



SUMMONS AND AGENDA

MAYOR AND CABINET

Date: WEDNESDAY, 24 JANUARY 2024 at 6.00 pm

**Civic Suite
Catford Road
London SE6 4RU**

**Enquiries to: Emma Campbell Smith, Head of Governance and
Committee Services
Email: emma.campbellsmith@lewisham.gov.uk**

MEMBERS

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 Juliet Campbell	Communities, Refugees and Wellbeing	L
Councillor Will Cooper	Cabinet Member for Housing and Housing Management	L
Councillor Amanda De Ryk	Finance and Strategy	Labour Co-op
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

**Jeremy Chambers, Monitoring Officer
Laurence House
Catford Road
London SE6 4RU
Date: Thursday, 25 January 2024**

ORDER OF BUSINESS – PART 1 AGENDA

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- tell the Committee administrator before the meeting starts;
- only focus cameras/recordings on councillors, Council officers, and those members of the public who are participating in the conduct of the meeting and avoid other areas of the room, particularly where non-participating members of the public may be sitting; and
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MINUTES OF THE MAYOR AND CABINET

Wednesday, 6 December 2023 at 6.00 pm

PRESENT: Councillors Damien Egan (Mayor), Brenda Dacres, Chris Barnham, Paul Bell, Juliet Campbell and Louise Krupski

ALSO PRESENT: Jeremy Chambers, Emma Campbell Smith and Jennifer Daothong

Apologies for absence were received from Councillor Will Cooper, Councillor Amanda De Ryk and Councillor James-J Walsh

1. Minutes

The minutes were AGREED as a correct record.

2. Declaration of Interests

None

3. Matters raised by Scrutiny and other Constitutional Bodies

None.

4. Learning Disability Implementation Plan

Cllr Bell MOVED, Cllr Dacres SECONDED and it was RESOLVED to:

1. Note the outcome of the consultation regarding the Learning Disability Implementation Plan
2. Agree the seven priority areas set out in the plan and their associated actions. Agree the establishment of the Learning Disability Partnership Board and the five delivery subgroups.
3. Agree that the delivery of the Plan and its associated actions is reported annually by the Learning Disability Partnership Board to the Lewisham Care Partnership
4. Agree the request of the Healthier Communities Select Committee that the delivery of the Plan is also reported annually to that Committee.
5. Note that Adult Social Care will be responsible for identifying a budget to support the costs of the coproduction and codelivery.

5. Lee Neighbourhood Plan, recommendations by independent examiner and approval to proceed to referendum

Cllr Dacres MOVED, Cllr Barnham SECONDED and it was RESOLVED to accept the modifications made to the policy text outlined in the examiner's report and approve the examiner's recommendation that the plan, once modified, should proceed to a public referendum.

6. Sustainable Streets recommendations and next steps - Evelyn

Cllr Krupski introduced the report and acknowledged the strong views on both sides of the debate. She commended officers for their hard work in trying to balance the different views and meet the aims of the scheme. In particular she asked that her thanks to Paul Boulton, Acting Director of Public Realm be recorded, noting that this would be his last Mayor & Cabinet meeting. The Mayor also thanked the officer for his service.

Cllr Krupski MOVED, Cllr Dacres SECONDED and it was RESOLVED to:

1. Note the finding of the Sustainable Streets consultation for the Evelyn and New Cross Gate area.
2. Agree that a permanent traffic order for new Sustainable Streets measures including controlled parking, cycle hangars, EV charging points, car club bays, disabled parking bays and loading bays in the areas as covered in the plan shown in Figure 3 be published and that the statutory process be conducted.
3. Agree that a permanent traffic order for 'no waiting at any time' junction protection markings (double yellow lines) at junctions of all roads consulted in the Evelyn and New Cross Gate consultation area (see Figure 2) be published and that the statutory processes be conducted.
4. Agree to proceed to Phase 2 engagement in Brockley, Hither Green & Lee, and Catford.

7. Response to the recommendations of the Disabled People's Commission Report; If not now, then when?

Cllr Campbell MOVED, Cllr Bell SECONDED and it was RESOLVED to note the contents of the report and approve the Council's response to the Disabled People's Commission Report (If not now, then when?).

8. Corporate Performance Report Q1&Q2

The Mayor MOVED, Cllr Dacres SECONDED and it was RESOLVED to approve the updated Q1 and Q2 (2023/24) performance dashboards for publication on the Council's website.

9. Property Agreement to support the A205 Road Realignment

Cllr Krupski MOVED, Cllr Dacres SECONDED and it was RESOLVED to delegate authority to the Executive Director of Place to:

1. Submit an application to the Secretary of State for specific consent for disposal an undervalue to facilitate the completion of the A205/A21 road improvement works
2. Negotiate the final terms and subsequently enter into the property agreement with TfL to cover the land required to facilitate the delivery of the A205/A21 road improvements including:
 - a. The disposal of land located in the Canadian Avenue car park and overflow car park shown in plan 1 to TfL at practical completion of the A205/A21 road realignment scheme, and

- b. The acquisition by the Council of TfL land shown in plan 2 at practical completion of the A205/A21 road realignment scheme
- Subject to TfL securing the following:
- c. Planning permission
 - d. Major Road Network funding
 - e. All other land interests required to facilitate the scheme.
3. Agree such temporary arrangements as are necessary (e.g. access licences) to facilitate the completion of the A205/A21 road improvement works.

10. Permission to award Maximising Wellbeing at Home contracts (Lots 5,6,8,9)

Having considered open and closed officer reports, and a video of a launch event, Cllr Bell MOVED, Cllr Dacres SECONDED and it was RESOLVED to approve:

1. The award of contract for Solution – Focused Coaching: Specialist advice, support and training to support the effective management of individuals with mental ill health (Lot (6)) to Solution Focused Education. The contract value will be £120,000 per annum, equating to £600,000 over 5 years, and £840,000 over 7 years if the option to extend is utilised. The contract will commence on 03 January 2024.
2. The award of contract for Solution-Focused Coaching: Specialist advice, support and training to support the effective management of individuals into meaningful life roles (Lot 9) to OLightOn Limited. The contract value will be £108,434.80 per annum, equating to £542,174 over 5 years, and £759,043.60 over 7 years if the option to extend is utilised. The contract will commence on 03 January 2024.
3. Approve the award of contract to the preferred service provider for the provision of Solution-Focused Coaching: Specialist advice, support and training to support individuals in their last year of life (Lot 5), provided the contract value is within authorised limits of £120,000 per annum.
4. Delegate authority to the Executive Director for Community Services in consultation with Director of Law and Corporate Governance to select the preferred service provider for Solution-Focused Coaching: Specialist advice, support and training to support the effective management of individuals in their last year (Lot 5) in accordance with the selection and award criteria published in the tender documentation and agree final form of contract.
5. Officers entering into negotiations with Kingston University for Solution-Focused Coaching: Specialist advice, support and training to support the effective management of individuals with a Learning Disability and / or Autism (Lot 8) and award the contract provided it is within the authorised limits of £120,000 per annum and that the initial conditions of contract are not substantially altered from the failed procurement.
6. Delegate authority to the Executive Director for Community Services in consultation with Director of Law and Corporate Governance to approve the final agreed terms for Solution-Focused Coaching: Specialist advice, support and training to support the effective management of individuals with a Learning Disability and / or Autism (Lot 8) provided that the initial conditions of contract are not substantially altered from the failed procurement.

11. Developing a new early childhood offer and integrating Children and Family Centres in the new Family Hub model

Having considered an open officer report, Cllr Barnham MOVED, Cllr Dacres SECONDED and it was RESOLVED to:

1. Approve the outline of the co-produced early childhood offer as outlined in Section 7, which will replace the existing early years offer delivered by our children and family centres. The new offer will provide an equitable offer across the borough and be implemented from 1 October 2024.
2. Note the intention to fully integrate the new early childhood offer from 1 October 2024 into the Family Hub model to provide a fully integrated and seamless wholefamily support offer with a single access point for families.
3. Approve an extension of up to six months to the existing children and families centre agreements from the 1 April 2024 until 30 September 2024 at a total value of £835,000. This breaks down as follows:
 - Extension to the contract between the Council and Early Years Alliance (formerly Pre-School Learning Alliance) at a total cost of £650k
 - Extension of the contract between the Council and Downderry School at a cost of £100k
 - Extension of the contract between the Council and Kelvin Grove and Elliot Bank Nursey at a cost of £85k
4. Approve the application for a grant of £4m to the Department for Education to the Families First for Children Pathfinder Programme (Wave 2) to support the development and implementation of the council's Family Help model in 2024-25. If successful, the Council will be required to enter into a grant agreement for 2024- 25.
5. Delegate to the Executive Director for Children and Young People, in consultation with the Director of Law and Corporate Governance, to approve entering into a Grant Agreement.

12. Brent Knoll and Watergate Co-operative Trust - Local Authority Trustee

Having considered an open officer report, Cllr Barnham MOVED, Cllr Dacres SECONDED and it was RESOLVED to appoint Sara Rahman as Lewisham Local Authority Trustee to the Brent Knoll and Watergate Cooperative Trust.

13. Council Tax Base Report 2024/5

Having considered an open officer report, the Mayor MOVED, Cllr Krupski SECONDED and it was RESOLVED:

1. note the Council Tax Base calculation for 2024/25, as set out in the annual Council Tax Base government return, attached at Appendix A;
2. recommend Council agree a Council Tax Base of 90,414.0 Band D equivalent properties for 2024/25;
3. recommend Council agree a budgeted Council Tax collection rate of 95.0%;
4. recommend Council agree no changes be made to the Council Tax Reduction Scheme (CTRS) for 2024/25, that eligible claimants make a minimum contribution of 25% towards their council tax;

5. recommend Council approve the continuation of the discretionary Council Tax discount of 100% for care leavers up to the age of 25, as set out in section five of this report;
6. recommend Council agree that the existing policy of a 0% discount for second homes for 2020/21 be continued for 2024/25, as set out in section five of this report;
7. recommend Council agree that the existing policy of a 0% discount for empty homes Class A (an empty property undergoing structural alteration or major repair to make it habitable) be continued, as set out in section five of this report;
8. recommend Council agree that the existing policy of a 0% discount applied immediately for empty homes – Class C (a substantially empty and unfurnished property) be continued, as set out in section five of this report;
9. recommend Council agree that the existing Long Term Empty Property homes premium of: 100% for properties empty between 2 and 5 years, 200% for those empty for over five years, and 300% for properties that remain empty for 10 years or more continues, as set out in section five of this report;
10. recommend Council agree the continuation of the existing policy of a 25% ‘sanctuary’ discount to ensure residents eligible for a single person discount are not financially worse off as a result of housing a refugee, as set out in section five of this report;
11. recommend Council agree the continuation of the discretionary War Disablement Pensions and War Widow Pensions scheme discount as set out in section five of this report;
12. note the proposed 2024/25 National Non Domestic Rate (NNDR) estimated net yield of £58m, based on current information available.
13. recommend Council agree to delegate the approval of the final 2024/25 NNDR1 form to the Acting Executive Director for Corporate Resources for submission by the deadline of 31 January 2024.

14. Gambling Policy 2023-2026

Having considered an open officer report introduced by Cllr Powell, the Mayor MOVED, Cllr Krupski SECONDED and it was RESOLVED to

1. Note the consultation responses
2. Note the changes made to the draft Statement following consultation.
3. Review and comment on the draft Statement.
4. Agree that the draft Statement of principles for Gambling for 2023-2026 at Appendix 1, should be presented to full Council for it to be formally determined.

15. Approval to make an Article 4 Direction to withdraw permitted development rights for the change of use from commercial, business and service use (Use Class E) to residential use (Use Class C3)

Having considered an open officer report, Cllr Dacres MOVED, Cllr Barnham SECONDED and it was RESOLVED to:

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

16. Building for Lewisham (BfL) Programme Update

Having considered both open and closed officer reports, Cllr Dacres MOVED, Cllr Barnham SECONDED and it was RESOLVED:

To approve

1. The revised key milestones, progress update and financial position of the new build development programme. This includes sites on hold pending review, new additions with latest scheme cost estimates and revised viability assessments.
2. The budget implications to the HRA and GF as set out within part 2 of this report.
3. The Total Scheme Cost for the Single Homeless Project (SHAP) and to accept the associated grant from the GLA and the use of Public Health Capital funding and to delegate approval of the terms of the grant funding agreement to the Executive Director of Place, in consultation with the Director of Resources and Director of Law and Corporate Governance.

And to note

1. Background to the Building for Lewisham development programme as agreed by Cabinet in January 2020.
2. An updated development programme with latest amendments including pausing of sites Hensford Road, Markwell, Evelyn, Dacres, Home Park, and Edward Street. Revised programme financial impacts and out turn within part 2 of this report.
3. Note Planning submission forecast on approved sites identified within programme summary appendix 4 of this report.
4. The development and regeneration progress update, key changes, challenges, and risk.
5. The intended outcome to bring forward a pipeline of new, more viable development sites. Each site to be approved on a scheme-by-scheme basis prior to planning submission.
6. The risks and market challenges highlighted impacting the delivery of the programme and note that a report will return to Mayor and Cabinet on a quarterly basis to monitor progress.

17. Exclusion of the Press and Public

The Mayor MOVED, Cllr Dacres SECONDED and it was RESOLVED to exclude the press and public from the meeting 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 on the grounds that the remaining items involved 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.

18. Contract award for Maximising Wellbeing at Home Solution - Focused Coaching services for Lots 5 (End of Life Care), 6 (Mental Health) and 9 (Meaningful Life Roles) and permission to seek authorisation to direct award for lot 8 (Learning Disability and / or Autism) Part 2

The recommendations were agreed in the open part of the meeting.

19. Property Agreement to support the A205 Road Realignment - Part 2

The recommendations were agreed in the open part of the meeting.

20. Building for Lewisham (BfL) Programme Update - Part 2

The recommendations were agreed in the open part of the meeting.

21. Parking Services Procurement - Part 2

Cllr Krupski MOVED, Cllr Barnham SECONDED and it was RESOLVED that the minutes for this item are exempt from publication pursuant to Schedule 12A of the Local Government Act 1972.

The report was discussed in private and the recommendations were agreed in full.

Document is Restricted

Agenda Item 2



Mayor and Cabinet

Declaration of Interests

Date: 24 January 2024

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

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

Resolution from Brockley Assembly regarding community space and plans for Brockley Social Club

Date: 24th January 2024

Key decision: No.

Class: Part 1

Ward(s) affected: Brockley

Contributors: Sakthi Suriyaprakasam - Head of Culture and Community Development

Outline and recommendations

This report notes the concern expressed by the Brockley Local Assembly who believe that “there is a serious lack of community space in Brockley Ward and ask that Mayor and Cabinet to use their best endeavours to ensure there is more community space in the Brockley ward and, specifically, that the community space provided within the Brockley Social Club prior to its closure (including facilities for small and informal community uses as well as larger events) is not lost in any redevelopment.

Recommendation(s): That Mayor and Cabinet note the motion and pass to officers for a response at a future Mayor and Cabinet meeting.

Timeline of engagement and decision-making

Motion raised at Brockley Local Assembly – 19th October 2023

1. Summary

- 1.1. The following resolution, brought by the Chair of the Brockley Society, was passed unanimously at Brockley Local Assembly held on 19th October 2023: “there is a serious lack of community space in Brockley Ward and that the “Club” was one of the few remaining community spaces in the borough. It’s always-open, quasi-pub character enabled various small community activities as well as bigger events such as parties and conferences.”
- 1.2. Brockley Local Assembly ask that Mayor and Cabinet to use their best endeavours to ensure there is more community space in the Brockley ward and, specifically, that the community space provided within the Brockley Social Club prior to its closure (including facilities for small and informal community uses as well as larger events) is not lost in any redevelopment.

2. Recommendations

- 2.1. Mayor and Cabinet are asked to note the motion and for officers to provide a response at a future Mayor and Cabinet meeting.

3. Policy Context

- 3.1. This report aligns with Lewisham’s Corporate Priorities, as set out in the Council’s [Corporate Strategy \(2022-2026\)](#):
 - Cleaner and Greener
 - A Strong Local Economy
 - Quality Housing
 - Children and Young People
 - Safer Communities
 - Open Lewisham
 - Health and Wellbeing
- 3.2. In particular, this report is closely aligned to a Strong Local Economy; Open Lewisham and Health and Wellbeing, because it concerns access to community facilities which would enable residents to better participate in and contribute to community activity in their area.

4. Background

- 4.1. The Council Constitution provides for each local Ward Assembly to have the

opportunity to submit up to one motion per year to Mayor and Cabinet.

4.2. As detailed above, Brockley Local Assembly, together with councillors and other community members, have raised the issue of in-ward community facilities.

5. Financial implications

5.1. There are no financial implications contained in this report.

6. Legal implications

6.1. There are no specific legal implications contained in this report

7. Equalities implications

7.1. This report in itself has no specific equalities implications.

8. Climate change and environmental implications

8.1. There are no specific climate change or environmental implications in this report.

9. Crime and disorder implications

9.1. There are no specific crime and disorder implications in this report.

10. Health and wellbeing implications

10.1. There are no specific wellbeing implications in this report.

11. Background papers

11.1 Not applicable

Glossary

Term	Definition
Brockley Society	<p>Brockley Society is a community association open and free to everyone living in the Brockley Conservation area and anyone adjacent who is interested in the Society's aims. It was founded in 1974 and is run entirely by volunteers. Their primary aims are:</p> <ul style="list-style-type: none">• To stimulate public interest in the London Borough of Lewisham• To promote high standards of planning and architecture in the London Borough of Lewisham• To secure the preservation, protection, development

Term	Definition
	and improvement of features of historic or public interest in the area of benefit.

12. Report contact

12.1. Katie Drew – Community Development Officer for Brockley ward -

katie.drew1@lewisham.gov.uk 020 8314 7647



Mayor and Cabinet

Comments of the Public Accounts Select Committee on social value

Date: 23 January 2024.

Key decision: No.

Class: Part 1.

Ward(s) affected: All (none specific)

Contributor: Public Accounts Select Committee

Outline and recommendations

This report informs the Mayor and Cabinet of the comments and views of the Public Accounts Select Committee, arising from discussions on the Council's social value annual report.

Mayor and Cabinet is asked to consider the Committee's comments and ask the relevant officers to provide a response.

1. Summary

- 1.1. On Thursday 30 November, the Public Accounts Select Committee considered the Council's annual report on social value ([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 and ask the relevant officers to provide a response.

3. Public Accounts Select Committee views

- 3.1. The Committee recommends that key social value targets be included in the Council's quarterly corporate performance reporting. (within the strong local economy section).
- 3.2. The Committee also recommends that consideration be given to monitoring the equalities and socio-economic background of applicants for Council contracts - with a view to promoting economic investment in underrepresented communities.

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 their implementation of the Committee's recommendations. These will need to be considered as part of the response.

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.

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 – these will need to be considered in the response.

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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Report for: Mayor and Cabinet


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

Date of Meeting	24/01/2024	
Title of Report	Response to comments of the Sustainable Development Select Committee on the Levelling Up Fund Programme in Lewisham Town Centre	
Author	Spike van der Vliet-Firth	Ext.

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 Business, Jobs and Skills
 Date: 15/01/2024

Signed: 
 Executive Director for Place
 Date: 15/01/2024



Mayor and Cabinet

Response to comments of the Sustainable Development Select Committee on the Levelling Up Fund Programme in Lewisham Town Centre

Date: 24th January 2024

Key decision: No

Class: Part1

Ward(s) affected: All.

Contributors: Spike van der Vliet-Firth – Acting Head of Economy, Jobs and Partnerships

Outline and recommendations

That Mayor and Cabinet note the officer response to the comments raised by the Sustainable Development Select Committee.

Timeline of engagement and decision-making

Mayor and Cabinet – 15 June 2022

Mayor and Cabinet – 26 July 2023 (Project 2 – Culture and Business Hub)

Sustainable Development Select Committee – 12 September 2023

Mayor and Cabinet – 1 November 2023 (Project 1 & 3 – High Street and Market Procurement Authorisation)

1. Summary

- 1.1. On Tuesday 12 September, the Sustainable Development Select Committee considered a report from officers on the delivery of the Levelling Up Fund Programme in Lewisham Town Centre. 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.
- 1.2. This paper provides an officer response to the comments from Sustainable Development Select Committee.

2. Recommendations

- 2.1. That Mayor and Cabinet note the officer response to the comments raised by the Sustainable Development Select Committee.

3. Policy Context

- 3.1. The 2022-2026 Corporate Strategy priority “A strong local economy” includes the following commitments:
 - Invest in our high streets and create more pedestrianised spaces.
 - Provide support for our independent businesses and protect and improve our local street markets.
 - Actively work to attract jobs and businesses to Lewisham and create more spaces for pop up stores and markets.
 - Continue to work with businesses across the borough, encouraging them to become London Living Wage employers.
- 3.2. The Lewisham Town Centre Local Plan was adopted by the Council in 2014. It sets out nine objectives including ambitions for Lewisham to become a metropolitan town centre, increase commercial floorspace in the town centre, enhance features such as the street market, support walking and cycling, improve safety and increase leisure provision.
- 3.3. In March 2021 the Government set out its ambition to “Build Back Better” through the pillars of infrastructure, skills, innovation, “Levelling Up” across the UK, transition to net-zero and a vision for a Global Britain. The Government considers Levelling Up to mean addressing inequalities between geographic areas, giving everyone the opportunity to flourish and raising living standards and wellbeing.
- 3.4. The ‘We Are Lewisham’ cultural strategy 2023 – 2028 is our plan for securing the legacy of our 2022 London Borough of Culture and builds on Lewisham’s strong cultural foundations for creating the conditions which allow creativity to thrive. The key priorities of the cultural strategy include:
 - Creative communities – everyone will have access to the positive benefits of engaging with cultural and creative activities.
 - Creative places – cultural and creative places will meet the changing needs of Lewisham’s communities and creatives.
 - Creative enterprise – the conditions will be right for the cultural and creative industries to thrive and be more accessible to a broader range of communities in Lewisham.
 - Creative connections – creative ways of connecting public sector organisations and communities tested during our year as London Borough of Culture will become part of the way we work together.

4. Response to views of the Sustainable Development Select Committee

- 4.1. The Committee recommends that further consideration be given to the development of the night-time offer in Lewisham Town Centre – including food and beverage options, as well as the potential for live music. This should build on existing knowledge and experiences of success elsewhere in London.
- 4.2. The Levelling Up Fund programme is considering how this transformation can help activate the evening and night-time economy in Lewisham, in line with the 2018 'Evening and Night Time Vision for Lewisham'. The permanent market canopy has the potential to unlock delivery of night-time markets and public performances, subject to further work to understand and mitigate the impact on residents. Officers are examining the delivery of night-time markets and related cultural activity happening elsewhere in London. Night-time economic activation is also being considered in relation to the expansion of hospitality and leisure arising from nearby development such as Lewisham Gateway.
- 4.3. The Committee believes that further work should take place with young people, people who are disabled and members of groups with other protected characteristics (as defined in the Equality Act 2010) – as well as a cross section of people from different socio-economic backgrounds to co-design the work taking place – particularly in relation to the accessibility and suitability of public spaces.
- 4.4. Extensive engagement with local residents, including those with protected characteristics, is a foundation of the programme's communication and engagement strategy. Gaining the broadest range of views possible will be reflected in our upcoming public consultations and engagements. In the last three months, focus group with members of the Disabled People's Commission and discussions with the Black VCS network have taken place with more focus groups planned in the months ahead. Through the Town Centre Partnership we engaged with local young people in the development of our initial bid, and we intend to deliver more engagement with young people. On 23rd November 2023, we hosted a night surgery with the Mayor's Night Czar, Amy Lamé. We held a focus group during the visit with local young people at Lewisham Shopping Centre, to talk about their relationship with the evening and night time economy.
- 4.5. The Committee recommends that further work should take place to communicate, to residents and business, the alternative arrangements in place following the temporary closure of Lewisham Library.
- 4.6. Officers recognise the need to communicate the temporary closure of Lewisham Library on a consistent basis. In recent months this has been communicated to residents and businesses through Lewisham Life, local leaflet distribution, applying vinyl to library windows, attending local ward assemblies and engagements with the 'Lewisham Town Centre Partnership' of businesses. We will be communicating with residents and businesses to update them about the Levelling Up Fund programme routinely, including in upcoming public consultations.
- 4.7. The Committee believes that a system of impact measurement should be developed to ensure that the redevelopment is meeting its intended objectives. Members ask that this includes an assessment of the availability of workspaces in the refurbished library for students.
- 4.8. The Levelling Up Fund Programme has budgeted for external evaluation partners to help ensure the redevelopment meets its intended objectives and this can include measuring the impact of our transformation intervention. Lewisham are obliged to

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report progress of our project to Government, which includes assessment of our progress against the aims outlined in our original bid. As a result, this forms a key component of our project performance monitoring and the Programme has committed to sharing our evaluation findings to external audiences. Metrics include increases in footfall, consumer spending, number of occupied market stalls, number of cultural events, mode shift in transportation, change in perceptions of place and public realm improvement.

- 4.9. The Committee notes the Council's objective to make the borough carbon neutral by 2030 – and it encourages the ambitious delivery of energy efficiency and retrofit measures as part of the renovation of Lewisham Library. Members would encourage bids for external funding to enhance this work.
- 4.10. The Levelling Up Fund Programme remains committed to Lewisham's net-zero neutrality objectives and this includes exploring potential to contribute to this objective in the design and delivery of our Programme. Sustainability and carbon minimisations forms a key design element of each project. A bid to support the Culture and Business Hub in the current library has been submitted to the Government's 'Public Sector Decarbonisation Scheme'.

5. Financial implications

- 5.1. There are no direct financial implications arising from the implementation of the recommendations in this report. However, there may be future implications arising from implementation of the Committee's recommendations in latter stages of the Levelling Up Fund Programme. These will need to be considered as part of a future response.

6. Legal implications

- 6.1. 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).

7. Equalities implications

- 7.1. Lewisham's Levelling Up Programme aims to have an overall positive equalities impact. Economic growth will enable the creation of more jobs within the town centre which could help address some of the existing inequalities in the local labour market. The Communications and Engagement Strategy has this principle embedded, and demonstrated in the groups we have targeted or will target for specific engagement. Throughout the delivery of the programme, appropriate milestones will be identified where we can engage directly with key groups throughout the design and testing phases.
- 7.2. A high level Equalities Analysis Assessment was carried out at bid level, but an in depth assessment will be carried out at project level for the high street/public realm and the Culture and Business Hub ensuring cohesion and consistency across both.

