisham Homes' estate (2.1.5).
- Lewisham Council leads the South London Healthy Homes partnership delivering a practical energy advice service across 12 South London boroughs targeted at low income and vulnerable households helping them stay warm in Winter. In three years the programme has supported 8,699 households including 1,602 in Lewisham (2.4.1).
- Lewisham has delivered borough-wide energy master-planning and detailed techno-economic studies into the viability of decentralised energy in clusters based in Catford, Lewisham Town Centre and Deptford which will support zero carbon growth through the planning system (2.6.2).
- The Council has sought to improve standards in the borough's least efficient homes. With Government funding officers led a sub-regional approach to engagement with private sector landlords to raise awareness of Minimum Energy Efficiency Standards, which in Lewisham involved 2,840 stakeholders (2.3.6). In 2022 the Council launched a new borough-wide additional licensing scheme meaning that all HMOs in the borough are now licensable (2.3.1).

6.7. *Decarbonised Transport: achievements 2020-23*

- Lewisham has one of the highest number of School Streets in London with 48 covering 39 schools. School Streets have roads closed to traffic at drop off and pick up times, reducing congestion and improving air quality and road safety around the school site. (3.2.3).
- Permanent traffic orders have been approved for Lewisham's Low Traffic Neighbourhood in Lee Green, the largest LTN in London. Further monitoring and implementation of wider complementary measures continue to support the scheme (3.2.2).
- In December 2022 Mayor and Cabinet approved a Sustainable Transport and Parking Improvements Programme which will take an area-based approach to controlling parking alongside improvements to promote walking and cycling including footway widening, trees and planting, bike hangers as well as electric vehicle charging and car clubs. (3.2.2).
- There are currently 153 electric vehicle charging points across Lewisham. The Council is accelerating delivery of charging points and will continue to seek additional funding in support of the ambition that all residents live within a 500m walk of a charging point (3.4.1).
- The Council is installing anti-idling signage near local schools, with 75 schools scheduled to be covered by the end of 2022 and new campaigns to raise awareness and compliance (3.4.7).

6.8. *Greener Adaptive Lewisham: achievements 2020-23*

- The Council has planted 25,000 trees since 2018. In 21/22 there were 964 trees planted in parks and 294 street trees in partnership with Street Trees for Living (4.1.1) over 500 trees are going in over the 22/23 planting season.

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- Thanks to the additional care and ownership of trees by local communities developed as a result of the partnership with Street Trees for Living, Lewisham's street trees have an excellent survival rate of 98%, significantly higher than the industry standard of 70% (4.1.1).
- The Council has secured funding for new flooding measures at Beckenham Place Park: £1.2m from the Environment Agency will create new flood storage capacity protecting communities the length of the Ravensbourne River and reducing risk to over 800 properties as part of the wider enhancements to the eastern side of the park (4.1.2).
- The Council has consulted on and published a range of key strategic documents including a new Parks and Open Spaces Strategy (4.1.7), Waste Strategy (4.3.2), Flood Risk Management Strategy (4.1.4) and Air Quality Action Plan (3.4.7) supporting a long-term and joined up approach to improving the borough's environment.

6.9. *Inspiring, Learning and Lobbying: achievements 2020-23*

- Lewisham's London Borough of Culture Year 2022 has had a strong focus on diversity and climate (5.1.2). Lewisham Speaks was the result of a 6-month artists' residency within the Climate Resilience Team and a borough-wide programme of engagement resulting in a show in summer 2022 performed in every ward and Lewisham's People's Day. Over 5,000 residents engaged with Lewisham Speaks in one way or another and the commission has left as a legacy a giant map created by residents, a manifesto and a video that will be part of Lewisham's induction programme for new staff and members (5.1.4).
- In November 2022 Mayor and Cabinet approved proposals to proceed with the development of a £1m Lewisham Green Bond. The Bond is expected to launch in 2023 and will be an opportunity for residents and communities to directly invest in net zero initiatives whilst earning a return on their investment (1.5.3).
- A Schools' Climate Conference was held during COP26 in 2021 with 26 schools attending. This led to an ongoing Schools' Climate Network meeting termly with an average of 15 schools attending. A Pupils' Climate Network has also now been launched meeting twice in person in 2022 to share good practice and enthusiasm for climate action across the borough's schools (1.4.3).
- A practical guide to retrofit was published in December 2022. <https://lewisham.gov.uk/myservices/environment/climate-emergency/improving-the-energy-efficiency-of-your-home> A 'Residents' guide to action on the climate crisis' was published in 2021 and updated in 2022. <https://lewisham.gov.uk/myservices/environment/resident-guide> (5.1.3).
- Lewisham has played a leading role in lobbying government for change and influencing delivery at a regional and national level. Through UK100, London Councils' Transport & Environment Committee, the London Environment Directors Network and a range of other forums the Council has called for greater clarity on the role of local authorities in delivering net zero and a need for realism and long-term thinking about how current funding works. (5.5.2)

Risks and constraints

- 6.10. As described above strong progress has been achieved across the Action Plan themes but inevitably some actions have been more challenging. This is reflected in the narrative and RAG assessment. Common constraints affecting delivery include funding, capacity across Council teams, a lack of clarity in relation to national policy, reliance on third party actions and actions where an alternative approach has been pursued. These issues, along with relevant actions identified as 'Red' are summarised

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below.

6.11. A lack of funding for delivery: Lewisham's Action Plan sets an ambitious agenda and intentionally included stretching actions in line with the recognition of the scale of threat the climate emergency represents. However declaring a climate emergency and setting an ambition to be net zero carbon confers no additional funding or powers to the Council. Actions that have been constrained by the level of funding available include:

- Delivery of a plan for a 50% reduction in carbon emissions from corporate buildings by 2025 (1.2.2) which requires a significant level of funding to achieve. While the Council has been successful in accessing funding through the Public Sector Decarbonisation Fund an estate-wide programme at this scale is beyond current resources. This is also true in relation to (1.4.4) the development of new carbon standards for school retrofit. Our approach has been therefore to focus attention on buildings with end-of-life heating systems to try to avoid like-for-like replacements of gas heating systems.
- Upgrading the basement at Laurence House (1.3.1): some improvements have been made to the basement but the level of significant investment needed is on hold awaiting a wider review of the Catford Complex and the development of a new staff travel plan.
- Funding for transport programmes was severely affected by the impact of the pandemic on Transport for London budgets, which has impacted on a number of the actions in *Decarbonised Transport* section of the plan including: completing Deptford Liveable Neighbourhoods (3.2.1); improvements to Lewisham High Road (3.2.4); extending cycle training (3.2.9). Progress has been made and officers continue to work with TfL to secure the funding to complete schemes.

6.12. Constraints on Council capacity: The Action Plan was published just before the first COVID 19 lockdown and at a time of long-term financial pressures on local authorities and their public and community sector partners. This has affected capacity in relation to delivery against the original timescales of the Action Plan and has been a factor in relation to the following actions:

- Corporate carbon reporting (1.1.2) the original forecast deadline for this work was 2020/21 but this was disrupted by the pandemic. Data for the 4 years 2018/19 to 2021/22 has been compiled but a number of gaps in data and significant changes over time need to be assessed and the report setting out the detail is expected to be published in Q1 23/24.
- Capacity within the corporate energy team has meant it has not been possible to review the ISO 50001:2018 Energy Management System standard and this action is currently on hold (1.2.6).
- Electric vehicle charging infrastructure at Wearside (1.3.4) has not been installed and requires defining and capital investment. This will be addressed as part of the wider acceleration of EV charging for the borough (3.4.1).
- This planned baseline of staff travel (1.3.6) was delayed as a result of the radically changed working practices arising from the pandemic. The baseline study is programmed in for 22/23.
- The Council has not agreed a document retention policy yet (1.3.12) due to the complexity and resources needed to do the development, consultation and implementation work. This work will be addressed as part of the Council's new Digital Strategy scheduled for 2023 as will the action relating to understanding the carbon associated with corporate IT functions (1.3.13).
- The creation of new PRS renters union (2.3.9) has not been possible due to resource constraints but officers continue to explore this.

- Capacity constraints have meant the proposed equalities assessment of climate emergency work has not yet taken place (2.4.3).
 - The adoption of the new Local Plan has not been possible within the March 2023 timeframe originally proposed in the Action Plan and the start of the final part of testing the soundness and legal compliance before submitting to Government for approval was delayed by the death of the Queen. Significant progress has however been made with climate emergency embedded within the Plan (2.5.1) and strengthened policies on green infrastructure and biodiversity (4.1.9).
 - The Council completed a community energy fund programme in 2020. Plans for a further round of funding (5.2.2) have been constrained by available resources to date with the intention to relaunch in 23/24.
 - Plans for alternative permitting for only electric ice cream vans (4.2.3) have been delayed because of uncertainty about the future of the grounds maintenance contract and issues on return on investment.
 - Investigations to seek suitable premises for a re-use shop (4.3.1) are ongoing but it hasn't been possible to complete this objective in the timeframe originally proposed.
- 6.13. Lack of clarity on national policy: in some cases constraints on funding and capacity have been exacerbated by a lack of clarity about national policy, including:
- The Independent Review of UK Net Zero published in January 2023 contains a range of recommendations to Government including focusing the role of local authorities building on commitments previously made by the Government in the Net Zero Strategy published in 2021.
 - In relation to Energy Performance Certificates and the commercial portfolio (1.2.10, 1.2.11 and 1.2.12) the Government consulted on raising minimum standards on EPCs C for domestic properties to and B for non-domestic by 2030 in 2021 but has yet to publish any conclusions from those in 2020.
 - This same issue is also relevant to the proposed action to assess the actions needed to achieve EPC B cross tenure (2.3.1) following the Housing Retrofit Task and Finish group recommendations in 2020 officers plan to develop and publish a Housing Retrofit Strategy in 23/24.
- 6.14. Reliance on third party actions: delivery of the ambition for the borough to be net zero by 2030 cannot be achieved by the Council alone and the new Local Strategic Partnership and its climate sub-group is expected to galvanise further partnership work in support of the climate agenda. In some cases proposed actions have been constrained because they rely on actions by third parties that have not yet taken place including:
- A memorandum of understanding was signed with Veolia in relation to the development of heat networks with the South East London Combined Heat and Power facility as a focus. Veolia were awarded funding under the Government's Heat Network Improvement Programme for a connection to Convoys Wharf but delivery of the commercial agreements between Veolia and the developer have been slower to conclude than anticipated (2.6.1).
 - Seeking the agreement of Transport for London to align their targets with Lewisham's ambition to be net zero by 2030 (3.1.1) remains a lobbying point but is outside the control of the Council.
 - Officers continue to work with TFL to increase the number of low emission buses (3.4.2) but delivery is reliant on TFL and their funding.

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6.15. Actions where an alternative approach is being pursued: in a small number of cases following the publication of the Action Plan circumstances have changed or subsequent analysis has identified that the proposed course of action was not feasible. This includes:

- Wider changes in relation to the relationship between Lewisham Homes and Lewisham Council means that some of the proposals made by Lewisham Homes in 2019/20 will be integrated into the work set out in the Leading by Example section for Lewisham Council buildings, operations and staff. This includes: new Lewisham Homes' staff sustainability protocols (2.2.2); refurbishment of the Old Town Hall (2.2.3) and Lewisham Homes' fleet standards (2.2.4).
- Lewisham Homes proposal to recruit 100 Eco Champions (2.2.5) was disrupted by COVID and subsequently it was decided that this should be integrated into existing resident engagement activity by explicitly including climate change as part of the work of existing resident steering groups.
- The proposal for a discount on any licence fee for landlords who can demonstrate achieving an EPC of C and above (2.3.4) was reviewed with the conclusion that while the offer was unlikely to motivate any additional action by landlords it would complicate the process and reduce funding, creating additional pressures for housing budgets.
- The proposal to refuse crossovers where paved driveways are not permeable (4.1.4) is still being considered, but as a more practical step guidance will be published to encourage homeowners to de-pave gardens and the ongoing In Living Memory work on flooding is continuing to raise awareness of the issues around drainage and flood risk.
- To avoid confusion or duplication the concept of Clean Air Neighbourhoods (4.2.1) is not the description the Council is currently using for local area-based projects with communities to improve air quality. There are however a number of active programmes that are achieving the aims of this action including school streets and this will also be supported through the planned area-based Sustainable Transport and Parking Improvements Programme.
- The creation of Lewisham Climate Commitment (5.3.1) was planned as part of the launch of the Climate Emergency Action Plan in 2020, but the official launch event was cancelled due to COVID. In 2021 a new Climate Subgroup of the Lewisham Deal was established with local partner organisations which has now been integrated and expanded as part of the new structures established for the Local Strategic Partnership.

7. Financial implications

- 7.1. Achieving the ambition for Lewisham to be net zero carbon has significant cost implications. Work undertaken to support the development of Lewisham's Climate Emergency Action Plan estimated a minimum cost of £1.6bn over 10 years.
- 7.2. Lewisham Council's funding from government has been hugely reduced since 2013/14, while at the same time, the Council has faced increased costs through population growth, changes to government policy, the COVID19 pandemic and costs associated with inflation and rising energy bills. Considering the minimum cost required to achieve the action plan, there is a need to find creative ways to find the resources needed to support this work.
- 7.3. Responding to the Climate Emergency is about making better use of resources and creating an alternative to a high-carbon consumer economy. In this context there are potential connections between delivering on a low carbon agenda and the Council's

need to cut expenditure and secure greater financial stability.

8. Legal implications

- 8.1. The report refers to the Climate Change Act 2008 and regulations under that Act. The Act establishes a legal framework that underpins the UK's commitment to tackling climate change, including reducing CO2 emissions and addressing climate risks. The provisions of the Act apply at central government level.
- 8.2. Local authorities can use their own powers to take actions. The relevant powers are likely to include the wide general power of competence under Section 1 of the Localism Act 2011 which allows local authorities to do anything that individuals generally may do. The existence of the general power is not limited by the existence of any other power of the Council which (to any extent) overlaps the general power.
- 8.3. The matters considered in this report are not key decisions. The implementation of various matters referred to in this report may be key decisions and if so will be addressed through the appropriate mechanisms when those decisions arise.

9. Equalities implications

- 9.1. There are no specific equalities implications arising directly from this report but it should be noted that the risks and impacts of a changing climate will not fall equally, and without action the consequences will exacerbate poverty and health inequalities globally and locally.
- 9.2. In addition, given the fundamental nature of the changes needed, there are considerable risks that the actions taken to limit carbon emissions could, in themselves, disadvantage low income and vulnerable individuals and communities. Further work is needed to fully identify the equalities implications of climate change for Lewisham residents.

10. Climate change and environmental implications

- 10.1. The environmental implications of the climate crisis are summarised in the Action Plan. Since the plan was published there has been good progress made to embed action on the climate within the Council's strategies and operational functions, and to bring together the Council's work across wider environmental activity particularly in relation to the Council's Waste Strategy, the Parks and Open Spaces Strategy, the Air Quality Management Plan, the draft Local Plan, the Flood Risk Management Strategy and the current Sustainable Streets programme.

11. Crime and disorder implications

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

12. Health and wellbeing implications

- 12.1. Lewisham's Climate Emergency Action Plan will deliver a range of health and wellbeing benefits to residents, including actions to improve air quality, increased participation in active travel as well as support for low income and vulnerable households to cut the cost of staying warm in winter.

13. Background papers

- 13.1. Lewisham's Climate Emergency Action Plan (March 2020)

<https://councilmeetings.lewisham.gov.uk/documents/s72555/Climate%20Emergency%20Action%20Plan.pdf>

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15. Glossary

Term	Definition
Carbon / Carbon dioxide	Carbon dioxide (CO ₂) is a naturally occurring gas fixed by photosynthesis into organic matter and is a by-product of fossil fuel combustion, land use changes and other industrial processes. CO ₂ is the principal greenhouse gas (see below) associated with human activity and climate change (see below) and the reference against which other greenhouse gases are measured. Unless otherwise indicated the terms 'carbon' or 'carbon dioxide' are used in this report to refer to a combined measure of greenhouse gases (CO ₂ e or CO ₂ equivalent), of which carbon dioxide is the most common.
Carbon Neutral	The term "carbon neutral" is used in this report in line with the original declaration of a Climate Emergency in Lewisham. Carbon neutrality balances greenhouse gas emissions with carbon removals. As defined by the Committee on Climate Change, a net-zero or carbon neutral target requires "deep reductions in emissions, with any remaining sources offset by removals of CO ₂ from the atmosphere". In the context of Lewisham's target this means additional carbon removal and storage activity at the borough level or 'carbon offsets' funding an equivalent removal outside the borough.
Carbon Offsetting	Carbon offsetting enables individuals and organisations to compensate for any emissions they cannot avoid by paying for a carbon credit, typically a payment for an equivalent amount of emissions to be reduced or removed elsewhere. These emissions savings are generated through the implementation of a variety of projects such as planting trees and installing solar panels. Offsetting should be seen as an option of last resort and there is no commitment by Lewisham Council to fund carbon offsets to meet the aspiration to be carbon neutral by 2030.
Climate	Climate is usually defined as the average weather, or more rigorously, as a statistical description in terms of the mean and variability of relevant quantities over a period of time ranging from months to thousands or millions of years. The relevant quantities are most often surface variables such as temperature, precipitation, and wind.
Climate Change	Climate change, as used by the United Nations International Panel on Climate Change, refers to a change in the state of the climate that can be identified by changes in the mean and/or the variability of its properties, and that persists for an extended period, typically decades or longer.
Fuel Poverty	The Government's definition of fuel poverty for England and Wales states that a household is said to be in fuel poverty if: they have required fuel costs that are above average (the national median level), and, were they to spend that amount they would be left with a residual income below the official poverty line. There is a direct link between living in cold and damp conditions and poor health outcomes.
Greenhouse Gases	Greenhouse gases are those gaseous constituents of the atmosphere which absorb and emit radiation at specific wavelengths within the spectrum of thermal infrared radiation emitted by the Earth's surface, by the atmosphere itself, and by clouds. This raises global temperatures with a consequential impact on climate. Water vapour (H ₂ O), carbon dioxide (CO ₂), nitrous oxide (N ₂ O), methane (CH ₄), and ozone (O ₃) are the primary greenhouse gases in the Earth's atmosphere.
Scope 1, 2 & 3 emissions	Scope 1, 2 and 3 emissions are a method of defining, measuring and reporting carbon emissions on an organisational or an area basis. Scope 1 covers direct emissions from owned or controlled sources. Scope 2 covers indirect emissions from the generation of purchased electricity, steam, heating and cooling. Scope 3 includes all other indirect emissions including in particular the supply chain.

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Ref	Action	Action owner	Update February 2022	Status	Date	RAG rating
LEADING BY EXAMPLE						
1.1.1	The Council's Executive Management Team to oversee delivery of the Climate Emergency Action Plan with an annual update report to Mayor and Cabinet.	Housing Regeneration and Public Realm - Climate Resilience Team	The Action Plan and the Climate Emergency have been discussed by the Executive Management Team on a number of occasions since 2020. In 2022 a new officer-level Net Zero Carbon Board, chaired by the Executive Director for Housing, Regeneration and Public Realm has been established to provide strategic oversight of delivery of Lewisham's Climate Emergency Action Plan. In January 2022 Climate Emergency UK published a scored assessment of all UK Climate Emergency Plans. Lewisham was given an overall score of 77%, 4th highest in London and 12th nationally out of 184 UK single tier local authorities.	Achieved	2020/21	Green
1.1.2	Publish an annual 'Corporate Use of Resources' statement setting out performance in relation to corporate carbon emissions, energy consumption, water, waste & recycling, paper use, staff travel, procurement, IT (information technology) and other environmental indicators.	Housing Regeneration and Public Realm - Climate Resilience Team	This work did not get delivered in 2020/21 because of the impact of the pandemic on resources. Reports analysing corporate carbon emissions for the years 2018/19 to 2021/22 are near to completion and will be published on the Council's website following approval by Lewisham's Net Zero Carbon Board. The methodology uses the Local Partnerships reporting tool setting out the Council's scope 1 and 2 carbon emissions, the methodology endorsed by London Councils' Emissions Reporting Group. A further update for 2022/23 will be published by the end of September 2023.	Ongoing	2020/21	Red
1.1.3	New programme of climate/carbon literacy training to be rolled out to staff and additional focus on Climate Emergency and carbon literacy in induction for new staff. Use the Staff Climate Forum to identify further opportunities for engagement.	Housing Regeneration and Public Realm - Climate Resilience Team	A new Climate Literacy module has been developed and will be included on the Council's Learning Hub for all staff. The first staff members are expected to go through the new training in Q1 2023/24. In an all staff survey in 2022 65% of staff said they considered the impact their role has on the environment; 54% agree the council is working to tackle the climate emergency; and 52% of staff want to hear more about the Council's work on climate change. These figures create a benchmark for tracking progress on embedding climate issues across the Council.	Achieved	Short term	Green
1.1.4	New policy of only vegan food served at events on corporate sites.	Housing Regeneration and Public Realm - Climate Resilience Team	This policy was established as part of Mayor and Cabinet's approval of the Climate Emergency Action Plan in March 2020 and has been featured as a case study on the LGA's Climate Emergency case studies https://www.local.gov.uk/case-studies/lewisham-council-vegan-catering-local-approach-global-emissions	Achieved	2020/21	Green
1.1.5	Review further opportunities to eliminate single-use plastic from across the Council's operations in line with the Council corporate commitment, including ending single-use plastics at events.	Housing Regeneration and Public Realm - Climate Resilience Team	Avoiding single-use plastic across the Council's buildings and service delivery remains a priority. Single use plastic was avoided throughout Lewisham's Borough of Culture events including People's Day.	Achieved	2020/21	Green
1.1.6	Develop a strategic approach to reducing deliveries and servicing vehicles to and from Council buildings, including restricting delivery times to certain hours, learning from good practice elsewhere such as the model being used by Guys and St Thomas hospital at the Dartford Consolidation Centre.	Corporate Resources - Financial Planning Strategy and Commercial	The pandemic changed the nature of office working for the Council, including deliveries to buildings. Reducing the need for vehicle transport and particularly fossil fuel powered vehicles will continue to be a priority. The Council's Sustainable Procurement Strategy (2021-25) including Social Value policy and KPIs provide guidance to service teams on this.	Ongoing	Medium term	Amber
1.1.7	Review and reshape the current internal Climate Emergency Working Group to fit with delivery of the Action Plan.	Housing Regeneration and Public Realm - Inclusive Regeneration	In October 2022 a new Net Zero Carbon Board, chaired by the Executive Director for Housing, Regeneration and Public Realm was established and will provide strategic oversight of delivery of Lewisham's Climate Emergency Action Plan.	Achieved	2020/21	Green
1.2.1	Our aim is to be carbon neutral in terms of our corporate emissions by 2030, with an interim target of reducing carbon emissions from our corporate buildings by 50% by 2025 against the 2017/18 baseline.	Housing Regeneration and Public Realm - Capital Delivery	A 50% reduction in emissions from buildings by 2025 and 100% by 2030 is not achievable without substantial investment across the Council's buildings. The Council has however been successful in securing additional funding to deliver retrofit works to Council buildings and schools to ensure in the short term that heating works do not result in like-for-like gas boiler replacements. In 2021 Lewisham Council was awarded £2.7m to deliver works to 7 corporate sites and £0.8m for 3 schools under the Government's Public Sector Decarbonisation Scheme. The funding replaced gas boilers with air source heat pumps including a ground source heat pump at Brockley Rise Adult Learning Centre as well as installing insulation, lighting upgrades and wider improvements to heating and ventilation. The works at the 7 corporate sites has reduced carbon emissions by 208 tonnes a year and at the 3 schools by 108 tonnes annually. Further work is underway to deliver Heat Decarbonisation Plans across 32 corporate sites and 5 schools by March 2023 funded through the Government's Low Carbon Skills Fund. A further application to the Public Sector Decarbonisation Scheme was submitted in October 2022.	Ongoing	Medium term	Amber
1.2.2	Set out a detailed programme, including milestones, for carbon management in the Council's Strategic Asset Management Plan to 2025.	Housing Regeneration and Public Realm - Capital Delivery	The Council's Strategic Asset Management Plan is scheduled to be finalised in 2023/24.	Ongoing	Short term	Red
1.2.3	Embed the aspiration to be carbon neutral into the Catford Regeneration Masterplan with an aim for the Council's main corporate centre to achieve a DEC A rating.	Housing Regeneration and Public Realm - Inclusive Regeneration	In 2022 the Council completed a set of techno economic assessment of heat network opportunity areas including Catford. This work is now a key input into the Council's delivery strategy for the regeneration of Catford that is underway. The Council's Strategic Asset Management Plan will set out the approach to design and delivery of the Council's future accommodation needs and civic presence.	Achieved	Short term	Green
1.2.4	Complete an estate lifecycle programme for 80 Council-owned sites to inform the Strategic Asset Management Plan. Outputs will identify works in relation to heating, insulation, lighting, windows and other energy related measures.	Housing Regeneration and Public Realm - Capital Delivery	The lifecycle programme completed in 2020. This work informs an ongoing estate maintenance programme for corporate sites with packages of work being tendered across multiple buildings at multiple sites. This is an ongoing programme of works which seeks to deal with backlog of maintenance issues and pro-actively ensure buildings remain fit for purpose. Some of these works directly contribute towards carbon reduction in the corporate estate – e.g. new windows, LED lighting, new roofs with insulation etc – however the programme does not include large scale heating replacement for carbon neutral technologies. External funding is required to support this (see 1.2.1).	Achieved	Short term	Green
1.2.5	Deliver lighting upgrades and improvements to heating, ventilation and air conditioning in the Old Town Hall, Civic Suite, Catford Library and customer service centre in 20/21.	Housing Regeneration and Public Realm - Capital Delivery	Refurbishment works to the Old Town Hall have concluded. These included repairing windows, installing LED lighting and some limited heating and cooling upgrades. Work to the ground floor of Laurence House continues to be on hold however M&E surveys have been completed to understand the requirements. Catford Library moved to the Catford shopping centre and refit works there included LED lighting, new electrics and heating/cooling.	Achieved	2020/21	Green
1.2.6	Review the applicability of ISO 50001:2018 Energy Management System standard as a means to drive improvements in energy efficiency.	Corporate Resources - Facilities Management	Capacity within the corporate energy team has meant this work has not been possible.	Not achieved	Short term	Red
1.2.7	Build capacity in our capital delivery team in relation to energy and carbon reduction.	Housing Regeneration and Public Realm - Capital Delivery	The Capital Delivery Team have been directly involved in the delivery of Lewisham's Low Carbon Skills Fund and Public Sector Delivery Scheme funded works across corporate buildings and schools giving first hand experience of energy efficiency and carbon reduction measures.	Achieved	Short term	Green
1.2.8	Explore new funding mechanisms to use the savings from reduced energy consumption to fund the upfront capital costs of works.	Housing Regeneration and Public Realm - Inclusive Regeneration	Rising energy costs have made any spend-to-save schemes impractical in terms of releasing budget. However new proposals for innovative funding mechanisms (see 1.5.3 and 1.5.4 below) may offer potential opportunities to support capital works.	Achieved	Short term	Green
1.2.9	Review water consumption across the corporate estate. Identify and publish targets to improve performance as part of the annual use of resources statement described in 1.1.2.	Housing Regeneration and Public Realm - Inclusive Regeneration	Water consumption has been included as part of the Corporate Use of Resources data compiled for 2020/21 and will continue to be part of this work (see 1.1.2).	Achieved	2020/21	Green
1.2.10	Complete remaining EPC surveys for the 270 sites in the commercial portfolio and assessment against the requirements of the Minimum Energy Efficiency Standards.	Housing Regeneration and Public Realm - Inclusive Regeneration	The commercial estates team are in the process of instructing EPC advisers to undertake further inspections of properties where existing EPCs are due to expire, or we do not have a current record of an EPC certificate	Ongoing	Short term	Red
1.2.11	Ensure compliance by 2023 with the Minimum Energy Efficiency Standards (MEES) legislation in relation to those commercial properties identified as falling below EPC E (currently 25 out of 170 EPCs).	Housing Regeneration and Public Realm - Capital Delivery	15 properties within the portfolio have an existing rating of F or G. These have been referred to the EPC advisers acting for the commercial estates team for advice and recommendations. The Government is yet to publish the outcome of a 2021 consultation on MEES regulations.	Not achieved	Short term	Red
1.2.12	Identify the actions needed to bring the commercial estate up to EPC Band C by 2025 including opportunities as commercial property leases come up for renewal to implement 'green leases' that incorporates incentives into the lease to operate and manage premises in a sustainable way.	Housing Regeneration and Public Realm - Capital Delivery	Further discussions with Legal will be arranged to discuss the Council's approach and adoption and suitability of green leases. These are likely to vary for different locations and properties.	Ongoing	Short term	Red

1.3.1	Upgrade the basement at Laurence House to remove all car spaces except essential users and improve facilities for cyclists.	Housing Regeneration and Public Realm - Capital Delivery	This work is currently on hold while funding is found to support the cost of the works but will be considered as part of a wider review of the Catford Complex and the development of a new staff travel plan in 2023.	Ongoing	Short term	Red
1.3.2	Renew the corporate bus fleet with 40 new vehicles all with the latest Euro 6 engines.	Housing Regeneration and Public Realm - Street and Environmental Services	Investment in Lewisham's fleet in 2020 means that all the Council's bus fleet are Euro 6 and compliant with the ULEZ.	Achieved	2020/21	Green
1.3.3	Upgrade the HGV fleet to Euro 6 standards including all 25 street cleansing and refuse vehicles.	Housing Regeneration and Public Realm - Street and Environmental Services	The new HGV fleet came into operation at the end of November 2022. All Lewisham's HGV vehicles are now Euro 6 and compliant with the ULEZ	Achieved	2020/21	Green
1.3.4	Install 4 new electric vehicle charging points at the Council's Wearside depot.	Housing Regeneration and Public Realm - Street and Environmental Services	This has not been achieved and requires defining and capital investment. EV charging points at Wearside will be considered as part of the wider acceleration of EV charging for the borough (see 3.4.1).	Ongoing	Short term	Red
1.3.5	Review opportunities for trial of a fully electric 1.5 tonne van and a fully electric refuse vehicle.	Housing Regeneration and Public Realm - Street and Environmental Services	A 1.5t fully electric light van has been added to the fleet, other electric vehicles will be added as budget, technical feasibility and availability in the market allow.	Achieved	2020/21	Green
1.3.6	Set a baseline for current staff travel by transport mode. Promote active travel and the use of public transport as the default option for all work journeys except where there is a legitimate reason. Extend use of team oyster cards and for journeys where vehicle is unavoidable use of electric pool cars. Seek to gain accredited status in relation to green staff travel.	Housing Regeneration and Public Realm - Strategic Transport	A travel survey is planned in 23/24 to establish a staff travel baseline, consultants have been commissioned to undertake this work which will commence in March. This has only become possible now that staff have started coming back into the office. Use of team oyster cards has not yet been extended as it is dependent on the results of the travel survey and the electric pool cars remain in use.	Ongoing	2020/21	Red
1.3.7	Embed our response to the climate crisis into corporate service planning.	Housing Regeneration and Public Realm - Climate Resilience Team	The Council's corporate environmental performance has been embedded (KR6) within the Future Working Programme's Objectives and Key Results and is included within the focus of the two workstreams reporting to the Future Working Programme Board: 'Our Workplace' and 'Our Organisation'.	Achieved	2020/21	Green
1.3.8	Work with the Council's PFI provider Skanska to review opportunities to convert Lewisham streetlights to LED.	Housing Regeneration and Public Realm - Highways	Lewisham continue to be in dialogue with the PFI service provider, Milestone, to review the capital costs, looking to reduce the payback period for the authority. A business case is in progress to test the viability of a change to LED over the time-scale of the PFI contract. In parallel the service provider has been reviewing lantern suppliers to minimise costs.	Ongoing	Medium term	Amber
1.3.9	Prioritise the procurement and use of electric tools rather than petrol in the parks service.	Community Services - Parks Sports and Leisure	Electric machinery purchased since the Climate Emergency Action Plan was agreed includes: 2020-21 electric machinery logged included: x1 buggy; x11 strimmers; x7 hedge cutters; x7 backpack blowers; x2 chainsaws; x2 pole saws; G33x2 long arm hedgecutters; x2 handheld blowers; x4 brushcutters; x1 zero turn mower; x1 stand on mower; x4 backpack blowers; x4 brushcutters.	Achieved	Short term	Green
1.3.10	Identify opportunities to reduce the carbon intensity of our resurfacing work including increased use of 'warm mix' and work with the regional officers group, The London Technical Advisers Group (LoTag), to identify and integrate best practice into highway management in Lewisham.	Housing Regeneration and Public Realm - Highways	As part of the tendering process for the new 8 year Highways partnership contract bidders had to demonstrate their ability to reduce the carbon intensity of service delivery and the use of materials as part of their company wide vision for net zero. In 2020 the Highways Team used warm mix asphalt on the carriageway more extensively reducing CO2 emissions by a forecast 15-30% as well as improving productivity as it takes less time to cool, reducing public disruption through earlier re-opening of the road and improved conditions for the workforce. Additionally on some footways we have reheated the existing asphalt to reform a new surface. In the long term the Council has plans to use, where possible, microsurfacing which is a protective seal which extends the life of the pavement and our intention is to firstly use this on some asphalt footways. The use of recycled materials on the highway is extensive particularly in fill materials to excavations and in the road structure.	Achieved	2020/21	Green
1.3.11	Review the Council's outdoor events and identify opportunities to remove avoidable carbon emissions, for example replacing diesel generators with zero carbon alternatives.	Community Services - Culture, Learning and Libraries	A Climate Emergency Borough of Culture group was convened as part of LBoC and guidelines for events were adopted. These were put into practice as part of the BOC Commissions through the year as well as the launch event and Lewisham People's Day 2022. Funding for the annual Firework event in Blackheath has been cut and a decision on the future of Lewisham People's Day will be made ahead of 2023.	Achieved	2020/21	Green
1.3.12	Develop and implement a new document retention policy that minimises hard copy printing and replaces physical storage with scanned copies and standardised approaches to retaining and destroying records to minimise storage requirements. Extend the use of online and electronic processes to replace paper, for example in relation to pay slips.	Corporate Resources - IT and Digital Services	The Council has not agreed a document retention policy yet due to the complexity and resource needed to develop, consult and implement. Payslips continue to be issued electronically. This will be considered as part of the Council's new Digital Strategy scheduled for 2023.	Ongoing	2020/21	Red
1.3.13	Carry out an energy and carbon audit of all Corporate IT functions.	Corporate Resources - IT and Digital Services	The Council intends to consult on a Digital Strategy in early 2023. The environmental performance and impact of IT equipment will be considered as part of the Council's future decision-making on the ownership of devices and hardware. In June Mayor and Cabinet approved a report on data storage infrastructure which when implemented has the potential to save 55 tonnes of carbon a year. The new system has been procured and installed. Migration from the existing environment onto the new system is expected to complete by the end of 22/23 when the old system can be decommissioned and the carbon savings achieved.	Ongoing	2020/21	Red
1.3.14	Review planting schemes outside corporate buildings to reduce the use of short term plants chosen for appearances and promote the use of plants with greater climate adaptation resilience and biodiversity benefits particularly for bees, moths, butterflies and other pollinators.	Community Services - Parks Sports and Leisure	The Council's new planting scheme has replaced annual, seasonal bedding at Laurence House and Civic Suite with more sustainable and drought resistant planting.	Achieved	2020/21	Green
1.4.1	Support schools in accessing SALIX funding and other sources of external resources to improve the energy efficiency of buildings and generate onsite renewable energy.	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council was awarded £120k in November 2020 to deliver detailed heat decarbonisation plans in four schools: Dalmain, Downderry, Myatt Garden and Torridon. The plans were then used to secure a further £794k in February 2021 for works in Downderry, Dalmain and Myatt Garden to replace gas boilers with air source heat pumps and a range of other energy efficiency improvements including cavity and roof insulation and ventilation works. A further grant of £220k was secured in July 2022 and this will deliver costed plans to decarbonise heat in schools with end of life heating systems. The Council's Strategic Asset Management Plan (see 1.2.1) will set out the broader approach to decarbonising the Council-owned schools' estate by 2030.	Achieved	Short term	Green
1.4.2	Work towards achieving new higher energy standards for schools with the aim for new schools to be DEC A and refurbished schools DEC B.	Housing Regeneration and Public Realm - Capital Delivery	Budget considerations will be a key factor in the feasibility of achieving this objective. But this will be explored on new education projects moving forwards, using the outputs from the Low Carbon Skills Fund assessments identified in 1.4.1.	Ongoing	Medium term	Green
1.4.3	Support efforts by school staff and pupils to take action on climate change. Put proposals for joined up activity and shared resources to the Schools Forum in 2020 including the scope for increasing climate literacy in school, for example by having a climate change trained teacher in every school. Help schools create their own carbon actions plans.	Housing Regeneration and Public Realm - Climate Resilience Team	A Schools' Climate Conference was held in November 2021 with 26 schools attending. A Schools Climate Network was launched as a result of this Conference which has met termly online, with an average of 15 schools attending. A Pupils Climate Network was also launched in June 2022 with 7 schools hosted by Edmund Waller Primary. Schools guidance has been created on how to declare a climate emergency and elearning promoted in summer 2022 for teachers to help teach climate change.	Achieved	2020/21	Green
1.4.4	Develop new carbon reduction targets for new school designs in the Project Implementation Document (PID) stage and Employer Requirements (ERs) of capital works.	Housing Regeneration and Public Realm - Capital Delivery	Contractors are currently required to achieve BREEAM Excellent on new build projects, and BREEAM Very Good on refurbishment projects. They are also required to meet all relevant targets within the London Plan. Budget constraints and grant funding conditions are the key constraints in achieving this action. Extending these requirements requires additional funding that goes beyond existing sources including the Government's Public Sector Decarbonisation Scheme.	Ongoing	Short term	Red
1.4.5	Undertake an audit of schools' energy performance designed to share good practice and learn lessons that can be integrated into corporate standards.	Housing Regeneration and Public Realm - Climate Resilience Team	Following the assessment of St Winifred's School in 2020 detailed decarbonisation plans for four other Lewisham Schools (Dalmain, Downderry, Myatt Garden and Torridon) were funded through the Government's Low Carbon Skills Fund in 2021. In 2022 The Department for Education has funded a detailed assessment of the approach taken to Whole Carbon Assessments in these 5 schools as a national exemplar.	Achieved	2020/21	Green