8. Climate change and environmental implications

- 8.1. Securing additional external funding sources such as Public Sector Decarbonisation Programme will have a direct impact on how we maximise the environmental benefits from transformation of Lewisham Town Centre. The projects being delivered through the Levelling Up Fund will have a positive biodiversity impact through the

enhancements and greenery delivered through the high street. Enhanced greening will include planting of trees, as well as surface level planting and installation of green pocket spaces.

- 8.2. The programme will also have a positive environmental effect through, for example, improving the recycling rates of the street market and reducing food and other waste, and reducing the impact of the library building by improving insulation and updating machinery and plant.

9. Crime and disorder implications

- 9.1. Expansion of economic activity in the post-6pm window through night markets and public events is shown to have a positive impact on crime and disorder. Evening economic activity is being considered for how it can address issues of public disorder and in particular public urination. Improvements to the public realm on the High Street will aim to reduce crime and improve actual and perceived safety. The programme will also improve economic prosperity for local residents, having a positive impact on reducing crime and disorder

10. Health and wellbeing implications

- 10.1. Improved economic prosperity for local residents is expected to have a positive impact on health and wellbeing.

11. Background papers

- 11.1. Mayor and Cabinet - Comments of the Sustainable Development Select Committee on the Levelling Up Fund Programme in Lewisham Town Centre, 1st November 2023.

12. Report author(s) and contact

- 12.1. Spike van der Vliet-Firth - Acting Head of Economy, Jobs and Partnerships
- 12.2. spike.vandervliet-firth@lewisham.gov.uk / 07736373934
- 12.3. Finance Implications – Shola Ojo, Strategic Business Partner Finance
- 12.4. Shola.ojo@lewisham.gov.uk
- 12.5. Legal implications- Melanie Dawson, Principal Lawyer for Place
- 12.6. Melanie.dawson@lewisham.gov.uk

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Report for: Mayor and Cabinet

Part 1 Y

Part 2

Key Decision


Non-Key Decision Y

Date of Meeting	25 January 2024	
Title of Report	Response to the comments of the Sustainable Development Select Committee on the sustainable streets programme	
Author	Joe Burbidge	Ext. 49832

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	

Signed: 
 Cabinet Member for Environment and Climate Action
 Date: 15/01/24

Signed: 
 Executive Director of Place
 Date: 15/01/24



Sustainable Development Select Committee

Response to the comments of the Sustainable Development Select Committee on the sustainable streets programme

Date: 15 January 2024

Key decision: No.

Class: Part 1

Ward(s) affected: All

Outline and recommendations

This report provides Mayor and Cabinet with a response to the comments of the Sustainable Development Select Committee which were presented in a referral report to the 1 November 2023 Mayor and Cabinet meeting. The referral was made following consideration of the report presented to the Sustainable Development Select Committee on Tuesday 12 September 2023 by officers on the sustainable streets programme.

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 Sustainable Development Select Committee.

1. Summary

- 1.1. On Tuesday 12 September 2023 a report was presented by officers to the Sustainable Development Select Committee on the Sustainable Street programme.
- 1.2. Following questions to officers; the committee agreed to refer its views to Mayor and Cabinet.:

2. Recommendations

- 2.1. The Mayor and Cabinet is recommended to note the officer responses to the

committee set out below and that the responses will be provided to the Sustainable Development Select Committee.

3. Policy Context

- 3.1. The contents and recommendations of this report are consistent with the Council's policy framework, as well as wider regional and national policies and priorities, as outlined below:
- 3.2. **Corporate Strategy (2022-2026)** – This sets out what the Council plans to deliver for residents between 2022-2026. The recommendations of this report will help to support the implementation of the Corporate Strategy, namely making Lewisham 'cleaner and greener, where the Council has committed to enable more active travel and aim to reduce reliance on cars.
- 3.3. **Future Lewisham (2021)** – This outlines the Council's ambitions for the future and priorities as the borough recovers from the impact of the Covid pandemic. One of the core themes of the plan is to create a 'greener future', building on the observed increase in walking and cycling seen locally, and all the other ways our environment benefitted from behaviour changes during the pandemic. The other core theme is 'a healthy and well future' and recognises that good health and wellbeing is dependent on many determinants including physical activity and air quality.
- 3.4. **Climate Emergency Action Plan (2019)** – This sets out the Council's ambition for Lewisham to be a carbon net-zero borough by 2030. More than 25% of the borough's carbon emissions come from transport, including vehicles travelling in or through the borough. Within the action plan, one of the key policies is to move to a decarbonised transport network through encouraging modal shift and managing parking.
- 3.5. **Air Quality Action Plan (2022-2027)** – This outlines the Council's five year strategy to improve air quality in the borough and across London. This includes objectives for cleaner transport policies, such as encouraging more trips to be made by walking, cycling or public transport to reduce car use; improved provision of infrastructure to support walking and cycling; and installation of electric vehicle charging points to enable the uptake of electric vehicles.
- 3.6. **Mayor of London's Transport Strategy (2018)** – This has an overarching aim of reducing dependency on cars and sets strategic targets for 80% of journeys in London to be made by walking, cycling and public transport by 2041 and for all Londoners to do at least 20 minutes of active travel each day by 2041.
- 3.7. **Transport Strategy and Local Implementation Plan (2019-2041)** – The objectives of this strategy is for travel by sustainable modes to be the most pleasant, reliable and attractive option for those travelling to, from and within Lewisham; for Lewisham's streets to be safe, secure and accessible to all; for Lewisham's streets to be healthy, clean and green with less motor traffic; and for Lewisham's transport network to support new development whilst providing for existing demand. One of the aims of the Transport Strategy is to reduce car use and car ownership in the borough through increasing CPZ coverage.
- 3.8. **London Net Zero 2030: An Updated Pathway** – In 2022, the Mayor of London commissioned Element Energy to analyse the possible pathways to achieving net zero. The Mayor has indicated an Accelerated Green Pathway will be followed in order to achieve net zero, for which one of the key requirements is a 27% reduction in car vehicle kilometers travelled by 2030.
- 3.9. **Healthy Streets for London (2017)** – The Mayor of London and TfL are taking the Healthy Streets approach to encourage more Londoners to walk, cycle and use public transport. This approach aims to improve air quality, reduce congestion and help make London's diverse communities greener, healthier and more attractive places to live,

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work, play and do business. It outlines some practical steps to help Londoners use their cars less and walk, cycle and use public transport more, including:

- Improving local environments by providing more space for walking and cycling, and better public spaces where people can interact;
 - Prioritising better and more affordable public transport, and safer and more appealing routes for walking and cycling;
 - Planning new developments so people can walk or cycle to local shops, schools and workplaces, and have good public transport links for longer journeys.
- 3.10. **London Environment Strategy (2018)** – This strategy brings together approaches to every aspect of London’s environment, integrating air quality, green infrastructure, climate change mitigation and energy, waste, adapting to climate change, ambient noise, and the low carbon circular economy. It recognises that poor air quality is the “most pressing environmental threat to the future health of London” and sets out a roadmap to zero emission road transport which includes reducing car use.
- 3.11. **Gear Change (2020)** – This strategy sets out the actions required at all levels of government to increase walking and cycling in England, in order to improve air quality, combat climate change, improve health and wellbeing, address inequalities and tackle congestion on our roads.

4. Sustainable Development Select Committee Views

- 4.1. The Committee reiterates the recommendations it made at its meeting on the 19 June 2023 and requests that officers provide a comprehensive response:
- 4.2. That further information and timelines be provided on the implementation of cycle hangars, parklets and improvements to the transparency of communication around waiting lists for cycle parking.
- 4.3. That priority should be given to enforcing contraventions in areas with existing parking controls – particularly in the case of protected junctions, cycle lanes and anti-social pavement parking.
- 4.4. That the committee would welcome further improvements and enlargement of protected space for active travel.
- 4.5. That the maps being used in the consultation should be updated with the current ward boundaries.
- 4.6. The committee also recommends that councillors (particularly those in wards impacted by the programme) be engaged at an early stage of the development of proposals – and kept up to date as consultations are carried out. The committee believes that lessons from each stage of the consultation should be learnt in order to improve the following stages. Members also believe that further consideration should be given to engaging more effectively with the views and concerns of underrepresented groups.
- 4.7. The committee recommends that consideration should be given to how best the advantages and benefits of active travel improvements (including new electric vehicle infrastructure, improved green spaces and cycle parking) can be communicated and enjoyed. Members believe that this should happen at an early stage of engagement with residents, in order to balance concerns regarding the potential perceived negative impacts, such as parking charges. Furthermore, the committee believes that the improvements being delivered through the sustainable streets programme should be aligned with the council’s broader ambitions for active travel.

5. Officer response to Sustainable Development Select Committee

- 5.1. 203 cycle hangars have been installed to date. There are currently 1439 individual

requests for cycle hangars. This is a dynamic waiting list based on demand. Residents are recommended to gather support from neighbours to make requests for a cycle hangar on their road to improve the likeliness for a cycle hangar to be installed in the vicinity. The proposed installation programme of cycle hangars for 2023/24 can be found on the council's website, the link to which can be found below. The programme for 2024/25 will be uploaded early in the next financial year. Lewisham Council is currently developing a Parklets policy to establish formal guidelines and mechanisms for the implementation of parklets in the borough, and ensure that applications are dealt with in a consistent manner.

<https://lewisham.gov.uk/myservices/roads-and-transport/cycling/cycle-storage-for-hire>

- 5.2. The Council's parking enforcement contractor does already enforce known hotspots for parking contraventions, and these form part of the enforcement officers regular areas to visit. When reports of inconsiderate or obstructive parking are received enforcement officers can also be diverted to investigate and enforce where possible. The new areas of double yellow line junction protection markings that have recently been installed across Catford / Crofton Park are already being enforced with PCNs having been issued. Mandatory cycle lanes can be enforced where vehicles are seen contravening this restriction. Footway parking is being reviewed as a part of the Sustainable Streets programme, with instances of this being assessed on a site by site basis and removed where necessary to ensure accessibility for all.
- 5.3. Two reports were presented to Sustainable Development Select Committee in November 2023 and January 2024 providing information on the emerging active travel strategy and the progress of the cycle network development. The requirement for segregation is established through the use of the TfL New Cycle Route Quality Criteria assessment and the alignment with the Local Transport Note 1/20 (LTN 1/20) on Cycle Infrastructure Design. These standards and guidelines aim to achieve a balance between the requirement for physically protected cycle facilities and the site and cost constraints. A recent example of a new cycle route that includes protected space for people who cycle is Deptford Church Street cycle improvements project, information on this can be found using the link below.
<https://lewisham.gov.uk/myservices/roads-and-transport/cycling/deptford-church-street-cycle-improvements>
- 5.4. The design team have been provided the most recent ward boundaries to ensure these are used in all consultation materials for the sustainable streets programme.
- 5.5. Ward members for any affected wards will receive a briefing prior to any consultations commencing in their ward. A lessons learnt exercise was carried out following the phase 1 consultations in Catford / Crofton Park, Deptford and Evelyn areas. This has led to the development of a two stage consultation approach for future phases. Residents will initially receive a postcard through their door directing them to a survey and the Common Place consultation platform that will include an interactive map that residents can click on to highlight issues, or where they would like to see certain measures introduced. The feedback received will then be used to shape designs for further consultation. We will be actively encouraging as many responses as possible for both stages of the consultation, so that the most informed decisions can be taken. Door knocking is carried out in areas of low response rates and assistance provided to those that require it in order to complete the consultation.
- 5.6. The two stage consultation approach that has now been adopted will enable residents to highlight measures they would like to see introduced within their street. The designs that are then developed are more likely to align with the residents aspirations for their street in the first instance. Residents and businesses are written to a number of times throughout the process, including a statutory consultation on the traffic management orders and information letters on any final proposals which is used to help promote the

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new measures being delivered. A great deal of publicity is also put out via the council's various communication channels such as the website and social media.

6. Financial implications

6.1. There are no financial implications as a result of the recommendations in this report.

7. Legal implications

7.1. There are no legal implications as a result of the recommendations in this report.

8. Equalities implications

8.1. A full Equality Impact Assessment (EIA) has been carried out for the Sustainable Streets programme and can be found in Appendix D to the Sustainable Transport and Parking Improvements report presented to Mayor and Cabinet in December 2022 (see paragraph 13.1.).

9. Climate change and environmental implications

9.1. There is a legal requirement on the local authority to work towards air quality objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part. Amendments made in the Environment Act 2021 aim to strengthen these duties by giving greater clarity on the requirements of action plans enabling greater collaboration between local authorities and all tiers of local government.

9.2. Encouraging more journeys to be made by walking and cycling rather than private transport will help encourage a green recovery from the COVID-19 pandemic and the negative impacts associated with vehicular traffic. Keeping traffic and congestion to a minimum will help maintain the improved air quality that has been experienced under lockdown conditions. This will, in turn, help in achieving the objectives set out in the Council's Air Quality Action Plan and Climate Emergency Action Plan.

10. Crime and disorder implications

10.1. Through designating parking bays, Controlled Parking Zones can reduce nuisance and dangerous parking such as parking on pavements or blocking access, and make streets safer by indicating where it is safe to park and creating better visibility for drivers, pedestrians and cyclists at junctions.

10.2. In addition, the Council will implement 'no waiting at any time' markings (double yellow lines) on all roads consulted, regardless of whether support for the introduction of wider measures is received. This is to protect junctions and improve visibility of pedestrians and cyclists.

11. Health and wellbeing implications

11.1. As the project aims to encourage more sustainable modes including active travel the introduction of additional kerbside management measures may have long term public health benefits.

11.2. The introduction of sustainable transport and parking improvements can have a number of benefits including improving air quality and climate action, road safety and the local street scene. They can be used to enable and encourage alternative modes of travel such as walking, cycling and public transport by reassigning carriageway space for these users, space that would have otherwise been utilised by those travelling in and parking private vehicles.

11.3. Delivering a sustainable transport and parking improvements scheme gives Lewisham the opportunity to; encourage active travel modes, reduce unnecessary car journeys, regulate parking places, improve road safety, better meet the needs of disabled

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residents with blue badge parking, provide cycle storage, and consider bike hire and e-scooter hire schemes.

- 11.4. Dropped kerbs at crossing points will improve accessibility for older and disabled residents, whilst double yellow lines around junctions will help to improve road safety by improving visibility for vehicles turning and people wanting to cross. These measures can help encourage residents to walk and cycle more.
- 11.5. A package of measures will be designed for each street, with improvements to the street scene at the forefront. Consideration will be given to tree planting, parklets and additional greenery where possible and appropriate.

12. Background papers

- 12.1. [Sustainable Transport and Parking Improvements Programme report](#) – presented to Mayor and Cabinet in December 2022
- 12.2. [Sustainable Streets – Phase 1 recommendations and next steps report](#) – presented to Mayor and Cabinet in July 2022

13. Glossary

Term	Definition
CPZ	Controlled Parking Zone
EV	Electric vehicle

14. Report author(s) and contact

- 14.1. Joe Burbidge, Strategic Transport Manager, joseph.burbidge@lewisham.gov.uk

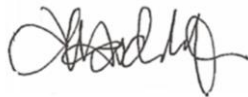
Agenda Item 4

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

Date of Meeting	24 January 2024	
Title of Report	Financial Monitoring 2023/24 – Period 8	
Author	Nick Penny – Head of Service Finance	Ext. 49092

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:
 Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy
 Date: 11/01/24



Signed:
 David Austin, Acting Executive Director for Corporate Resources
 Date: 11/01/24

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

Financial Monitoring 2023/24 – Period 8

Date: 24th January 2024

Key decision: No.

Class: Part 1

Wards affected: None Specific

Contributors: Executive Director of Corporate Resources

Outline and recommendations

This report presents the financial monitoring position for the 2023/24 financial year, setting out the position as at 30 November 2023.

The report covers the latest position on the Council's General Fund, Dedicated Schools Grant, Housing Revenue Account, Collection Fund and Capital Programme. It also provides an update on the progress against savings delivery.

The Council-wide financial forecast for General Fund activities is showing a £19.9m overspend after the commitment of £11.5m from corporate provisions and reserves, consistent with the change in MTFS approach approved in July. On a like for like basis this is an adverse movement of £6.4m since Period 4.

The extended leadership team are working on savings and cost avoidance measures to manage down the forecast overspend for the remainder of 2023/24 with ongoing cost avoidance measures being worked on for implementation in 2024/25. This to ensure the 2024/25 Medium Term Financial Strategy (MTFS) position holds.

Timeline of engagement and decision-making

10th January 2024 – Period 8 (November) Financial Monitoring 2023/24 to Executive Management Team

24th January 2024 – Period 8 (November) Financial Monitoring 2023/24 to Mayor and Cabinet

29th January 2024 – Period 8 (November) Financial Monitoring 2023/24 to Public Accounts Select Committee

1. Summary

- 1.1. This report sets out the financial forecasts for 2023/24 as at 30 November. The key areas to note are as follows:
- 1.2. The General Fund (GF) has a forecast overspend of £19.9m against the directorates' net general fund revenue budget, after utilising £2m of corporate funding set aside to fund costs arising from the Fair Cost of Care reform and £11.5m from corporate provisions and reserves, consistent with the change in MTFs approach approved in July. On a like for like basis this is an adverse movement of £6.4m since Period 4, due to increased costs arising people having a higher level of need and therefore more costly package costs in Children's and Adult's Social care. This is set out in more detail in Section 4 and Sections 6-11 of the report.
- 1.3. The GF reported position assumes delivery of £7m of the £7.6m legacy savings from 2023/23 or earlier and delivery of £9.5m of the £12.6m new savings for 2023/24, if this level of savings cannot be delivered, this will worsen the reported position. With regards to savings not achieved to-date, services have been asked to find alternatives for this year to achieve the overall savings target. Where alternative savings have been found, services have been asked to ensure that sufficient action has been taken to ensure that these alternatives are sustainable going forward. The Period 8 position also includes delivery of £1.5m cost avoidance measures which Directors have confirmed have been delivered or are on track to be delivered, a further £0.6m of measures are currently being worked on, once delivery is confirmed or on track, these will improve the position currently reported. This is set out in more detail in Section 5 of the report.
- 1.4. A risk section has been prepared highlighting areas of concern that may become a financial pressures as the year continues, work is ongoing to monitor these risks for future iterations of the report. This is set out in more detail in section 12 of the report.
- 1.5. The dedicated schools grant (DSG) is projected to overspend by £3m on the high needs block, this is set out in more detail in section 14 of the report.
- 1.6. The Housing Revenue Account (HRA) is projected to overspend by £6.2m due

to the volume and value of repairs and maintenance works exceeding the budgeted level and a shortfall of income for major works charged to leaseholders. This is set out in more detail in section 15 of the report.

- 1.7. The capital budgets have been reprofiled in November 2023. The current capital expenditure profiles are £58.1m for the GF and £88.0m for the HRA. To date £14.9m or 26% of the GF expenditure and £38.8m or 44% of the HRA expenditure has been incurred as at the 30th November. This is set out in more detail in section 16 of the report.
- 1.8. As at 30 November, 65.6% of council tax due had been collected which remains (2.8% or £5.1m) adrift of the targeted level. At the same date, 76.3% of business rates due had been collected which remains (3.7% or £2.1m) adrift of the targeted level. This is set out in more detail in section 17 of the report.

2. Recommendations

- 2.1. The purpose of this report is to set out the financial forecasts for 2023/24 as at the end of November 2023, projected to the year-end, 31 March 2024.
- 2.2. Mayor and are asked to: Note the current financial forecasts for the year ending 31 March 2024 and that the Executive Management team continue to work in bringing forward action plans to manage down budget pressures within their directorates.
- 2.3. Mayor and Cabinet are asked to: Note that Lewisham has been allocated £1m of grant funding as a local authority in tranche 3 of the Delivering better Value (DbV) initiative. The bid is based on workstreams that the local authority will progress based on the findings from case study work undertaken, with the focus on training, development and culture change, aimed at supporting Lewisham to reduce the historic deficit on the high needs block.
- 2.4. Mayor and are asked to: Approve the write off of unrecoverable business rates debts totalling £166k as set out in paragraph 18.2.

3. Policy Context

- 3.1. The Council's strategy and priorities drive the budget with changes in resource allocation determined in accordance with policies and strategy. This report aligns with Lewisham's Corporate Priorities, as set out in the Council's [Corporate Strategy \(2022-2026\)](#):
 - Cleaner and Greener
 - A Strong Local Economy
 - Quality Housing
 - Children and Young People
 - Safer Communities
 - Open Lewisham
 - Health and Wellbeing
- 3.2. This financial position demonstrates the impact of the very severe financial constraints which have been imposed on Council services with the cuts made year on year, despite the increasing demand to deliver services to the growing

number of borough residents. The Council's strategy and priorities drive the Budget with changes in resource allocation determined in accordance with policies and strategy.

- 3.3. The Council's strong and resilient framework for prioritising action has served the organisation well in the face of austerity and on-going cuts to local government spending. This continues to mean, that even in the face of the most daunting financial challenges facing the Council and its partners, we continue to work alongside our communities to achieve more than we could by simply working alone.
- 3.4. This joint endeavour helps work through complex challenges, such as the pressures faced by health and social care services, and to secure investment in the borough for new homes, school improvements, regenerating town centres, renewed leisure opportunities and improvement in the wider environment. This work has and continues to contribute much to improve life chances and life opportunities across the borough through improved education opportunities, skills development and employment. There is still much more that can be done to realise our ambitions for the future of the borough; ranging from our work to increase housing supply and business growth, through to our programmes of care and support to some of our most vulnerable and troubled families.
- 3.5. The pace, scope and scale of change has been immense: the current cost of living crisis is demanding agility, creativity, pace, leadership, organisational and personal resilience, strong communications and an unerring focus on the right priorities. The service and finance challenges following Covid are now blending with the wider economic implications of a decade of austerity and erosion of public services, the trading changes arising from Brexit, and the impacts from other global events (e.g. war in Ukraine and extreme climate events, etc..) on supply chains and inflation levels.
- 3.6. While we do not yet fully understand what all of the long-term implications of the above will mean for the borough, there have been many clear and visible impacts on our residents, Lewisham the place and also the Council. We know that coronavirus disproportionately affected certain population groups in Lewisham, matching patterns that have been identified nationally and internationally: older residents, residents born in the Americas & the Caribbean, Africa or the Middle East & Asia, and residents in the most deprived areas of the borough have considerably higher death rates. We know that more Lewisham residents are claiming unemployment benefits compared to the beginning of this year and that food insecurity has increased in the borough.

4. General Fund Position

- 4.1. The Council is reporting an overspend on general fund activities of £19.9m as shown in the table below:

Table 1 – General Fund Outturn Position for 2023/24

Directorate	Net Budget	Net Forecast	Period 8 Variance	Period 4 Variance	Movement Period 4 v Period 8
	£m	£m	£m	£m	£m
Children and Young People	75.2	92.2	17.0	11.4	5.6
Communities	85.5	88.7	3.2	1.0	2.2
Place	19.4	20.2	0.8	1.0	(0.2)
Housing	8.4	18.3	9.9	9.0	0.9
Corporate Resources	38.0	35.9	(2.1)	(0.8)	(1.3)
Chief Executive	11.2	12.4	1.1	1.9	(0.8)
Salary Pay Award	0.0	1.5	1.5	0.0	1.5
Directorate Total	237.7	269.1	31.4	23.5	7.9
Corporate Items	26.0	26.0	0.0	0.0	0.0
Corporate Provisions and Reserves	0.0	(11.5)	(11.5)	(10.0)	(1.5)
General Fund Total	263.7	283.6	19.9	13.5	6.4

4.2. The above position assumes energy costs can be managed within the funding set aside corporately, if this is not the case this will worsen the position reported above. £2m of Corporate funding held within corporate items is being utilised to bring down the Adult Social Care pressure as the funding has been held to meet the 2023/24 financial impact of the fair cost of care reform. A further £11.5m has been committed from corporate provisions and reserves, consistent with the change in MTFs approach approved in July. The reported position does not include the financial impact of any of the risks set out in Section 12 of this report.

4.3. There is a £6.4m adverse movement on the Directorate’s monitoring position since Period 4, the key movements are highlighted below:

- **Children’s Social Care:** an adverse move of £5m since Period 4, largely due to the volume of high costs children. Currently there are 20 high cost children (average £10.8k per week) in the placements tracker. The tracker assumption is that these children will be in high cost placements till the end of February, following this it is expected that these children will be placed into care placements costing on average £5k a week. There has also been a net increase in need across packages of care with increased costs as a result.
- **Adult Social Care:** an adverse movement of £2.5m since Period 4, of which £1m is due to an increase in Learning Disability packages of care. There is an increase in children transitioning to Adulthood, with 4 costing on average £8k per client per week now reflected in the forecasts.
- **Remainder:** Net improvement of £1.1m across the rest of the services.

4.4. The remainder of the adverse movement relates to the financial impact of the

recently agreed pay award, which is £1.5m over and above the funding which had been set aside corporately as part of budget setting 23/24. This is funded from corporate provisions and reserves in 2023/24 and being addressed as part of budget setting.

5. Savings and In Year Cost Avoidance

- 5.1. At the start of 2023 there were £7.6m of savings from 2022/23 (and older) which remained undelivered. An assessment of the expected delivery of these savings has been made, it is assumed £4.5m can be delivered in 2023/24 which is reflected in the monitoring position. Of the remainder, £2.5m Children’s Social Care savings have been reviewed on a line by line basis and have been delivered, but the financial benefit has been negated by increased placements costs due to reasons set out in this report, meaning that these have been moved to green in the savings tracker. The remaining £0.6m delayed savings are within Adult Social care and the service expect to deliver these in 2024/25, all of the above is reflected in the monitoring position.
- 5.2. In addition to these legacy savings, £12.6m of savings were agreed as part of the budget setting process. At this stage it is assumed that £9.5m of these will be achieved as part of the above budget monitoring position, should this not be the case then the reported pressure will worsen. These are shown in appendix A of this report.
- 5.3. The tables below show the savings per Directorate and the current projected saving delivery for 2023/24, which is part of the monitoring position detailed in Section 4.