1.4.6	Assess further improvements to the catering service including: An additional meat free day per week; increasing the number of vegan options; Future options for procuring the school catering service including insourcing, seeking opportunities to promote local produce, reduce food miles and offer more seasonal menus.	Children and Young People Directorate - Education Services	The contract was let to Chartwells commencing on the 1st of August 2021 and servicing 25 schools. The improved specification includes an additional meat free day. Chartwells are part of the Compass group who have a roadmap to net zero and areas detailed within the life of the new contract include, the use of 100% reusable or recyclable packaging by 2023, 100% electric car policy by 2024 and a 25% switch from animal proteins by 2025. Chartwells identify that in 2020, 85% of ingredients were sourced from UK farmers and growers.	Achieved	2020/21	Green
1.4.7	Trial food waste collection for school classrooms in 2020 year to assess the potential to roll out for all school kitchens. Review and identify opportunities for further reductions in waste from schools.	Housing Regeneration and Public Realm - Street and Environmental Services	Trial successfully run with St Winifred's and Rathfern Primary schools. School composting workshops, school staff recycling sessions, school recycling workshops are all offered for free to schools by the Waste and Recycling team. The roll out of food waste collections to primary schools is underway.	Achieved	2020/21	Green
1.5.1	Agree and implement a new strategy for divesting the Pension Fund from high-carbon investments.	Corporate Resources - Financial Planning Strategy and Commercial	In September 2021 the Pension Investment Committee (PIC) chose the LCIV Passive Equity Progressive Paris Aligned (PEPPA) and Storebrand Global ESG Plus funds for its developed and emerging market equity holdings, being circa 50% of the entire Pension Fund assets. As of September 2022 the Pension Fund completed the last of the transfers into these mandates. In addition the Fund has invested in the LCIV Renewable Infrastructure Fund as part of the review of its property fund holdings.	Achieved	2020/21	Green
1.5.2	Review and update existing procurement and social value policies to strengthen the value placed on life-cycle assessment, support the circular economy and reduce carbon emissions across our supply chain. We will assess the introduction of requirements through contractor social value commitments to publicly report their corporate carbon emissions, and including CO2e emissions relating to the good and services we procure as performance metrics in contracts. We will assess the scope to improve the standards in contractor fleet vehicles. We will assess scope for Council Information Technology contracts to adopt the highest standards of efficiency and environmental performance including whole lifecycle costs.	Corporate Resources - Financial Planning Strategy and Commercial	Procurement and social value policies have been updated to strengthen the value placed on life-cycle assessment, support the circular economy and reduce carbon emissions across our supply chain. Lewisham Council's Sustainable Procurement Strategy (2021-25) and Social Value policy (2022-26) reinforce commitments in support of carbon net zero by 2030. For example, requested FORS accreditation in our recently tendered Highways contract will improve the standards in contractor fleet vehicles. The Social Value policy is a key tool for suitable projects particularly in relation to building retrofit to upskill the local workforce and SMEs on green construction.	Achieved	2020/21	Green
1.5.3	Explore opportunities for a revolving fund that will deliver carbon reduction projects and recoup money through energy savings.	Corporate Resources - Financial Planning Strategy and Commercial	In November 2022 Mayor and Cabinet approved proposals to proceed with the development of a Lewisham Green Bond to raise circa £1m of finance via a Financial Conduct Authority (FCA) regulated crowd funding platform. This will be invested in low carbon schemes within the Council's capital programme. The report also seeks approval to sign the Green Finance Institute's Green Bond Pledge. The Lewisham Green Bond is expected to be launched in 2023 and will be an opportunity for Lewisham's residents and communities to directly invest to support the achievement of net zero within their communities whilst earning a return on their investment.	Achieved	Short term	Green
1.5.4	Explore partnerships with funders for new carbon reduction infrastructure projects that deliver local value and potential return on investment.	Corporate Resources - Financial Planning Strategy and Commercial	In November 2022 Mayor and Cabinet approved proposals to proceed with the development of a Lewisham Green Bond to raise circa £1m of finance via a Financial Conduct Authority (FCA) regulated crowd funding platform. This will be invested in low carbon schemes within the Council's capital programme. The report also seeks approval to sign the Green Finance Institute's Green Bond Pledge. The Lewisham Green Bond is expected to be launched in 2023 and will be an opportunity for Lewisham's residents and communities to directly invest to support the achievement of net zero within their communities whilst earning a return on their investment.	Ongoing	Long term	Green
1.5.5	Use the Council's corporate energy procurement to support renewable energy, develop an energy procurement strategy that aligns our Climate Emergency ambitions with the way we procure energy contracts.	Corporate Resources - Facilities Management	The Council has continued to purchase 100% renewable electricity backed through the industry REGO certification	Achieved	2020/21	Green
SUSTAINABLE HOUSING						
2.1.1	Deliver a new Asset Management Strategy that sets out a new ambition for energy and carbon performance across the Lewisham Homes' stock including: The requirements of achieving a minimum of SAP 86 EPC B across the Lewisham Homes stock; Ensuring new build developments comply with existing and emerging local and national policy and legislation including SAP10.1 methodology (and future upgrades of SAP); Includes a focus on improving property ventilation; Sets out an option appraisal on poorly performing properties.	Lewisham Homes	Lewisham Homes' Board approved an Asset Management Strategy and a Sustainability Strategy in September 2021. The Sustainability Strategy sets out plans to improve Lewisham Homes' housing stock over the period 2021-2030, and is in line with the Lewisham Climate Emergency Strategic Action Plan. The Council has written a new HRA Business Plan which the AMS will be linked to. However due to the delay in the rent setting by the government this year, the HRA Business Plan will not be presented to Mayor & Cabinet until January 2023	Achieved	2020/21	Green
2.1.2	Develop a new strategic approach to decarbonising heating across the stock with the aim of centralising plant and creating opportunities for heat networks. Assess the opportunities and risks of technologies such as heat pumps, and improvements to existing electric heating systems and storage heaters identify the optimum approach to boiler replacements.	Lewisham Homes	Lewisham Homes has worked closely with the Council to align investment plans for heating with the outputs from the Council's Energy Masterplanning work, which has identified opportunities to decarbonise heating across a central opportunity area from Catford, through Lewisham Town Centre and up to north Lewisham. The Council's energy masterplanning informs decision making in relation to new heat infrastructure supporting new builds, existing communal heating systems and electrically heated properties. The development of a detailed strategic plan for all stock would require a level of investment that is beyond current funding including through the Social Housing Decarbonisation Fund to address the required upgrades to building fabric, network capacity and cost of technologies such as heat pumps. Further work will be needed as part of the strategic response to the Housing Retrofit Task and Finish recommendations. Lewisham Homes currently has a small planned replacement programme of domestic gas boilers of approx. 200 units per year, with reactive replacements only as required.	Achieved	2020/21	Green
2.1.3	Raise standards in existing communal heating systems, ensuring compliance with regulation and installing metering and improved controls to systems. Develop a planned maintenance and investment plan that is informed by the emerging strategic approach to decarbonising heating across the stock.	Lewisham Homes	New communal heating systems have metering and billing and ongoing maintenance contacts in place. Discussions have begun on an exercise to look at all existing contracts being consolidated into a bundle of packaged works that we can put out to tender.	Achieved	Short term	Green
2.1.4	Review procurement policies to increase the sustainability of major works, including selecting lower carbon materials and reusing structures and construction materials where possible.	Lewisham Homes	The mobilisation of the two long-term framework partnerships provides excellent opportunities to begin to adopt a "sustainability by default" approach on Lewisham homes' capital works programmes. All contracts now include commitments around funding or delivering social value and sustainability projects.	Achieved	Short term	Green
2.1.5	Delivery within the Lewisham Home's major works programme of cladding improvements that deliver improved thermal efficiency combined with the highest standards of building safety.	Lewisham Homes	Lewisham Homes' long-term partnerships with Mulalley and United Living as planned major works contractors is a key focus of achieving sustainability goals across the housing stock. Lewisham Homes are working closely with the major works contractors to ensure all works programmes maximise opportunities for carbon reduction. This includes specifications for products and materials as well as opportunities to combine sustainability works into ongoing repair and replacement works. This dovetailing of the external works programme with grants to fund fabric improvement retrofit works to maximise available resources was the basis of an application by the Council in November for £2.9m funding from the Social Housing Decarbonisation Fund as part of £9m decarbonisation works to the Lewisham Homes' estate.	Ongoing	Medium term	Amber
2.1.6	Review and identify the financial, technical, operational and resident satisfaction implications of delivering a new homes programme to a carbon neutral standard, to include a understanding of: Building new homes to Passive House Standards (achieving a SAP rating of 92-100/EPC A); Delivering Energiesprong or similar retrofits; Early adoption of no gas; Meeting the new LETI (London Energy Transformation Initiative) design standard. Use the outcomes from the assessment to push central government and others for additional funding, investment in new technology, regulatory change and other actions that will enable this to be delivered in Lewisham.	Lewisham Homes	New Employer Requirements have been introduced by Lewisham Homes' New Development Team. PassivHaus was evaluated as an option but remains financially unviable. The aim on all new developments is to go beyond current Building Regs for Part L with the new LETI design standards as the aspiration. It is recommended that this action is amended to separate out new build and retrofit requirements (eg Energiesprong).	Achieved	Short term	Green
2.1.7	Implement lessons learned from good practice elsewhere and the assessment in 2.1.6 into delivery on a scheme-by scheme basis including in relation to: the use of pre-manufactured elements; air/ ground source heat pumps; district heat networks; mechanical ventilation heat recovery (MVHR) units; alternative fuels and battery storage; energy efficient heating including underfloor; external shading devices; decentralised heating; green / living roofs and walls; sustainable drainage; AECB (Association of Environmentally Conscious Builders) standards; waste water heat recovery systems; smart water use; procurement and sourcing all materials and products from within 30 mile radius of site.	Lewisham Homes	The approach taken by the Lewisham Homes' New Development Team is to determine the correct technical solution on a site specific basis, drawing on good practice and with a focus on achieving high environmental standards. Where possible contractors use local suppliers and subcontractors although procurement and sourcing all materials and products from within 30 mile radius of site is not always possible.	Ongoing	Medium term	Amber

2.1.8	Evaluate the application of the 'Soft Landings Framework' to new build projects.	Lewisham Homes	New Development has in place an 'approval point schedule' which is akin to the soft landings framework, and every development follows these principles. At key touch points, there are internal gateways and the development team are updating and seeking approval to move the project forward in a way that involves input from key stakeholders. Examples of this are early involvement of the Asset Management team with procurement on onboarding for EV charging point contract and communal heating metering and billing contracts.	Achieved	Short term	Green
2.2.1	Publish a Lewisham Homes to Sustainability Strategy document setting out an overarching approach to carbon reduction aligned to the Lewisham Homes' Asset Management Strategy. Set out baseline environmental performance metrics	Lewisham Homes	Lewisham Homes has put in place a nine-year Sustainability Strategy, taking the housing stock from 2021-2030. This was approved by Board in September 2021 along with the Asset Management Strategy. The overarching aims of the Strategy are in line with the Lewisham Climate Emergency Strategic Action Plan (2020).	Achieved	2020/21	Green
2.2.2	Develop a sustainable working protocol for LHL employees, to include: sustainable staff travel policy, recycling, office etiquette; An updated Employee Code of Conduct; Encouraging vegan catering, local sourcing of supplies; A ban on single-use plastic except where there's a specific health and safety reason.	Lewisham Homes	Lewisham Homes is reviewing working protocols including options to adopt good practice that may be based on a framework such as ISO14001 or the 'Sustainability Reporting Standard for Social Housing' to demonstrate performance and benchmark against similar organisations.	Ongoing	2020/21	Red
2.2.3	Ensure the Old Town Hall refurbishment promotes a sustainable office environment, including: Agile working; Improved cycling facilities and changing rooms; A paperless environment; Installation of smart and energy efficient products such as LED lighting, smart meters and water meters.	Lewisham Homes	This action was adopted by Lewisham Homes when they were operating out of the Old Town Hall. As they have relocated to Laurence House the action is no longer relevant. Investment and longer term plans for the Old Town Hall will be addressed in the Council's Strategic Asset Management Plan (see 1.2.1)	Ongoing	Short term	Red
2.2.4	Incrementally upgrade the Lewisham Homes' fleet to low emission combustion and hybrid with the aim of becoming fully powered by renewable electricity as soon as is practicable.	Lewisham Homes	An evaluation of options for adopting electric vehicles as part of the fleet renewal has been completed. Further EV charging infrastructure is needed to support the transition to an electric fleet. The fleet is due for renewal in 2025 and Lewisham Homes will look to align with the Council's policy in this area.	Ongoing	Short term	Red
2.2.5	Recruit 100 resident 'Eco-Champions'.	Lewisham Homes	This action was disrupted by the pandemic. There is currently insufficient internal resource to recruit and support 100 resident 'ECO Champions'. Lewisham Homes already runs a number of resident steering groups and one option is to more explicitly include sustainability/climate change as part of an existing group.	Not achieved	2020/21	Red
2.2.6	Develop a draft Sustainable Estate Parks and Gardens strategy.	Lewisham Homes	The Environmental services team has in place a Sustainable Green Services Policy and this was approved by the Lewisham Homes ELT in December 2021.	Achieved	2020/21	Green
2.3.1	Assess the actions and investment needed to get all domestic buildings in the borough to an average of EPC Band B and develop more sophisticated methods of identifying which properties are energy inefficient, targeting resource where there will be most impact.	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham's Housing Retrofit Task & Finish Scrutiny Group set out a range of recommendations aimed at improving the thermal performance of housing in the borough across all tenures. Officers are working on a new Housing Retrofit Strategy that will deliver the assessment of actions and investment needed to get all domestic buildings in the borough to the standard needed to meet the net zero ambition. This strategy is expected to be published in 2023. Much of the Council's work to date has focused on the worst performing properties through raising awareness of enforcement (see action 2.3.6), supporting qualifying residents to access grants (see action 2.4.2) and through licensing private rental properties. In relation to licensing just over 1,000 mandatory and additional HMO licenses have been issued by the council. All of these properties will have been inspected for hazards prior to licensing and issued with a schedule of works where necessary. Where landlords are not complying with the conditions of the license the Private Sector Licensing team issue fines and or prosecutions, if informal action to resolve issues does not succeed. In April 2022 a new borough-wide additional licensing scheme was launched meaning that all HMOs in the borough are now licensable. The Private Sector Housing team regularly inspect non-HMO properties in response to complaints from residents about hazards and disrepair. Though powers to enforce in these properties are more limited, the team can also issue non-HMO landlords with statutory notices, fines and prosecutions.	Ongoing	Short term	Red
2.3.2	Inspect all HMOs (house in multiple occupation) in the borough over 5 years, an estimated 6,000 properties, as part of the HMO expanded licensing scheme. Inspections will focus on the eradication of category 1 and 2 hazards on cold and thermal efficiency, especially for vulnerable residents.	Housing Regeneration and Public Realm - Private Sector Licensing and Home Improvements	As set out above, the additional licensing scheme launched in April 2022, so far we have issued 128 licenses. The estimated numbers of HMOs in the borough is between 4000-6000. All properties will be inspected prior to licensing to eradicate Category 1&2 hazards, including excess cold.	Ongoing	Medium term	Amber
2.3.3	Apply to the Secretary of State for a borough-wide licensing scheme with the intention of rolling out licensing to all 26,000 privately rented properties. Inspections of these properties will be conducted on a risk basis including analysis of potential poor standards in the stock, with a particular focus on damp and cold.	Housing Regeneration and Public Realm - Private Sector Licensing and Home Improvements	The public consultation on the introduction of a selective licensing scheme to cover all privately rented properties in the borough in 16 out of 18 wards closed in May 2022. Housing Select Committee discussed the consultation results at its meeting in October 2022, and recommended that the proposals be brought to Mayor and Cabinet for approval. The final proposals are due to be discussed at Mayor and Cabinet on 8th March 2023. If approved, the proposed designation will be submitted to the Department for Levelling Up, Housing and Communities for confirmation by April 2023. The Department's timescales for reviewing submissions vary between 18-24 weeks at present.	Achieved	Short term	Green
2.3.4	Explore the potential to provide a discount on the licence fee if the landlord takes the EPC rating of their property to C or above and assess whether further discounts could apply for ratings above C.	Housing Regeneration and Public Realm - Private Sector Licensing and Home Improvements	The council has considered this option, however, the discount we could offer would be unlikely to act as any kind of incentive to improve properties, given the relative cost of the license versus the average cost of retrofit works. Offering the discount would impact on licensing income and therefore the quality of the service and is therefore not considered to be the most efficient use of resources.	Not achieved	Short term	Red
2.3.5	Use the Council's online presence such as web pages and social media to promote energy efficiency advice to landlords.	Housing Regeneration and Public Realm - Climate Resilience Team	The Council has published practical advice for residents on retrofit https://lewisham.gov.uk/myservices/environment/climate-emergency/improving-the-energy-efficiency-of-your-home as recommended by the Housing Retrofit Task and Finish scrutiny group. Further improvements to the Climate Emergency webpages are planned including publishing a public-facing update on the Council's progress in delivering the ambition for the borough to be net zero carbon by 2030.	Achieved	Short term	Green
2.3.6	Take enforcement under the Domestic Minimum Energy Efficiency Standards Regulation, which allow us to issue a Community Protection Notice (CPN) for renting accommodation under an EPC rating of E.	Community Services - Safer Communities	In 2021 Lewisham was awarded £125k funding under a Government competition to boost engagement and enforcement work on the Private Rental Sector Minimum Energy Efficiency Standards. This funding supported additional capacity in Lewisham and Greenwich Trading Standards Teams and an engagement campaign to raise awareness of the legally enforceable minimum standards that exist and support landlords to improve their properties. The grant also funded partnership work with South East London Community Energy to undertake outreach work with landlords and tenants. In Lewisham 2,840 stakeholders were engaged with and 8 properties improved to an EPC of E or above. A wider ongoing review of enforcement activity across the Council will include consideration work with landlords.	Achieved	Short term	Green
2.3.7	Engage with landlord accreditation schemes that promote energy efficiency.	Housing Regeneration and Public Realm - Private Sector Licensing and Home Improvements	We offer a 20% discount for accredited landlords. This includes the RLA, who are running this campaign and the London Landlord's Accreditation scheme that promotes itself on the basis of being able to assist landlords to obtain grants to improve thermal efficiency (among other things).	Achieved	Short term	Green
2.3.8	Ensure all accommodation used as temporary accommodation by the Council meets the Minimum Energy Efficiency Standards including the current requirement for EPC rating E or above and has all the required gas and electrical certification.	Housing Regeneration and Public Realm - Housing Services	All properties utilised by the Council for the provision of temporary accommodation have to meet the Council's health and safety compliance requirements. This process involves accommodation providers, producing a number of health and safety documents for properties that they provide to the Council. These documents include an EPC, Gas Safety Certificate and Electrical Installation Condition Report. The Council Compliance Officer is being recruited to. This post is responsible for monitoring and managing all health and safety documents for the Council's TA portfolio. This includes monitoring when certificates expire and ensuring providers produce in date complaint certificates in the required timeframe.	Achieved	Short term	Green
2.3.9	Support a new PRS renters' union across the sector to provide a forum for renters, allowing us to raise awareness of the Climate Emergency and measures to tackle it and the union to flag up specific concerns to be addressed	Housing Regeneration and Public Realm - Housing Services	Officers continue to liaise with the lead member for Housing to establish the best way of supporting a PRS renters union within current budgetary constraints.	Ongoing	Short term	Red
2.3.10	Develop a programme to target high risk streets and neighbourhoods with tailored advice including the publication and promotion of initiatives.	Housing Regeneration and Public Realm - Housing Services	The Council's Lewisham Healthy Homes initiative works with local community organisations to provide practical support to households at risk of fuel poverty. In 2021 the Council purchased a licence for Parity Projects Pathways Database of enhanced Energy Performance Certificates which has allowed targeting of higher risk streets where EPCs are lower. This data was used to target a mailing to 5,000 households eligible for funding through the GLA's Warmer Homes Fund.	Achieved	Short term	Green