Table 2 – Savings to be delivered in 2023/24

Savings to be delivered by Directorate	2022/23 (and Older)	2023/24	Totals
	£m	£m	£m
Children & Young People	2.5	2.3	4.8
Community Services	4.2	3.2	7.4
Place and Housing	0.1	3.3	3.4
Corporate Resources	0.8	0.3	1.1
Chief Executives	0.0	0.8	0.8
Corporate Items/All	0.0	2.8	2.8
Totals	7.6	12.6	20.2

Table 3 – Savings Programme delivery status

Savings Programme by Directorate	Savings to be delivered	Expected Delivery	Shortfall
	£m	£m	£m
Children & Young People	4.8	3.5	1.3
Community Services	7.4	5.4	2.0
Place and Housing	3.4	3.2	0.2
Corporate Resources	1.1	1.1	0.0
Chief Executives	0.8	0.6	0.2
Corporate Items/All	2.8	2.8	0.0
Totals	20.2	16.5	3.7

- 5.4. Due to the level of financial pressure in 2023/24, Directors and Executive Directors have been working on in year cost avoidance measures to reduce costs. In November, measures totalling £2.1m were agreed at EMT, of which upon review £0.4m were already reflected in the monitoring position. Discussions have been held with Directors/Executive Directors and for Period 8, £1.1m has been identified as on track to be delivered or delivered and is therefore reflected in the position, £0.6m remains available to improve the reported position in future periods once delivery has been confirmed and validated. A line by line breakdown is shown in appendix B below:

6. Children and Young People’s Directorate

- 6.1. **Children’s Social Care:** The Projected overspend for Children’s Social care in 2023/24 is £14.1m, an adverse movement of £5m since Period 4. This adverse movement is due to an increase in the number of high-cost children, with these children having longer stays than previously anticipated in the placements tracker due to challenges moving these children into suitable lower cost placements (extended till end of February 2024, unless they have a specified end date) and the impact of a net increase in care being provided to other children looked after. The overspend is explained in more detail below:
- **Workforce £1.5m overspend:** There is a pressure on staffing due to agency staff carrying the case load for newly qualified social workers as they gain experience. This approach is part of the development of new social workers as part of the services long term sufficiency strategy. The remainder is due to implementing OFSTED recommendations in the Emergency Duty team from November 2022.
 - **Placements £10.8m overspend:** The placements pressure in 2022/23 was £4.4m, the increase since then (despite the number of children supported being relatively stable) is due to the cost per child, as the children receiving support have higher levels of need. A major problem is finding appropriate placements due to challenges in the national residential market as identified in

last year's national review of Children's Social Care, as such more bespoke placements have had to be created which can be very expensive. One of the key drivers for cost is staff ratios, negotiations with providers often lead to the provider mandating much higher staffing levels than we would recommend in order for them to accept the placement. If we do not agree to the ratios, we risk the placement being lost and alternatives are challenging to find and more costly. A further £0.4m of increased demand/growth for the remainder of 2023/24 is included within the reported position, with further demand risk shown in Section 12.

- **Remainder of the Service £1.8m overspend:** This relates to expenditure supporting Section 17, Non Recourse to Public Funds and Other expenditure and the forecast is in line with the level of costs incurred during 2022/23.
- 6.2. There are currently 20 children receiving a package of care costing £7k a week or higher, the average cost of these children is £10.8k per week with the most expensive child costing £17.5k per week. There are significant challenges finding suitable placements for these children, the forecast assumption is that 19 of these children remain in their current placements till the 29th February 2024, 1 has an agreed end date before this. This is reviewed monthly and unless an end date is agreed, are extended in the placement's tracker. Currently after the end of February, it is assumed they will reduce from their current placements (average £10.8k) to placements costing on average £5k per week.
 - 6.3. The directorate have been working towards more intervention and support strategies, this involves improved commissioning work with the PAN London Commissioning Alliance to secure more favourable rates and work undertaken to create alternative capacity such as the Amersham and Northover in house provision as well as further support offered to parents and young people. Further opportunities similar to this are being sought, however these are medium to long term solutions.
 - 6.4. As these actions embed, the expectation is for a stabilisation in placement numbers and costs with a focus in the longer term of working towards a reduction in the cost base. However, there is a risk this reduction will be offset by increased costs associated with early intervention and support work including staffing and section 17 intervention such as mental health, legal etc.
 - 6.5. The service as part of the high cost panel review process, considers all young people with an endeavour to limit their stay in high cost provision and also where appropriate secure funding from partner organisations. The aim is to find alternative placements within a 3 to 4 month timeframe, however this is not always possible. Following amendments to the care planning placement and case review regulations, it has been illegal to place children under 16 years of age in unregulated placements. This ban came into force from the 9th September 2021, after a government consultation on the reform for unregulated provision. This is a significant driver behind the increased cost per child that the market are demanding and forecasting the expenditure on high cost (£7k a

week plus) placements is extremely volatile, as there is huge uncertainty over their length of stay.

6.6. **Education Services:** The Projected overspend for Education services in Period 8 is £3.7m, an adverse movement of £0.9m since Period 4, due to the level of demand on home to school transport and children with complex needs. The overspend is explained below:

- **Home to School Transport:** The pressure is £2.3m, after £1.5m of corporate pressures funding, added to the budget in 2023/24. There is 173 more children been transported to school by taxi or passenger services in November 2023 compared to November 2022, a further £0.2m of growth is included within the forecast position for 2023/24.
- **Children with complex needs:** A pressure of £1m has emerged since the budget setting process due to the level of demand and cost of care exceeding the budgeted level.
- **Education Psychologists:** There is an £0.5m pressure on Education Psychologists due to the continued increasing number of Education, health and care plans (EHCP's), this increase is exacerbated by challenges recruiting to substantive posts which has led to extensive usage of expensive agency staff. There are currently 6 vacancies, some of which have been recruited to from September 2024. The new academic year has continued to show further demand for EHCP's, which was been built into the forecasts and will be revised again in the spring term.

6.7. There are minor underspends of £0.1m across the rest of the service.

6.8. **Families, Qualities and Commissioning:** The projected underspend for Family, Quality and Commissioning for 2023/24 is £0.8m, an improvement of £0.3m on the Period 4 position due to mitigating actions taken by the service. The underspend is following a service redesign in Children and Adolescent Mental Health Service (CAMHS) and a lower take up of Remand bed nights in the Youth Offending Service. The service is currently undergoing a period of transition and transformation as it works towards the intervention and support model, making best use of government grants, such as the Supporting Families Grant and funding from Public Health and the Integrated Care Board (formally CCG).

6.9. The table below shows the reported position at Period 8 compared to Period 4:

Table 4 – Children and Young People’s Forecast Position

Directorate	Net Budget	Net Forecast	Period 8 Variance	Period 4 Variance	Movement Period 4 v Period 8
	£	£	£m	£	£m
Children's Social Care Services	53.6	67.7	14.1	9.1	5.0
Education Services	15.3	19.0	3.7	2.8	0.9
Schools	(2.5)	(2.5)	0.0	0.0	0.0
Families, Quality and Commissioning	8.3	7.5	(0.8)	(0.5)	(0.3)
Executive Director, Provisions & Reserves	0.5	0.5	0.0	0.0	0.0
Directorate Total	75.2	92.2	17.0	11.4	5.6

7. Community Services Directorate

- 7.1. **Adult Social Care and Commissioning:** There is a £3.5m forecast overspend at Period 8, an adverse movement of £2.5m since Period 4. The adverse movement is due to increases in the number of Learning Disabilities transitions from Children’s Social care, which are now reflected in the forecast. There is also an increase in Learning Disabilities supported accommodation costs for revised care packages.
- 7.2. The projected level of pressure on Adult Social Care is £5.5m, this takes into account anticipated health funding in 2023/24, as well as delivery of the savings and assumptions around inflation. There is £2m of corporate funding held to manage the financial impact of the Fair Cost of Care reform which brings the reported pressure down to £3.5m.
- 7.3. This position assumes the achievement of £5m of the £7m savings programme for 2023/24, including those carried forward from previous years. The underlying reason for the overspend remains hospital discharges, which continue to show a post pandemic surge, with discharged clients being moved onto longer term packages and some requiring more complex support. The council is receiving funding from our Health partners (some of which is once off) to help mitigate this pressure and known funding has been assumed within the current projection.
- 7.4. There is an ongoing risk that the numbers and cost of children transitioning to adulthood continue to increase and exceed the additional funding provided to cover these costs. The service is working with colleagues in Children’s Social care to plan for children who are likely to require an adult care package in the

future.

7.5. **Communities Partnerships & Leisure:** An underspend of £0.3m is expected within the service due to additional income and a reduction in the general fund subsidy to the Adult Learning Service.

7.6. The table below shows the reported position at Period 8 compared to Period 4:

Table 5 – Communities Forecast Position

Directorate	Net Budget	Net Forecast	Period 8 Variance	Period 4 Variance	Movement Period 4 v Period 8
	£	£	£m	£	£
Adult Social Care & Commissioning	71.4	74.9	3.5	1.0	2.5
Public Health	0.0	0.0	0.0	0.0	0.0
Communities, Partnerships & Leisure	14.1	13.8	(0.3)	0.0	(0.3)
Directorate Total	85.5	88.7	3.2	1.0	2.2

8. Place

8.1. **Public Realm:** A balanced position is reported on the Division, an overall improvement of £1m since Period 4. There is a £0.3m pressure on Street Environmental Services due to operational costs in refuse collection and street management. The service is continuing to manage these costs down by reconfiguring services and anticipates this will be achieved by the start of next financial year. Other service areas within the division are forecasting a combined overspend of £0.2m. The total overspend is being mitigated in year by income overachievements and in-year one-off cost reduction measures within the Division.

8.2. **Planning:** There is a £0.6m pressure on the Planning division, which continues to experience staffing pressures with costs increasing due to the demand for planning, urban design and conservation staff. The planning application fees which are set nationally by government were due to increase this financial year, but this has now been delayed by government and will now only be introduced from December 2023 so predicted income is affected. The service is forecasting an overspend of £0.4m on the Planning Service, along with a £0.2m forecast overspend in Building Control which is due to a reduction in income levels.

8.3. **Regeneration:** £0.2m overspend due to unachievable savings relating to income generation.

8.4. The table below shows the reported position at Period 8 compared to Period 4:

Table 6 – Place Forecast Position

Directorate	Net Budget	Net Forecast	Period 8 Variance	Period 4 Variance	Movement Period 4 v Period 8
	£	£	£m	£	£
Public Realm	18.5	18.5	0.0	1.0	(1.0)
Planning	1.1	1.7	0.6	0.0	0.6
Inclusive Regeneration	(0.5)	(0.3)	0.2	0.0	0.2
Housing, Regeneration & Public Realm Reserves & Provisions	0.2	0.2	0.0	0.0	0.0
Directorate Total	19.4	20.2	0.8	1.0	(0.2)

9. Housing

- 9.1. **Strategic Housing:** £9.9m pressure reported at Period 8, a £0.9m adverse movement since Period 4. At November 2023 there are 1,181 people in nightly paid services compared to 764 in April 2021 and 985 in April 2022. In addition, people are staying longer in Temporary Accommodation (TA) as the service is unable to move them out due to the lack of suitable alternative accommodation. The reported pressure is after £3.5m additional budget allocated as part of the budget setting process for 2023/24 and reflects the continuing pressure on the service.
- 9.2. The Housing Benefit (HB) limitation recharge and consequent forecast overspend is largely due to the increase in the number of people accommodated in TA and more specifically in nightly paid accommodation which has risen from 764 in April 2021 to 1,181 at the end of November 2023. The average number of people accommodated in 2022/23 was 1,026 (865 2021/22) and the average for 2023/24 is 1,124. This increase in numbers has put additional pressure on the service in terms of landlord payments and recharges for Housing Benefit payments which have exceeded the caps and limits (otherwise known as HB limitation recharges) and therefore not payable through the DWP Housing Benefit claim.
- 9.3. The forecast Limitation Recharge for the year is a total of £17.2m which is £6.2m more than the total for 2022/23 and £7.4m more than the budgeted level. The HB limitation recharge forecast is based on an average increase of £0.3m per month until year end. As this is a demand lead service, variations in the numbers accommodated would see a corresponding decrease/increase in the recharge applied to the service.
- 9.4. Arrears on Nightly Paid rental income have increased by £0.9m since the start of the financial year, projecting using a straight-line method would show an

increase in arrears of £1.3m for the year, and an impairment charge of £1.2m. This is based on the current collection rates which currently stands at 93.9%, and is expected to improve as the year progresses, in line with the trend in 2022/23 which saw collection recover to 95% by the end of the financial year. The current forecast includes an assumption that nightly paid bad debt impairment charged is based on a similar figure as 2022/23 and is set at £0.9m, £0.6m more than the budgeted level. This will be closely monitored and updated as the year progresses.

- 9.5. The remaining £0.9m pressure is due to £0.3m additional incentive payments over and above the budget level, payments are made to landlords with the aim of diverting clients away from the more expensive nightly paid accommodation. The remaining £0.7m is due to repairs on the Private Sector Landlord stock exceeding the budgeted level, with £0.1m of cost avoidance actions partially netting this down.
- 9.6. It should be noted that there continues to be pressure from nightly paid landlords with requests to increase or notifications to increase the current rental charge to off-set the increase in utilities and other costs. The IBAA rates which is a pan-London benchmark for target rents for nightly paid accommodation has increased by 10% and is putting pressure on the service via the HB limitation recharge as outlined above and has impacted the current forecast overspend.
- 9.7. The service is actively seeking to reduce numbers accommodated and is set to embark on the purchase of up to 300 new units for TA following the award of Greater London Authority (RTB) grant and Mayor and Cabinet approval. This will potentially reduce the numbers accommodated in expensive nightly paid (B&B) accommodation which receive the highest HB limitation recharge at 70% of the total. The service are seeking to minimise the use of the most expensive nightly paid provider as far as possible and when there is no alternative to using these properties, move people out as quickly as possible. Work is ongoing to maximise rent income collected and reduce arrears as well as working to place clients in accommodation that is more affordable and where the HB limitation recharge is either zero or lower than where we are currently placing clients. A reduction in numbers in nightly paid accommodation would see a reduction in the HB limitation recharge.
- 9.8. Moving tenants into long term accommodation has become more and more challenging over recent years, the average length of TA tenancies ending in the last year was 1.5 years however when we factor in TA tenants changing address, the average length of stay goes up to 2 years and taking into consideration tenants who have been in TA for many years and not left, we estimate that the true average length of stay is closer to 3 years. It should be noted that the number of new tenancies has reduced significantly over recent years, from a high of c1100 in 2019, to 800 in 2021 and 600 in 2022, suggesting that the cost increase is driven by the length of stay and cost of housing as oppose to new entrants to the system.
- 9.9. There is a significant risk this will increase further as the year progresses, using

the same percentage increase that was seen in the recharge for 2022/23 (which was a movement of 20% between the start and the end of the year), the current forecast would worsen by a further £0.6m as set out in Section 12.

9.10. The table below shows the reported position on the Housing directorate:

Table 7 – Housing Forecast Position

Directorate	Net Budget	Net Forecast	Period 8 Variance	Period 4 Variance	Movement Period 4 v Period 8
	£	£	£m	£	£
Strategic Housing	8.4	18.3	9.9	9.0	0.9
Directorate Total	8.4	18.3	9.9	9.0	0.9

10. Corporate Resources

- 10.1. A £2.1m underspend is reported on the Corporate Resources directorate at Period 8, an improvement of £1.3m since Period 4, due to additional income and a further underspend on the concessionary fares budget.
- 10.2. **Resident and Business Services:** £1m underspend due to the reduction in supported accommodation costs and additional income across the service.
- 10.3. **IT and Digital Services:** £0.3m underspend due to vacancies within the Programme Management Office as well as the wider team.
- 10.4. **Assurance:** £0.1m underspend due to staff vacancies across the teams.
- 10.5. **Finance:** Balanced position.
- 10.6. **Concessionary Fares:** The concessionary fares budget is held within Corporate Resources but is shown on a separate line reflecting that this is not expenditure that the service can influence. The expenditure is based on the number of people travelling on public transport who are eligible for free or discounted travel. It is expected that the expenditure in 2023/24 will be £0.7m less than the budgeted level.
- 10.7. The table below shows the reported position at Period 8 compared to Period 4:

Table 8 – Corporate Resources Forecast Position

Directorate	Net Budget	Net Forecast	Period 8 Variance	Period 4 Variance	Movement Period 4 v Period 8
	£	£	£m	£	£
Resident & Business Services	10.3	9.3	(1.0)	(0.2)	(0.8)
IT & Digital Services	11.1	10.8	(0.3)	0.0	(0.3)
Assurance	2.8	2.7	(0.1)	(0.1)	0.0
Finance	6.1	6.1	0.0	0.0	0.0
Concessionary Fares	8.4	7.7	(0.7)	(0.5)	(0.2)
Resources Reserve	(0.7)	(0.7)	0.0	0.0	0.0
Directorate Total	38.0	35.9	(2.1)	(0.8)	(1.3)

11. Chief Executive

- 11.1. **Communications and Engagement:** An underspend of £0.1m due to holding a post vacant, to mitigate some of the council's financial pressure.
- 11.2. **Law and Governance:** The service are projecting expenditure of £1.4m over and above the budget. There is a £1.8m pressure in Legal Services due to agency and external expenditure to deliver Social Care legal work (challenges recruiting in this area) and the level of workload. There are also cost pressures on property work as well as the more complex Capital development schemes, this includes disputes, contract drafting, advice on grants/structuring/tax VAT/grant regimes. This is partially mitigated by a £0.4m underspend due to vacancies within Policy and Information Governance.
- 11.3. **People & Organisational Development:** An underspend of £0.2m due to vacancies across the services, held to mitigate some of the council's financial pressure.
- 11.4. The table below shows the reported position at Period 8 compared to Period 4:

Table 9 – Chief Executive’s Forecast Position

Directorate	Net Budget	Net Forecast	Period 8 Variance	Period 4 Variance	Movement Period 4 v Period 8
	£	£	£m	£	£
Communications & Engagement	2.7	2.6	(0.1)	0.0	(0.1)
Law & Corporate Governance	5.8	7.2	1.4	1.9	(0.5)
People & Organisational Development	2.7	2.5	(0.2)	0.0	(0.2)
Directorate Total	11.2	12.4	1.1	1.9	(0.8)

12. General Fund Risks

- 12.1. Below is a list of potential risks, some of which are being worked through and quantified for 2023/24.
- 12.2. **Council Tax (Council Wide):** Collection rates for Council Tax may be impacted due to the challenging economic times, especially if unemployment rises significantly. This would put income budgets under pressure, a 1% reduction in collection rates compared to the budgeted level of income is £1.5m.
- 12.3. **Temporary Accommodation:** The reported pressure is based on the current level of service users continuing for the remainder of 2023/24. A key contributor to the pressure is the increase in the limitation recharge due to the increase in nightly paid service users (101 between April and November 2023), using the same percentage increase that was seen for the final 4 months of 2022/23 (which was a movement of 20% between the start and the end of the year), there is a risk of a further £0.6m adverse movement.
- 12.4. **Collection Fund:** Collection rates for Business rates may be impacted due to the challenging economic times, which will put income budgets under pressure, especially if unemployment rises significantly.
- 12.5. **General inflationary costs:** The impact of general inflation (CPI currently 3.9% in November 2023) on the £200m of goods and services procured each year by the Council (revenue) and £200m planned capital programme spend. The known impact of this is reflected in the reported position above, however if costs continue to increase further pressures may emerge.
- 12.6. **Cost of capital programme slippage and inflation:** The impact of high inflation has been a slowdown in capital programme delivery and higher capital cost. The revenue impact of this is the inability to fully capitalise revenue costs with the risk that these then fall to revenue budgets. Furthermore, as schemes are being brought forward it’s important that the full revenue charges are levied for these, including the minimum revenue provision charge, and interest costs, either from external or internal borrowing and that these are properly accounted for and charged to the relevant schemes.

- 12.7. **Pension Fund:** The annual monitoring between valuations may poses a financial risk to the council, with fluctuations in the value of the funds assets and liabilities requiring an increase in the Council’s employers contribution.
- 12.8. **Children’s Social Care:** Volatility in the length of stay for children in high cost placements means the placements forecast (which is based on the service placements tracker) could significantly fluctuate. The tracker assumption is that for any current placements costing £7k or higher per week, that they run for a maximum of 3 months (unless otherwise known), with the forecast care package value then dropped down to £5k per week. This assumption is an estimate and subject to review, currently it would appear packages are lasting longer than 3 months due to lack of capacity in the market. The current forecast for Children’s Social Care assumes £0.4m of new children (2 high cost children for 13 weeks) moving into high cost placements from January onwards, five additional high cost child for the period January-March would cost £1m.

13. Corporate Provisions and Reserves

The tables below provide more detail on the Council’s corporate provisions revenue budgets and earmarked reserves positions. Collectively these are held for either specific service purposes, centrally held corporate expenditure or for corporate risks and pressures mitigation.

Table 10 – Corporate Provisions 2023/24

Corporate Items	£m
Working balances	3.9
Service pressures (Allocated)	6.1
Capital financing (Committed)	14.8
Pension strain (Cost of Restructures)	5.4
Levies (statutory)	2.8
Salary and energy inflation	10.6
Grant risk held centrally	(20.5)
Other risk & pressures	2.9
TOTAL	26.0

- 13.1. The majority of the budgets held are to either meet the Council’s revenue cost of financing its capital programme and borrowing, or held for inflationary pressures. The service pressure budgets held centrally have been considered and included within the directorate reporting.
- 13.2. The 2023/24 opening balances for the Council’s corporate earmarked reserves are in the table below:

Table 11 – Earmarked Reserves Balances 2023/24

Name of Reserve	Opening Balance
	01/04/23 £m

Specific Revenue Earmarked – Corporate	38.1
Specific Revenue Earmarked - Collection Funds	15.0
Specific Revenue Earmarked - Corporate Resources	10.7
Specific Revenue Earmarked – Place	4.4
Specific Revenue Earmarked – Housing	1.7
Specific Revenue Earmarked – Communities	4.5
Specific Revenue Earmarked – CYP	3.0
Specific Revenue Earmarked - Chief Executive	1.1
S31 Covid Business Rates Grant	0.0
Covid Grants	0.5
Sinking Funds (incl PFI)	33.8
Insurance	14.4
Capital Reserves (incl S106)	59.5
Ringfenced Reserves	18.7
General Fund Reserves	205.4
Schools Reserves and External Funds	20.1
Total	225.5

13.3. The reserves balances are built up via contributions from revenue budgets, either planned or at year end via the carry forward process, or from specific grants or monies received. Unlike provisions these budgets do not recur each year and are therefore once off funding sources.

14. Dedicated Schools Grant

14.1. The 2023/24 Dedicated Schools Grant (DSG) grant allocation was advised by the Department for Education (DfE) in December 2022 and reported to Schools Forum at the January 2023 meeting. The information provided at that time was the gross figure before academy recoupement and high needs adjustment, the table below shows the projected outturn position for the DSG for 2023/24 against the funding available.

Table 12 – DSG projected outturn 2023/24

DSG Projected Outturn	Schools Block	Central School Services Block	High Needs Block	Early Years Block	Total DSG Allocation
	£m	£m	£m	£m	£m
Gross Budget	231.0	3.3	76.9	24.8	336.1
In Year Virement	(0.7)	0	0.7	0	0.0
ESFA Holdback	(47.5)	0.0	(0.4)	0.0	(48.0)
DSG Budget	182.8	3.3	77.1	24.8	288.1
Expenditure	182.5	3.3	80.1	24.8	290.8
Total Spend	182.5	3.3	80.1	24.8	290.8
Variance	(0.3)	0.0	3.0	0.0	2.7

- 14.2. **Schools Block:** There is an underspend in the Growth fund of £0.3m, which will be carried forward, £0.7m has been agreed with schools forum to be transferred to support the high needs block and is shown as an in year virement.
- 14.3. **Central School Services Block:** A balanced position is shown however there has been a reduction in funding nationally over the past 3 years, the figure has been abated by 20% year on year.
- 14.4. **High Needs Block:** High Needs continues to show a pressure against the available funding. Lewisham has been progressing a mitigation plan and is now working with the DfE as part of the Delivering Better Value (DBV) initiative. Schools forum has agreed a transfers of £0.7m from the schools block and a further £0.6m from the Early Years unused balance to support the pressure, however the increase both in demand and inflationary pressures continue to prove challenging. Increased places in many schools including Drumbeat, Watergate and Greenvale have been completed or are near completion, and will provide some welcomed capacity. The service will continue working to bring down the projected pressure of £3m, the £3m is an improvement from the previous forecast position of £5m, of which £0.6m is the transfer of Early years funding.
- 14.5. **Early Years Block:** The DfE has confirmed the final numbers for 2022/23; there is a clawback of £0.8m leaving an unused balance of £0.8m. Schools forum has agreed to the proposal to support the high number of early year EHCP pressure on the high needs block £0.6m and additionally £0.2m to support the pressure on the Inclusion Fund.
- 14.6. Overall the validation of the 2022/23 has noted a significant reduction in pupil numbers taking up the entitlement for the Early Years offer, circa 3% for 3 and 4 year olds and 10% for 2 year olds. This has been reflected in the funding for 2023/24, which has seen an overall reduction in funding of £1.4m, again this remains provisional until the Jan 2024 count. Assuming the position is as forecast, most of the reduction would be mitigated by lower allocations to providers, this will however have implications for budgets centrally managed by the LA, budgets for which are derived as a agreed percentages from actual take

up. The financial impact of which is £0.1m.

- 14.7. The table below shows what the DSG deficit would be at the end of 2023/24, based on the projected outturn position at Period 8.

Table 13 – DSG Overall Position

DSG Overall	Schools Block	Central School Services Block	High Needs Block	Early Years Block	Total DSG Allocation
	£m	£m	£m	£m	£m
DSG Projected Outturn 2023/24	(0.3)	0.0	3.0	0.0	2.7
DSG Variance 2022/23	(0.1)	0.0	2.6	0.0	2.5
DSG Variance 2021/22	0.0	0.0	5.4	(1.3)	4.1
DSG Variance Prior Years	(0.3)	0.0	5.0	(0.2)	4.5
Deficit/(Surplus) at end of 2023/24	(0.7)	0.0	16.0	(1.5)	13.8

15. Housing Revenue Account

15.1. The table below sets out the Period 8 forecast for the Housing Revenue Account (HRA) in 2023/24. The forecast is an overspend of £6.2m, after taking mitigation action to reduce the gross pressure of £19.4m. The key overspends are £7.7m on Repairs and Maintenance (R&M), which includes £3m of Direct Labour Organisation (DLO) deficits and a major works income deficit of £7.8m which is based on the bills that have been raised as at November 2023. It should be noted that this overspend could increase further due to ongoing challenges with regards to the volume of and cost of R&M. The balanced HRA budget seen in the table includes a budgeted contributions to/from reserves which is to be used to fund the HRA major works and new supply programme and is included as a part of the 30 year HRA business plan.

15.2. The current forecast for R&M is a total spend of £24.1m which is £4.7m in excess of the budget, in addition, forecasts for the DLO trading account show a deficit of £3m for the year. The volume of work continues to impact on the R&M account which could increase the current overspend forecast. Major works charges to leaseholders are being forecast to the current amount raised as at Period 8 of £4.6m which is an under recovery of income of £7.8m against the budget for charges to be raised of £12.4m.

15.3. The HRA budget has been revised to take account of the final closing position for 2022/23 as well as updating stock numbers, forecast income, expenditure carry forwards, loss of stock and Lewisham Homes insourcing.

Table 14 – Housing Revenue Account

Housing Revenue Account	Net Budget	Net Forecast	Period 8 Variance	Period 4 Variance	Movement Period 4 v Period 8

	£m	£m	£m	£m	£m
Housing Management and Strategy	27.6	30.2	2.6	(0.3)	2.9
Lewisham Homes Fee	11.7	11.7	0.0	0.0	0.0
Repairs and Maintenance	19.4	25.6	6.2	7.5	(1.3)
Resources	2.3	2.2	(0.1)	0.0	(0.1)
Centrally Managed Budgets	(61.0)	(63.5)	(2.5)	(0.8)	(1.7)
Total	0.0	6.2	6.2	6.4	(0.2)

- 15.4. Mitigation actions taken to reduce the potential £19.4m pressure are as follows: £2.5m Rent in excess of budget from buy backs and new build in 2023/24, £5.6m contribution to capital from revenue not released due to programme slippage, £1m of Milford Towers income currently in the general fund for TA costs and £0.5m lower interest costs as borrowing less than forecast due to programme slippage.
- 15.5. In addition, bad debt impairments charge to the HRA are forecast to be £1m lower than budgeted, based on the current levels of debt projected forward for the remainder of the financial year and is included in the forecast. Any additional income or underspends in these areas will be fed into the forecast in later periods.
- 15.6. The current 30-year HRA financial model has been refreshed, with the final outturn for 2022/23 as well as the latest updates for the general capital programme, revised stock numbers and reserves allocations incorporated into the plans. Budgets will be updated shortly to reflect starting stock numbers from 1 April 2023, as well as incorporating the latest consolidation update for the new supply programme to reflect the latest position. The revisions to the budgets will be agreed and processed and may push some of the planned capital and new supply expenditure into 2024/25 due to a re-programming of works and programme delays.
- 15.7. The 2023/24 forecast for capital spend is £65.6m for the HRA Capital Programme (Inc. Decent Homes), which includes up to £10m of Capitalised Repairs/Voids costs. The forecast spend for the HRA element of the Building for Lewisham (BfL) programme is £21.4m. Both of these have been reprofiled in November 2023, again slippage has been reprofiled to future years. These are shown in Section 16.

16. Capital Expenditure

- 16.1. The current Capital Programme totals £751.8m. This is split into £275.2m General Fund (GF) and £476.6 Housing Revenue Account (HRA). For 2023/24 there is an allocation of £147.1m of which £58.1m is for GF & £89.0 is for HRA.
- 16.2. For comparison, the Period 4 Capital Programme totalled £786.4m, split into £309.9m GF and £476.5m HRA. For 2023/24 there was an allocation £194.1m of which £72.7m was for GF & £121.4m was for HRA.

16.3. Since Period 4 there have been many changes to the Capital Programme such as:

- Schemes being added to / removed from the Capital Programme or Schemes having their budgets increased / decreased. These changes have been approved at the Regeneration & Capital Board (RCB) or the Officers New Homes Programme Board (ONHPB).
- A Re-Profiling exercise, in which project managers adjusted the budget profiles for their schemes to reflect more up to date cash flow forecasts. In the majority of cases, this led to slippage of 2023/24 budget into future years.

These changes have left the current Capital Programme as below:

Table 15 – P8 Capital Programme

Re-Profiled Budget	2023/24	2024/25	2025/26	2026/27	Future Years	Total
GF	£m	£m	£m	£m	£m	£m

Resources	0.0	0.6	0.0	0.0	0.0	0.6
Community	1.9	3.4	4.8	0.2	0.0	10.3
CYP	7.5	9.2	3.8	0.2	0.0	20.8
Place	20.1	32.7	47.4	6.4	2.0	108.7
GF Housing	28.5	51.2	39.4	7.2	8.5	134.9
Total GF	58.1	97.0	95.5	14.1	10.5	275.2
HRA	£m	£m	£m	£m	£m	£m
BfL - HRA	21.4	22.3	63.7	34.4	0.0	141.8
HRA Capital Programme (Inc. Decent Homes)	65.6	82.5	66.8	51.3	51.2	317.5
Aids & Adaptions	0.5	0.5	0.0	0.0	0.0	1.0
HRA Allowances for Buybacks & Brockley PFI	0.0	8.4	3.1	3.2	0.0	14.8
Housing Management System	1.4	0.0	0.0	0.0	0.0	1.4
Total HRA	89.0	113.8	133.7	88.9	51.2	476.6
Total Capital Programme	147.1	210.8	229.2	103.0	61.7	751.8

16.4. The main sources of financing the Capital programme over the MTFS period are laid out in the below table:

Table 16 – Programme Financing

Re-Profiled Financing	2023/24	2024/25	2025/26	2026/27	Future Years	Total
GF	£m	£m	£m	£m	£m	£m

Capital Receipts	0.1	0.9	1.1	0.5	1.8	4.4
Capital Reserves	4.1	2.7	0.8	0.0	0.0	7.5
CIL	0.0	1.3	2.5	0.0	0.0	3.8
Corporate Reserves	6.4	7.7	0.9	0.8	0.8	16.6
Grants	13.5	30.2	52.7	9.5	2.4	108.3
Prudential Borrowing	23.5	39.1	31.1	3.0	5.5	102.1
Revenue Contribution	0.1	0.0	0.0	0.0	0.0	0.1
RTB Receipts	3.9	8.2	4.3	0.0	0.0	16.4
S106	6.5	7.1	2.0	0.3	0.0	16.0
Total GF	58.1	97.0	95.5	14.1	10.5	275.2
HRA	£m	£m	£m	£m	£m	£m
Major Repairs Reserve	26.2	26.7	27.2	27.7	28.2	136.0
Revenue Contribution	5.9	2.0	2.2	2.9	5.8	18.8
RTB	1.4	3.1	13.6	7.6	0.0	25.7
Grants	4.4	1.3	18.6	11.9	0.0	38.1
Prudential Borrowing	51.1	80.7	72.1	38.7	17.2	259.9
Total HRA	89.0	113.8	133.7	88.9	51.2	476.6
Total Capital Programme	147.1	210.8	229.2	103.0	61.7	751.8

16.5. Total Prudential Borrowing of £362.0m across the MTFs period, of which £102.1m is for GF projects & £259.9m is for HRA projects. Accurate borrowing forecasts are important for the council, and they link heavily with the TMS. The financing profile of the Capital Programme is flexible and may change as the Council is constantly looking for external funding opportunities such as additional grants and contributions. Details on the 2023/24 spend as at 30th

November 2023 are laid out in the following table.

Table 17 – P8 Spend Monitoring

Directorate	Project / Programme	Spend to 30 Nov 2023	2023/24 Budget
GF		£m	£m
Resources	ICT - Tech Refresh	0.0	0.0
Community	Safer Communities	0.2	0.3
Community	Parks, Sports and Leisure	0.3	0.6
Community	Beckenham Place Park (Inc. Eastern Part)	0.3	0.8
Community	LUF Programme - Cultural Hub	0.2	0.3
CYP	CYP - Other	0.0	0.0
CYP	Education Services - School Places Programme	1.4	1.8
CYP	Education Services - School Minor Works Programme	2.4	3.6
CYP	Children's Social Care	0.1	1.6
CYP	Families, Quality and Commissioning - Youth Service	0.0	0.5
Place	Highways & Bridges – TfL	0.2	0.8
Place	Highways & Bridges – LBL	1.7	4.8
Place	Asset Management Programme	1.3	3.1
Place	Corporate Estates Maintenance Programme	1.0	2.2
Place	Strategic Regeneration - Lewisham Gateway	2.1	4.2
Place	Strategic Regeneration - Catford Programme	0.7	4.0
Place	Planning	0.0	0.1
Place	Public Realm	0.0	0.1
Place	Climate Resilience	0.0	0.0
Place	LUF Programme - Public Realm	0.0	0.9

Housing	General Fund Housing	2.2	27.0
Housing	Housing Services	0.8	1.5
	Total General Fund	14.9	58.1
HRA			
Building for Lewisham Programme - HRA	Building for Lewisham Programme - HRA	8.1	21.4
HRA Capital Programme (Inc. Decent Homes)	HRA Capital Programme (Inc. Decent Homes)	30.4	65.6
Housing Management System - HRA	Housing Management System - HRA	-0.1	1.4
Other HRA Schemes	Other HRA Schemes	0.3	0.5
	Total HRA	38.8	89.0
	Total Capital Programme	53.7	147.1

16.6. The current in-year expenditure across all projects is 37%. If spend is consistent across the year, we would expect spend at Period 8 to be 66%. This pattern of low spend in the early periods of the year is expected for numerous reasons such as lag times on setting up purchase orders and receiving invoices from suppliers. There are also certain projects with large current years budgets, where the spend is forecast to be spent in the latter half of the year. An example of this is the Housing Acquisition Programme which has an in-year budget of £22m yet current spend of £0m.

16.7. As the programme has recently been re-profiled, the budget 2023/24 figures are based on up-to-date cash flow figures. Therefore, barring any major changes to the capital programme, we are expecting to spend close to the budgeted amount of £147m. The following section outlines some of the key schemes with large spend remaining in year:

Children and Young People:

- **Amersham and Northover:** Currently £0.1m spend against a £1.6m 23/24 budget. The programme now confirmed with contractor & has started on site so more certainty around spend in 23/24, subject to no further delays.
- **Riverside Youth Club:** Currently £0m spend against a £0.5m 23/24 budget. Contractor is now onsite, and contract will be signed imminently. Following this, spend will rapidly increase.

Place:

- **Footway Works:** Currently £0.2m spend against a £1m 23/24 budget. Footway works are now underway and expected to be completed in early 2024.

- **Non-Works Charges:** Currently no spend against a £0.9m 23/24 budget. Awaiting authorisation for a fee journal to go through for Apr to Oct of £0.5m, there will also be a further £0.4m spend.
- **CEMP:** Currently £0.9m against a £1.7m 23/24 budget. Work currently being procured with most of the work to be completed in 23/24.
- **Lewisham Gateway (Phase 2):** Currently £2m spend against a £4.1m 23/24 budget. This spend will come in tranches, primarily towards YE.
- **Catford Constitution Club'(CCC):** Currently £0.5m spend against a £1.6m 23/24 budget – Updated cashflow has recently been provided by the contractor & this shows spend will pick up in remaining months.
- **A205 Road Realignment:** Currently £0.1m spend against a £2.1m 23/24 budget. There are several large invoices expected from TFL that will make up this £2.1m. Potentially also a large reduction in project budget due to discussions on where the grants will be held.

GF Housing:

- **Achilles Street:** Currently £0m spend against a £0.5m 23/24 budget - 1 buyback is active and likely to complete in 23/24 which be the £0.5m spend.
- **Housing Acquisition Programme:** Currently £15k spend against a £22m 23/24 budget. Programme is arranged to start at the end of November. After this, spend is expected to gear up quickly.
- **Disabled Facilities Grant:** Currently £0.6m spend against a £1m 23/24 budget. A large portion of this will be various capitalisation journals done at YE.

BFL:

- **Buy Back Lewisham`s ex council homes:** Currently no spend against a £2m 23/24 budget. There have been refurbishment costs which has gone to HRA rather being coded to project code. Spend is expected on code once resolved.
- **New Cross Road Acquisition:** £1.7m spend against £4.6m budget. PM has suggested £4.6m is still realistic.
- **Walsham House Garages:** Currently £0.7m spend against a £1.3m 23/24 budget. Spend is expected to pick up in coming months.

17. Collection Fund

- 17.1. **Council Tax:** As at 30th November, £119.4m of Council Tax has been collected representing 65.6% of the total amount due for the year. This is £5.1m below the 68.5% target required in order to reach 96% for the year.

Table 21 – Council Tax Collection

Council Tax	Cash Collected (cumulative)	Cash needed to meet 96% Profile	Difference between collected and 96% profile	Current Year Collection Rate%	Required Collection Rate to reach 96%	Difference
Apr-23	18,626,595	19,730,719	1,104,124	10.3%	10.8%	0.5%
May-23	33,178,784	34,874,205	1,695,421	18.3%	19.2%	0.9%

Jun-23	47,574,501	49,542,533	1,968,032	26.2%	27.2%	1.1%
Jul-23	62,414,655	64,708,338	2,293,683	34.3%	35.6%	1.3%
Aug-23	76,625,692	79,804,236	3,178,544	42.1%	43.9%	1.8%
Sep-23	90,782,444	94,935,251	4,152,807	49.9%	52.2%	2.3%
Oct-23	105,390,484	109,623,619	4,233,135	57.9%	60.2%	2.3%
Nov-23	119,366,579	124,484,768	5,118,189	65.6%	68.5%	2.8%

17.2. **Business Rates:** As at 30th November, £42.4m of Business Rates has been collected representing 76.3% of the total amount due for the year. This is £2.1m below the level required in order to reach 99% for the year.

Table 22 - Business Rate Collection

Business Rates	Cash Collected (cumulative)	Cash needed to meet 99% Profile	Difference between collected and 99% profile	Current Year Collection Rate%	Required Collection Rate to reach 99%	Difference
Apr-23	8,123,664	7,495,565	(628,099)	14.1%	13.0%	-1.1%
May-23	12,632,550	14,105,804	1,473,254	22.4%	25.0%	2.6%
Jun-23	16,716,746	19,674,889	2,958,143	29.7%	35.0%	5.3%
Jul-23	24,939,038	25,268,082	329,044	44.4%	45.0%	0.6%
Aug-23	29,266,569	30,270,968	1,004,399	52.2%	54.0%	1.8%
Sep-23	33,306,413	35,238,208	1,931,795	59.5%	63.0%	3.5%
Oct-23	37,993,749	40,234,845	2,241,096	68.0%	72.0%	4.0%
Nov-23	42,481,015	44,555,536	2,074,521	76.3%	80.0%	3.7%

17.3. Work is ongoing to review and clear the exceptions listing (suspense account) which is expected to close the gap between cash collected and cash need to meet the profiles above.

18. Debt Write Offs

18.1. The council reviews it's outstanding debt throughout the financial year with write offs undertaken when all avenues have been exhausted to recover the debt and/or it is not financially viable to pursue it further. Debts of over £50k require approval from Mayor and Cabinet.

18.2. NNDR – there are 2 x debtors who owe over £50k for which write offs are required. Effect London Limited owe the council £59k, however the company was dissolved on the 10th May 2023 rendering the debt unrecoverable. Preservation and Promotion of the Arts owe the council £107k however they have been wound up and ceased trading, the council have been advised that recovery of this debt is not possible. Debt write offs of £1.1m have been made during 2023/24 for debts totalling under £50k.

19. Treasury Management Update

19.1. The 2021 CIPFA Treasury Management Codes of Practice requires the Council

to provide quarterly monitoring of Treasury Management including the Prudential Indicators to members.

Table 23 – Borrowing

Borrowing as at 31 December 2023	Actual £m
PWLB Loans	90.5
LOBO Loans	94.5
PFI and other finance	185.1
Total Debt	370.1

Table 24 – Investments

Investments as at 31 December 2023	Actual £m
Direct Investments	220.0
Certificates of Deposit	55.0
Money Market Funds	35.2
Total Investments	310.2

- 19.2. During the quarter ended 31st December 2023, the Council has operated within the treasury and prudential indicators set out in the Council’s Treasury Management Strategy Statement for 2023/24. The Executive Director of Corporate Resources reports that no difficulties are envisaged for the current or future years in complying with these indicators.
- 19.3. There are two measures of limiting external debt; the ‘operational boundary’ and ‘authorised limit for external debt’, which the Council reports on as part of its prudential indicators. The table below shows Operational Boundary as at 31 December 2023.

Table 25 – Operational Boundary as at 31st December 2023.

Operational Boundary	Limit for 2023/24 £m	Actual as at 31/12/23 £m	Not exceeded limit
Total Debt	503.9	370.1	✓

Table 26 – Authorised Limit for External Debt as at 31st December 2023.

Authorised Limit for External Debt	Limit for 2023/24 £m	Actual as at 31/12/23 £m	Not exceeded limit
Total Debt	554.3	370.1	✓

20. Financial implications

20.1. This report concerns the projected financial outturn for 2023/24. Therefore, any financial implications are contained within the body of the report.

21. Legal implications

21.1. The Council is under a duty to balance its budget and cannot knowingly budget for a deficit. It is imperative that there is diligent monitoring of the Council's spend and steps taken to bring it into balance.

22. Equalities implications

22.1. The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

22.2. There are no equalities implications directly arising from this report.

23. Climate change and environmental implications

23.1. There are no specific climate and environment implications directly arising from this report.

24. Crime and disorder implications

24.1. There are no specific crime and disorder implications directly arising from this report.

25. Health and wellbeing implications

25.1. There are no specific health and wellbeing implications directly arising from this report.

26. Background papers

26.1. Budget Report 2023/4.

26.2. [Microsoft Word - 2023 24 Budget Report Council 1March clean \(lewisham.gov.uk\)](#)

27. Report author(s) and contact

27.1. Nick Penny, Head of Service Finance, nick.penny@lewisham.gov.uk

27.2. Katharine Nidd, Director of Finance, katharine.nidd@lewisham.gov.uk

28. Appendices

28.1. Please attach appendices as separate documents and list them below.

28.2. Appendix A: Savings to be delivered 2023/24

28.3. Appendix B: Cost Avoidance Measures

28.4. Appendix C: Key Performance Indicators

28.5. Appendix D: Audit Response

APPENDIX A – Savings to be delivered 2023/24

Reference	Directorate Budget	Title	Savings to be Delivered	Expected Delivery in 2023/24	Expected Savings Shortfall	Risk Rating of Saving in 2023/24	Comment
CYP_SAV_01	CYP	Review of Children's Centre Budgets	500	500	-		
CYP_SAV_02	CYP	Education - Vacant Post	12	12	-		
CYP_SAV_04	CYP	Youth Service Budget Review	200	200	-		
CYP_SAV_05	CYP	Youth Offending Service Review	100	100	-		
CYP_SAV_06	CYP	Short Breaks	200	200	-		
D-13	CYP	Review of commercial opportunities for nurseries within children's centres	9	9	-		
F-02	CYP	Children Social Care Demand management	1,000	-	1,000		Work has been undertaken to deliver these savings, however the financial impact has been negated by the increase in high cost placements.
F-03	CYP	Children Service reconfiguration - fostering	250	-	250		
Children and Young People's Subtotal			2,271	1,021	1,250		
COM_SAV_01	COM	Introduction of Electronic Call Monitoring	650	300	350		Delays in implementing ECM due to IT issues. Plus

							increase in demand
COM_SAV_02	COM	Delegation of Care Plan Budgets to Operation Managers	100	41	59		Slippages in Neighbourhood 4 with levels of authorisations to date higher than prior year
COM_SAV_03	COM	Care Plan Reassessment	1,000	-	1,000		ASC savings shortfall reported in the monitoring position, work is ongoing to fully deliver these savings.
COM_SAV_04	COM	Empowering Lewisham	1,000	1,000	-		
COM_SAV_05	COM	Review of Staffing Requirement in Supported Housing	55	55	-		
COM_SAV_06	COM	Reduction in Mental Health Homecare costs	50	50	-		
COM_SAV_08	COM	Reduction in opening hours at Libraries	90	90	-		
COM_SAV_09	COM	NHS Health Checks	15	15	-		
COM_SAV_10	COM	Sexual and Reproductive Health Services in Primary Care	46	46	-		
COM_SAV_11	COM	PH Weight management savings	13	13	-		

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E-14	COM	Changes to leisure concessions for older people	95	95	-		
A-02	COM	Hybrid roles - enforcement	13	13	-		
C-07	COM	Review Short breaks provision.	50	50	-		
Communities Subtotal			3,177	1,768	1,409		
HRPR_SAV_01	HRPR	Temporary Accommodation Cost Reduction	200	200	-		
HRPR_INC_01	P&H	Additional Yellow Box Junction Enforcement & Moving Traffic Contravention by CCTV	105	105	-		
HRPR_INC_02	P&H	Replacement Bin Charging	50	50	-		
HRPR_INC_03	P&H	Increase the charge for Bulky Waste collections	20	20	-		
HRPR_INC_04	P&H	Charge for mattress collections	25	25	-		
HRPR_INC_05	P&H	Increase the charge for fridge/freezer collections.	78	78	-		
HRPR_INC_06	P&H	Review of fees charged for Garages	130	130	-		
HRPR_SAV_02	P&H	Review of the Road Safety Service	70	70	-		
HRPR_SAV_03	P&H	Increased recharging of salary costs to capital	70	70	-		
HRPR_SAV_04	P&H	S106 utilisation for apprenticeships	17	17	-		
HRPR_SAV_05	P&H	Utilisation of UKSPF grant funding to reduce the general fund burden for the service.	100	100	-		

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HRPR_INC_08	P&H	Housing Programme Commercial Units' Income Generation	75	-	75		Service actively working towards delivering the saving
HRPR_SAV_06	P&H	Review of the Temporary Accommodation (TA) Service Level Agreement (SLA) with Lewisham Homes (LH)	162	162	-		
HRPR_SAV_07	P&H	Reducing general fund spend on private sector housing licensing and enforcement.	150	150	-		
C-39	P&H	Aligning the Kickstart scheme with Government plans	25	25	-		
D-10	P&H	Commercial Estate Review	50	-	50		Service is actively working towards increasing income.
D-11	P&H	Business Rates revaluation of Council owned properties	50	-	50		Still waiting to conclude the revaluation review with Wilkes and Head
D-12	P&H	Asset Use Review and Regularisation	15	15	-		
E-12	P&H	Building Control Service Efficiency	30	30	-		Service is actively working towards increasing

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							income, income levels remain low after covid
A-02	P&H	Hybrid roles - enforcement	38	38	-		
D-01	P&H	Generating greater value from Lewisham's asset base	500	500	-		
D-02	P&H	Business Rates Revaluation for the estate	20	20	-		Still waiting to conclude the revaluation review with Wilkes and Head
D-06	P&H	Catford Campus - Estate Consolidation	12	12	-		
D-07	P&H	Meanwhile use - Temporary Accommodation	25	25	-		
E-02	P&H	Income from building control	20	20	-		Service is actively working towards increasing income, income levels remain low after covid
F-16	P&H	Environment - new waste strategy	250	250	-		
F-18	P&H	Controlled Parking Zone Extension	1,000	1,000	-		
Place and Housing Subtotal			3,287	3,112	175		

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COR_SAV_03	COR	Reduction in utilities costs of the Catford Complex	150	150	-		
D-14	COR	Facilities Management	100	100	-		
C-08	COR	IT - mobile telephony review	10	10	-		
Corporate Resources Subtotal			260	260			
CEX_SAV_01	CEX	Review of Elections Budget	50	50	-		
CEX_SAV_03	CEX	Legal Invest to Save	233	-	233		Work is required to reduce external legal expenditure to deliver this saving.
ALL_SAV_02	CEX	Senior Management Reductions, Realignments and Restructures	500	500	-		
Chief Executive Subtotal			783	550	233		
COR_SAV_02	CORP ITEMS	Review of Corporate Budgets - interest	2,000	2,000	-		
COR_INC_01	CORP ITEMS	Removal of 28 day empty property exemption for Council Tax	110	110	-		
Corporate Items Subtotal			2,110	2,110			
COR_SAV_01	ALL	Review of Corporate Budgets - triennial fund valuation	650	650	-		
A-03	ALL	Corporate Transport arrangements	50	50	-		
Council Wide Subtotal			700	700			
TOTAL			12,587	9,520	3,067		

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Appendix B – Cost Avoidance Measures

Directorate Budget	Title	SLT lead	2023/24 Cost Avoidance Measure £'000	Achieved as at Period 8 £'000	Further Work to Deliver / Verify Delivery of Savings £'000	Delivery Confidence (Green, Amber or Red)	Comment
Chief Executive	Lewisham Life	Helen Clarke	35	35	-		Achieved/On Track to be achieved
Chief Executive	Executive Support Structure	Helen Clarke	35	35	-		Achieved/On Track to be achieved
Chief Executive	People and Organisation Development Savings Proposal	Sherene Russell-Alexande	200	200	-		Achieved/On Track to be achieved
Chief Executive	Electoral services 1	Jeremy Chambers	8	8	-		Achieved/On Track to be achieved
Chief Executive	Electoral services 3	Jeremy Chambers	25	25	-		Achieved/On Track to be achieved
Chief Executive	Electoral services 4	Jeremy Chambers	10	10	-		Achieved/On Track to be achieved
Chief Executive	Mayor's Office	Jeremy Chambers	12	12	-		Achieved/On Track to be achieved
Chief Executive	Staffing reduction – Corporate Policy	Jeremy Chambers	72	72	-		Achieved/On Track to be achieved

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Children and Young People	Placements: payments efficiency for placement providers	Lucie Heyes	20	-	20		Further monitoring needed
Children and Young People	S17 & Placements: reduced spot purchasing of youth support.	Lucie Heyes	200	-	200		Further monitoring needed
Children and Young People	Outreach Inclusion Service – Management action	Angela Scattergood	18	-	18		Action taken but cost saving in the DSG - high needs.
Children and Young People	Outreach Inclusion Service – Management action	Angela Scattergood	6	-	6		Action taken but cost saving in the DSG - high needs.
Children and Young People	Outreach Inclusion Service – Management action	Angela Scattergood	46	-	46		Action taken but cost saving in the DSG - high needs.
Children and Young People	Primary phase Alternative Provision Commissioning costs – Management Action	Angela Scattergood	70	-	70		Action taken but cost saving in the DSG - high needs.