2.3.11	Develop the use of discretionary grant to support home owners. Roll out an active campaign to use this grant to improve energy standards in those properties that require it most.	Housing Regeneration and Public Realm - Private Sector Licensing and Home Improvements	The Housing Improvements and Assistance team recognises fuel poverty contributes to social and health inequities and works to raise standards in properties where households are at risk in particular the identification of hazards which contribute to poor energy efficiency. Surveyors will carry out an assessment of heating and ventilation in properties as part of inspections of properties where applications have been made for Emergency Home Repairs Grant (EHRG) and Home Repairs Grants (HRG). Grant officers identify and eliminate Category 1 and 2 hazards most of which contribute to poor energy efficiency. The Health and Housing Coordinator who works from University Lewisham Hospital provides a referral pathway for those who attend or are admitted to hospital, suffering ill health due to a cold home. Service improvement planning is currently underway to assess what more the team can do to support the retrofit agenda across the borough.	Achieved	2020/21	Green
2.3.12	Actively participate in a pan-London 'Setting the Standard' initiative that will support inspections of the worst standard of accommodation B&Bs, working to support enforcement action taken in Lewisham and other boroughs to drive up property standards.	Housing Regeneration and Public Realm - Private Sector Licensing and Home Improvements	The Private Sector Housing team still receives reports of Cat 1 hazards identified and takes action on any that are within Lewisham. LBL currently have 90% of its providers on boarded with 4 providers still going through the on boarding process. LBL is working to support these providers in order to complete their registration and on boarding. Once on boarded LBL continues to encourage providers to upload accommodation onto the STS portal in order for them to be inspected and ensure that they meet the required property standards.	Achieved	Short term	Green
2.3.13	Introduce new technology and approaches to identifying cold houses, such as external surveying tools or internal monitoring equipment and including collaboration with a MHCLG funded Greenwich pilot.	Housing Regeneration and Public Realm - Housing Services	The Housing Service proposed this action in 2020 pre covid. Since then the service has built a range of partnerships with other teams and organisations to identify household with poor Energy Performance Certificates (EPC) ratings E, F or G in order to offer owners grant assistance and develop new referral pathways	Ongoing	Short term	Green
2.3.14	Work with the GLA, London Councils and other London Boroughs to support the development of an offer to 'able to pay' home owners to increase home retrofit projects and to build trust and a joined-up approach in the supply chain to promote and respond to demand for home retrofits, such as affordable and independent whole-house audits.	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council has supported South East London Community Energy with a local street based 'able to pay' offer: Eco Street using a collective approach to retrofit assessment with the idea of developing joint purchasing as a way to reduce costs. The Council also continues to be a member of the ECO Furb project offering home owners access to independent advice on retrofit.	Achieved	Short term	Green
2.3.15	Explore potential for working with local community organisations to support bulk purchasing schemes that reduce the costs to homeowners of home energy improvements.	Housing Regeneration and Public Realm - Climate Resilience Team	The Council has worked with the Greater London Authority on the pan-London solar together initiative and supports the work of South London Community Energy on community energy schemes as well as promoting the Mayor of London's Community Energy Fund more widely to local groups. In Round 5 of Solar Together in 2022 Lewisham had the third highest uptake of all London Boroughs, with 216 personal recommendations accepted.	Achieved	Short term	Green
2.3.16	Investigate ways to ensure Lewisham grants are advertised on the government 'save energy' platform and promote the schemes available through the platform to residents.	Housing Regeneration and Public Realm - Housing Services	The Housing team works closely with the Climate Resilience Team who lead on the South London Energy Partnership in order to promote our grants. This allows us to link in with or top up existing government energy schemes to ensure home owners in Lewisham have energy efficient properties.	Achieved	Short term	Green
2.3.17	Apply minimum insulation and efficiency standards to works undertaken at homeowners' properties.	Housing Regeneration and Public Realm - Housing Services	The Disabled Facilities Grant team use grant agreements to raise the thermal efficiency of properties including meeting minimum energy efficiency standards.	Achieved	2020/21	Green
2.3.18	Engage local registered social providers to encourage sharing of practice on carbon reduction and supporting all RPs to take meaningful action in relation to their stock in the borough.	Housing Regeneration and Public Realm - Housing Services	A meeting with registered providers with local stock was held in September. The meeting was well attended and included a range of topics including the Social Housing Decarbonisation Fund. Further meetings of this forum are planned. An informal retrofit group involving officers and relevant leads from local social housing providers Lewisham Homes, Phoenix Community Housing and Regenter B3 meets monthly.	Achieved	2020/21	Green
2.3.19	Officers within the Private Sector Housing Agency team will use public transport for all routine inspections.	Housing Regeneration and Public Realm - Housing Services	This action was proposed by the Private Sector Housing Agency team in 2020 pre covid. Wider plans to develop a sustainable staff travel plan are under development.	Achieved	2020/21	Green
2.4.1	Expansion of the South London Energy Efficiency Project led by Lewisham, providing practical support to vulnerable residents in south London. Support 1,600 households in 2019/20. Seek external funding and partnerships to deliver the same in 2020/21.	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council leads the South London Energy Efficiency Partnership covering 12 South London Boroughs delivering a practical energy advice service targeted at low income and vulnerable households helping them stay warm in Winter. The advice service, South London Healthy Homes, has secured funding from a wide range of sources including the Greater London Authority, the Ofgem Redress Funds, British Gas Trust, UK Power Networks and participating boroughs. In the three years since 2019/20 the programme has supported 8,699 households across South London including 1,602 in Lewisham.	Achieved	2020/21	Green
2.4.2	Support low income and vulnerable residents in accessing external sources of funding for heating, insulation and ventilation.	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council has enabled 1,242 South London households including 226 Lewisham households access funding through the Government's Energy Company Obligation placed on energy suppliers to cover the cost of heating, insulation and ventilation improvements in low income households. The Council works with South East London Community Energy through our energy advice service Lewisham Healthy Homes to support those most vulnerable to access funding from energy suppliers, the Greater London Authority and other sources.	Achieved	2020/21	Green
2.4.3	Undertake an assessment of the equalities implications of climate change and of the actions at national, regional and local level to reduce carbon and work with partners to find additional ways to support affected groups to mitigate the impact. Review the use of the Climate Just tool to understand the impact across different communities in the borough.	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council's declaration of a climate emergency was founded on the understanding that the climate crisis is a social justice issue. The 2022 Mayor of London's Borough of Culture programme in Lewisham has created opportunities to engage with and amplify the voices of a broad range of communities across the borough. Commissions within the BoC programme specifically seeking to explore diversity and equalities issues include the Artist of Change programme, Climate Home and Hope 4 Justice. Further work is still needed to understand and respond to the wider equalities issues relating to the impact of climate change and delivery of the ambition to be net zero carbon by 2030.	Ongoing	2020/21	Red
2.5.1	Adopt a new Local Plan for the borough with Climate Emergency embedded within the document and development management policies supporting delivery of the ambition to be carbon neutral including achieving the London Plan policy for major developments to be zero carbon. We will seek that proposals for new self-contained major and minor residential development achieve the BRE Home Quality Mark and that proposals for major residential domestic refurbishment achieve a certified 'Excellent' rating under the BREEM Domestic Refurbishment 2014 scheme, or future equivalent; and that proposals for new non-residential development of 500 square metres gross floor space or more, including mixed-use development, achieve an 'Excellent' rating under the BREEM New Construction (Non-Domestic Buildings) 2018 scheme, or future equivalent. We will seek that development proposals for major non-residential refurbishment, including mixed-use development, achieve a certified 'Excellent' rating under the BREEM Non-Domestic Refurbishment scheme, or future equivalent.	Housing Regeneration and Public Realm - Planning	Lewisham Council consulted on a new local plan in April 2021 and a revised version was submitted to Mayor and Cabinet in September 2022 as part of the approval process. Responding to the Climate Emergency is one of 9 strategic objectives in the new Local Plan.	Ongoing	Short term	Red
2.5.2	Monitor and report on the transition to a carbon neutral borough through implementation of the new Local Plan through the Authority Monitoring Report process to regularly assess performance against our strategic planning objectives.	Housing Regeneration and Public Realm - Planning	The Authority Monitoring Plan continues to be an ongoing action and has included information relating to delivery of the Council's ambition for Lewisham to be net zero carbon.	Achieved	2020/21	Green
2.5.3	Ensure that developments which cannot meet onsite carbon targets comply with policy through payment into Lewisham's carbon offset fund. The fund will be used to drive local innovation and investment in ways that meet our objective to ensure our Climate Emergency responds to the needs of vulnerable residents. Annex B sets out further details of the approach we propose.	Housing Regeneration and Public Realm - Climate Resilience Team	Engagement with developers has continued with the aim of seeking to maximise the level of onsite delivery to meet planning policy but where this cannot be achieved the use of the Lewisham Carbon Offset Fund. Lewisham's Carbon Offset Fund has supported energy efficiency works with low income households in the borough, school retrofit works and design works for heat networks.	Achieved	Short term	Green

2.6.1	Work with Veolia to implement the joint memorandum of understanding agreed with the Council to deliver opportunities to utilise unused heat from the SELCHP facility to supply local homes.	Housing Regeneration and Public Realm - Climate Resilience Team	In 2020 Veolia were awarded £5.5 million Government funding to deliver a core network from South East London Combined Heat and Power facility to 3,500 homes in Convoys Wharf in Deptford. Construction of the network has been delayed by the commercial negotiations between Veolia/SELCHP and the developer. Construction is now expected to start in 2023.	Ongoing	Short term	Red
2.6.2	Work with Lewisham Homes to evaluate the potential for connecting properties to a network supplied with heat from SELCHP.	Housing Regeneration and Public Realm - Climate Resilience Team	In May 2022 Lewisham Council completed detailed technical economic assessments of heat networks in three locations Catford, Lewisham Town Centre and north Lewisham based on the findings of a borough-wide energy masterplan published in 2020. The study in North Lewisham has found a viable connection is possible to the Veolia-led connection planned between SELCHP and Convoys Wharf. This connection could serve Eddistone and Daubney Towers where infrastructure works are already needed to replace gas connections to the towers as well as other potential public sector buildings in the location. These works would involve the removal of 300+ gas boilers and save 400tCO2 per year. Officers have secured an additional £150k funding from the GLA's Local Energy Accelerator Fund to deliver the detailed project development required.	Achieved	Short term	Green
2.6.3	Carry out a borough-wide energy masterplanning study to assess opportunities for clusters of heat demand and identify the potential low carbon solutions to meeting that demand. This masterplan will inform planning guidance, development of the Council's new build housing programme and refurbishment plans for the Council's existing housing. The masterplan will be completed in 2020.	Housing Regeneration and Public Realm - Climate Resilience Team	In 2020 the Council published the outcome of energy masterplanning work https://lewisham.gov.uk/-/media/files/imported/accessible-lewisham-energy-masterplan.ashx?la=en that shows the potential role heat networks could play in Catford, Lewisham and the north of the borough. A further £67k funding was secured from the Government's Heat Network Delivery Unit to undertake techno economic studies of those three areas which were completed in May 2022. The outputs from this work are now part of the evidence base in relation to planned and future developments in those areas and supporting information to access further grant funding to upgrade social housing in North Lewisham.	Achieved	2020/21	Green
2.6.4	Use new development management policies from the Local Plan and the borough-wide masterplanning to direct new connections and support viability of new heat networks.	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council consulted on a new local plan in April 2021 and a revised version was submitted to Mayor and Cabinet in September 2022 as part of the approval process. Responding to the Climate Emergency is one of 9 strategic objectives in the new Local Plan. Policies (SD4) in relation to Energy Infrastructure state that development proposals in areas where heat networks exist or have been identified as likely by energy masterplanning should connect to that network or be designed to be ready to connect. All major developments within priority areas should be designed with communal low temperature heating systems to enable such connections.	Achieved	Short term	Green
DECARBONISED TRANSPORT						
3.1.1	Work with TfL to review the scope to realign existing regional transport targets to 2041 with the 2030 ambition to respond to the Climate Emergency. Evaluate the implications of any realignment in terms of funding, existing and planned programmes and the development of the next version of Lewisham's Local Implementation Plan.	Housing Regeneration and Public Realm - Strategic Transport	Officers continue to work with TfL to review scope and realign the targets; this will include active travel and sustainable transport. Lewisham's Local Implementation Plan prioritises support for active travel and sustainable forms of transport. It should be recognised however that it is unrealistic that TfL will change pan-London targets to suit Lewisham. Low Traffic Neighbourhoods in Lewisham and Lee Green have been made permanent, incorporating complementary measures to encourage modal shift to more sustainable forms of travel and healthier and greener neighbourhoods. We are currently undertaking the Sustainable Streets consultation with the aim to encourage active travel, create safer neighbourhoods, improve air quality, increase greenery/trees, in line with the Council's Climate Emergency priorities. We are also introducing EV points as part of an Integrated Mobility Strategy. Resource and funding issues have not recovered since pre-pandemic levels.	Ongoing	Short term	Red
3.2.1	Complete the Deptford Parks Liveable Neighbourhoods programme supporting healthier streets, improved air quality and support for walking and cycling. The works include a new pedestrian and cycle route along Surrey Canal Road, improvements to existing walking/cycling routes, road closures and play area outside a school and improved crossing points. The scheme is due to complete in 2021.	Housing Regeneration and Public Realm - Strategic Transport	This scheme was funded by TfL Liveable Neighbourhoods funding, a funding stream paused at the start of the pandemic and not subsequently reinstated. A small amount of funding was made available in 20/21, which was used to deliver improvements to Woodpecker Rd, the Rolt Street pedestrian and cycle zone and make the temporary closure of Scaven Rd and Prince Street permanent. LIP funding has remained below pre-pandemic levels and re-prioritisation will be required - officers continue to work with TfL to secure the funding to complete the scheme. The Scaven Road and Prince Street road closures have been made permanent. The intention is to do the same with Rolt Street pedestrian and cycle zone. Officers also plan to progress with the Canal Street works in 2023/24.	Ongoing	Short term	Red
3.2.2	Implement a Healthy Neighbourhoods programme to reduce traffic congestion, improve air quality and encourage sustainable modes of travel. Proposals are informed by discussions with residents and key stakeholders living within the neighbourhood area. Areas prioritised by the current programme include Lewisham and Lee Green, East Sydenham, Telegraph Hill, and Bellingham. The intention is to implement a rolling programme across every area of the borough by 2030.	Housing Regeneration and Public Realm - Strategic Transport	Following a decision by Mayor & Cabinet in January 2022 the permanent traffic orders have been approved and work on the complementary measures is progressing, with further monitoring planned in April 2023. In December 2022 Mayor and Cabinet approved proposals for a Sustainable Transport and Parking Improvements Programme which will review controlled parking zones and parking with a view to take an area-based approach to controlling parking alongside improvements to promote walking and cycling including footway widening, trees and planting, bike hangers as well as electric vehicle charging and car clubs. Mayor and Cabinet also approved proposals to amend the Council's 2014 Parking Policy to streamline the process of implementing controlled parking zones. The complementary measures for the Lewisham and Lee Green low traffic neighbourhood will have been completed by March 2023. Phase 1 consultations for the Sustainable Streets programme have now commenced and the feedback will be used to inform recommendations to Mayor and Cabinet before the summer. The Council have commissioned a study to bring forward further areas as Healthy Neighbourhoods within the borough.	Achieved	Short term	Green
3.2.3	Engage more schools in the STARS accreditation process by developing a School Travel Plan, with a target of 50% of primary schools participating by 2021. A range of initiatives led by the school will be developed to encourage walking and cycling to school. Implement a programme of School Streets and Play Streets outside schools, whereby the road is closed to traffic at school pick up and drop off. Offer schools support to arrange Play Street events throughout the year.	Housing Regeneration and Public Realm - Strategic Transport	Lewisham has one of the greatest number of school streets in London with 48 school streets covering 39 schools, an increase of one school street for an additional school which will be in place by December 22. These School Streets have roads closed to traffic at school drop off and pick up times, including physical measures to discourage car use during school drop off and pick up times reducing congestion and improving air quality and road safety around the school site. Schemes have been developed for a further nine schools pending funding. The remaining school sites without restrictions are those that are more practically challenging to deliver and likely to be more costly and potentially more sensitive. For these School Zone approaches are being considered. Following a decision by M&C in January 2022 the permanent traffic orders in Lewisham's Low Traffic Neighbourhood have been approved and work on the complementary measures is progressing. Further monitoring to be undertaken in April 2023. The School Streets programme will help to increase the number of schools with a School Travel Plans. School participation in the STARS programme was affected by Covid_19, and a reduction in funding and capacity.	Achieved	2020/21	Green
3.2.4	Deliver a programme of local transport improvements to provide a better walking environment along Lewisham High Street.	Housing Regeneration and Public Realm - Strategic Transport	Lewisham High Street is a TfL road, with Lewisham having limited influence. However, officers continue to work with TfL to develop funding opportunities to improve the walking environment. The Council's recent success in the Government's Levelling Up Fund will bring much needed investment in Lewisham Town Centre including in relation to public realm and improvements for pedestrians and cyclists. A public consultation for pedestrianisation of Lewisham High Street is planned for 23/24.	Ongoing	Short term	Red
3.2.5	Implement a programme of local transport improvements to support and encourage cycling in the borough, including more Cycleways, cycle hangers, cycle parking, dockless bike hire scheme and the introduction of contraflow lanes to one-way routes. Consult locally on reallocating road/parking space to achieve these outcomes where there are opportunities to do so.	Housing Regeneration and Public Realm - Strategic Transport	Cycleway 4 opened in September 2022. A number of temporary modal filters were introduced across the borough to prioritise cycling during the pandemic. Subject to the outcome of consultation these may be made permanent. There is a temporary TfL scheme on the A21 which, as part of the London Street Space Programme, provided cycle facilities between Catford and Lewisham on the A21. It was introduced under a Temporary Traffic Order and in January 2022 was transitioned to an ETO. The Council continues to roll out cycle hangers across the borough, with plans for an e-bike trial across the borough in 2023. Deptford Church street cycleway is being developed, we are continuing to implement cycling contra flow measures along a number of one way streets and measures to link a number of green spaces are being developed. We have installed 75 cycle hangers as part of the LIP funding and plan to install a further 75 cycle hangers in 23/24.	Achieved	Short term	Green

3.2.6	Develop proposals for Healthy Street corridors to secure additional funding to implement. The Lewisham Spine/A21 Healthy Streets corridor working collaboratively with TfL to support better connections between the south and north of the borough. The proposals also include a major public realm improvement scheme at Deptford's Church Street. Work in partnership with TfL to transform the A2/New Cross Road, including improvements to the pedestrian and cycling environment, without detriment to bus journey times, and rebalance the dominance of vehicles. Improvements to public realm in the Ringway Corridor to provide better active travel and public transport links through reallocation of road space between Southend Lane and Whitefoot Lane.	Housing Regeneration and Public Realm - Strategic Transport	Deptford Church street cycleway is being developed, design is underway and construction programmed to start later in the year. This is part of the Council's LIP Submission for 23/24. We are working with key partners to help shape the final proposals, including Lewisham Cyclists.	Ongoing	Long term	Green
3.2.7	Reflect the Council's transport and public realm aspirations in the emerging masterplan for Catford, including the realignment of the South Circular (A205), and better pedestrian and cycling routes and facilities.	Housing Regeneration and Public Realm - Inclusive Regeneration	The Catford Town Centre Framework was adopted in July 2021 and forms part of the evidence base for the council's Regulation 19 Local Plan.	Achieved	Short term	Green
3.2.8	Deliver a programme of measures to reduce road danger including traffic calming measures to support compliance with the 20 mph speed limit across the borough and other measures to reduce the dominance, speed and number of the most dangerous vehicles on the borough's roads.	Housing Regeneration and Public Realm - Strategic Transport	The Council remains committed to supporting the Vision Zero principles and are actively working on 20mph speed compliance monitoring and implementation of small schemes to address the areas of noncompliance, working in tandem with the Police and Road Safety Partnership. Speeding remains a criminal offence and consequently is enforced by the Police	Achieved	Short term	Green
3.2.9	Extend the programme to promote healthier lifestyles and active travel options in the borough, including cycle training for adults and children, cycle loan scheme, travel planning for schools, activities with communities to encourage walking and cycling and address real or perceived barriers to the take-up of active travel in the borough.	Housing Regeneration and Public Realm - Strategic Transport	Funding to deliver cycle training for both schools and adults was withdrawn by TfL from June to October 2022, but has now been secured for cycle training through LIP for school children and a bid has been submitted for further funding for 23/24. We also run a series of Doctor Bike workshops to provide training to ensure bikes are used safely and encourage uptake of active travel. Try Before you Bike has been introduced to Lewisham offering a variety of bikes on loan, this includes E bikes, Cargo Bikes, Children's bikes and Adapted bikes as well as standard adult bikes.	Ongoing	Short term	Red
3.2.10	Explore opportunities and seek funding to improve cycling provision on other distributor routes (approx. £500k-1m per corridor depending on length and types of measures required)	Housing Regeneration and Public Realm - Strategic Transport	The Transport and Highways team is reviewing the borough's cycling strategy, which will seek to support commitments to promote cycling as a preferred mode of travel for shorter journeys and development of a network of cycle routes connecting our town centres and other places of interest. The strategy will help better support bids for future funding including a submission for LIP funding for 23/24 to improve the cycle network within the borough in line with our transport strategy.	Ongoing	Medium term	Amber
3.3.1	Progress aspirations in the Council's Vision for Rail including: Providing sufficient capacity between the borough and east London employment areas; Increase rail access to and from Lewisham's growth areas; Improve rail connectivity and services, especially east-west links in the south of the borough; Enhance the quality of stations and provide step-free access at all stations in the borough; Improve the connectivity between stations and their local area.	Housing Regeneration and Public Realm - Strategic Transport	Lewisham does not run these services and can at best try to influence them. The Council will continue to work with partners, stakeholders, TfL and train operators to deliver the Vision for Rail. Key to this vision is the extension of the Bakerloo Line. This is subject to external funding, TfL approval and rail operators involvement - given the current financial situation large projects like these where strategy, funding and implementation lay outside the sphere of LBL's influence may not be delivered. Further work to scrutinise Southeastern's updated timetable are planned in 23/24.	Ongoing	Long term	Green
3.3.2	Work with partners locally, regionally and nationally to secure the investment needed to implement the Bakerloo Line Extension into Lewisham. Achieving this will be of huge strategic importance to achieving decarbonised transport in the borough.	Housing Regeneration and Public Realm - Strategic Transport	TfL have put this on hold pending funding - the Council continues to lobby for this scheme to be prioritised.	Ongoing	Long term	Green
3.3.3	Work with partners to secure the other infrastructure investment fundamental to achieving the outcomes of the Mayor's Transport Strategy and the Council's ambition to be carbon neutral by 2030 as set out in the 'Council's Rail Vision' including Lewisham Station & Strategic Interchange, Brockley Interchange, New Bermondsey Station, and the creation of step free and accessible public transport across the network.	Housing Regeneration and Public Realm - Strategic Transport	The Council continues to work collaboratively with partners to pursue Lewisham's objectives - funding for any improvements in rail is extremely challenging in the current financial climate.	Ongoing	Long term	Green
3.3.4	Work with TfL to secure improvements to the reach and frequency of the bus network alongside improvements to bus journey times.	Housing Regeneration and Public Realm - Strategic Transport	TfL's bus passenger numbers are about 70% of pre-covid levels which is affecting income, the Council continues to work collaboratively with TfL to pursue Lewisham's objectives. We continue to work with TfL who have confirmed continuing upgrades to bus shelters and real-time travel update improvements to provide a effective bus service for Lewisham residents.	Ongoing	Long term	Green
3.4.1	Work with partners to achieve an ambition of at least one electric vehicle charging point within a 500m walk of every resident, to support the extension of the ULEZ by 2021.	Housing Regeneration and Public Realm - Strategic Transport	The Council continues to work towards the ambition to increase EV infrastructure across Lewisham and supported the extension of the ULEZ in 2021. There are currently 153 electric vehicle charging points across the borough. The Council is refreshing its strategic approach to electric vehicles and will continue to seek additional funding to continue to increase availability of chargers to residents. Plans to consult on increasing controlled parking were approved at Mayor and Cabinet in December will be expected to create additional opportunities for charging points. The ambition to increase EV infrastructure across Lewisham and a new EV Strategy to be	Achieved	Short term	Green
3.4.2	Work with TfL to bring more low emission buses into Lewisham, enabling the target for all new single deck buses to be zero emission	Housing Regeneration and Public Realm - Strategic Transport	Awaiting TfL's response with their progression - officers are seeking updates on their plans; which is dependent on TfL funding.	Ongoing	2020/21	Red
3.4.3	Implement the Council's 2020 Parking Policy Update, including an emissions-based charging scheme for residents, business and staff permit holders, and an increase in the Pay and Display tariff.	Housing Regeneration and Public Realm - Strategic Transport	Completed.	Achieved	Short term	Green
3.4.4	Review the Council's Controlled Parking Zone (CPZ) policy to support alignment of strategic decisions on parking with delivery of the Healthier Neighbourhoods Programme.	Housing Regeneration and Public Realm - Strategic Transport	In December 2022 Mayor and Cabinet approved proposals for a Sustainable Transport and Parking Improvements Programme which will review controlled parking zones and parking with a view to take an area-based approach to controlling parking alongside improvements to promote walking and cycling including footway widening, trees and planting, bike hangers as well as electric vehicle charging and car clubs. Mayor and Cabinet also approved proposals to amend the Council's 2014 Parking Policy to streamline the process of implementing controlled parking zones. Phase 1 consultations have now commenced.	Achieved	Short term	Green
3.4.5	Develop more radical approaches to workplace parking levies supported by travel planning, with LBL leading by example as well as retail/leisure centre parking levy. Review potential for all money raised to be reinvested into transport improvements.	Housing Regeneration and Public Realm - Strategic Transport	The Council is currently consulting on a new Sustainable Streets programme which will reduce commuting parking pressures and encourage more sustainable/active forms of travel to align with the Council's wider strategies and policies.	Achieved	Short term	Green
3.4.6	Support a modal shift away from individual car ownership through the creation of a new floating car club permit for operators which seeks to expand provision and availability of car club vehicles across the borough.	Housing Regeneration and Public Realm - Strategic Transport	Officers continue to work with car club operators across the borough to increase the number of residents using car clubs instead of private vehicles. As part of the Sustainable Streets programme, more car club bays will be delivered to support an uptake in car clubs.	Achieved	Short term	Green
3.4.7	Commence implementation of powers to enforce against idling vehicles. This will be supported by ongoing campaign work on this issue, including working closely with schools, which will be a priority area for enforcement.	Housing Regeneration and Public Realm - Environmental Health	The Council is installing anti-idling signage near local schools across the borough with 75 schools scheduled to be covered by the end of 2022 and local campaigns encouraging drivers to comply. In 2019 the Council introduced an £80 fine for engine idling. The Council's 2022-27 Air Quality Action Plan was approved by cabinet in July 2022 and also includes measures to deal with vehicle idling including a School Air Quality Action Plan. Officers are working with local head teachers and parents to reduce air pollution around schools with workshops on air quality and idling planned working with air Quality Champions. These volunteers are promoting the key message of anti-idling and helping run anti-idling events at schools.	Achieved	2020/21	Green

GREEN ADAPTIVE LEWISHAM

4.1.1	Use an evidenced-based approach to increasing tree stocks, tree canopy and linear metres of hedgerow. Explore 'self-funding' models proposed by local community organisations. We will work with local community organisations to develop the concept of a new Lewisham Climate Emergency Tree initiative. We will carry out a scoping exercise in partnership with the Healthy Neighbourhoods programme to identify new potential locations for trees and to identify the right kind of tree for the right location seeking to increase street tree canopy cover in areas with a deficiency of street trees. We will advise developers on the right kind of trees for new developments to maximise the ecological and adaptive benefits.	Community Services - Parks Sports and Leisure	Between June 2021 and June 2022: Parks trees: 790 whips planted; 174 standard trees planted 294 standard street trees planted in partnership with Street Trees for Living. This partnership means the Council's street trees have an excellent survival rate of 98%, significantly higher than the industry standard of 70%. This autumn/winter the Council plans to plant circa 550 trees. Hedgerow: 57 linear metres @ Brookmill, Ladywell, Horniman Triangle and River Pool Linear Park A project identifying vacant tree pits where new street trees can be planted is ongoing.	Achieved	2020/21	Green
4.1.2	Review Lewisham's Flood Risk Management Strategy to promote sustainable drainage solutions including new flood storage areas in green spaces, flood risk mitigation interventions at areas at high risk and development of tree pits and other storage solutions for surface water flooding.	Housing Regeneration and Public Realm - Climate Resilience Team	Mayor and Cabinet approved a new Flood Risk Management Strategy for the borough in September 2022. Longstanding plans to increase flood storage at Beckenham Place Park will make a significant difference to river and surface water flood risk across the length of the borough and the Beckenham Place Park flood alleviation scheme now has planning permission and has secured £1.2mil of funding from the Environment Agency to deliver flood mitigation works. The scheme will project over 800 properties from fluvial flooding.	Achieved	2020/21	Green
4.1.3	Develop highways-based Sustainable Urban Drainage solutions to reduce the risk of surface water flooding reduce pressures on highways drainage.	Housing Regeneration and Public Realm - Climate Resilience Team	Mayor and Cabinet approved a new Flood Risk Management Strategy for the borough in September 2022. The Strategy set out a strategic vision for flood risk management which includes slowing down and using water as a valuable resource. Sustainable drainage projects are a key part of the strategy's approach to achieving this Recent schemes delivered in public realm include: Baring Road SuDS Tree Pits - 406m2, Holbeach Road Rain Gardens - 264m2. Total area of hardstanding disconnected = 670m2 SuDS schemes programmed in and partially funded: Coulgate Street Pocket Park, Old Bromley Road Blue Green Link, Raffern Primary, Dalmain Primary, John Stainer Primary, Deptford Park Primary - totalling hardstanding areas of 7900m2	Achieved	Short term	Green
4.1.4	Refuse requests for installation of crossovers on the footway to accommodate parking on new front driveways unless there is evidence that planning consent is obtained and the driveway is permeable and/or drainage discharges to a soft landscaped area.	Housing Regeneration and Public Realm - Planning	Mayor and Cabinet approved a new Flood Risk Management Strategy for the borough in September 2022. Action 4.02 in the Flood Strategy commits to providing guidance for homeowners to help them de-pave front gardens as well as on creating sustainable drainage features. Officers will use the Council's website as part of this work. Further outreach work with residents to encourage action on flood risk is also happening as part of the Borough of Culture 'In Living Memory' programme drawing on the borough's experiences of the 1968 floods.	Ongoing	2020/21	Red
4.1.5	Where appropriate and safe to do so, reduce the amount of waste transported to recycling centres by managing waste in the park it was generated in e.g. use dead leaves as mulch on shrub beds.	Community Services - Parks Sports and Leisure	The use of a shredder and shredded material as part of the horticultural shrub process is scheduled to be trialled. 186 tonnes was removed from June 21- March 22 10 tonnes composted	Achieved	2020/21	Green
4.1.6	Work with local user groups to support the implementation of projects designed to benefit locally appropriate biodiversity and engagement.	Community Services - Parks Sports and Leisure	The Lewisham Biodiversity Partnership (including the Nature Conservation Team) ran 614 events engaging 3,759 people in 2021-22. Members of the partnership installed 2 bat boxes, 33 bird boxes, 11 loggeries and conducted 214 surveys (e.g. bird, butterfly, plant)	Achieved	2020/21	Green
4.1.7	Develop an integrated approach to green infrastructure across the public realm across our work on parks, highways, regeneration, housing and through our planning function.	Community Services - Parks Sports and Leisure	The Council's new Parks and Open Spaces Strategy agreed was agreed by Mayor and Cabinet in June 2020. The new draft Local Plan incorporates robust policies on Green Infrastructure recognising its contribution to tackling climate change. The Council seeks to take a collaborative cross service approach to promoting and investing in green infrastructure bringing together Planning, Highways and the Green Scene/Parks teams to develop and fund neighbourhood projects such as the greening fund and additional street tree planting through Street Trees for Living.	Achieved	Short term	Green
4.1.8	Review and develop the Council's response to prolonged period of high temperatures to inform and support the Council's emergency response process. This will include 'cool' refuges in public buildings, identifying at risk groups and implications for relevant service teams.	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council contributed to a London-wide mapping exercise to identify suitable locations for public refuge during prolonged hot weather and have also participated in the London wide Climate Vulnerability Mapping work. The Council's Resilience Team has provided training and support for staff on hot weather impacts to improve forward planning and business continuity during extreme temperatures. This work was tested fully in Summer 2022.	Achieved	2020/21	Green
4.1.9	Adopt a new Local Plan that will seek to ensure that all development proposals identify and retain existing habitats and features of biodiversity value. Use the new Local Plan to drive positive gains for biodiversity, particularly in areas that are deficient in public access to nature conservation.	Housing Regeneration and Public Realm - Planning	Lewisham Council consulted on a new local plan in April 2021 and a revised version was submitted to Mayor and Cabinet in September 2022 as part of the approval process. Responding to the Climate Emergency is one of 9 strategic objectives in the new Local Plan which incorporates robust policies on Green Infrastructure and biodiversity.	Ongoing	2020/21	Red
4.2.1	Introduce the Clean Air Neighbourhoods where communities can cooperate in measures that will reduce carbon with the aim of being an approved 'Clean Air Neighbourhood', allowing them to influence future development and businesses into their area.	Housing Regeneration and Public Realm - Environmental Health	To avoid confusion or duplication the concept of Clean Air Neighbourhood is not something the Council is currently using to describe local area based projects with communities to improve air quality. There are however a number of active programmes that are achieving the aims of this action. Lewisham has one of the greatest number of school streets in London with 48 school streets covering 39 schools, an increase of one school street for an additional school which will be in place by December 22. These School Streets have roads closed to traffic at school drop off and pick up times, including physical measures to discourage car use during school drop off and pick up times reducing congestion and improving air quality and road safety around the school site. Schemes have been developed for a further nine schools pending funding. The remaining school sites without restrictions are those that are more practically challenging to deliver and likely to be more costly and potentially more sensitive. For these School Zone approaches are being considered. Following a decision by M&C in January 2022 the permanent traffic orders in Lewisham's Low Traffic Neighbourhood have been approved and work on the complementary measures is progressing. Further monitoring to be undertaken in April 2023.	Ongoing	Short term	Red
4.2.2	Develop joint public engagement on air quality and climate change to raise awareness and create additional impetus for action.	Chief Executive's Directorate - Communications	The Council has promoted a wide range of initiatives that deliver air quality and carbon reduction benefits including cycling, anti-idling and on green infrastructure. Lewisham's programme as London Borough of Culture in 2022 has also including high profile commissions engaging with the issues of climate change, air quality and the links between environmental and social justice. This has included 'Breathe 22', Climate Home, Lewisham Speaks, Hope 4 Justice, The Gretchen Question and a number of small locally based initiatives funded through the Borough of Culture small grants programme. Air Quality work has been promoted with schools via the schools portal and Schools Climate Network. Lewisham is increasing and updating our current monitoring sites across the borough, there are 5 real time air quality monitoring sites and in addition monitoring of NO2 is undertaken by 141 diffusion tubes, at strategic locations including those in the most sensitive areas. In addition 11 Breathe London sensors are being developed/progressed as part of the Bell Green Air Quality Project.	Achieved	2020/21	Green
4.2.3	Consider future alternative permitting arrangements for ice cream vans for example only permitting electric ice cream vans from trading on Lewisham land but also investigate more radical solutions such as avoiding vehicles altogether creating opportunities for local mobile vendors using carts instead of a vehicle.	Community Services - Parks Sports and Leisure	Current concessions – are at Deptford/Blackheath/Hilly Fields/Mayow implementation of this action has been delayed due to the uncertainty about the future of the current grounds maintenance contract and issues around return on investment. All ice cream concessions in parks are not permitted to idle. Quotes have been received for electric installation and the prices are dependent on location but range £500 -1,500 + VAT.	Ongoing	2020/21	Red
4.3.1	Investigate the possibility of opening a re-use shop within the borough. A full project plan will be created with an aim to divert waste from incineration or recycling and encourage the reuse of items as directed by the waste hierarchy.	Housing Regeneration and Public Realm - Street and Environmental Services	Constrained space at Lewisham's recycling centre mean that there are severe limitations on retaining items for reuse on site. Investigations to seek alternative suitable premises or alternatives such as virtual re-use shop are ongoing.	Ongoing	Short term	Red
4.3.2	Identify and develop proposals to make Lewisham's Reduction and Recycling Strategy a fully carbon neutral strategy on waste.	Housing Regeneration and Public Realm - Street and Environmental Services	Lewisham's Waste Strategy 2021-31 was approved in 2021 and contributes to achieving the ambition for the borough to be net zero carbon through waste reduction, reuse and recycling using the waste hierarchy as the principle driver. A new Reduction and Recycling Plan 2023-25 sets out a range of measures to delivering on the ambition of the overarching Waste Strategy including on textiles, plastics and food, three of the most carbon intense and environmentally damaging materials. Lewisham already achieves zero waste to landfill and has achieved annual reductions in waste per household each year. Food waste collections were trialled in 2022 in 2 primary schools and this service is being rolled out to all Lewisham Schools. Testing of food waste in flats is currently happening and following this trial will be extended in 23/24.	Achieved	Short term	Green