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Children and Young People	Contribution from the Participation Team – Ongoing saving	Angela Scattergood	10	-	10		Action taken but cost saving in the DSG - high needs.
Children and Young People	Use of grant funding to provide administrative support within Lewisham Learning	Angela Scattergood	15	-	15		Action taken but cost saving in the DSG - high needs.
Children and Young People	Virtual Schools	Angela Scattergood	61	-	61		Action taken but cost saving in the DSG - high needs.
Children and Young People	Reduction in staffing costs	Sara Rahman	350	200	150		Further staffing monitoring required in future months regarding full deliverability
Children and Young People	DBS	Angela Scattergood	15	15	-		Achieved/On Track to be achieved
Children and Young People	Grant maximisation	Sara Rahman	150	150	-		Achieved/On Track to be achieved
Communities	Leisure Services Savings	James Lee	30	10	20		Work to be undertaken to verify if committed spend can be stopped
Communities	Adult Learning Lewisham reduction in general fund subsidy for salary enhancements	James Lee	100	100	-		Achieved/On Track to be achieved

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Communities	Infrastructure investment	James Lee	30	30	-		Achieved/On Track to be achieved
Corporate Resources	Insurance Contract	Rich Clarke	68	68	-		Achieved/On Track to be achieved
Corporate Resources	Internal Audit Restructure	Rich Clarke	17	17	-		Achieved/On Track to be achieved
Corporate Resources	FM Other Costs	Maxine Gordon	60	60	-		Achieved/On Track to be achieved
Corporate Resources	Information Security and Solutions architecture.	Wendy Carr	74	74	-		Achieved/On Track to be achieved
Housing	Capitalise posts to disabled facilities Grant	Fen Beckman	73	73	-		Achieved/On Track to be achieved
Housing	Capitalise salary of the Housing Casework Office	Fen Beckman	21	21	-		Achieved/On Track to be achieved
Place	Apprenticeship Programme Resourcing	Patrick Dubeck	20	20	-		Achieved/On Track to be achieved
Place	One-Council Employment Support Proposal	Patrick Dubeck	24	24	-		Achieved/On Track to be achieved
Place	Flytipping	Paul Boulton	10	10	-		Achieved/On Track to be achieved
Place	Street Cleansing	Paul Boulton	40	40	-		Achieved/On Track to be achieved
Place	Commercial Waste	Paul Boulton	100	100	-		Achieved/On Track to be achieved

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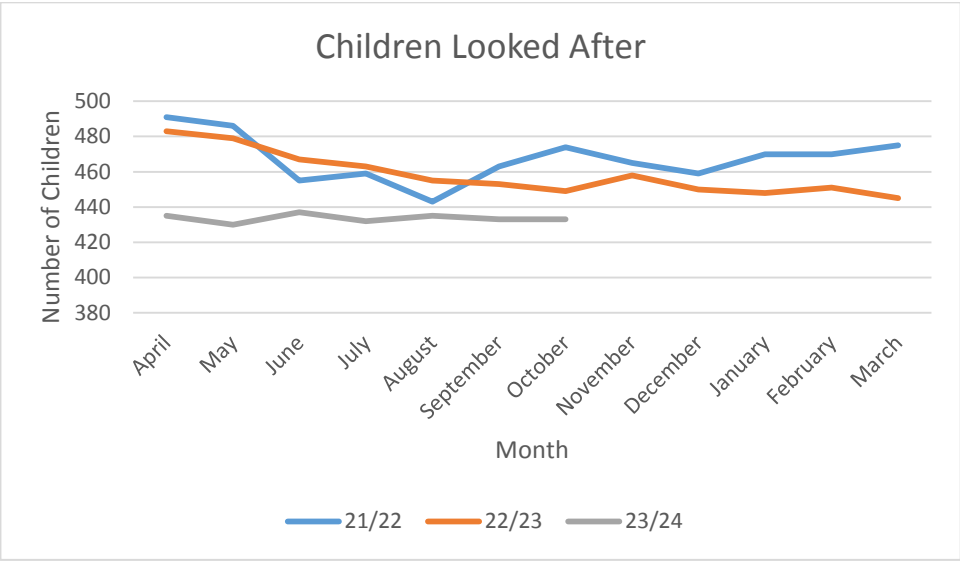
Place	Garden Waste	Paul Boulton	100	100	-		Achieved/On Track to be achieved
Total			2,125	1,509	616		

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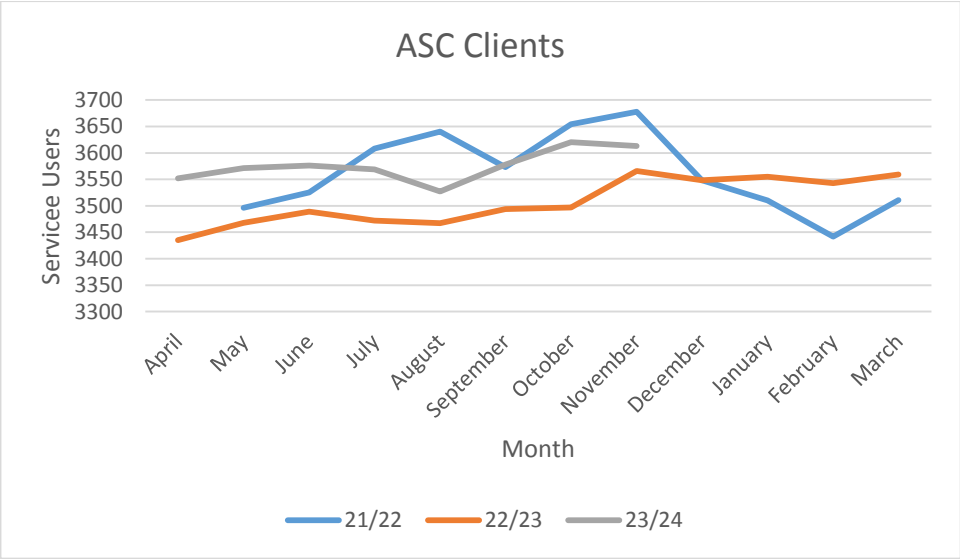
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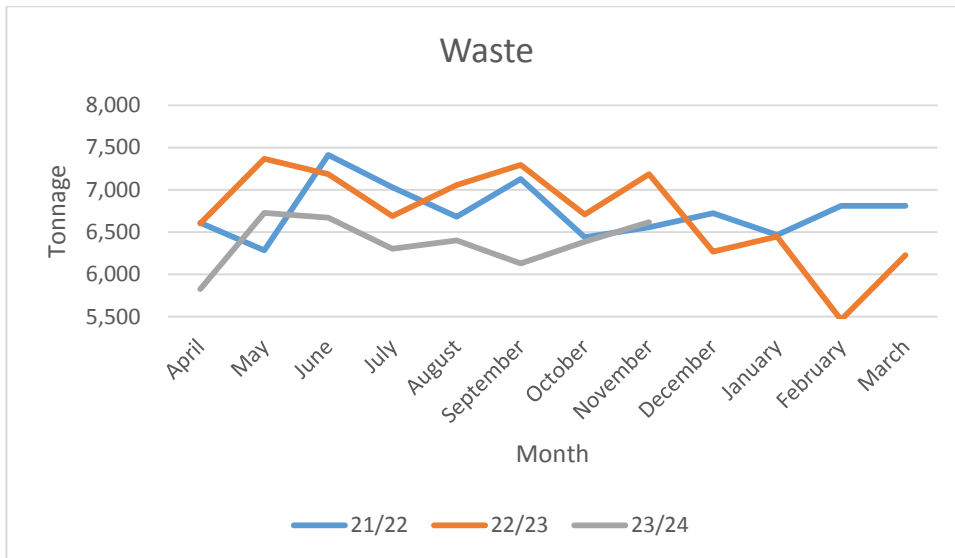
Appendix C – Key Performance Indicators



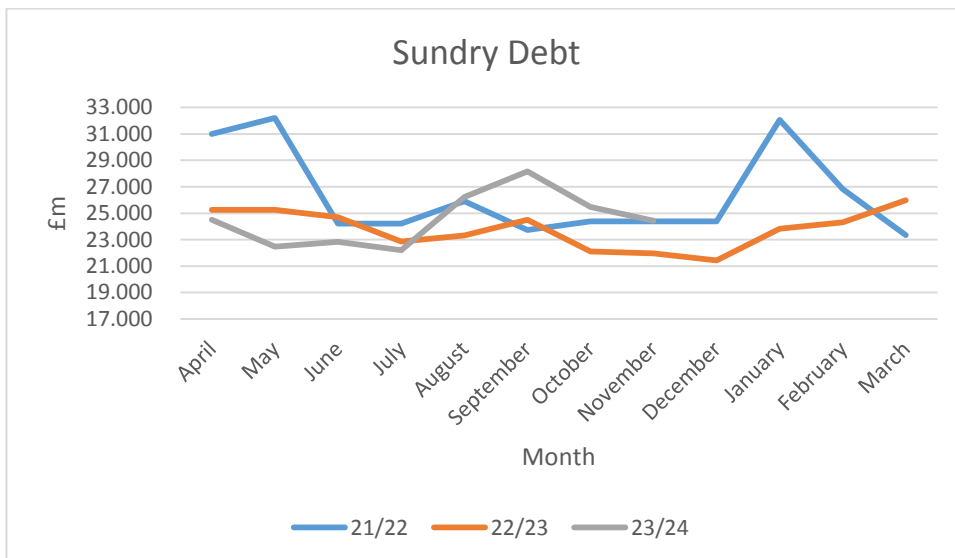
This graph shows the CLA’s from 21/22 onwards, this shows the trend that the number of CLA’s supported by the service is decreasing. The source document is the monthly performance report.



This graph shows the number of Adults supported from 21/22 onwards. The source document is the Controcc System.



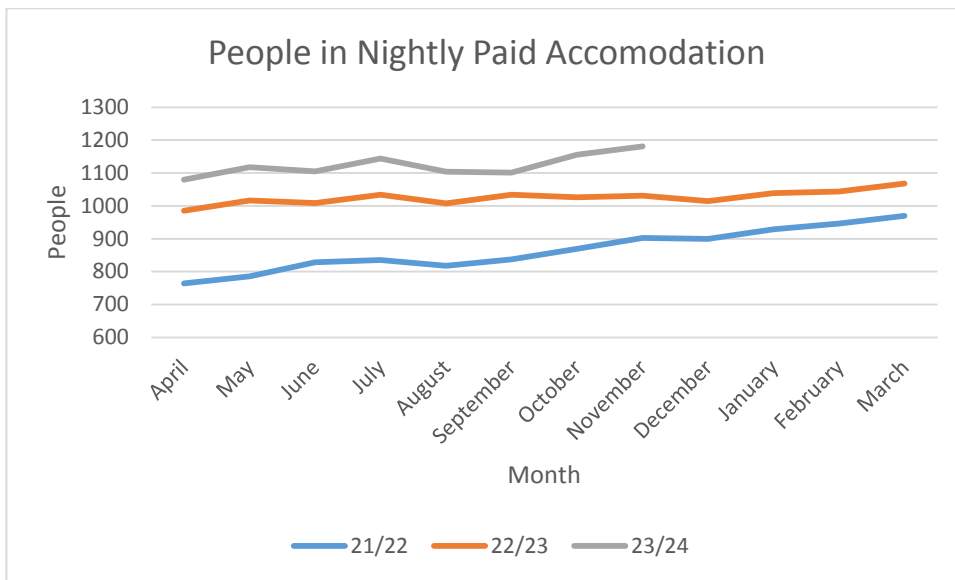
This graph shows the wasted in tonnages from 21/22 onwards. The source document is a monthly SELCHP Waste Delivery File from Veolia.



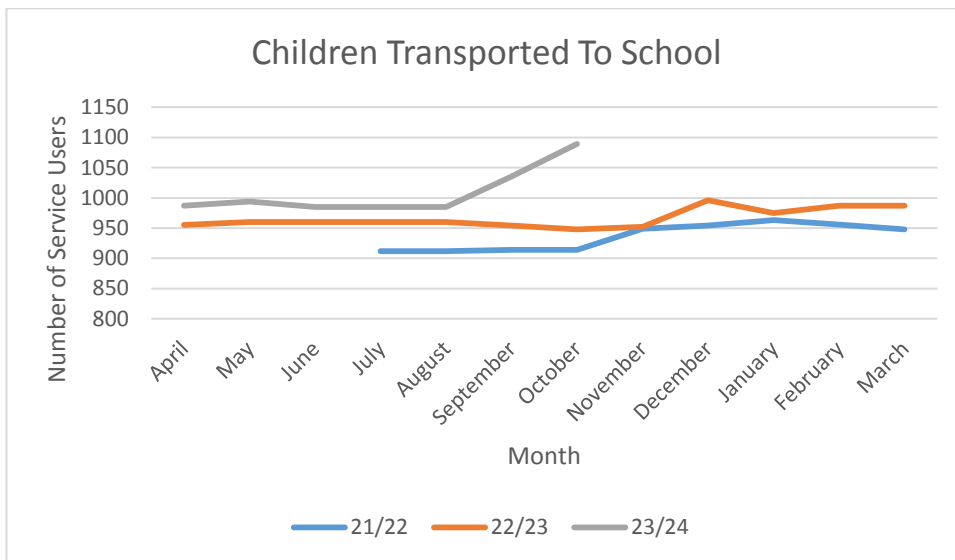
This graph shows the level of sundry debt from 21/22 onwards, the debt in May 2023, is at a lower level than in the comparable month in 21/22 and 22/23. The source document is the debt file produced from the oracle financial system.

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This graph shows the number of people in nightly paid accommodation from 21/22 onwards, the level has increased from 786 in April 2021 to a high of 1,186 in November 2023. The data is sourced from the academy system.



This graph shows the number of children transported from home to school, the number of EHCP's continues to increase and approx. 1/3rd of children who have an EHCP require a transport package. The data source is Routewise.

Appendix D – Audit Response: Recommendation extended to suggest Council to consider applying scenario planning to annual budget as well as MTFP

Scenario	Assumption	2023/24 Budget £m	Impact £'m
Pay award	5% pay award was budgeted for as part of budget setting 23/24. A pay award 1% above the 5% modelled has a financial impact of £1.4m.	7.1	1.4
Net non-pay inflation	4.8% was budgeted for as part of budget setting 23/24, this £2m impact is if inflation is awarded in line with recent CPI levels.	5	2
Increase in people requiring Support from ASC	Initial modelling undertaken as per census data, this is being further refined.	84	0.7
Average Children Looked After cost in CSC increasing	Children with a high level of need continue to increase. These children are often in high cost placements costing £17k per week for approx 13 weeks x 5 additional children	29	1.1
Increase in Nightly Paid Service Users	Numbers have continued to increase since the budget was set for 23/24. Other contributory factors included lengths of stay increasing as well as rents increasing by c20%	5.7	0.6

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High Needs Block deficit becomes a general fund pressure (currently ringfenced to the Dedicated Schools Grant).	The current deficit is £13m however there is a risk of a further pressure of £3m for 23/24 (as reported above). There is a risk the DSG override may be removed in April 26 as per the current legislation.	289.9	3
Schools Academisation	There is a risk of schools moving to academies	0	TBC
Children's and Young People's ofsted inspection	The ofsted inspection leading to additional service requirements which there is no budget for.	0	TBC

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Agenda Item 5

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

Date of Meeting	24 January 2024	
Title of Report	The Repair and Maintenance of Ventilation Plant and Controls 2024 – 2026	
Author	Peter Whittington/ Chris Hall	Ext.

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:
Councillor Will Cooper, Cabinet Member for Housing Management and Homelessness
Date: 11/01/24



Signed:
Gillian Douglas, Executive Director of Housing
Date: 10/01/24



Mayor and Cabinet

Permission to Procure and Award the Repair and Maintenance of Ventilation Plant and Controls 2024 – 2026

Date: 24 January 2024

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Peter Whittington - Head of Compliance
Chris Hall – Interim Procurement Manager (Housing)

Outline and recommendations

Mayor & Cabinet are recommended to:

Approve the re-procurement of Repair and Maintenance of Ventilation Plant and Controls for a period of 2 years with the option to extend for a further 2 years with a total contract value of £1.4m over 4 years.

Approve the use of the Crown Commercial Services Framework Agreement (RM6232) – Lot 2a: Hard Facilities Management to carry out the procurement via a mini competition.

Approve the award of contract to the preferred service provider for the provision of Repair and Maintenance of Ventilation Plant and Controls.

Delegate authority to the Executive Director for Housing, in consultation with Director of Law and Corporate Governance and the Director of Housing Quality and Investment to select the preferred provider in accordance with the selection and award criteria published in the tender documentation and agree the award and final form of the contract.

Timeline of engagement and decision-making

Current contract commenced: 12th January 2017

Current contract extension: 2 Years

Current contract expiry: 11th January 2024

Extension for a 9 month contract expires :11th October 2024

1. Summary

- 1.1 This report seeks approval to commence the re-procurement, and to award the contract for a period of 2 years with the option to extend for up to a further 2 years for the repair and maintenance of ventilation plant and controls with a total contract value of £1.4m over 4 years.
- 1.2 An extension of 9 months to the existing contract has been mutually agreed with the incumbent provider and the current schedule of rates has been held. The extension was approved by the Executive Director of Housing to allow sufficient time for the tender process to take place taking the contract end date to 11th October 2024.
- 1.3 Approval is also sought to use the Crown Commercial Services (CCS) Facilities Management and Workplace Services framework RM6232 Lot 2a: Hard Facilities and procure the provider via a mini-competition.

2. Recommendations

- 2.1 It is recommended that Mayor and Cabinet:
- 2.2 Approve the re-procurement of Repair and Maintenance of Ventilation Plant and Controls for a period of 2 years with the option to extend for a further 2 years with a total contract value to £1.4m over 4 years.
- 2.3 Approve the use of the Crown Commercial Services Framework Agreement (RM6232) – Lot 2a: Hard Facilities Management to carry out the procurement via a mini competition.
- 2.4 Approve the award of contract to the preferred service provider for the provision of Repair and Maintenance of Ventilation Plant and Controls.
- 2.5 Delegate authority to the Executive Director of Housing, in consultation with Director of Law and Corporate Governance and the Director of Housing Quality

and Investment to select the preferred provider in accordance with the selection and award criteria published in the tender documentation and agree the award and final form of contract.

3. Policy Context

- 3.1 This report aligns with Lewisham's Corporate Priorities, as set out in the Council's Corporate Strategy (2022-2026):
- Cleaner and Greener
 - Quality Housing
 - Health and Wellbeing
- 3.2 This proposal addresses Lewisham's Corporate Strategy 2022-2026 as follows:
- 3.3 'Quality Housing' for our residents as set out in the corporate strategy; and ensures we continue to serve and support the residents of Lewisham, by having our residents' interests first and foremost.
- 3.4 The repair and maintenance of ventilation plant and controls contract ensures that residents living on our estates are provided with working safe and clean ventilation plant and controls which are high quality, well serviced and maintained. Ventilation ducts are cleaned on an annual basis to remove lint build up which poses fire risk to residents if not cleaned properly, ensuring our residents have a safe environment in line with the council's 'Health and Wellbeing' priority. Maintained machines run more efficiently and are safer.
- 3.5 Where fans exceed their life cycle and need to be replaced we would require the winning bidder to put forward energy efficient, long life, low energy bespoke fan units which are in line with the council's 'Greener and Cleaner' priority.

4. Background

- 4.1 The existing contract was awarded to Hydro X-Air following a competitive tendering process for a period of 5 years from 12th January 2017 to 11th January 2022, with the option to extend for 2 years being executed. The Executive Director of Housing granted approval to extend the existing Contract to 30th October 2024 to allow the opportunity to capitalise on evolving technological advancements and achieve greater value for money.
- 4.2 Lewisham Homes procured the repair and maintenance of ventilation plant and controls for residents living across the borough. With the transition of Lewisham Homes back to the Council, the existing contract has been novated and this service now needs to be procured by the Council.
- 4.3 Servicing works are to be carried out twice a year. Servicing works for Direct Coupled Fans; Direct Drive Fans (Inline & Roof); Roof Top Extract Fans; Refuse Chute Axial Fans; Wall Fans; Heat Recovery Units; Electrical Motors and Controls; Control Panels; Trunking & Conduit and Ducting & Fire Dampers are to be carried out at the first service visit each year.
- 4.4 Servicing works for Direct Coupled Fans, Direct Drive Fans (Inline & Roof), Roof Top Extract Fans, Refuse Chute Axial Fans, Wall Fans, Electrical Motors and

Controls and MVHR units are to be carried out at the second service visit each year, approximately six months after the initial service visit.

5. Procurement Options Considered

- 5.1 This section considers various options for the route to market to provide repair and maintenance of ventilation plant and controls. The options of the routes to market are set below.
- 5.2 The Council does not have the resources or expertise to in-source this contract.
- 5.3 The procurement team explored the option to run a competitive open tender with the requirement of potential suppliers being a pass/fail criterion and would ensure more suppliers are able to submit. However, due to the resources and time involved in carrying out a full open tender, this approach to market is considered to be less optimal. Running a mini-competition conducted through established framework agreements is typically swifter and more efficient due to the fact terms and conditions are already defined and frameworks provide access to a pre-screened pool of qualified suppliers.
- 5.4 The procurement team explored various framework providers: Crown Commercial Services (CCS); National LGPS Frameworks (LGPS); LHC; West Works; Southern Universities Purchasing Consortium (SUPC); Northeastern Universities Purchasing Consortium (NEUPC); Central Housing Investment Consortium (CHIC) and Consortium Procurement to find a suitable frameworks that can be used.
- 5.5 Having reviewed the framework options the preferred option is to run a mini competition across all 18 providers of the Crown Commercial Services (CCS) framework, Facilities Management and Workplace Services RM 6232, Lot2a – Hard Facilities. This is because it offers a good range of providers that can meet our quality and competency standards, whilst ensuring value for money through the mini competition process.
- 5.6 The Head of Compliance will develop the contract specifications, pricing details, and evaluation criteria. Lewisham Council's Procurement team and Legal team will review and approve these documents.
- 5.7 The tender weightings are 45% price, 45% quality, and 10% social value. The evaluation will involve the Head of Compliance and compliance team members.
- 5.8 Invitations to tender will be sent using Council templates via Proactis, following Lewisham Council's procurement processes.

6. Financial implications

- 6.1 This gateway report seeks the procurement approach to run a competitive tender for a new 2 year + 2 year option for the ventilation services required including, repair and maintenance of ventilation plant and controls.
- 6.2 The total contract value is £1.4m. These costs are included in the existing Housing Revenue Account budgets.
- 6.3 Any approved spend for this project would need to be monitored by contract

managers to ensure that the budget is not exceeded, and Finance will also monitor spend as part of the monthly budget monitoring process, with progress and variances reported to DMT.

7. Legal implications

- 7.1 Approval to Procure :
- 7.2 The report seeks approval to procure an external contractor for the repair and maintenance of ventilation plant and controls. Given the potential spend on this contract (at a length of 2 years with the option to extend for a further 2 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 the use of a framework agreement is the recommended option.
- 7.3 Assuming that Mayor and Cabinet accepts the recommendation to procure a works contractor, 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 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. The recommended framework agreement satisfies this criterion. 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.
- 7.4 Approval to Award :
- 7.5 This report proposes that Mayor and Cabinet instruct and give delegated authority to the Executive Director of Housing in consultation with the Director of Housing Quality and Investment and the Director of Law and Corporate Governance to give effect to this decision by applying the selection and award criteria to determine and enter into contract with the preferred contractor.
- 7.6 The decision to award the contract contained in this report is a Key Decision under Article 16.2 of the Constitution as it has a value of more than £700,000.
- 7.7 Provided that the final contract value is within authorised limits set out in the Part 2 report and the preferred contractor is selected in accordance with the selection criteria published in the tender documentation, then the selection by the Executive Director for Housing 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 contractor selected, and officers from Legal Services should be consulted as necessary throughout the selection and award process.

8. Risk Implications

8.1 The key risks have been identified and documented below with mitigation.

Risks	Mitigation
Capacity and competency levels are limited	Accessing pre-approved suppliers from the framework, utilising existing Agreements and adapting specifications from the framework all make a positive contribution to the capacity and competency levels available.
Mini Competition via an existing framework reduces the number of potential suppliers accessed.	<p>Accessing the framework will reduce the time and resources required for procurement.</p> <p>Pre-qualification of suppliers has already taken place and are signed up to framework terms and conditions.</p> <p>Access to pre-approved suppliers on pre-agreed framework rates.</p>
Time required to carry out a mini-competition	<p>Accessing an existing framework, reduces the time to market as the Stage 1 procurement process has already been undertaken to pre-qualify suppliers.</p> <p>The existing contract has been extended to allow sufficient time to conduct a compliant procurement process.</p>

9. Equalities implications

9.1 At all times the supplier will comply with and ensure that the performance of the contract is in full accord with the requirements of all relevant legislation relating to discrimination and equalities and that a similar approach is adopted by all its suppliers and sub-contractors.

10. Climate change and environmental implications

- 10.1 Lewisham Council is committed to reducing CO2 emissions from its own operations and seeks to manage and reduce the overall carbon footprint of its supply chain. The Council has made a commitment to making the borough carbon neutral by 2030. Crime and disorder implications.
- 10.2 Contractors and suppliers are expected to support the Council in achieving this goal. Contractors and suppliers are required to report their carbon footprint publicly and demonstrate a commitment to carbon reduction in their own operation and the products and services they deliver.
- 10.3 At all times the new provider will perform the Service using working methods, equipment, materials, and consumables which minimise environmental damage and provides the Service in a manner which is unlikely to become injurious to health or detrimental to the environment or the fabric of any property on or contiguous to any part of a location from which the Service which is being provided.
- 10.4 The new provider shall take all reasonable steps to ensure that work under the Contract does not create dust or smoke nuisances and that it complies with the Environmental Protection Act, Control of Pollution Act and Clean Air Act.

11. Health and wellbeing implications

- 11.1 The Council will require the Contractor to provide its service with the health and wellbeing of its staff, council staff and service users at the forefront of its operational procedures and practices.
- 11.2 The services in this report will have a positive impact on health, mental health, and wellbeing by providing direct mental health and wellbeing to the residents of Lewisham.
- 1.3 Ventilation servicing and maintenance promote indoor air quality, prevent the spread of diseases, control temperature, and enhance overall safety and comfort within a building, contributing to the health and well-being of residents.

12. Social Value implications

- 12.1 The Tenderers will be asked a method statement question to demonstrate what social value they can deliver.
- 12.2 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.

- 12.3 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. Background papers

- 13.1 None for this report.