INSPIRING LEARNING AND LOBBYING

5.1.1	Implement an integrated communications plan, reviewed and updated on a rolling basis. The Lewisham Climate Emergency Working Group and staff forum will support this work by identifying gaps and opportunities for developing further initiatives.	Housing Regeneration and Public Realm - Climate Resilience Team	A Climate Emergency Communications Plan was produced in October 2021 and updated in June 2022. The Council has established a resident contact group and promoted the Council's work and wider issues to residents through regular mailings as well as through Lewisham Life, the Council website and social media channels. An internal working group 'Inspiring Learning Lobbying' has met quarterly to bring together different service areas involved in communications and engagement activities in different ways. This includes: Communications, the Climate Resilience Team, Libraries, Young Mayor's Team, Community Development and CYP. Targets within the Communications Plan include <ul style="list-style-type: none"> +10% clicks on climate webpage, +10% increase in visits to Try Before You Bike webpage +10% increase in sign-ups to our Climate Emergency Action Plan newsletter 	Achieved	2020/21	Green
5.1.2	Identify and implement opportunities to engage, inspire and learn from groups reflecting the diversity of our borough in terms of age, ethnicity and socio-economic background.	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham's London Borough of Culture Year 2022 has had a strong focus on diversity and climate with a wide range of commissions and events celebrating diversity across the borough and using this as a lens to explore wider issues around climate change. Over 200,000 people attended Borough of Culture events in Lewisham, in a survey 83% agreed with the statement "It is important for Lewisham and its people to respond to the climate crisis". In 2022 the Council launched a "Talking My Language" campaign specific aimed at engaging with residents and communities with knowledge of other languages.	Achieved	2020/21	Green
5.1.3	Publish a practical guide to action on carbon reduction for residents.	Housing Regeneration and Public Realm - Climate Resilience Team	A Residents' Guide to action on the climate crisis was published in 2021 and updated in 2022. https://lewisham.gov.uk/myservices/environment/resident-guide A guide to retrofit was published in December 2022. https://lewisham.gov.uk/myservices/environment/climate-emergency/improving-the-energy-efficiency-of-your-home	Achieved	2020/21	Green
5.1.4	Develop the proposals within Lewisham's Borough of Culture programme to create new innovative ways to engage with residents on climate change through culture and collective action. Our plan is that 2021 becomes a year of concerted action on carbon reduction across Lewisham.	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Speaks was the result of a 6-month artists' residency within the Climate Resilience Team at Lewisham Council in 2022 which also included a borough-wide programme of engagement with residents and community organisations in each of Lewisham's 19 wards. The result of this immersive activity was a show that in Summer 2022 was performed twice in each ward, given a Council-specific performance and was part of Lewisham's People's Day 2022. Lewisham Speaks engaged with over 5,000 residents and, alongside the show itself created a map with content from people interacting with performances and a manifesto based on the views of people from across the borough. The materials from the show are now available to Lewisham Schools to perform and a video has been created highlighting the process, reactions from residents and the performance itself. This video will be included with the Council's new Climate Literacy Training for staff launching early in 2023.	Achieved	Short term	Green
5.1.5	Work with Lewisham's Young Mayor to support and grow existing action by young people in the borough on climate change. Work to ensure the views of young people are integrated within the Council's approach to action on climate change.	Housing Regeneration and Public Realm - Climate Resilience Team	The Young Mayor's Team has participated in the Borough of Culture Climate Home commission. The Climate Resilience and Young Mayor's team have worked closely on Lewisham's Schools Network, and the Climate Resilience team also presented at a Young Mayor's session in June 2022. The Young Mayor's team participated in a recent Lewisham Pupils Climate Network event in July 2022.	Achieved	2020/21	Green
5.1.6	Undertake a survey to inform the Council's understanding of residents' attitudes to climate change, priorities for action and further develop the Council's lobbying of Government and others.	Housing Regeneration and Public Realm - Inclusive Regeneration	The Council's Resident Survey in Autumn 2021 asked respondents to identify the organisation with most responsibility for climate change. Most people (77%) gave the view that everyone shares responsibility for tackling climate change. The next highest was central government (16%). Other responses included: Local Government (2%); Private Sector (2%); Individuals (2%) and the London Mayor (1%). Although not a formal survey the Lewisham Speaks Artist of Change programme collected a huge amount of anecdotal evidence from across the borough on residents' attitudes and priorities on climate change.	Achieved	2020/21	Green
5.2.1	Complete grant agreements under the Lewisham Community Energy Fund and publicise delivery showcasing good practice and finding opportunities to share learning.	Housing Regeneration and Public Realm - Climate Resilience Team	£100k of grant agreements were completed in 2021. Delivered projects include a holistic assessment of how to make St Winnifred's School carbon neutral, LED lighting, solar and other projects on community buildings and schools.	Achieved	2020/21	Green
5.2.2	Work with community partners to develop further funding opportunities to support local community energy projects.	Housing Regeneration and Public Realm - Climate Resilience Team	The May 2022 Lewisham Labour Manifesto included a commitment to 'Work with community energy groups to help people insulate their homes with targeted grants aimed to reduce energy usage and bills'. Plans for a further round of Lewisham's Community Energy Fund are being developed to support delivery of this.	Ongoing	Short term	Red
5.3.1	Establish a Lewisham Climate Commitment supported by local partner organisations to agree a common purpose, promote joint working and improve transparency on carbon emissions across key organisations in the borough.	Housing Regeneration and Public Realm - Climate Resilience Team	In June 2021 a new Climate Subgroup of the Lewisham Deal was set up involving the Council, Goldsmiths University of London, Lewisham Hospital, Phoenix Community Housing, Lewisham College and Lewisham Homes. The group has agreed Terms of Reference aimed at promoting joint working across these key organisations in the borough with a focus on supporting jobs and skills in retrofit, transparency in carbon reporting and opportunities for joint working on engagement and communications. The Lewisham Deal Subgroup has now been integrated into new structures being set up for the Local Strategic Partnership.	Ongoing	2020/21	Red
5.3.2	Work with London Councils, the GLA and other London boroughs to develop and present a coherent case for change at national level to deliver the investment, legislation, fiscal incentives and leadership needed to respond to the climate crisis.	Housing Regeneration and Public Realm - Climate Resilience Team	The lobbying points within Lewisham's Climate Emergency Action Plan were provided to London Councils and informed a set of London lobbying points that have been used in the build up to COP26 and other policy work. The London Council's London Environment Directors Network is coordinating cross borough working and Lewisham has participated in a number of thematic groups identifying pan London good practice and solutions to delivering on Climate Emergency ambitions. The Council's Cabinet Lead attends London Councils' TEC, LGA and UK100 events to share knowledge and lobby central government for increases in funding and the levers needed by local government to tackle the climate crisis. Lewisham has responded to a number of consultations since the declaration of a climate emergency either as a single authority or leading the response through the Association of Local Energy Officers for London this includes the Net Zero Review evidence gathering, DEFRA's consultation on environmental targets, Heat Network Zoning consultation, the Future Homes Standard consultation, Fuel Poverty Strategy consultation as well as writing to Ministers and others on a range of key national and regional affecting the borough and the ambition to be net zero by 2030.	Achieved	2020/21	Green
5.3.3	Work with local education and skills providers and with local businesses to develop the supply chain for building retrofit and carbon reduction technologies. Support local people to gain the accredited skills needed to gain employment and ensure Lewisham's economy benefits from growth in the carbon reduction sector. Integrate energy, carbon and climate activity into Lewisham's Inclusion and Growth Strategy.	Housing Regeneration and Public Realm - Climate Resilience Team	The tri-borough LSBU Green Skills Hub, in which Lewisham Council is a strategic partner, was launched in May 2022 bringing together a network of local colleges including Lewisham College, and a network of local employers in green sectors, to work together to develop the local green skills offer. Lewisham Council along with neighbouring Southwark and Lambeth, have appointed a shared strategy officer post focusing on retrofit skills development, and since November 2021, the officer has worked with the tri-borough Councils collectively and individually, between the skills, local economy, sustainability, and assets/housing teams, and with the recently launched tri borough LSBU Green Skills Hub. The work has built up a shared understanding of the green skills needs and projections, and has resulted in a series of project proposals to develop local retrofit and low carbon heat and energy skills, grow the local economy in these sectors, create opportunities for residents, and ensure the Boroughs can meet their Climate Action Plan targets in these areas. Successes from the Tri Borough work include: <ul style="list-style-type: none"> •£2.75M DfE Strategic Development Fund funding until March 2023 (outcomes to 2025) for facilities, capacity building and curriculum development in Low carbon heat and energy, and retrofit sectors across Central London Sub-region •£500K ESF-funded 'Retrofit Revolution Project' at LSBU for 250 unemployed South London residents Current projects include contractor Support with PAS.2030 and Trustmark registration, green skills showcase resources for schools and career advisors, retrofit-focused shared apprenticeship scheme, a Retrofit insulation Centre of Excellence, and a set of bespoke retrofit and low carbon energy Social Value Asks for inclusion across decarbonization contracts.	Achieved	Short term	Green
5.3.4	Work in partnership with neighbouring boroughs on flooding, and green linkages to address sub regional environmental issues.	Housing Regeneration and Public Realm - Climate Resilience Team	As Lead Local Flood Authority Lewisham works closely with neighbouring boroughs, the Environment Agency, Thames Water and London Councils on sub regional flooding and environmental issues.	Achieved	Short term	Green

5.3.5	Create a public sector network in the borough to share good practice and support on carbon reduction.	Housing Regeneration and Public Realm - Climate Resilience Team	In June 2021 a new Climate Subgroup of the Lewisham Deal was set up involving the Council, Goldsmiths University of London, Lewisham Hospital, Phoenix Community Housing, Lewisham College and Lewisham Homes. The group has agreed Terms of Reference aimed at promoting joint working across these key organisations in the borough with a focus on supporting jobs and skills in retrofit, transparency in carbon reporting and opportunities for joint working on engagement and communications. The Lewisham Deal Subgroup will integrate into new structures being set up for the Local Strategic Partnership.	Achieved	2020/21	Green
5.3.6	Publish a practical guide to action on carbon reduction for local businesses.	Housing Regeneration and Public Realm - Climate Resilience Team	The business guide to action on climate change was delayed by the pandemic which affected the way all businesses were operating. The guide has been drafted and is going through a design process and is expected to be published by the end of Q4 2022/23.	Achieved	2020/21	Green
5.4.1	Create a lessons-learned log from day one of delivering the Action Plan to capture new ideas, contacts, improvements and changes that are needed to try and keep Lewisham engaged and active at the forefront of action on the Climate Emergency.	Housing Regeneration and Public Realm - Climate Resilience Team	This has been done.	Achieved	2020/21	Green
5.4.2	Commit to an annual public review of our Climate Emergency work to be held on or near the anniversary of the original declaration of a Climate Emergency (27 February 2019)	Housing Regeneration and Public Realm - Climate Resilience Team	Updates on Lewisham's Climate Emergency Action Plan have been reviewed by Mayor and Cabinet each March since publication. Climate Emergency has also been an agenda item at the Sustainable Development Select Committee, and in November 2021 an in-depth session by Overview and Scrutiny Committee. The Housing Retrofit Task & Finish scrutiny group was established in 2021 and reported its recommendations in March 2022.	Achieved	2020/21	Green
5.5.1	Lewisham's Mayor to write to London Councils and the GLA to set out the Council's full set of lobbying points and seek wider support.	Housing Regeneration and Public Realm - Climate Resilience Team	The lobbying points within Lewisham's Climate Emergency Action Plan were provided to London Councils and informed a set of London lobbying points that have been used in the build up to COP26 and other policy work. Lewisham has responded to a number of consultations since the declaration of a climate emergency either as a single authority or leading the response through the Association of Local Energy Officers for London this includes the Net Zero Review evidence gathering, DEFRA's consultation on environmental targets, Heat Network Zoning consultation, the Future Homes Standard consultation, Fuel Poverty Strategy consultation as well as writing to Ministers and others on a range of key national and regional affecting the borough and the ambition to be net zero by 2030.	Achieved	2020/21	Green
5.5.2	Officers to support a pan-London approach to lobbying through London Councils, the Association of Local Energy Officers in London and through other fora.	Housing Regeneration and Public Realm - Climate Resilience Team	The London Council's London Environment Directors Network is coordinating cross borough working and Lewisham has participated in a number of thematic groups identifying pan London good practice and solutions to delivering on Climate Emergency ambitions. In 2022 this included lobbying for additional powers on 20mph, for the Government to adopt WHO AQ targets, for additional support on energy bills for community sector organisations, for additional requirements on energy efficiency for home-owners refurbishing part of a property. The Council also submitted a response to the Government's call for evidence on the Net Zero Carbon review in October 2022 calling, among other things for more clarity on the role of local authorities in delivering net zero and a need for realism and long term thinking about how current grant funding regimes work.	Achieved	2020/21	Green
5.5.3	Seek to agree a joint statement with local MPs, Climate Action Lewisham, Extinction Rebellion and other local lobbying environmental groups to the UK Prime Minister setting out our call for action and seeking to influence 26th UN Climate Change Conference of the Parties (COP26).	Housing Regeneration and Public Realm - Climate Resilience Team	The lobbying points within Lewisham's Climate Emergency Action Plan were provided to London Councils and informed a set of London lobbying points that have been used in the build up to COP26 and other policy work.	Achieved	2020/21	Green

Report for: Mayor and Cabinet	
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input type="checkbox"/>

Date of Meeting	08/03/23	
Title of Report	Lewisham Modern Slavery Statement 2023-2024	
Author	James Lee	Ext. 6548

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments	✓	
Legal Comments	✓	
Cabinet Briefing consideration		✓
EMT consideration	✓	

Signed:



Cllr Chris Barnham - Cabinet Member for Children and Young People and Community Safety
Date: 21/02/23

Signed: 
Tom Brown - Executive Director for Community Services
Date: 21/02/23

Control Record by Committee Services

Action	Date
Listed on Key Decision Plan	20/01/23
Date submitted to Legal & Finance	01/02/23
Date submitted to Cabinet Members for sign off	08/02/23
Date submitted to Executive Director for sign off	08/02/23



Mayor and Cabinet

Report title: Lewisham Modern Slavery Statement 2023-2024

Date: 8th March 2023

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Katharine Nidd, Head of Financial Strategy, Planning and Commercial; Teresa Hitchins, Procurement and Commercial Services Manager; Paul Philips, Organisational Development Advisor; Martin Crow, LSAB Business Manager; Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance and Community Safety.

Outline and recommendations

The Modern Slavery Statement 2023-2024 sets out the London Borough of Lewisham's commitment to the opposition of Modern Slavery and Human Trafficking (MSHT) and sets out the role it plays as a public sector organisation, together with its partners, to work towards the elimination of modern slavery (Prevent); ensure victims are fully and effectively supported (Protect); fully understand the local picture regarding modern slavery (Prepare) and robustly tackle perpetrators of modern slavery (Pursue). This report sets out the impact and implications of Mayor and Cabinet approving the Modern Slavery Statement for 2023-2024 and sets out changes the Council will implement in an attempt to reduce and eradicate Modern Slavery and Human Trafficking in the Borough and maintain our Borough of Sanctuary status.

Timeline of engagement and decision-making

The Modern Slavery Statement for 2022-2023 was approved at Mayor and Cabinet on 9 March 2022.

The Modern Slavery Statement for 2021-2022 was approved at Mayor and Cabinet on 10 February 2021.