14. Glossary

Term	Definition
HVAC	Heating, ventilation and air conditioning
MVHR	Mechanical ventilation with heat recovery

15. Report author(s) and contact

- 15.1 Report Author: Peter Whittington – peter.whittington@lewishamhomes.org.uk
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- 15.4 Comments for and on behalf of the Director of Law and Corporate Governance
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16. Appendices

None

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


Date of Meeting	24/1/24	
Title of Report	Approval to procure a Housing Stock Condition Survey and Housing Disrepair Survey (HDR) Programme via Direct Award.	
Author	Yogesh Vadgama/Chris Hall	Ext.

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:
Councillor Will Cooper, Cabinet Member for Housing Management and Homelessness
Date: 11/01/24



Signed:
Gillian Douglas
Executive Director of Housing
Date: 11/01/24



Mayor and Cabinet

Approval to procure a Housing Stock Condition Survey and Housing Disrepair Survey (HDR) Programme via Direct Award.

Date: 24 January 2024

Key decision: Yes

Class: Part 1

Ward(s) affected: All wards

Contributors: Yogesh Vadgama - Interim Head of Stock Investment and Asset Management

Chris Hall – Interim Procurement Manager (Housing)

Outline and recommendations

Mayor and Cabinet are recommended to:

Grant approval to procure a programme of stock condition surveys targeting up to 80% of the Council's housing stock, incorporating energy performance assessments and up to 500 Housing Disrepair surveys to address the current backlog, for the purposes of planning our asset strategy and strategic investment plans, with a total contract value of £2,925,000.

Approve the use of the Strategic Asset Management agreement - Lot 6 of the Procurement Hub framework.

Approve the direct award of contract to Savills (UK) Limited in accordance with the terms of Lot 6 (Strategic Asset Management) of the Procurement Hub framework.

Timeline of engagement and decision-making

There have been no previous reports and decisions that relate to this request for approval.

In December 2023, the Council self-referred itself to the Regulator of Social Housing for a potential breach of the Regulator's Home Standard. This is related to the lack of an up-to-date dataset on the condition of Council properties, with minimal data updates having been made on component completions for two years. As a result, the current data is unreliable for assessing the Council's position on meeting the Decent Homes Standard and investment planning.

The procurement of a programme of stock condition surveys as proposed in this report seeks to address issues of compliance and provide improved visibility of the Council's housing stock, to make informed procurement and investment decisions that will align to a 30-year investment strategy for the Council's assets with a five-year capital investment programme being planned in order to address more immediate priorities.

Under the Defective Premises Act 1972, a duty is owed to the tenant, anyone else living at or visiting the property. It requires landlords to ensure that nothing they are responsible for keeping in a state of repair poses a threat due to being allowed to fall into disrepair. We have 540 Housing Disrepair Claims currently in our schedule from customers who claim that there is a housing condition that we have not responded to. This programme seeks to provide additional surveying resource to support our existing team and enable the Disrepair Team to assess the claims and engage contractors to carry out the works and bring the claims to a satisfactory resolution.

Internal stakeholders from Corporate Procurement, Stock Investment, Disrepair and Repairs & Maintenance have been engaged in the process and development of the scope and specification for this programme.

1. Summary

- 1.1 The Council's duty as a housing landlord is to meet its statutory obligations and to provide good quality homes and services to its existing tenants.
- 1.2 The five-year capital programme previously delivered by Lewisham Homes, prior to their transition back to the Council on 1 October 2023, was adapted in order to focus on building and fire safety priorities, with approximately one third of the available funds being allocated to these works. This has left a reduced amount for Decent Homes works and the current data and budget forecast

predicts that the number of homes failing the standard will potentially increase from 17% to 33% by 2027. We have re-profiled the capital programme for stock investment for 2024/25 to reduce non-decency as a priority.

- 1.3 The Council has 13,947 tenanted homes and 5,300 leasehold properties. Customers' homes are relatively old with most in medium/high rise blocks, and the majority being built between 1961 and 1980.
- 1.4 The age of homes is compounded by the building types, design, and construction, and represents a significant repair and maintenance obligation. No cyclical redecoration or preventative planned maintenance programmes have taken place for 8 years and work in this area has been largely reactive.
- 1.5 The last stock condition survey was undertaken in 2019/20. This demonstrated that a significant number of homes are not in a good condition, with approximately 20% failing to meet the Government's 2012 Decent Homes Standard.
- 1.6 Updating the data held on the condition of the Council's stock is crucial to identifying investment priorities of work, the energy performance ratings of homes, and creating a five-year capital investment programme that is based on accurate data. At present the data is out of date and not accurate enough for the purposes of investment planning.
- 1.7 Data from the Stock Condition Programme will be captured by the provider and held in a data repository from which we will draw down reports to inform investment planning. We plan to transfer the data to our internal system once that functionality is in place.
- 1.8 The 5-year 2022/23 to 2027/28 Capital Programme (Housing Revenue Account) budget is £321m so it's crucial that the Council can rely on a comprehensive and robust set of stock condition data to ensure investment is properly informed and prioritised.
- 1.9 In December 2023 the Council self-referred to the Regulator of Social Housing for a potential breach of the Regulator's Home Standard. One of our proposals to remedy the breach is to carry out a stock condition survey programme, targetting 80% of the stock in 2024/25.
- 1.11 There are currently 540 Housing Disrepair (HDR) claims, which are increasing at an average of 35 per month. These HDR claims pose a significant financial risk to the Housing Revenue Account (HRA) and will also raise concerns with the Regulator and Housing Ombudsman if these are not addressed immediately.

- 1.12 In the financial year 2023/24, a total of £1.2m has been spent on compensation and legal fees in the year to date. It is essential that HDR surveying resource is supplemented to enable us to assess where repairs and major works are required and to deliver those within timescale.

2. Recommendations

It is recommended that Mayor and Cabinet :

- 2.1 Grant approval to procure a programme of stock condition surveys targeting up to 80% of the Council's housing stock, incorporating energy performance assessments and up to 500 Housing Disrepair surveys to address the current backlog, and for the purposes of planning our asset strategy and strategic investment plans, with a total contract value of £2,925,000.
- 2.2 Approve the use of the Strategic Asset Management agreement - Lot 6 of the Procurement Hub framework.
- 2.3 Approve the direct award of contract to Savills (UK) Limited in accordance with the terms of Lot 6 (Strategic Asset Management) of the Procurement Hub framework.

3. Policy Context

- 3.1 This report aligns with Lewisham's Corporate Priorities, as set out in the Council's [Corporate Strategy \(2022-2026\)](#):

- Cleaner and Greener
- A Strong Local Economy
- Quality Housing
- Children and Young People
- Safer Communities
- Open Lewisham
- Health and Wellbeing

- 3.2 In particular, this report is closely aligned to the priority Quality Housing, because it supports the Council's aim of working to provide residents with safe, comfortable accommodation that they can be proud of and happy living in, and also to improve the conditions in the borough's housing stock, including energy efficiency measures as part of our ambition to be carbon-neutral by 2030.

4. Background

- 4.1 As the landlord, the Council has a statutory and legislative duty to maintain its

housing stock to a good state of repair.

- 4.2 The Council is responsible for 13,947 tenanted homes along with 5,300 leasehold properties. Customers' homes are relatively old with most in medium/high rise blocks, and the majority being built between 1961 and 1980.
- 4.3 The age of these homes is compounded by the building types, design, and construction, representing a significant repair and maintenance obligation. No cyclical redecoration or preventative planned maintenance programmes have taken place for 8 years.
- 4.4 Lewisham Homes previously undertook a stock condition survey in 2019/20 with approximately 80% of internal surveys and 100% of external surveys being completed. Data cloning was used for dwellings where surveyors were unable to gain access. Since the surveys were carried out, the stock condition database has become out of date with completion information from subsequent investment programmes not being accurately captured and reflected.
- 4.5 In line with best practice, a new survey is needed, given it is now four years since the previous survey was undertaken without any updates since. During this period a number of additional data requirements have emerged in respect of building safety, damp and mould and energy efficiency which the new survey will address.
- 4.6 The new survey will seek to provide a comprehensive and accurate stock condition dataset; enabling Lewisham Council to effectively maintain and improve the housing stock; inform decisions about procurement and investment priorities, as well as ensuring that the Council meets all of its statutory and regulatory landlord obligations. It will also incorporate the following:
 - Planning and prioritising capital investment programmes.
 - Active Asset Management - incorporating the assessment of stock viability and whether Council homes meet the Decent Homes Standard.
 - Calculating the energy performance of dwellings.
 - Identify hazards under the Housing Health and Safety Rating System (HHSRS). (The HHSRS is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to residents' health and safety from any repairs and deficiencies identified in dwellings and helps identify whether buildings and their components are compliant with relevant legislation and best practice).
- 4.7 At the end of the survey programme, together with the full dataset and photographs, the service provider will provide a report setting out the key information from the surveys and an updated 30-year outline asset investment

plan which will enable the Council to effectively plan long term investment in the housing stock.

- 4.8 This programme is a significant investment to improve our understanding and compliance against the requirements of the Regulator but also to inform our future investment plans. Therefore, dedicated Contract Management capacity will be assigned with a Stock Investment Manager having oversight and management of the programme, monitoring against key milestones and performance measures that will be contained in the contract.
- 4.9 The Investment Plan will provide a prioritised 5-year investment programme incorporating results from the surveys integrated with the costs and priorities identified in our current Response Repair, Disrepair and Damp and Mould workloads, along with our priorities on Energy efficiency and carbon reduction.
- 4.10 The chosen route to market will be through the Procurement Hub framework. Procurement Hub is a PCR2015 compliant framework.
- 4.11 The procurement process will be carried out in accordance with the Procurement Hub framework Direct Award Procedures.
- 4.12 Lot 6 - Strategic Asset Management Services Framework is for multi-disciplinary services providing for the following specialisms:
- Stock Condition Surveys
 - Fire Risk Assessments
 - Energy Performance Certificates
 - Asset Strategy
 - Energy Efficiency
 - Asbestos Surveys
 - Electrical Safety
 - Quality Assurance Audits and Support
 - Landlord Compliance/Resident H&S review
 - Regulator of Social Housing (RSH) Consumer Standards Review
 - Building Safety Case/ Case Report Compilation
 - DLO/ Internal Services Provider Review
 - Bespoke Property/ Asset-based Services including Housing Disrepair.
- 4.13 Following a full review of the scope of this agreement and lot descriptions the Council is confident that Lot 6 within the Framework meets our needs.

5. Reasons for Recommendation

- 5.1 The lack of understanding of the quality and decency of our housing stock triggered a self referral to the Regulator in December 2023.

- 5.2 The Regulator will require immediate action to be taken to resolve the issues related to stock condition and HDR claims as they stand.
- 5.3 The proposed targetted 80% Stock Condition Survey is necessary to provide a baseline for the future allocation of investment and resources across the Council's HRA housing stock.
- 5.4 The current list of outstanding HDR claims pose a significant risk to the HRA and following the self referral to the Regulator, these need to be addressed immediately.
- 5.5 Stock Condition data on the Council HRA stock is not up to date, the majority of EPC certificates are more than two years old, The energy performance assessments will address our deficit of energy efficiency and thermal comfort data supporting our environmental and carbon reduction ambitions.
- 5.6 Data captured from the survey will identify priority health and safety hazards and inform future HRA capital and planned maintenance programmes, leading to a reduction in future responsive maintenance expenditure and visits.
- 5.7 The Procurement Hub framework allow members to access the framework through either a direct award option via the ranking system or mini-competition. Our preferred route has been to carry out a direct award utilising Lot 6 of the framework.
- 5.8 Direct Awards are permitted in Lot 6 under specific circumstances. The only applicable one available to the Council is that the Council is satisfied on reasonable grounds that the Framework Agreement sets out all the terms governing the provision of the services concerned without requiring the Framework Agreement competition to be re-opened and that the provisions of the Public Contracts Regulations 2015 have been complied with. That means that the contract must be entered into with the supplier unamended and in accordance with the charging schedule set out in the framework. There is no scope for further negotiation. The final stage for the call-off procedure would be to sign the call-off agreement.
- 5.9 Officers are satisfied that the Procurement Hub Framework Lot 6 provides Value for Money for the Council. The framework contains a Schedule of Rates (SOR) that was submitted and evaluated as part of Procurement Hub's pricing evaluation criteria. Given the time constraints separate benchmarking has not been carried out.
- 5.10 Savills (UK) Limited are the market leader in providing strategic asset

management services and indeed were the only compliant bidder for such services included in Lot 6, being suitably qualified and experienced.

- 5.11 For the Council pace is of the essence. Using the framework to make a direct award approach will allow the Council to appoint the supplier by the end of January 2024 and commence the surveys of residents' homes by Spring 2024. Savills (UK) Limited have indicated that subject to confirmation they would be able to mobilise by the end of February 2024.
- 5.12 Officers are therefore confident that the cost, quality and time elements above and the proposed direct award to Savills (UK) Limited offers the Council the most economically advantageous solution.
- 5.13 The direct award to Savills (UK) Limited, a specialist and experienced surveying company, with the relevant capacity and competency, that has been pre-qualified on the Procurement Hub Strategic Asset Management Services Framework provides the most efficient and compliant route to market .
- 5.14 There is currently a high demand for the services of stock condition and HDR professionals. This generates a further time pressure in gaining the approvals required for a direct award process to be approved so that we can secure the surveying resource and mobilise the survey programmes.

6. Alternatives Options Considered

6.1 Option 1 - Do nothing

This is not considered to be a viable option. The Council's Housing investment programme would not be based on up-to date stock condition information and data, resulting in a potentially insufficient and inefficient allocation of resources, projects and funding which would be to the detriment of the Council's drive to be efficient and meet resident needs.

Up to date information on health and safety hazards would not be systematically and comprehensively collected resulting in residents potentially being putting at risk.

The Council's Climate Change commitments would be compromised due to the lack of up-to-date information on the age and condition profile of housing stock elements.

6.2 Option 2 - Undertake a percentage sample survey of each property type

This is not considered to be a viable option. Stock Condition data on the

Council's HRA stock is not up to date, the majority of Energy Performance Certificates (EPC) are more than two years old, and a minimal amount of data on the Housing Health and Safety Ratings System (HHSRS) is held or up to date.

Carrying out a sample based survey would not provide us with the level of data required either from a health and safety nor asset management perspective.

The Council's housing capital investment programmes would not be based on up-to-date stock condition information and data as only a percentage of the stock would be surveyed.

Additionally, the Council's Climate Change commitments would be compromised due to the lack of up-to-date energy performance and age and condition data.

- 6.3 **Option 3** - Undertake a stock condition survey, targeting up to 80% of Council owned properties, incorporating, energy performance assessments, and housing disrepair surveys (preferred option).

To enable the Council to support its investment decisions every year it is necessary that up-to-date stock condition information on its assets are available. Not having this information would result in failure to address repairs and maintenance that would subsequently lead the need for future property element replacements at a much higher whole asset life cost.

- 6.4 A comprehensive Housing Stock Condition Survey is needed now that the housing stock has returned from Lewisham Homes back into the Council, and is needed to rectify insufficient stock data to enable accurate planning and forecasting.
- 6.5 Option 3 is the preferred option combined with the procurement route set out below, which sets out an analysis of the procurement options and the reasons for the preferred option summarised below.
- 6.6 The recommended procurement route to market is to use a compliant framework, Procurement Hub's Strategic Asset Management Services framework, Lot 6 (Multi-Discipline), and to conduct a direct award to Savills (UK) Limited. This will provide the quickest means to appoint a qualified and suitably experienced supplier consistent with the achievement of value-for-money (vfm).
- 6.7 The framework contains a Schedule of Rates (SOR) that was submitted and evaluated as part of the pricing criteria, alongside the quality criteria. The total contract value of £2,925,000 has been drawn up from the framework SOR and

is costed as per the table below.

Item	Up to Quantity	Unit Cost	Total
Stock Condition Surveys (5,000 +)	14,000	£ 150	£ 2,100,000
Energy Performance Certificates	14,000	£ 50	£ 700,000
Decency Assessment and Housing Disrepair	500	£ 150	£ 75,000
Asset Management and Investment Plans	1	£ 50,000	£ 50,000
			£ 2,925,000

7. Procurement Options Considered – Route to Market

- 7.1 Corporate Procurement have been consulted in the procurement options and support the direct award process through the Procurement Hub framework "Strategic Asset Management Services" Lot 6 (Multi-discipline).
- 7.2 The Procurement Hub Strategic Asset Management Services Framework Lot 6 (Multi-discipline) is the recommended route to market as Lot 6 of the framework includes all the services required by the Council as well as options for comprehensive asset management services. The framework allows for a direct award option. Savills (UK) Limited is the only compliant supplier within Lot 6.
- 7.3 The option to bring this contract in-house was considered however, it is not a viable option. To bring in-house would increase the value of the exercise due to increased staff and infrastructure costs and recruitment of sufficiently qualified and experienced surveyors would lengthen the overall project delivery time. This option is not recommended.
- 7.4 In light of time constraints an open/restricted procurement route is not recommended, considering the backlog volume of disrepairs and the urgency of the work.
- 7.5 Procurement Officers have reviewed frameworks available in the market and are satisfied that only the Procurement Hub framework is most suitable given the wide range of scope available in Lot 6.
- 7.6 The volume and cost of the HDR claims, means that a delay in the process will lead to further legal and compensation costs as cases cannot be closed out.

8. Financial implications

- 8.1 This report seeks approval for the procurement and subsequent award of a contract to undertake a stock condition survey, targeting up to 80% of the Council's housing stock.

- 8.2 A full stock condition survey is considered necessary for short to medium term financial planning purposes.
- 8.3 The result of the survey will be used to inform future business plans and to formulate a more accurate Capital Programme and budget.
- 8.4 The Stock Condition Survey will provide a sound baseline position for future years HRA budget and a high level of confidence in the future allocation of investment across the council's stock.
- 8.5 The cost of this contract has a maximum value of £2,925,000 all projected expenditure will be contained within the 2024/25 HRA budget.

9. Legal implications

- 9.1 The Council has sufficient powers to award the contract as proposed in this report and the award of contract will assist the Council to meet its statutory landlord obligations.
- 9.2 The award of contract must comply with the Council's Contract Procedure Rules contained in its constitution and, given the potential value of the contract, the Public Contracts Regulations 2015. Both permit the use of frameworks provided the terms of the framework agreement are complied with. The proposed framework permits a direct award procedure in limited circumstances and provided the contract is entered to on the framework terms and in accordance with the charging schedule set out in the framework a direct award will be permitted in this case.
- 9.3 Public law principles apply to the decisions made by the Council in relation to the award of the contract recommended in this report, including the Council's duty to take account of its fiduciary duty to act prudently with public monies entrusted to it. This duty applies notwithstanding any urgency. Mayor and Cabinet must therefore be satisfied that entry into the contract on the terms proposed presents value for money. In this case, the chosen provider is the only provider on the framework Lot 6 and officers have confirmed that no separate benchmarking has been done to confirm the competitiveness of the framework pricing. However, officers have set out in this report the advantages of entering into the contract at speed and confirm that they are satisfied that the chosen provider has the necessary skills, experience and expertise to deliver the contract, which will lead to future savings for the Council.
- 9.4 Any contract entered into pursuant to recommendations contained in this report must be approved in advance of commencement by Legal Services on behalf of the Director of Law and Corporate Governance.

10. Risk Implications

10.1 Key risks are contained in the table below.

Risk	Mitigation
LBL will fail to meet the Social Housing Regulators New Consumer Standard on Safety and Quality	Have clear and transparent investment programmes that are based upon accurate data.
We do not understand the condition of customers homes leading to inefficient planning and delivery of works and unsatisfactory services for residents.	Improve our knowledge, information and management by undertaking a full condition survey of our customer's homes.
Investment programmes not prioritised to meet LBL Strategy and customer priorities.	Data led decision making informing strategy, procurement and investment priorities.
Although our target is 80%, access to properties continues to be a significant challenge.	The appointed delivery partner will follow all processes, engage Housing Management teams to ensure maximum access is gained. A decision will be made on cost versus value for any properties that not been accessed through the normal process.
We do not have sufficient resource to carry out HDR Surveys to instruct Contractors to rectify, therefore leading to increased legal costs and potential sanctions from the Regulator or Housing Ombudsman	Embed HDR surveys into the SCS programme to improve visibility of works and costs, reducing legal and compensation costs, whilst improving customer experience.

11. Equalities implications

11.1 The Council's Single Equality Framework for 2020-24 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.

11.2 Vulnerable residents e.g. older people, disabled people and children are likely to be more impacted on by the physical environment of their homes. Greater accuracy of the improvements required to their homes will provide safer homes and sustainable homes.

- 11.3 A significant proportion of our residents have a first language other than English or do not have a household member who speaks/reads English. Therefore our communications need to take account of this.
- 11.4 The maximum time in a tenant's property will be 60 minutes and we will ensure that considerations are made for those residents that require additional support or provision when the surveyors are present. This may include:
Appointment scheduling when their support member or group are available.
Working with Housing Management to ensure support processes are followed for all vulnerable residents.
Communal briefings and resident liaison for the purpose of the surveys and works being conducted to ensure understanding.
- 11.5 Ensuring a process is in place for immediate feedback from surveyors to Housing Management and Repairs Service should any HHSRS or other risks be identified as affecting vulnerable residents.

12. Climate change and environmental implications

- 12.1 The UK Government has set a target for social housing providers to attain the minimum rating of Energy Performance Certificate (EPC) C for rented properties by 2030. To be in a more robust position towards achieving this target it is imperative that the Council's baseline position is as accurate as possible and therefore the stock condition survey includes the required information necessary to produce EPC certificates to validate the current baseline position.
- 12.2 The survey will support the Council's Climate Change commitments by ensuring the latest information on the age and condition profile of housing stock elements are fully up to date.
- 12.3 The stock condition survey will further develop evidence-based practice and targeted energy efficiency work in those properties with low Energy Performance Certificate (EPC) ratings.

13. Crime and disorder implications

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

14. Health and wellbeing implications

- 14.1 The survey outputs will assist the Council in ensuring that the housing stock meets the current statutory minimum standard for housing, is in a reasonable

state of repair, has modern facilities and services and provides a reasonable degree of thermal comfort.

- 14.2 Data captured from the survey will identify priority housing health and safety hazards and inform future HRA capital and planned maintenance preventative programmes.
- 14.3 The HDR survey programme will provide improved visibility of works to be instructed, ensuring that we address the tenants needs to decency in their home.

15. Social Value implications

- 15.1 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.
- 15.2 The London Borough of Lewisham Social Value Policy for Procurement sets out the legal and strategic and policy context for social value and the approach the London Borough of Lewisham (LBL) will adopt to deliver social value through commissioning and procurement activities.
- 15.3 Social value refers to extra economic, social or environmental benefits that can be attached to a contract. It is about ensuring that for every pound the London Borough of Lewisham spends, as much value as possible is achieved for local people.
- 15.4 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. 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.
- 15.5 The successful provider will be expected to submit a Social Value Action Plan to demonstrate their commitment to Social Value through the delivery of the programme.

16. Background papers

- 16.1 None

17. Glossary

17.1 None

18. Report author(s) and contact

- 18.1 Yogesh Vadgama
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(Legal Implications)
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19. Appendices

19.1 None


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	24 January 2024	
Title of Report	Permission to establish a Dynamic Procurement System Framework for the provision of taxi and minibus services	
Author	Paul Creech, CYP Senior Joint Commissioner	Ext. 47266

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	
Agenda Planning Group consideration	X	

Signed: 
 Cabinet Member for Children and Young People and Community Safety
 Date: 11.01.24

Signed: 
 Executive Director for Children, Young People
 Date: 11.01.24

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 Establish a Dynamic Purchasing System (DPS) for Taxis and Minibus Travel Assistance

Date: 24th January 2024

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: CYP Senior Joint Commissioner, Head of Service for CYP Joint Commissioning, IT Procurement, Finance and Legal.

Outline and recommendations

Lewisham Council has procured taxi and minibus travel assistance via a Dynamic Purchasing System (“DPS”) since 2017 to meet its duties to provide travel assistance to eligible children and young people and to safely transport children within its care. In addition, staff performing their duties may, at times, require taxi transportation. The existing DPS used to procure taxi and minibus travel assistance is coming to an end and therefore needs to be reprocured to avoid disruption to vulnerable children and young people, as well as general service disruption across the Council. It is recommended that Lewisham Council continues to operate a DPS, and this report sets out the recommendations to approve and establish a new DPS from 1 April 2024 for two years with the option to extend for a further four years.

Lewisham Council has used the Access Adam Care Commissioning Transport System since April 2017 to operate a DPS. The software procures, quality assures, and processes invoice payments for travel assistance services. It is recommended that Lewisham Council continues to use this multifunctional software from 1 April 2024 for two years with the option to extend for a further four years.

Mayor and Cabinet are recommended to:

1. Approve the establishment of a Dynamic Purchasing System (“DPS”) for taxi and minibus travel assistance for two years, with the option to extend for up to a further four years up to a maximum value of £38.4m over the lifetime of the DPS (six years).
2. Approve the admission of the preferred providers onto the DPS, provided that they meet the selection and award criteria for admission as set out in the tender documents.
3. Delegate authority to Executive Director for Children and Young People (in consultation with the Director of Law and Corporate Governance to select the

preferred providers in accordance with the selection and award criteria published in the tender documentation.

4. Approve an extension of up to 10 months until 31st March 2024 of the current DPS at cost of £4.5m.
5. Approve the award of contract from the YPO single supplier framework to Access Adam Care Commissioning for the DPS software licence, which provides the multifunctional platform and support functions needed to operate the DPS. The contract length will be for two years from 1 April 2024 with the option to extend for a further four years. The total value of the contract is £338.8k.

Timeline of engagement and decision-making

- February 2017, Mayor and Cabinet approved the establishment and use of the current framework via a DPS to procure transport and travel assistance for the Children and Young People Directorate and the Community Services Directorate for a period of up to six years (2+2+2).
- Contract extensions executed under the terms of the agreement in 2020 and 2021 until 31 May 2023.
- October 2023 - Adam DPS Software extended under Executive Decision covering 1 April 2023 – 31 March 2024.