The Modern Slavery Statement for 2019-2020 was approved by Mayor and Cabinet on 13 February 2019.

1. Summary

- 1.1. This report sets out the London Borough of Lewisham's fourth Modern Slavery Statement which covers the period 2023-2024.
- 1.2. Appended to this report is Lewisham's Modern Slavery Statement for 2023-2024 and the Lewisham Modern Slavery and Human Trafficking (MSHT) Partnership Strategy.
- 1.3. Lewisham MSHT Partnership Strategy was approved by the Safer Lewisham Partnership Board for use by the Council in September 2022.
- 1.4. Lewisham MSHT Victim Care Pathway was introduced in July 2022 and has helped to inform the Modern Slavery Statement 2023-2024.
- 1.5. These are our ambitions for the next year and linked to them are a number of targeted commitments against which our progress can be monitored and measured. The Council is deeply committed to the delivery of these in full, however notes that the pace of delivery may be impacted by the current cost of living crisis coupled with any possible post COVID-19 pandemic effect and this could similarly have an effect on the ability of some of our partners to engage with the programme.
- 1.6. Please refer to section 12 – Glossary – to better aid the understanding of the terms and/or acronyms contained within this report.

2. Recommendations

- 2.1. Mayor and Cabinet are recommended to:
approve the Modern Slavery Statement for 2023-2024 as appended to this report.

3. Policy Context

- 3.1. This report responds to Lewisham's Corporate Strategy 2022-2026 by contributing towards the delivery of the following five Corporate Priorities as outlined in the Corporate Strategy:
 - 3.1.1 a) Open Lewisham – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us.
 - b) Children and young people– Every child has access to an outstanding and inspiring education and is given the support they need to keep them safe, well and able to achieve their full potential.
 - c) A strong local economy – Everyone can access high quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
 - d) Health and wellbeing – Ensuring everyone receives the health, mental health, social care and support services then need.
 - e) Safer communities – Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

4. Background

- 4.1. Although slavery was abolished in the UK in 1833, there are more slaves today than ever before in human history. Figures from the International Labour Organisation suggest that there are 49.6 million people living in modern slavery in 2021 across the world, with nearly 27.6 million held in forced labour.
- 4.2. There were 5,309 Modern Slavery offences reported to police in London in the 24 months to November 2022. 186 of those were in Lewisham, with a 22% increase in the 2nd year locally.

- 4.3. In the 12 months to December 2021, there were 11,371 victims who had received a positive, reasonable grounds decision for the National Referral Mechanism in the UK. This is up from 673 in December 2011.
- 4.4. Modern slavery is happening nationwide. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can include sexual and criminal exploitation.
- 4.5. The Council is committed to opposing modern slavery and human trafficking. The Council continues to demonstrate its duty towards this commitment by, addressing this through the Modern Slavery and Human Trafficking Network and signing up to the Co-operative Party Charter against modern slavery.
- 4.6. The Co-operative Party Charter against modern slavery required the Council to pledge to enact ten key commitments as part of its adoption. The Charter made necessary a number of actions from the Council and many of these actions were considered and addressed within the Modern Slavery Statement for 2018-2019. A motion was passed at full Council requesting that Mayor and Cabinet agree to signing the Co-operative Party Charter on the 3 October 2018, this was agreed by Mayor and Cabinet on the 13 February 2019 as part of its approval of Modern Slavery and Human Trafficking Statement for 2019-2020 and it was signed shortly after this time.
- 4.7. The Lewisham Modern Slavery and Human Trafficking Partnership Strategy outlined and defined human trafficking and modern slavery - and provided information about Lewisham's approach, including the role of the Council in relation to:
 - a) Help to Prevent Exploitation
 - b) Ensure Victims are Identified
 - c) Support Victims
 - d) Bring Exploiters to Justice
- 4.8. The Lewisham MSHT Partnership Strategy was subsequently expanded to support wider partnerships across the Borough and supported through the Safer Lewisham Partnership, Safeguarding Adults Board and Safeguarding Children's Partnership Board.
- 4.9. In addition to the above, the Council has sought to publish regular Modern Slavery Statements, last doing so in March 2022. This process was disrupted in the previous year by the COVID-19 Pandemic in 2020, nonetheless, in publishing this statement for 2023-24 the Council clearly sets out the role it plays as a public sector organisation, together with its partners, to drive the identification, recognition, raising of awareness and disruption of this abhorrent crime. Lewisham continues to publish statements annually.
- 4.10. Lewisham Council is clear about its zero tolerance approach to modern slavery and human trafficking in all its forms. The Council will use all avenues open to it using proportionate and appropriate measures through its statutory powers, its role as a procurer of supplies and services, its role as an employer, and its role as critical partner and influencer of other public sector bodies such as the Police, health, fire service and voluntary sector bodies.
- 4.11. These avenues include the use of policy, practice and statutory intervention, all of which have differing impacts on both the ability to disrupt and reduce this activity, but changes to policy and practice can have wider financial and legal implications. One example of this in action is the commitment in Lewisham's Corporate Strategy 2018-22 that: "*We will work to eliminate modern slavery from our supply chain, by requiring all companies who get public funding or contracts from the Council to comply with our modern slavery*

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statement” and the way that this commitment has increased Lewisham Council’s focus on the issues of Modern Slavery and Human Trafficking.

5. Modern Slavery and Human Trafficking Statement

- 5.1. As set out in the Statement, the Council is itself not legally obliged to publish a statement on modern slavery and human trafficking under the Modern Slavery Act 2015. Whilst not a legal requirement to publish an annual statement it is considered good practice to do so, the Local Government Association highlights that: *“Local authorities are uniquely placed to be at the forefront of the fight against modern slavery and are demonstrating awareness and ethical leadership by voluntarily completing modern slavery transparency statements”*. As a public sector body the Council has powers which allow it to act in the way set out in this report. For example, it is legally required to operate in ways that are compatible with the Human Rights Act 1998; it can use its role in setting policy and practice; its role as a procurer of supplies and services; its role as an employer; and its role as critical partner and influencer of other public sector bodies such as the Police, health, fire service and voluntary sector bodies. Those tools will be used in a proportionate and appropriate manner. Accordingly this report set out the proposed approach and the wider implications including financial and legal issues.
- 5.2. The rights under this Act include the right for people to be free from slavery and forced labour. The Council will of course take steps which will help deliver that outcome, including using the tools available to it to ensure contractors comply with legislative requirements such as the Modern Slavery Act 2015 where those apply to the contractor, and complying with its duty to notify the Home Office of any individual encountered in England and Wales who it is believed is a suspected victim of slavery or human trafficking.
- 5.3. The annual publication of a Modern Slavery and Human Trafficking Statement enables the Council to clearly articulate its commitment to the abolition of all forms of modern slavery and human trafficking, to identify the progress made to date and to set out the actions still required to achieve this. The London Borough of Lewisham’s Modern Slavery and Human Trafficking Statement 2023-2024 therefore outlines the principles, policies, recruitment practice, procurement practice and actions to be taken to ensure that there is no modern slavery or human trafficking within the organisation. While acknowledging that the Council itself is not bound by the Act, the Statement is aligned with the approach set out in the Act.
- 5.4. The Act suggests that a slavery and human trafficking statement for a financial year is a statement of the steps the organisation has taken during the financial year to ensure that slavery and human trafficking is not taking place:
 - a) In any of its supply chains, and
 - b) In any part of its own business
- 5.5. It further states that an organisation’s slavery and human trafficking statement may include information about:
 - a) The organisation’s structure, its business and its supply chains;
 - b) Its policies in relation to slavery and human trafficking;
 - c) Its due diligence processes in relation to slavery and human trafficking in its business and supply chains;
 - d) The parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk;
 - e) Its effectiveness in ensuring that slavery and human trafficking is not

taking place in its business or supply chains, measured against such performance indicators as it considers appropriate;

- f) The training about modern slavery and human trafficking that is available to its staff members.

5.6. Lewisham Council is clear about its zero tolerance approach to modern slavery in all its forms and is committed to ensuring that there is no modern slavery or human trafficking in any part of the organisation. Furthermore, the Council will use all avenues open to it to seek to eradicate this crime from the Borough. These include:

- a) The use of proportionate and appropriate measures through our statutory powers
- b) Setting supplier standards via Procurement in our role as a procurer of supplies, services and works.
- c) Taking, where necessary, direct action in our role as an employer
- d) Influencing others, in our role as critical partner to a number of public sector bodies such as health, fire and police services - as well as voluntary sector bodies.

5.7. The MSHT Partnership Strategy highlights the following local strategic priorities 2022-2024

- a) Help to Prevent Exploitation
- b) Ensure Victims are Identified
- c) Support Victims
- d) Bring Exploiters to Justice

5.8. We will deliver our commitments by taking steps to manage and mitigate risk at all levels within both the procurement process and throughout the life of the contracts we award. In this new Modern Slavery and Human Trafficking Statement for the year 2023-2024 the Council clearly sets out the steps it has taken towards this aim as well as its ambitions for the year ahead and how these will further hinder the ability for traffickers and the beneficiaries of modern slavery to operate within our Borough.

5.9. Our developing priorities and action areas for next year, as committed to in Lewisham's Modern Slavery Statement 2023-2024, are:

- 1) Improving protection and support for modern slavery survivors
- 2) Encouraging suppliers to consider their modern slavery obligations
- 3) Increasing the uptake of additional modern slavery training
- 4) Growing our work with the Human Trafficking Foundation
- 5) Embedding modern slavery visibility in our quotes and tenders
- 6) Undertaking supplier SMETA Audits on procurements with a higher supply chain risk for modern slavery

5.10. Our focus on these action areas will feed into the project to help us deliver the following commitments to combat modern slavery in Lewisham:

Commitment	Action	Achieved
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Improving protection and support offer for modern slavery survivors	<ul style="list-style-type: none"> • Modern slavery is included in all Procurement Training. • Continue to roll out Learning portal starter pack • Development of E-learning module for all new starters 	Ongoing Ongoing Ongoing
Encouraging suppliers to consider their modern slavery obligations	<ul style="list-style-type: none"> • Modern slavery and supply chain risk is a set discussion point in contract management/monitoring meetings on an annual basis, as included on the Contract Management Monitoring Plan • Working closely with Tier 1 suppliers to build a complete picture of the full supply chain. • Requesting and monitoring information from the Tier 1 suppliers on how they manage their own supply chain to address modern slavery risks 	Ongoing
Increasing the uptake of additional modern slavery training across the Council	<ul style="list-style-type: none"> • Content on modern slavery included in existing training sessions run by HR • Introduction to Procurement, Contract Management and Social Value Training • To provide frontline staff and their supervisors with access to training on modern slavery • eLearning modules that cover the subject of Modern Slavery and Human Trafficking, it is covered in safeguarding courses undertaken by staff members who work with the public in a direct capacity. • Meet the buyer event 2023 • Early market engagement for above threshold procurements • Regular supplier engagement and awareness raising with local businesses more widely. • The MSHT Network is committed to delivering local training 	Ongoing Ongoing Ongoing In development In development Ongoing In development Ongoing

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highlights how modern slavery is incorporated into the Social Value model in procurement. Any procurement carried out by the Council will be in accordance with the relevant public procurement legislation for duration the Council's Modern Slavery and Human Trafficking Statement for 2023-2024 is in force.

8. Equalities implications

- 8.1. The Equality Act 2010 (the Act) introduced the public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.2. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
 - eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 8.3. The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor and Cabinet, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which the Council can demonstrate that they have had ‘due regard’.
- 8.4. The Equality and Human Rights Commission issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with services and public functions. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 8.5. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
 1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 8.6. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties, and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available

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

- 8.7. The Council's Comprehensive Equality Scheme provides an overarching framework and focus for the Council's work on equalities and helps to ensure compliance with the Equality Act 2010. The adoption of this statement, and all activity taken subsequent to this, will be compatible with the requirements of the Equality Act 2010 and our duties within this Act to promote equality as a public body.

9. Climate change and environmental implications

- 9.1. Lewisham's Modern Slavery Statement for 2023-2024 has no direct climate change and environmental implications in terms of how this Statement will interact with the Borough.
- 9.2. It's worth noting here, however, that as the current climate emergency continues to worsen, the number of people being trafficked is unlikely to decrease. The Institute for Economics and Peace recently said that that around 1.2 billion people face becoming Climate Refugees within the next 30 years as the climate crisis and rapid population growth drive an increase in migration. It is unfortunately inevitable, therefore, that some of this population of vulnerable people in migrating populations will find themselves at an increased risk of becoming a victim of human trafficking.

10. Crime and disorder implications

- 10.1. The Council must consider how its activity can prevent crime and disorder in the borough. The Crime and Disorder Act 1998 places a duty on local authorities to identify community safety implications in all our activities. One of the key areas of focus in this statement is the aim to increase information sharing between the Council and agencies such as anti-trafficking charities and organisations such as *Unseen*.
- 10.2. Increased communication and information sharing could potentially lead to an increase in sites of concern with regard to modern slavery being communicated to the Police – and this may have implications in terms of increased policing of this abhorrent crime – and as a result, reduced incidences of this crime, as well as a reduction of fear of this crime within the community.

11. Health and wellbeing implications

- 11.1. Lewisham's Modern Slavery Statement 2023-2024 will have a direct impact on the health, mental health and wellbeing of anyone affected by the scourge of modern slavery as it seeks to eradicate modern slavery and human trafficking in the Borough.
- 11.2. The Council's Modern Slavery Statement for 2023-2024 seeks to increase information sharing with agencies, such as anti-trafficking organisations like *Unseen* and the *Human Trafficking Foundation* and empower anti-trafficking survivors. It could be the case that this will lead to an increase in demand for access to health and social care services from survivors.

12. Glossary

A table of definitions from this report and the MS statement are listed below:

EHRC	The Equality and Human Rights Commission
Climate Refugees	Climate refugees are a subset of environmental migrants forced to flee their country of residence due to sudden or gradual alterations in the natural environment related to at least one of the three impacts of climate change: sea-level rise, extreme weather events, and drought and water scarcity.

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Human Trafficking	Human trafficking is the movement of people by means such as force, fraud, coercion or deception with the aim of exploiting them. It is a form of Modern Slavery
Modern Slavery Act	The Modern Slavery Act 2015 is an Act of the Parliament of the United Kingdom. It is designed to combat modern slavery in the UK and consolidates previous offences relating to trafficking and slavery.
MSHT	Modern Slavery Human Trafficking
Lewisham Council's Comprehensive Equality Scheme	This is the Council's statement of strategic equality objectives and a framework through which elected officials, officers and the public can assess and evaluate the equality impact of strategic planning and service delivery. It is a vehicle through which the Council can demonstrate its compliance with the Equality Act 2010.
LSCP	Lewisham Safeguarding Children Partnership
Sedex SMETA	A Sedex (supplier Ethical Data Exchange) SMETA – which stands for Sedex Members' Ethical Trade Audit – is an audit of a supplier site based on their organisation's standards of labour health and safety, environment and business ethics.
VCP	Victim Care Pathway

13. Report author and contact

13.1. James Lee, 020 8314 6548, james.lee@lewisham.gov.uk

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

14.1. Kathy Freeman, Kathy.Freeman@lewisham.gov.uk

15. Comments for and on behalf of the Director of Law and Corporate Governance

15.1. Please see the Legal Implications above.

15.2. Mia Agnew, Mia.Agnew@lewisham.gov.uk

16. Appendices

- *Appendix A – Lewisham MSHT Partnership Strategy*



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_msht_partnership_

- *Appendix B – Lewisham MSHT Victim Care Pathway*

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victim_care_pathway_july_2022.pdf

- *Appendix C – Lewisham Modern Slavery Statement 2023 - 2024*



Modern Slavery Statement 2023 - 2024

17. Sources of information

<https://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

[Modern slavery | Local Government Association](#)

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Lewisham

Modern Slavery Statement 2023-2024

Lewisham's position against Modern Slavery

This statement sets out Lewisham Council's commitment to work towards the elimination of Modern Slavery and Human Trafficking (MSHT) and sets out the role we play as a public sector organisation, together with our partners to achieve this (Prevent); as well as to ensure victims are fully and effectively supported (Protect); fully understand the local picture regarding modern slavery (Prepare); and to robustly tackle perpetrators of modern slavery (Pursue). This aligns with our Modern Slavery Human Trafficking Partnership Strategy and Guidance (MSHT).

Lewisham Council will empower people to move on safely and successfully from exploitation, and proactively target and pursue criminals. Lewisham is clear about its zero-tolerance approach to modern slavery in all its forms and we are committed to ensuring that there is no modern slavery or human trafficking in any part of our organisation. Furthermore, the Council will use all avenues open to it to seek to eradicate this crime from the Borough and maintain our status as a Borough of Sanctuary. This includes:

1. The use of proportionate and appropriate measures through our statutory powers
2. Setting supplier standards via Procurement in our role as a procurer of goods, works and services
3. Taking, where necessary, direct action in our role as an employer
4. Influencing others, in our role as critical partner to a number of public sector bodies such as health, fire and police services - as well as voluntary sector bodies.



The Council is not legally obliged to publish a statement on modern slavery and human trafficking under the Modern Slavery Act 2015. As a public sector body, however, the Council has powers which allow it to act in certain ways, for example, the Council is

legally required to operate in ways that are compatible with the Human Rights Act 1998. It can therefore (in a proportionate and appropriate manner) do this using its role in setting policy and practice; its role as a procurer of supplies and services; its role as an employer; and its role as critical partner and influencer of other public sector bodies such as the Police, health, fire service and voluntary sector bodies. Publishing this statement and taking the actions contained within it helps the Council deliver these outcomes.

The Council's Statement supports the approach set out in the Modern Slavery Act. Our statement outlines the principles, policies, recruitment practices, procurement practice and actions to be taken to ensure that there is no modern slavery or human trafficking within our organisation. These may also include safeguarding responsibilities and duties under adult and children's legislation. The statement is further supported by our Modern Slavery and Human Trafficking Partnership Strategy and Guidance, which outlines the referral pathways that services need to follow to support survivors of modern slavery.

What is Modern Slavery? It is estimated that more than 50 million people are enslaved worldwide, 28 million are in forced labour and 22 million people in forced marriages. Reports of sexual and criminal exploitation have risen alarmingly during the pandemic, according to new data measuring the scale of modern slavery and trafficking in the UK.