1. Summary

- 1.1. This report seeks the approval from Mayor and Cabinet to approve the establishment and usage of a Dynamic Purchasing System (“DPS”) to procure taxi and minibus travel assistance for eligible children and young people. The DPS will be for two-years, with the option to extend for a further four years (six years in total), at Lewisham Council’s discretion. The estimated value of the demand-led services procure through the DPS is approximately £38.4m over the lifetime of the DPS, which incorporates an annual increase of up to 5% to accommodate inflationary cost increases and anticipated impact of service demand over the lifetime of the contract. There is no minimum level of expenditure within the DPS.
- 1.2. The DPS for taxi and minibus travel assistance will be used primarily by the Children and Young People’s Directorate to transport eligible children with Special Educational Needs and/or Disabilities (“SEND”) to their allocated education settings, with or without passenger assistants (depending on individual need). The current DPS procures travel assistance services for over 490 journeys a week (March 2023) across 26 providers and 194 locations.
- 1.3. To undertake the procurement and establish a new DPS, an extension of the existing DPS for taxi and minibus travel assistance of up to 10 months is required. The original DPS began in 2017 for four years with the option to extend for a further two years. The value of the extension is estimated to be £4.5m for the 10 month period to 31st March 2024.
- 1.4. The report also recommends Lewisham Council procures a two-year software licence for the DPS with the option to extend for a further four years. Lewisham Council has used the Access Adam Care Commissioning Transport System since April 2017 to provide a DPS to procure, quality assure, and process invoice payments for passenger transport services. Currently there are no other alternative multifunctional software platforms that meet Lewisham Council’s needs. The recommendation to continue using the multifunctional software will avoid serve disruption.
- 1.5. The current Access Adam Care Commissioning software licence will expire on 31 March 2024. A new licence will be in place from 1 April 2024.

2. Recommendations

- 2.1. Mayor and Cabinet are recommended to:
 - 2.1.1. Approve the establishment of a Dynamic Purchasing System (“DPS”) for taxi and minibus travel assistance for two years, with the option to extend for up to a further four years at a total cost of approximately £38.4m over the lifetime of the contract (six years).
 - 2.1.2. Approve the admission of the preferred providers onto the DPS, provided that they meet the selection and award criteria for admission as set out in

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the tender documents.

- 2.1.3. Delegate authority to Executive Director for Children and Young People in consultation with the Director of Law and Corporate Governance to select the preferred providers in accordance with the selection and award criteria published in the tender documentation.
- 2.1.4. Approve an extension of up to 10 months until 31st March 2024 of the existing DPS for taxi and minibus travel assistance at cost of £4.5m, whilst a new DPS is established.
- 2.1.5. Approve the award of contract from the YPO single supplier framework to Access Adam Care Commissioning for the DPS software licence, which provides the multifunctional platform and support functions needed to operate the DPS. The contract length will be for two years from 1 April 2024 with the option to extend for a further four years. The total value of the contract is £338.8k.

3. Policy Context

- 3.1. This report aligns with Lewisham's Corporate Priorities, as set out in the Council's Corporate Strategy (2022-2026):
 - Cleaner and Greener
 - Supporting the Council's aims to be a cleaner and greener borough for our residents.
 - A Strong Local Economy
 - Quality Housing
 - Children and Young People
 - Support schools to improve and increase opportunities for young people.
 - Focus on pupil achievement, working with our schools and communities to build on our inclusive and high-achieving system of local comprehensive schools.
 - Safer Communities
 - Open Lewisham
 - Health and Wellbeing
- 3.2. Section 509(1) of the Education Act 1996 requires a Local Authority to decide whether it needs to make arrangements for provision of transport for each pupil with an Education, Health and Care Plan ("EHCP") who has been assessed as eligible. If a Local Authority decides that transport is necessary, then it must decide what form of travel assistance is suitable and organise it free of charge. Transport is provided for children, to and from school or other educational establishment, or where transport has been authorised on medical grounds/social need both within and outside the borough.
- 3.3. Lewisham Council has a duty under the Children Act 1989 (amended in 2004) (including all associated Regulations and Guidance) and the Care Standards Act

2000 to safeguard and promote the welfare of children. From time-to-time taxi services are required for Social Work staff and/or a child or young person to fulfil this duty.

4. Background

- 4.1. The Council has operated a DPS for taxi and minibus travel assistance services since April 2017. Based on the figures from September 2023, the annual projected estimated spend via the DPS is £5.38m. As this is a demand-led service, it is expected to rise in line with the borough's growing numbers of additional special educational needs and disability places in schools and inflation. To mitigate this the Council will continue to review how travel assistance is provided and maximise efficiencies. The DPS is provided alongside Lewisham Council's in-house passenger transport service and used where the in-house service does not have capacity, or the routes procured would not be economically viable. As such there is no agreed minimum level of expenditure within the DPS giving the council flexibility to utilise the most cost effective transport at all times.
- 4.2. The current DPS for transport assistance supports 535 children and young people attend schools and colleges in Lewisham and outside of the borough. This amounts to 494 journeys a week to 149 different locations and 194 individual contracts with 26 providers. A breakdown of the number of children and young people attending each school can be found in Appendix A; and a breakdown of the distribution of passengers across the transport providers can be found in Appendix B. The table below sets out the numbers of young people using travel assistance, including the DPS compared to the total number of children and young people receiving an EHCP.

	2018	2019	2020	2021	2022	2023
Number of CYP (0-25) with an EHCP	2261	2561	2927	3199	3238	3512
Total number receiving Travel Assistance	720	778	852	914	909	1002
Percentage of C&YP with EHC Plans receiving Travel Assistance	32%	30%	29%	29%	28%	29%
Number receiving Travel Assistance using DPS	310	358	473	495	488	535
Percentage of C&YP with EHC Plans receiving Travel Assistance via DPS	14%	14%	16%	15%	15%	15%

- 4.3. The Council currently uses the Access Adam Care Commissioning software and functionality to facilitate the following functions as part of the DPS:

- market management and development.

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- procuring individual taxi routes.
 - award and publishing of contracts.
 - invoicing and supplier payment.
 - contract management.
 - reporting and analytical support.
 - account management and system support.
 - supplier quality assurance checks.
- 4.4. The software and the functionality are critical to the smooth operating of the transport travel assistance DPS, the supply chain management, quality assurance, and Lewisham Council's ability to procure taxi and minibus travel assistance via a legally compliant process and at competitive rates.
- 4.5. Since establishing the DPS and using the Access Adam Care Commissioning software the benefits have been:
- A reduction in individual cost per requirement versus pre-DPS. Job requirements via the DPS are on average 10-14% lower compared to previous baseline figures for each vehicle type, which has led to efficiencies and better overall financial management against a demand-led budget.
 - Developed the market and enabled a broad and vibrant supplier market. The supply base has more than doubled, including the top two suppliers coming from new entries to the supply base.
 - Increased transparency amongst suppliers. Policy enforcement on all activity with a transparent audit trail of decisions made.
 - Increased engagement with SMEs.
 - Significant internal staff efficiencies delivered in processing invoices and improved cash flow for suppliers; 550 invoices per month have been reduced to a single consolidated invoice.
 - Improved suppliers' satisfaction, as many of the suppliers are SMEs, they are reliant on the cash flow and prior to Access Adam Care Commissioning payments were delayed in getting paid, which had an impact on our supplier numbers.
 - Cost avoidance by ensuring accurate commissioning (to reflect the individual need), limiting the premium charged on spot purchases and facilitating competition.
 - Delivery of a consistent quality-focussed commissioning and contract management approach to benchmark and improve lasting quality.
 - Detailed and real-time reporting on all areas of activity (including spend, market sustainability, financial analysis).
- 4.6. On the basis that a new DPS is established, Lewisham Council will continue to develop the DPS to improve delivery and maximise efficiencies, including:
- Implementing a method of tracking for suppliers within Sproc.Net (supplier portal).
 - Introducing Experian checks for suppliers and other supporting approaches towards market sustainability.
 - Introducing annual re-engagement of suppliers as part of an effective

- summer tendering process.
- Redesigning the Access Adam Care Commissioning Supplier Relationship Management module to improve its usage towards contract management.
- Review the social value aspect of the framework to identify what the service providers can continue to contribute towards Lewisham Council's social value goals.

5. Procurement Strategy, Proposal, and Rationale

Rationale to continue using a DPS

- 5.1. Consideration was given to bringing this service in-house. The resources required if this service were to be insourced would be considerable, requiring an increase in the number of staff required in the Travel Assistance Coordination Team to undertake all the activity the software supports. In 2017 when the DPS was originally introduced there were 508 young people requiring travel assistance, with 310 using travel procured via the DPS. As of August 2023, the number of young people requiring travel assistance was 1002 with 535 using travel sourced via the DPS.
- 5.2. In addition, the taxi and minibus travel assistance currently procured through the DPS would be unsuitable or economically unviable for the Council's in-house passenger transport services provided by the Lewisham Passenger Services (LPS) team. Currently LPS can support up to 400 children and young people within their service, which is below the current demand levels for travel assistance required.
- 5.3. The risk associated with moving to a manual system of allocating transport would be considerable, as Lewisham Council does not have a software solution which can track all the transport allocations for vulnerable children effectively if the current processes were to be removed. When this activity was undertaken by the Travel Assistance Coordination Team the number of children and young people receiving travel assistance via the DPS was significantly lower and more manageable. Without the DPS to manage the process there would be a shortfall in the transport allocations in time for the start of the academic year, leaving vulnerable children without the ability to attend school on time.
- 5.4. Allocating transport manually in-house was considered, along with other options which can be found in Section 6 for full details.

How the Dynamic Procurement System will work

- 5.5. A DPS is similar to a framework, which is used to procure services from a list of pre-approved suppliers, with agreed terms and conditions and legal protections. It includes a template contract with many already-agreed elements that all suppliers sign up to when bidding to join. A DPS differs from a traditional "closed" framework in that it allows suppliers to apply to join at any time over its proposed term, subject to satisfying Lewisham Council's selection criteria, which will set certain entry standards. The selection criteria will include confirmation that the organisation has a valid Passenger Hire Operators License, have valid insurance, adequate safeguarding policies and that all drivers and attendants have the required licenses, relevant qualifications and DBS checks in place. As the taxi

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provider market can change rapidly, the DPS's 'always open' method is preferable to a traditional 'closed' framework or approved provider list.

5.6. The Access Adam Care Commissioning software manages all the aspects of the DPS as outlined below:

- 1) The software platform is a portal for the "on-boarding" process where new suppliers are added to the provider list. The Transport Assistance Coordination Team review new provider's applications to ensure they have met the selection criteria and are able to offer the services required. Successful companies are invited to bid for transport routes ("requirements") as they arise.
- 2) When a young person requires travel assistance to an education establishment, and they cannot be accommodated by LPS, their journey from home to the establishment and back is added to the DPS in the form of a tender for a route. These routes are sent to all providers on the DPS, with a specified timeframe to submit a bid. Once the bidding window is closed the DPS ranks the submitted bids according to value for the Coordination Team to review and appoint a successful bid. The DPS communicates the outcome of this to all bidders once the provider is appointed.
- 3) The successful bidder is offered a contract for the route, which is managed and stored in the DPS. A person can be added to an existing contract if the provider is already offering travel for other young people attending the same establishment. The DPS keeps a record of all job requirements and the associated contracts for their transport.
- 4) The DPS records the costs for all contracts and raises invoices for each of the providers based on the live contracts they hold with the Council on a monthly basis. The invoice processing functionality significantly reduces administration time and resource and is accurate, reducing the chance of overpayments.

5.7. DPS benefits include:

- new entrants to the market being able to apply at any stage.
- simple methodology of approving new service providers means a short timeframe for evaluation and approval onto the DPS.
- continuing price pressure through increased competition whilst services are improved through performance measures.
- compliant with the Public Procurement Regulations 2015 and complies with good procurement practice.
- swift processing of supplier invoices via the system leading to quicker payments.
- a reduction in school journey cost which are on average 10-14% lower compared to figures before the implementation of the DPS. While the overall budget for travel assistance has increased in line with demand the use of the DPS has helped mitigate the overall cost increases and provided better overall financial management of the demand-led budget.

5.8. The DPS for taxi and minibus travel assistance aims to provide a safe, sensitive, and reliable transport service to meet the needs of all passengers. This is achieved through:

Safe – The safety of each passenger is the most important element of the DPS.

It should be evident that in every aspect of the service including staff employment and training, operational processes, and vehicle (and associated equipment such as Wheelchair restraints and car seats) procurement and maintenance. Where secure transport is provided the vehicle must meet the required standards.

Sensitive – Providers and their staff must maintain a very high level of customer service and understanding of the needs of the passenger groups. Staff turnover and variations in their schedules should be minimised to relieve or prevent anxiety amongst vulnerable passengers.

Reliability – Vehicles must consistently arrive at the correct collection point and destination point without undue delay and in a timely manner. Vehicles must be maintained in good order to reduce the likelihood of breakdowns and provide a consistent service.

5.9. Service Providers on the DPS will be expected to provide services for the following groups of service users:

- Transport for children attending special schools, specialist units, mainstream schools, and any other educational establishments both within and outside the boundaries of the boroughs. This may be twice daily, or on a regular but less frequent basis, or this service may be required on an ad-hoc basis.
- Transport for children, to and from respite and/or residential placement for children looked after or with supervised contact provision both within and outside the boundaries of the boroughs. This may be daily, or on a regular but less frequent basis, or this service may be required on an ad-hoc basis.
- Transport for children where transport has been authorised on medical grounds or social need, both within and outside the boundaries of the boroughs. This may be daily, or on a regular but less frequent basis, or this service may be required on an ad-hoc basis.

Procurement Timetable

5.10. Timetable for procurement is based on the previous DPS procurement with similar requirements to the original DPS established in 2017. As such the existing providers will be admitted onto the new DPS without the need be re-apply. This will allow for current contracts on the DPS to continue without interruption, providing consistency of service. Once the new DPS is established it will be open for new contracts and providers to join.

Activity	Date
Mayor & Cabinet approval to establish DPS	24 January 2024
DPS open for new suppliers to join (post call-in)	14 February 2024
Report (Executive Director) for new suppliers to be admitted onto the DPS	21 February 2024
DPS live	1 April 2024

Procuring Access Adam Care Commissioning Software

5.11. Lewisham Council can access the Yorkshire Purchasing Organisation’s (YPO) framework for dynamic purchasing systems to procure the Access Adam Care Commissioning software, which is a legally compliant route to procure the

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software.

- 5.12. The YPO framework allows a route to procurement without requiring the Council to engage directly with the market and as a single supplier framework the YPO manages the due diligence required the procurement. It provides more effective pricing compared to the catalogue approach for similar software products used by the Crown Commercial Services (CCS) G-Cloud procurement framework. This provides approximately 5% savings in contract costs by using the YPO compared to the CCS framework.
- 5.13. Should agreement be given to procure the Access Adam Care Commissioning software Lewisham Council will instruct YPO to initiate the call off from the framework (reference number 1017: Health and Social Care Commissioning Solutions). The contract includes a 5% annual uplift in costs over the 6 year contract life, below the current level of inflation. The uplift has been included in the overall annual costs of the contract as outlined in the table in section 7 below. The Council will then directly award the contract to Access using the YPO's "Order Form" and complete the "Confirmation of Award" notice for the YPO's records. A copy of the framework notice and call-off form is included within this report – Appendix C.
- 5.14. As Lewisham Council already operates the software there is no requirement to set up or implement new processes. The new licence will enable Lewisham Council to continue 'as is' without severe disruption if the licence is not procured and the system is no longer available to Lewisham Council.

6. Alternative Options Considered

- 6.1. The following options were considered and are not recommended:

Do nothing – The Council has a statutory duty to provide home to school travel for eligible children and young people. The internal passenger transport service is unable to assume the current routes procured through the existing DPS. Without a framework or Approved Provider List in place, the Council would need to spot-purchase taxi and passenger transport services. This would not be compliant with the Council's Contract Procedure Rules and would reduce competition between suppliers, which would increase the overall spend.

In-house – A DPS was put in place in 2017 as a direct response to unmet need and the often-short notice requirements for taxi and passenger transport services, which require a flexible procurement approach. Often job requirements are economically unviable for the in-house service (i.e., a single child on the route or specific needs). The in-house service is the first consideration for minibuss routes before going out to 'tender' if the in-house service is unable to provide the route.

Framework Agreement – A framework agreement is closed for the lifetime of the contract term and over a six-year period there is a high risk of significantly fewer providers remaining, which reduces competition. This is because providers of taxi and passenger transport services enter and exit the marketplace on a regular basis and cannot be admitted (readmitted) to the framework. Furthermore,

separate arrangements for processing invoices and checking supplier credential would need to be implemented, increasing costs and administration functions for the Council.

Other DPS Solutions – Access are the only provider on the Yorkshire Procurement Organisation currently offering a DPS solution for commissioning specifically for health and social care. The existing software platform has demonstrated its ability to be used within the Lewisham IT environment and has a proven track record of stability and accessibility necessary to support the Council to discharge its statutory duties. Whilst there are other DPS solutions available in the market, YPO provides the Council with the option to directly award the contract to Access.

Manual Travel Assistance Allocations – The DPS system was implemented in 2017 to alleviate the need for manual allocations of children and young people on transport routes by the Travel Assistance Coordination Team. The Access system also undertakes the financial and contract management of the routes which were a significant part of the teams activity. To reintroduce this activity as a function of the Coordination team would require the recruitment of additional staff to effectively implement a similar service. Using Access DPS to support travel allocations and finance management of travel assistance represents value for money when compared to recruiting additional staff to carry out the same activity.

7. Financial Information

- 7.1. The table below outlines the current anticipated demand-led expenditure over the lifetime of the DPS (six years) based on a forecasted increased in demand and costs. The anticipated expenditure includes a 5% annual increase. This is not the actual value of the expenditure that will be procured via DPS, as it is demand led, but the amount anticipated based on current demand, expected growth and external factors impacting on fuel and vehicle costs. The service has the flexibility to arrange suitable travel assistance between LPS and the DPS as demand requires to meet the Council’s Statutory Duty and as such there is no minimum level of expenditure required within the DPS.
- 7.2. Transport and the provision of travel assistance to children and young people to education settings is also reviewed in the wider context of the DfE’s Delivering Better Value (DBV) programme, which Lewisham Council is participating in. The aim of the wider DBV programme, which is currently applied to 55 LAs across the country, is to manage allocated high needs budgets, and work towards a sustainable model of delivery in a demand led environment. The DBV team have agreed to also offer a review of the current transport offer to assist the LA with identifying potential efficiencies related to Lewisham’s Travel Assistance offer and identify how it can be delivered more effectively.

DPS Framework	2024/25 (£'000)	2025/26 (£'000)	2026/27 (£'000)	2027/28 (£'000)	2028/29 (£'000)	2029/30 (£'000)	Total over the period (£'000)

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CYP Travel Assistance	£5,649	£5,932	£6,229	£6,540	£6,867	£7,210	£38,427
DPS Software License Costs (£)	£49.8	£52.3	£54.9	£57.6	£60.5	£63.7	£339
Total Framework	£5,699	£5,984	£6,284	£6,598	£6,928	£7,274	£38,766

8. Finance Implications

- 8.1. The costs incurred transporting children to school in 2023/24 are captured within the council's overall financial monitoring report, with costs exceeding the budget by £2.3m. Therefore, the cost of the extension to the current DPS are reflected within the latest budget monitoring position. The 23/24 budget shortfall is being addressed as part of budget setting for 2024/25 however the service will need to seek to find the most cost effective solution to enable them to manage within the revised budget envelope for 2024/25 and future years.
- 8.2. The home to school transport costs for 2024/25 have been estimated based on an inflationary increase of 5% per annum, considering the impact of additional demand and increased unit costs over the potential life of the framework (up to 6 years). The annual costs will be dependent on demand and travel costs. There is no minimum level of activity within the DPS allowing the service the flexibility to find the most cost-effective travel solution utilising both internal and external transport services.
- 8.3. In 2024/25, the cost of the licences for the DPS are £50k with a projected level of transport expenditure through the DPS of £5.6m, these will need to be managed within the revised budget envelope set as part of the MTFS, with options consider to reduce costs and manage demand to ensure this is achieved.

9. Legal implications

Approval to Procure the DPS

- 9.1. The report seeks approval to procure a Dynamic Purchasing System (DPS) for the provision of transport and passenger services. Given the potential spend under the DPS (at a length of 6 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 options.
- 9.2. Assuming that Mayor and Cabinet accepts the recommendation to procure a DPS, 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 procedure set out in this report. As a Category A contract, it would be for Mayor and Cabinet to take a decision on the admission of service

providers on to the DPS. 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 admit service providers onto the DPS

- 9.3. This report proposes that Mayor and Cabinet approve the admission of service providers on to the DPS. This report further proposes that Mayor and Cabinet instruct the Executive Director for Children and Young People and the Head of Service for Integrated Services SEND (in consultation with the Director of Law and Corporate Governance) to give effect to this decision by applying the selection criteria to determine and enter into the DPS with the preferred service providers.
- 9.4. The decision to award to the DPS 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.
- 9.5. Provided that the final contract value is 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 Executive Director for Children and Young People and 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 providers selected, and officers from Legal Services should be consulted as necessary throughout the selection and award process.

Procurement and award of Contract to Access Adam Care Commissioning

- 9.6. The Council’s Constitution contains requirements about how to procure and manage contracts. These are in the Contract Procedure Rules (Constitution Part IV). Some of the requirements in those Rules are based on the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc) (EU Exit) Regulations (“the Regulations”) with which the Council must comply. Given the value of the contract the Regulations apply.
- 9.7. The report proposes the establishment of a contract for 2 years with an option to extend for up to a further 4 years. The potential value of the contract including the extension is below £500,000, which means that this is a Category B contract for the purposes of the Council’s Contract Procedure Rules.
- 9.8. This contract has been procured via the YPO single supplier framework agreement. A third party framework agreement may be used provided that the framework agreement was procured in compliance with the Public Contracts Regulations 2015 and the Council is named to use it. The framework agreement meets both of these criteria.

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- 9.9. The report explains the process applied to the procurement under the framework agreement and the reasons for recommending Access Adam.

Extension of current DPS

- 9.10. A recommendation in this report is to extend the current DPS for a period of 10 months to allow time for the procurement of a new DPS.
- 9.11. The Council is obliged to comply with the Public Contracts Regulations 2015 (Regulations). 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 variation to the DPS for 10 months is proposed.
- 9.12. 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 change is allowable under the Council's Contract Procedure Rules paragraph 17.

10. Equalities implications

- 10.1. There are no equalities adverse implications arising from the establishment of the DPS. The DPS contributes to Lewisham Council's equalities outcomes by facilitating the provision of transport for children and young people who have SEND and require support with travel to their educational setting.
- 10.2. The DPS demonstrates Lewisham Council's commitment to the social model of disability, where disability is recognised because of social organisation and infrastructure, rather than as the result of a person's differences. The DPS plays an important role in removing barriers that would otherwise restrict the life choices of young people with disabilities; and enables them to engage positively with education, maximising their life opportunities.

11. Climate change and environmental implications

- 11.1. Lewisham Council has made a commitment to making the borough carbon neutral by 2030.
- 11.2. Suppliers operating via the DPS will be expected to comply with Lewisham Council's Environmental and Climate Change requirements, to minimise the environmental impact of the service.
- 11.3. There are no climate change implications from the DPS itself. The ability to

dynamically procure transport routes via the DPS helps to reduce the number of overall routes (mainly home to school routes) and therefore reduces the carbon impact.

- 11.4. The requirements within the service specification stipulate that suppliers use low emission or electric vehicles as standard. The DPS is dynamic in nature and will support the implementation of any potential changes in legislations in respect of emissions.
- 11.5. Furthermore, the service specific requires suppliers to operate vehicles that are ULEZ compliant.

12. Crime and disorder implications

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

13. Health and wellbeing implications

- 13.1. Attending school plays a significant role in promoting the development and mental wellbeing for children and young people. This software enables children and young people to attend school who might otherwise find it difficult due to nature of their disability and their ability to travel to school safely.
- 13.2. This DPS plays a significant part in providing children and young people with the ability to attend their educational settings.

14. Social Value implications

- 14.1. The supplier will be asked to deliver social value over the lifetime of the contract, and this will be followed up at contract management meetings. Further discussions are taking place with the Supplier to agree what social value can be provided specific to Lewisham resident's needs.
- 14.2. 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.
- 14.3. Lewisham Council is an accredited London Living Wage (LLW) Employer and is committed to ensuring that, where appropriate, contractors and subcontractors engaged by Lewisham Council to provide works or service 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.

15. Background papers

Mayor & Cabinet (Contracts) - Wednesday, 19th April 2017

<https://councilmeetings.lewisham.gov.uk/ieDecisionDetails.aspx?ID=3388>

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16. Glossary

[Link to Oxford English Dictionary here.](#)

Term	Definition
Dynamic Purchasing System	It is an electronic system which suppliers can join at any time. An 'open market' solution, a DPS is designed to give the council access to a pool of pre-qualified suppliers, who have passed pre-arranged checks, based on a range of criteria and create a shortlist to invite to their further competition.
EHCP – Education Health and Care Plan	An Education, Health and Care plan ('EHC plan') is a legal document. It sets out a child / young person's special educational needs, the special educational provision they need, and the outcomes to be achieved via statutory support granted . It covers C&YP 0-25 as long as a CYP has education and training outcomes to achieve and stays in education or training.