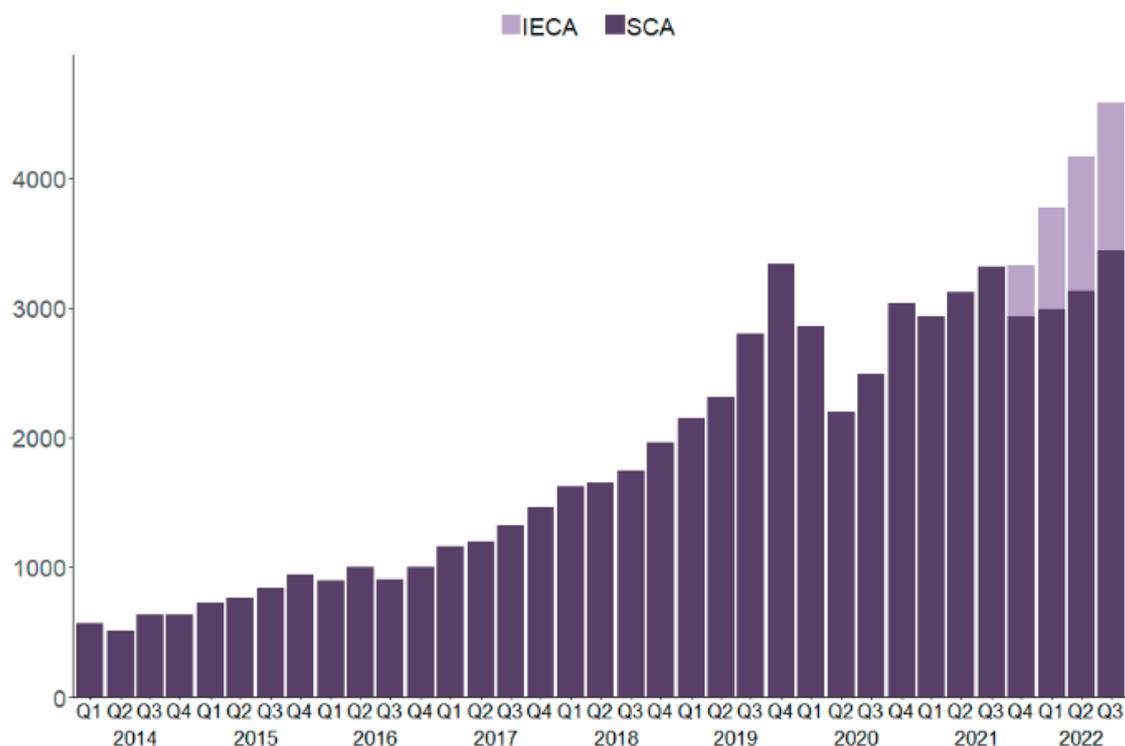
To understand modern slavery, you need to understand what slavery is and how human trafficking, a form of modern slavery, contributes to the problem. These are defined below.

<p>Slavery – the condition of treating another person as if they were property - something to be bought, sold, traded or even destroyed</p>	<p>Modern Slavery – Any form of exploitation so severe that people are not able to leave their place of work.</p>	<p>Human Trafficking – the movement of people by means such as force, fraud, coercion, or deception, with the aim of exploiting them.</p>
--	--	--

There are many forms of exploitation that can constitute Modern Slavery, among them are sexual exploitation, domestic servitude, forced labour, forced marriage, illegal adoption, criminal exploitation, and exploitation of a minor. It is a harrowing but a true statistic that every 4th victim of modern slavery is a child.

Modern Slavery in Numbers

The graph below shows that there has been a steady increase year on year, in the number of potential victims of modern slavery referred into the National Referral Mechanism (NRM) – with the number of referrals reaching 4,586 in the third quarter of 2022, representing a 10% increase compared to the preceding quarter (4,169) and a 38% increase from quarter 3 in 2021 (3,317). This increase is probably partly down to greater awareness of the crime and improvements in referral and recording practices and shows the importance of continuing to prioritise Lewisham’s response to modern slavery and renew our commitment to eradicating it.



Overview of Lewisham Council and Modern Slavery

Lewisham is the fourth largest inner London Borough, which, in 2021 had a population of 300,600, the population size has increased by 9%, from around 275,900 in 2011. Lewisham Council currently has around 2,412 employees working in the Council's central functions; 3,734 employees in schools; and approximately 575 agency workers.

The Borough is responsible for delivering and co-ordinating a wide range of services and as part of responding to the organisation's 2022-2026 Corporate Strategy, everyone at the Council strives to ensure that, as a priority, the London Borough of Lewisham is a welcoming place of safety for all and that every resident feels safe and secure living here.

To support these two priorities, our aim is to improve fairness, develop greater transparency and deliver good practice in our work. This aim is highlighted to our people through a series of policies and publications including the Council's:

- Code of Corporate Governance
- Code of Conduct
- Council Ethical Standards
- Whistleblowing Policy
- Council Constitution
- A wide range of other strategies and HR policies

The Council reviews its policies and procedures on an ongoing basis to ensure that they remain compliant and fit for purpose. The following policies and procedures support the Council's principles and approach to the eradication of modern slavery and human trafficking:

- Sustainable Communities Strategy
- Safeguarding Children and Adults Policies
- Employee Code of Conduct
- Agency Workers Policy
- Respect and Dignity at Work Policy
- Recruitment Practice Policy
- Sustainable Procurement Code of Practice

To touch on a few of the policies above that have a focus on employment and protecting our people:

The Council's Employee Code of Conduct sets out the standard of conduct expected of all employees when carrying out their duties for the Council, their relationship with Councillors and, in circumstances where their duties overlap or conflict with their private lives, the actions expected of them.

Our Whistleblowing Policy makes it easy for Lewisham employees, partners and supply chain operators to make disclosures of any kind without fear of retaliation.

Lewisham's Agency Workers Policy (in association with our redrafted Recruitment and Selection Policy) allows us to work with our current agency staff provider to review/agree how they can take further steps to mitigate the risk of accepting workers subjected to modern slavery. Clearances undertaken for our agency workers mirror those for permanent staff and clearance checks are undertaken by third party agency suppliers, after which time they are audited on a monthly basis.

The Council has only ever used specified, reputable employment agencies, via CCS, YPO and ESPO frameworks, to source vital labour resources as part of our agency staff approach. Nonetheless, modern slavery can intersect with a number of areas in which we as a Council operate. As a result of this, there are a number of different Officers who may come across modern slavery simply going about their everyday activities. Key areas in which officers might come across people in modern slavery include housing and homelessness services, community safety work, security, licensing services, social services, and customer services.

The Borough has a focus on preventing modern slavery by seeking to identify, and refer to authorities, anyone who is suspected of being a victim of modern slavery. In addition to this, our community safety services seek to disrupt activities linked to modern slavery. Where these two actions do rescue people from the grip of traffickers and criminals, the Council has a strategic focus on supporting survivors of modern slavery through our support services – and we monitor the effectiveness of all of these actions on an annual basis.

Lewisham Council has organisational policies that outline the use of a risk-based assessment to ensure that our supply chains have proportionate checks carried out on them. For above and below threshold procurements, bidders are required to address modern slavery as part of the Standard Selection Questionnaire and the Suitability Questionnaire. For spend below £50,000 there is a requirement for bidder to complete the Supplier Self Certification which addresses modern slavery.

We work with Electronics Watch to verify the modern slavery-free nature of all IT and digital equipment that we purchase. We also conduct financial due diligence checks and run CreditSafe reports on bidders and successful suppliers, this process allows us to identify any potential risks and implement mitigation strategies where necessary. This provides assurance that we work with legally formed entities. It is our belief that following procurement best practice can do a great deal to safeguard against modern slavery in our supply chains and it is for this reason that our procurement team undertake ethical procurement and supply chain training from CIPS upon induction and then on a regular basis.

Background on our work to date

In terms of training, the Council has committed, through its previous Modern Slavery Statement and Modern Slavery Partnership Strategy, to provide frontline staff and their supervisors with access to training on modern slavery. This will enable them to fulfil their statutory duty to identify potential victims of modern slavery and understand and deliver upon what they must do in such circumstances. During 2022 the Procurement

Team delivered a number of training sessions, covering introduction to procurement, contract management and Social Value. These sessions provided an opportunity to discuss modern slavery and the active roles we can take to tackle modern slavery through procurement processes.

In addition to eLearning modules that cover the subject of Modern Slavery and Human Trafficking, it is covered in face-to-face/Microsoft Teams safeguarding courses undertaken by staff members who work with the public in a direct capacity. The action that our people need to take in relation to modern slavery has become well-known and regularly acted upon - and as a result our number of referrals to the National Referral Mechanism have been increasing on a yearly basis, with early identification resulting in some positive multi-agency action to support modern slavery survivors.

In terms of awareness raising, the Council has played a part, as a statutory partner, in embedding human trafficking and modern slavery training through the work of the Lewisham Safeguarding Adults Board, and the Lewisham Safeguarding Children Partnership. Lewisham Council is also a leading partner in the established Modern Slavery and Human Trafficking (MSHT) Network. The MSHT Network is committed to delivering local training sessions as well as regular communications to ensure that there is a wide scale understanding of these issues, what to do when confronted with them, and the ways in which the Council's Whistleblowing policy can be used by partners and people in our supply chain. There is also a quarterly partnership meeting between the Councils, police, and NHS colleagues from the three South East London Boroughs of Lewisham, Greenwich and Bexley, where concerns, local trends and cross border learning on modern slavery and human trafficking issues are discussed.

The MSHT Partnership Strategy highlights the following local strategic priorities 2022-2024

- a) Help to Prevent Exploitation
- b) Ensure Victims are Identified
- c) Support Victims
- d) Bring Exploiters to Justice

In terms of Procurement, our contractors and suppliers are predominantly UK-based, and we are committed to creating effective systems and controls to safeguard against any form of modern slavery taking place within our supply chain. The Council has nominated a member of the Procurement team to be the lead contact for the London Procurement Network, which offers procurement 'best practice' advice and often includes insights into ethical Procurement.

We ask questions in all our above threshold tenders as to whether organisations have produced (and can share) their modern slavery statement. We also ask whether suppliers or persons in control of/representing organisations have ever been found guilty of using child labour - or any other form of human trafficking - with involvement in either being mandatory grounds for exclusion from the tender process. We revised our Sustainable Procurement Code of Practice (SPCOP) in 2022 to ensure that all Council contractors agree to adhere to the Council's principles and practices with regards to the identification and eradication of modern slavery. The SPCOP was also

revised to ensure that all requirements of the Co-operative Party Charter against modern slavery that the Council has signed up to were implemented.

In terms of supply chain risk, Lewisham has in the last couple of years signed and adopted the Co-operative Party Charter against Modern Slavery and are committed to delivering upon its objectives by seeking to identify the parts of our supply chains where there is a risk of modern slavery taking place. We have identified that ICT hardware is one such area of higher risk and are therefore affiliated with and work with 'Electronics Watch' in this area as well as ensuring that we use CCS frameworks for procuring such hardware, as these ensure that supplier credentials are tested as part of the selection process. Furthermore, the Procurement Team undertake an annual risk-mapping exercise on the Council's contracts, categorising contracts into levels of spend, category management type groups, and risk. This consists of reviewing and risk assessing our supply chain and report back on measures taken to mitigate and reduce risks in areas considered to be moderate and high risk. This will continue to strengthen the Council's view and understanding of our supply network, where potential risks may lie, and allow proactive mitigation of any risks.

We have reviewed the Council's standard contract terms and conditions to require contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance. We also regularly review the Council's contractual spend to identify any potential issues and areas of higher risk exposure to modern slavery.

Review of our Previous Commitments

As part of our last Modern Slavery Statement, we set ourselves six areas for targeted improvements across 2022-2023. These commitments require continuous action, they are ongoing, and the Council seeks to implement and adhere to these on a day-to-day basis. Progress has been made against each of the six target areas during 2022-2023. Further progress will continue to be made and the impact will be strengthened during 2023-2024 in line with the new Modern Slavery and Human Trafficking (MSHT) strategy and guidance which is currently being developed. These commitments and their delivery status are listed below:

Commitment	Action	Achieved
Improving protection and support offer for modern slavery survivors	<ul style="list-style-type: none"> Modern slavery is included in all Procurement Training. 	Ongoing
	<ul style="list-style-type: none"> Continue to roll out Learning portal starter pack 	Ongoing
	<ul style="list-style-type: none"> Development of E-learning module for all new starters 	Ongoing
Encouraging suppliers to consider their	<ul style="list-style-type: none"> Modern slavery and supply chain risk is a set discussion point in contract management/monitoring meetings on 	Ongoing

modern slavery obligations	<p>an annual basis, as included on the Contract Management Monitoring Plan</p> <ul style="list-style-type: none"> Working closely with Tier 1 suppliers to build a complete picture of the full supply chain. Requesting and monitoring information from the Tier 1 suppliers on how they manage their own supply chain to address modern slavery risks 	
Increasing the uptake of additional modern slavery training	<ul style="list-style-type: none"> Content on modern slavery included in existing training sessions run by HR Introduction to Procurement, Contract Management and Social Value Training To provide frontline staff and their supervisors with access to training on modern slavery eLearning modules that cover the subject of Modern Slavery and Human Trafficking, it is covered in safeguarding courses undertaken by staff members who work with the public in a direct capacity. Meet the buyer event 2023 Early market engagement for above threshold procurements Regular supplier engagement and awareness raising with local businesses more widely. The MSHT Network is committed to delivering local training sessions as well as regular communications 	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>In development</p> <p>In development</p> <p>Ongoing</p> <p>In development</p> <p>Ongoing</p>
Growing our work with the Human Trafficking Foundation	<ul style="list-style-type: none"> This is being achieved via the Lewisham MSHT Network 	<p>Ongoing</p> <p>Ongoing</p>
Embedding modern slavery visibility in our quotes and tenders	<ul style="list-style-type: none"> All suppliers are asked to agree to our Sustainable Procurement Code of Practice 2022 upon their submission and at the contract award stage, this includes modern slavery commitments. Modern slavery covered in the post-award stage through the Contract Management Framework. 	<p>Ongoing</p>

	<ul style="list-style-type: none"> • Modern slavery is also covered off in SSQs/SQs and Annual Compliance Health Checks • Consider KPIs for relevant contracts to be discussed and agreed with suppliers and monitored regularly. 	In development
Undertaking supplier SMETA Audits on procurements with a higher supply chain risk for modern slavery	<ul style="list-style-type: none"> • To undertake a risk-mapping exercise annually on all of the Council's suppliers, those identified as high risk may be put forward for a SMETA audit. 	Ongoing

Tackling Modern Slavery in 2023-2024

This statement has covered Lewisham's obligations with regard to modern slavery; explained and defined modern slavery; illustrated its prevalence within Lewisham and the UK; provided an overview of the Council and its policies; analysed the work the Council has carried out over the last few years to tackle the scourge of modern slavery within the Borough; and finally, looked at whether or not the Council has delivered upon its previous, measurable commitments and performance indicators in relation to this work and these actions.

A Modern Slavery Statement is not just about looking back, however, it is also about looking forward. This requires us to anticipate new developments and areas of risk that could lead to modern slavery-related negative externalities, in order for Lewisham Council as an organisation to be able to act pre-emptively to protect people from these risks and protect our organisation from being exposed to them. With the United Kingdom having now left the European Union, the civil society organisation Global Initiative has made it clear that there is a risk that hard won UK gains in tackling human trafficking and modern slavery will be lost due to the terms for UK collaboration with Europol and Eurojust being diminished. Lewisham Council will therefore have to improve its efforts to protect people from modern slavery as well as provide support to people who have experienced modern slavery. In order to be able to do this effectively, we need to make sure that more of our people are accessing modern slavery training and that more of our suppliers are considering their modern slavery obligations. This means reaching out to more organisations working in this area and paying even closer attention to our procurement process and supply chain in order to ensure that modern slavery visibility increases.

Related to the above, the Council will continue to work upon the six areas of focus identified for the twelve months covered by this annual statement. We have set out a number of targeted and measurable commitments on the next page to ensure that we deliver specific projects that, taken in totality, will help the London Borough of

Lewisham to achieve gains in our six target areas over the course of the year from 1st April 2022 to 31st March 2023.

6 Areas of Focus in 2023-2024

1 Improving protection and support offer for modern slavery survivors

- a) Roll out of Victim Care Pathway outlines how Survivors and Victims can be best supported in the Borough.
- b) Continue to develop and deliver training to staff on Modern Slavery.

2 Encouraging suppliers to consider their modern slavery obligations

- a) Encourage that modern slavery is covered in pre-contract meetings and that all bespoke contracts include relevant modern slavery clauses.
- b) Working closely with Tier 1 suppliers to build a complete picture of the full supply chain and requesting information on how they manage their own supply chain to address modern slavery risks.

3 Increasing the uptake of additional modern slavery training

- a) Considering a programme for additional training on modern slavery to be made available to officers and partners who might encounter victims of modern slavery. This is in order for the London Borough of Lewisham to improve identification, increase general awareness of modern slavery risk factors and implement the Victim Care Pathway that has been created as part of the new local MSHT Strategy and Guidance.
- b) As part of Meet the Buyer event the Council will incorporate an awareness session on modern slavery to local suppliers, partners and attendees.
- c) The Council is also committed to providing local suppliers with an understanding of modern slavery as part of its on-going "Ready to Supply" programme, encouraging supplier engagement and awareness raising with our local businesses more widely.

4 Continuing to lead on the development of the Lewisham MSHT Network

- a) Exploring through the Community Safety Team how the Council can provide the staffing resources to deliver the objectives set out within the new local MSHT Strategy and Guidance.
- b) Members of the Corporate Procurement Board have been identified as the service area champions on modern slavery and are therefore committed to discussions with the local MSHT Network, which includes representation from the Human Trafficking

Foundation, to find out how else we can increase our output in this area and provide supply chain transparency to attempt to combat MS wherever it may appear.

5 Embedding modern slavery visibility in our quotes and tenders

- a) Continue to include modern slavery requirements in above threshold tenders and when procuring low value contracts.
- b) Ensure KPI's for relevant contracts are included in tender packs and agreed with suppliers and monitored.

6 Undertaking supplier SMETA Audits on procurements with a higher supply chain risk for modern slavery

- a) Committing to undertaking Sedex SMETA Audits of suppliers and their supply chains on procurements in areas with a greater risk of human trafficking and modern slavery, as required.

Signed by:

Jennifer Daothong, Chief Executive

Damien Egan, Mayor



Mayor and Cabinet

Exclusion of the press and public

Date: 8 March 2023

Key decision: No

Class: Part 1

Ward(s) affected: n/a

Contributors: Head of Governance and Committee Services

Outline and recommendation

Members are asked to consider excluding the press and public from the meeting for the item(s) of business listed below.

Recommendation

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

- 20. Housing Acquisition Programme for Homeless Households -
- 21. Permission to Award Contract for Agency Managed Service Provider
- 22. Provision of Bus Shelters and On-street Advertising Contract Extension

Agenda Item 20

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

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