17. Report author(s) and contact

Report Author: Paul Creech, 47266, Paul.Creech@lewisham.gov.uk

Comments for and on behalf of Financial Services: Nick Penny, 49092, Nick.Penny@lewisham.gov.uk

Comments for and on behalf of the Director of Law and Corporate Governance: Mia Agnew, 47546, Mia.Agnew@lewisham.gov.uk

18. Appendices

Appendix A – Breakdown of DPS contract and passengers

Appendix B – Schools and passengers

Appendix C - YPO Call-off for Access Adam Care Commissioning software

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Appendix A – Breakdown of DPS contract and passengers

Transport Provider	Passengers
Abacus Mobility Ltd	98
Peoples Choice Transport Ltd	56
LBC Downtown	55
Pro Auto Carriage Service	48
Health Care and Transport Services	44
Excel Passenger Services	40
Data Swift (South East) Ltd	32
Transport For School Ltd	24
Clover Cars	22
London Hire Community Services Ltd	22
Cascade Cars	15
IIM Transport Ltd	15
Croydon Private Hire Ltd	14
PG Passenger Services	8
Terago Ltd	8
Clockhouse Cars	7
Ladybirds 1991 Ltd	6
Shine Transport Ltd	5
Abbey Wood Station Minicabs Ltd	3
Ga'al Transport Ltd	3
SNA Transport	3
London Cars	2
T and T Cars	2
Airport Transfer Cars Limited	1
The Keen Group	1
Waterloo Car Hire	1
Grand Total	535

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Appendix B – Schools and passengers

Establishment	Passengers
Watergate School (Ladywell)	24
Lewisham College	23
Bromley College	21
Riverston School	20
New Woodlands School	18
Conisborough College	16
Nash College / Next Steps	15
Orchard Hill College (Lomond)	15
Baston House School	14
Serenity School Eltham	14
Shooters Hill Post-16 Campus	15
Drumbeat Turnham	12
Athelney School	11
The Learning Centre (Bromley Campus)	10
West Heath School	9
Greenvale Mayow Rd	8
Kelvin Grove Primary School	8
Serenity School Eltham Juniors	8
Deptford Green School	7
Drumbeat School	7
Glebe School	7
Addey & Stanhope School	6
Octavia House Vauxhall	6
Brent Knoll School	5
Cressey College Wellhurst	5
Evolve Park Campus Academy	5
Oak Lodge School	5
Parkwood Hall School	5
Prendergast LFC	5
Thomas Tallis	5
Tidemill Primary School	5
Watergate School	5
Bromley Beacon (Bromley campus)	4
Brown's School	4
Drumbeat Post 14 Campus	4
Greenholm formerly Eagle House School	4
Highshore School	4
Newlands Academy	4
Octavia House Walworth	4
The Complete Works (Rotherhithe)	4
Brighter Horizons	3
Cavendish School	3
Cherry Garden School	3

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Marjorie McClure School	3
Orchard Hill (Wandsworth)	3
St Matthew Academy	3
SupaJam	3
The Write Time	3
Beckmead College	3
Blossom House School	2
Blossom House School Euston	2
Capel Manor College	2
Charlton Park Academy	2
Chelsea Hall School	2
Coopers Lane Primary School	2
Cressey College (Birdhurst)	2
Fairley House School	2
Haberdashers' Aske's Knights Academy	2
Harris Academy Beckenham	2
Helen Allison School	2
Holy Trinity C E Primary School	2
Lavender Lodge	2
Limpsfield Grange School	2
Linden Lodge School	2
Meridian High School	2
Moor House School & College	2
Octavia House Kennington	2
Orpington College Of Further Education	2
Park House School	2
Phoenix Place School	2
Riverside St Pauls Cray Site	2
Riverside West Wickham	2
Roots & Shoots College	2
Sedgehill HIU	2
Serenity School	2
Spa School	2
Sunnyhill Primary School	2
The Link Secondary	2
The Moat School	2
The Tutorial Foundation	2
Thorntree Primary School	2
Torridon School (ASD unit)	2
Vanguard School	2
Abbey Manor College	1
Abingdon House School	1
Animal Days Out	1
Ark Globe Academy	1
Aspire Academy	1
Beyond Autism Post-19	1
Bromley Beacon Academy	1

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Broomhill Bank School (North)	1
Canbury School	1
Centre Academy	1
Christ the King: St Marys	1
Churchfields Primary School	1
Clare House Primary School	1
Cleeve Meadow School	1
Colfes School	1
Cressey College Coombe Cliff	1
Cressey College Lockley	1
Cressey College Moorings	1
Cricket Green School	1
Elm Wood School	1
Eltham Hill Technology College For Girls	1
Endeavour Academy	1
Fairley House Junior school	1
Forest Hill Library	1
Forest Hill School	1
Forster Park Primary School	1
Gordonbrock Primary School	1
Greenvale Secondary School	1
Gretton School	1
Hadlow College (Tonbridge)	1
Ian Mikardo School	1
John Ruskin Primary School	1
Kings Oak School	1
Langley Park School For Boys	1
Livity Primary School	1
LSEC Bexley Campus	1
Melrose School	1
Myatt Garden School	1
Notre Dame Roman Catholic Girls' School	1
Orchard Hill College (Carlshalton VPC)	1
Parayhouse School	1
Perrymount Primary School	1
Priory School	1
Richard Cloudsley School	1
Rise Education	1
Rochester Independent College	1
Rockbourne Park	1
Rockbourne Youth Club	1
Roehampton Gate School	1
Rutherford School	1
St Francis Rc Primary School	1
St Michaels Catholic College	1
St Piers School	1
St Thomas More Roman Catholic Comprehensive	1

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Stephen Hawking School	1
Sydenham School	1
The Bridge SEN School	1
The Complete Works (E1)	1
The Complete Works Lewisham Hub	1
The Moat 6th Form Burlington House	1
The New School St Marys Lodge	1
Tram House School	1
Treasure House School CIC	1
Treehouse School	1
Trinity School Lee	1
Welling School	1
White Rocks Farm College	1
Wize-Up	1
Write Trax	1
Grand Total	535

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Appendix C – YPO Call-off for Access Adam Care Commissioning software

Ref No: 1017 Commissioning Solutions
Framework Agreement



About YPO

YPO provides procurement solutions for public sector organisations to set up or renew contracts for a wide range of services. Established in 1974 by a group of 13 local authorities, we're one of the largest public sector buying organisations in the UK and we're still 100% publicly-owned today. We work closely with our suppliers and collaborate with other public sector buying organisations to achieve efficiencies and value for money, returning all our profits back into the heart of the public sector. Our team of qualified procurement professionals can offer advice, guidance and expertise on procurement, as well as regular engagement and communication to make sure your objectives are achieved.

Overview

Start date:	18 July 2020
Expiry date:	17 July 2024
Extension(s) (if applicable):	Not applicable
Contracting authority (CA) call-off period:	CAs can call-off from this framework for contracts up to six years
Contract notice ref. no:	2020/S 115-280719
Potential maximum value:	£200m
Geographical location(s):	National

YPO, 41 Industrial Park, Wakefield, WF2 0XE Tel: 01924 834 834 | Email: socialcare@ypo.co.uk

[ypo.co.uk](https://www.ypo.co.uk)

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CONFIRMATION OF AWARD

Commissioning Solutions, REF NO 1017

TO BE COMPLETED BY THE CUSTOMER: *I confirm the details of the following award of contract under Commissioning Solutions framework agreement, reference number 1017*

Name of Organisation:		
Address:		
Name of person signing this form:		
Signature:		
Date:		
Position:		
Telephone:		
E-mail:		
Description of service procured:		
Value of Award:	£	PER ANNUM / TOTAL <i>(Please delete as appropriate)</i>
Date of Award (or period of award if you are commissioning a service to be provided over a period of time):		
Savings achieved:		
Benefits you gained by using the framework		
Are you happy to be contacted by YPO to discuss your experience of using the Framework? (please tick)	YES	NO

To return this form, please email it to: socialcare@ypo.co.uk

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Commissioning Solutions - Customer Access Agreement

YPO Contract Reference: 001017 - Framework Commences on 18 July 2020 Until 17 July 2024

Please note this can be completed and signed electronically. All sections should be completed.

To be completed by the customer:

On behalf of the organisation detailed below, I acknowledge that all details under the Commissioning Solutions Framework Agreement is at this point considered to be commercially sensitive and could well prejudice the commercial interests of the provider involved if the information were to be made publicly available.

I therefore hereby agree on behalf of the said organisation that we will keep strictly confidential the pricing information supplied to us and will not disclose the same or any part thereof to any other person, organisation or company and shall not make any use of such information or any part thereof for any purposes other than for accessing the framework.

I further agree that access to all such information will be restricted only to those persons reasonably required to know it and that, in any event, our employees, agents, consultants and sub-contractors (if any) are bound to us to hold such information in confidence and to use such information only for the purposes of accessing the framework.

Before conducting any activity under this YPO framework, please complete this form and return it to socialcare@ypo.co.uk

AGREEMENT: I/we confirm that the organisation detailed below may choose to participate in the above mentioned YPO Framework Agreement, and that in doing so will act in accordance with the guidance and instructions set out in the relevant YPO User Guide, and in accordance with the Public Contracts Regulations 2015. I/we confirm that any guidance and/or template documentation provided to me will only be used in relation to this Framework and will only be used for other purposes where prior consent from YPO has been given. I/we also confirm that in consideration of YPO acting in this capacity I/we authorise YPO to make such arrangements with its' suppliers relating to rebates on Goods, Services and/or Works (and to make enquiries in relation thereto) as it considers necessary in order to recover its operating costs.

Name of Contact Person:			
Job Title:			
Name of Organisation:			
Telephone:			
E-mail:			
Direct Award or Further Competition:			
Estimated Annual Spend:			
Estimated Contract Start Date:		Est. Contract Duration:	
Signature:		Signature Date:	

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Agenda Item 8

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

Date of Meeting	24 January 2024	
Title of Report	Determined Admissions Arrangements for 2025/26.	
Author	Christine Tarrant	Ext. 46211

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

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

Signed: 

Councillor Chris Barnham, Cabinet Member for Children and Young People

Date: 15/01/2024

Signed: 

Angela Scattergood (Acting), Executive Director for Children and Young People

Date: 12th January 2024



Mayor and Cabinet

Report title: Determined Admissions Arrangements for 2025/26.

Date: 24 January 2024

Key decision: Yes

Class: Part 1 .

Ward(s) affected: All

Contributors: Executive Director for Children and Young People
Director of Law, Governance and Elections

Outline and recommendations

This report seeks the Mayor and Cabinet's approval for the local authority's admissions arrangements for the academic year 2025/26. There are two changes to the previous arrangements, which have been consulted on during the period 27 November 2023 to 12 January 2024.

These proposed changes are;

- A decrease in the Published Admissions Number (PAN) at both Deptford Park Primary School from 90 to 60.
- Amendment to the admissions policies for mainstream community school to give preference to children of staff members.

The report's appendices A-I set out the following arrangements:

- The admissions policy for mainstream community nursery, primary, secondary schools and sixth forms for academic year 2025/26 as set out in Appendix A to G ;
- the pan London admissions schemes for the planned reception and secondary transfer rounds for academic year 2024/25 in Appendix I;
- the locally coordinated in year admissions scheme for academic year 2025/2026 in Appendix E
- The Published Admissions Number (PAN) for all community mainstream schools for the academic year 2025/26 in Appendix H.

Timeline of engagement and decision-making

In accordance with the mandatory provisions of the School Admissions Code 2021, admission authorities must, if they wish to make any changes to the existing admissions arrangements, consult for a minimum of six weeks.

For the 2025/26 round of admissions the Local Authority consulted on the proposed changes from 27 November 2023 to 12 January 2024, and the responses are highlighted within the report.

The arrangements for 2025/26 must be determined no later than 28 February 2024.

1. Summary

- This report's appendices A to I sets out details of the:
- Local authority's admissions policy for community schools for the academic year 2025/26.
- Pan London admissions schemes for the planned reception and secondary transfer rounds for academic year 2025/2026.
- The locally coordinated in year admissions scheme for academic year 2025/2026.
- Published Admissions Number (PAN) for all community mainstream schools for the academic year 2025/26.

2. Recommendations

2.1 The Mayor and Cabinet is asked to approve:

- The admissions arrangements for mainstream community nursery, primary, secondary schools and sixth forms for academic year 2025/26 as set out in Appendix A to G.
- The Published Admissions Number (PAN) for each community mainstream school in the borough for academic year 2025/26 as detailed in Appendix H.
- The pan London Admissions Schemes for reception and secondary transfer and a local scheme for in year admissions for academic year 2025/2026 as detailed in Appendix I.

3. Policy Context

3.1 The School Admissions Code, revised and published in May 2021, amended the formal consultation and annual determination timetable. In accordance with this time table, admissions authorities are required to determine their arrangements no later than 28 February 2024 for the policy which applies to school admissions for the 2025/26 academic year.

3.2 Once determined, the admissions arrangements must be published no later than 15 March 2024. Any objections to the determined arrangements must be made to the Office of the School Adjudicator by 15 May the same year.

3.3 Lewisham local authority is the admissions authority for community schools in the area.

It also acts as the coordinating authority for its residents applying during the planned admissions rounds for mainstream schools both within the area and outside the area. In relation to in-year applications Lewisham acts as the coordinating authority for applications to most mainstream schools in the area too.

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Lewisham's relevant area has been determined as the administrative area for the London Borough of Lewisham.

The operation of a fair and equitable system for the admission of children to school supports Lewisham's corporate priority to raise educational attainment, skills levels and employability. The admissions arrangements for the planned and in year rounds ensure that children, particularly vulnerable groups and especially Children in Public Care, have a fair, transparent and timely admission into school.

This report contributes to the delivering of Lewisham's Corporate plan for 2022-26, supporting our schools to improve and increasing the opportunities for young people in Lewisham. We will do this by:

- creating and maintaining schools in Lewisham that are ambitious and achieving, where children are inspired and supported to fulfil their potential,
- encouraging children and their parents to be empowered, responsible and actively involved in their local school and wider community and
- Enabling children to go onto further education, take up employment or training at the end of their statutory education.

4. Background

4.1 Education Act 2002

The Education Act 2002 required all local authorities to introduce coordinated schemes for primary admissions with effect from 2006 and secondary admissions with effect from 2005. These schemes enable parents to express a maximum of six mainstream preferences of a maintained school which, although ranked by parents, are treated equally by the schools involved. This widens the choice for parents and pupils and tackled the problem of multiple offers which previously clogged the transfer system. Lewisham participates in the Pan London Admissions scheme which facilitates cross-border applications and sharing of information amongst all 33 London boroughs and five local authorities bordering the capital; Surrey, Kent, Hertfordshire, Essex and Thurrock. Since September 2010 London boroughs have operated a Pan London scheme for both primary (reception) and secondary transfer and, since 2016 admissions, infant to junior applications too. This impacts on resources both in terms of staffing and demand on the pan London Register (the computer system used to electronically exchange applicant details and admissions decisions).

4.2 A revised School Admissions Code (Code) came into force in May 2021. The Code no longer requires a mandatory centrally coordinated in-year admissions scheme. However, Lewisham has maintained the view that this function should continue to be centralised for mainstream schools including own admission authority schools as it ensures:

- a safeguard for all children, especially those who are vulnerable, ensuring that they are placed in school without unreasonable delay; and
- A strategic overview on the demand for school places so that any pressure can be addressed without delay to children's education.

5. Consultation

5.1 Consultation ran from 27 November 2023 to 12 January 2024 with the following responses received.

The consultation included Kelvin Grove School's proposal to reduce its PAN from 90 to 60 for the Reception Planned Round 2025/26, as in 2022/23 the intake was lower than usual, and the governing body were concerned about fewer numbers ongoing. Going

forward this has not been the case and the school feel in a strong position to maintain a PAN of 90. This proposal has now been withdrawn.

The consultation also included introduction of children of staff as a priority criteria. There has been no objection to this proposal and we therefore plan to include this. Schools have expressed a strong preference for this criteria.

- 5.2 As such the proposals to Mayor and Cabinet are in line with the responses to the consultation.

6. Published Admissions Number (PAN)

- 6.1 Each mainstream school is required to set a Published Admissions Number (PAN) specifying the number of places available at the normal point of entry that is for reception places in primary, infant or junior schools and Year 7 places at secondary school.
- 6.2 There is a proposal to formally reduce the Published Admissions Number (PAN) within a Lewisham maintained school. A reduction from 90 to 60 at Deptford Park Primary School. Additional, schools will agree to cap numbers on an informal basis as and when required.
- 6.3 These reduction follow on from the continued review and revision of pupil forecasts, which over the last few years have been revised downwards, resulting in both a current and projected oversupply of places in both primary and secondary schools. As such, the council has been working with schools on a number of ways in which we can help support those that are particularly effected, to certainty of pupils on roll and allow efficient use of resources. This also includes implementing local caps in schools with an excess of places. It should be noted that all schools which have reduced have agreed that should the need arise for further places in the future that they will play their part in ensuring sufficient places are available.
- 6.4 Over the past few years we have reduced PANs where needed in primary and secondary schools and are now in much more stable position. Locally reducing PAN's has worked well to keep sufficient places available but not to have unnecessary excess. We will continue to have ongoing dialogue with those schools with spare places about how best to help them on an individual school by school basis. It is anticipated that further restrictions of places will be necessary over the coming years at a rate of circa 30-60 places per annum. We are aware neighbouring local authority schools are currently consulting on PAN reductions.

7. Admissions Arrangements

- 7.1 Changes are proposed to the mainstream community schools admissions policies to provide preference places to children of staff members. Priority to children of staff will be given only where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage. The member of staff must be employed on at least a 0.6 full time equivalent (FTE) basis and employed directly at the school (rather than through an agency or third-party organisation). Priority of admission will only be given for the community school at which the member of staff is working. The number of places offered under this criterion will be limited to a maximum of one place per Form of Entry (FE) at each school.
- 7.2 The rationale: The 2021 Admissions Code (paragraph 1.39) allows admissions authorities to give priority to children of staff in either or both of the following

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circumstances:

- a) Where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made; and/or
- b) The member of staff is recruited to fill a vacant post at the school for which there is a demonstrable skill shortage.

7.3 **Areas for consideration:**

- The Royal Borough of Greenwich is consulting on the inclusion of children of staff, as a priority criterion for community school for 2025/26.
- The London Borough of Bexley uses children of staff as a criterion for its primary community schools. All its secondary schools are academies.
- The London Borough of Lambeth currently uses children of staff criterion for its community schools.
- The London Borough of Croydon do not have children of staff as a criterion.
- The London Borough of Bromley has no community schools.

7.4 **Pros**

- The introduction of children of staff could act as a recruitment and retention strategy in Lewisham.
- Many Lewisham staff live out of borough and schools report that they lose valuable staff where their child is not able to be offered a school place.
- Staff work harder and are more committed to a school where their children attend.
- Governors and the SLT would welcome the addition of children of staff as a priority to negate associated costs and impact on the school, particularly in the recruitment crisis.
- Lewisham community schools would be on a level playing field with other boroughs.

7.5 **Cons**

- There is no requirement on Local Authorities /schools to adopt such a priority,
- Local children may be disadvantaged by being placed in a school further from their home address if children of staff are given priority.
- Children who obtain a place at the school under the children of staff priority may disadvantage local children in the future, if their siblings are also given priority. However, this is a sibling rule that applies to all children.

8. **Financial implications**

- 8.1 There are no direct implications for the General Fund arising from the proposals in this report. For the individual schools, the reduction in PAN numbers should provide the schools with certainty within which to operate and develop their appropriate school level budget plans and Deficit Recovery Plan /Deficit Prevention Plans (if applicable).

9. **Legal implications**

- 9.1 The recommendations in this report, for the Council's admission arrangements for mainstream community nursery, primary, secondary schools and sixth forms to be determined by the required date, are in accordance with the provisions of section 88C of the School Standards and Framework Act 1998 (as amended) (SSFA), the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 (as amended), School Admissions (Infant Class Size)(England) Regulations 2012 and the School Admission Code (revised in May

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2021). This statutory framework governs the Council's statutory duty as an admission authority to make arrangements in relation to the allocation of school places including the overall procedure, practices, criteria, and supplementary information that are used to decide the allocation of school places.

- 9.2 The report and its appendices that detail the Council's admission arrangements comply with the relevant provisions of the School Admissions Code 2021 (The Code) by ensuring that:

Oversubscription criteria is reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation.

Arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs.

Admission arrangements for entry in September 2025 will be determined by 28 February 2024; and

Once admission arrangements have been determined the local authority is required to notify appropriate bodies and publish a copy of their determined arrangements on their web site as soon as possible before 15 March 2024 and displaying them for the whole offer year.

- 9.3 The Council must comply with the Public Sector Equality Duty (PSED), which requires them to have 'due regard' to the need to:

Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;

Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and

Foster good relations between people who share a relevant protected characteristic and people who do not share it.

- 9.4 In making their decision Mayor and Cabinet must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision.

10. Equalities implications

- 10.1 The purpose of the School Admissions Code is to ensure that places in maintained schools and Academies are allocated and offered in an open and fair way. Admission Authorities must ensure that criteria are fair, clear and objective. This includes ensuring that parents are easily able to understand how places for a particular school will be allocated.

- 10.2 Admission authorities must act in accordance with the Code, the School Admissions Appeal Code, and other laws relating to admissions and relevant human rights and equalities legislation. Authorities must also ensure that their arrangements will not disadvantage, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational need' (Code, paragraph 1.8)

- 10.3 Lewisham's arrangements comply with these requirements and vigilance is embedded in our processes. Any instances of poor practice may be challenged and referred to the School Adjudicator if necessary.

11. Climate change and environmental implications

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11.1 There are no direct climate change or environmental implications arising from this report.

12. Crime and disorder implications

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

13. Health and wellbeing implications

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

14. Environmental implications

14.1 There are no direct environmental implications arising from this report.

15. Background papers

15.1 [School Admissions Code 2021](#)

15.2 [Education Act 2002](#)

16. Report author and contact

Christine Tarrant, Admissions and Fair Access Manager

020 8314 6211: christine.tarrant@lewisham.gov.uk

17. Comments for and on behalf of the Director of Law, Governance and Elections

Melanie Dawson, Deputy Monitoring Officer, Principal Lawyer - Place for Director of Law, Governance & Elections

melanie.dawson@lewisham.gov.uk

Appendix A

Lewisham's determined admissions criteria for nursery schools and nursery classes in community primary schools (children starting nursery during the academic year 2025/26)

Where there is over-subscription, places will be offered to:

1. A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order. A 'looked after child' is a child who is
 - a) in the care of a local authority, or
 - b) being provided with accommodation by a local authority in the exercise of their social services functions (see definition in Section 22(1) of the Children Act 1989). Details **must** be supplied by the allocated social worker or foster carer. The 2021 School Admissions Code (the Code) requires children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted to be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). This advice refers to these children as internationally adopted previously looked after children – "**IAPLAC**".
2. In exceptional circumstances there is discretion to admit vulnerable children, as proposed by Lewisham's Children Centre Criteria for Priority or Excluded (POE), on the grounds of their or their family's severe medical or social need for that particular school and who would not otherwise qualify for admission. The application must be supported by a letter from a hospital consultant, social worker or similar professional, setting out the reasons why the nursery is the only one able to meet the child's needs, before an admission decision is made. The admission decision will be made by the headteacher who may consult with the Executive Director for Children and Young People. Supporting documentary evidence **must** be provided with the application.
3. Children whose brother or sister is on the roll of the main school when the application is made and is expected to be on the roll of the school, or of the junior school in the case of separate infant and junior schools, at the intended date of admission. If the school is over-subscribed entirely with siblings, priority will be given to those
 - i) with exceptional social or medical need (as defined in paragraph 2 above) and then to those
 - ii) permanently living closest to the school (as defined in paragraph 4 below)

Children applying for a place at Clyde or Chelwood Nurseries will only qualify for a place under the sibling criteria if their older sibling is on the roll of the nursery when the application is made and is expected to be on the roll of the nursery at the intended date of admission.

Children in Year 6 of a mainstream primary school and who will have transferred to secondary school by the time the younger child is admitted to the nursery do not confer sibling priority.

Siblings include all blood or adoptive siblings, half-siblings, foster siblings of Looked After Children and step siblings. Siblings must all live at the same address as the child applying. Proof of the sibling relationship may be required.

4. Children whose permanent home address is closest to the school.

All distances will be measured in a straight line, using digitised mapping software of the area, from the home to the nearest gate nominated by the school. If more than one applicant lives in multi-occupancy building (e.g. flats) priority will be given to the applicant whose door number is the lowest numerically and/or alphabetically.

Waiting lists will be held in the same order as the admission criteria.

Tie break - on the rare occasion where two or more children tie for the last available place, lots will be drawn to decide which child is offered the place.

To meet the needs of the age group Headteachers will have discretion over the balance of eligible* two year olds, and three- and four-year olds in their nurseries, and the ratio of part-time and any full-time places offered.

Priority will be given to Lewisham residents.

An existing childminder's address, instead of the permanent address, may only be used to determine "nearness" if the child has an exceptional medical or social need for that particular school. The permanent home address must also be in Lewisham.

Three terms is regarded as the minimum time that children should spend in a nursery school or nursery class before transferring to a reception class.

Applications to nursery schools or classes are not dealt with through a coordinated scheme and there is no set closing or decision date. Applications are made direct to the nursery.

If a child cannot be offered a place, a request can be made for the child's name to be placed on the waiting list; however there is no formal appeal process *please refer to the Early Education and Childcare Guidance 2014 for further information about eligibility.

Appendix B

Lewisham's determined admissions criteria for community primary school reception classes (children born between 1 September 2020 and 31 August 2021) and who will start school in September 2025

When there is over-subscription, places are offered to:

- 1 A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order. A looked after child is a child who is
 - a) in the care of a local authority, or
 - b) being provided with accommodation by a local authority in the exercise of their social services functions (see definition in Section 22(1) of the Children Act 1989). Details **must** be supplied by the allocated social worker or foster carer. The 2021 School Admissions Code (the Code) requires children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted to be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). This advice refers to these children as internationally adopted previously looked after children – "**IAPLAC**".

- 2 In exceptional circumstances there is discretion to admit children on the grounds of their or their family's severe medical or social need for that particular school and who would not otherwise qualify for admission. The application must be supported by a letter from a hospital consultant, social worker or similar professional, setting out the reasons why the school is the only one to meet the child's needs, before an admission decision is made. The admission decision will be considered in consultation with a panel of teaching and medical professionals. Medical professionals provide advice on applications made under medical conditions and teaching professionals advise on applications made for social or special reasons. Supporting evidence **must** be provided before the closing date for applications. Lewisham has a military covenant that enhances services offered by the Council to ex / serving military and their extended families, all applications for school places for the children of full-time service personnel are prioritised under the 'exceptional medical or social' criterion under for Lewisham's community school. If the child is in Key Stage 1, where infant class size legislation applies, the child can be placed as an 'exception' as detailed in the School Admissions Code.

- 3 Children whose brother or sister is on roll of the school on the closing date for applications and is expected to be on the roll of the school (or of the junior school in the case of separate infant and junior schools*), at the intended date of admission.

Children in Year 6 who will have transferred to secondary school by the time the younger child is admitted do not confer sibling priority.

If the school is over-subscribed entirely with siblings, priority will be given to:

- i) those with an exceptional social or medical need (see 2 above) and then to
- ii) those who are permanently living nearest to the school (see 4 below).

** this applies to children attending Stillness Infant and Junior Schools.*

Siblings include all blood or adoptive siblings, half-siblings, foster siblings of Looked After Children and step siblings. Siblings must all live at the same address as the child applying. Proof of the sibling relationship may be required.

4. Children of staff - Priority to children of staff will be given only where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.
- 5 Children living nearest to the school.

All distances will be measured to a central nodal point in the school premises, using digitised mapping software of the area, from a nodal point in the applicant's permanent home address. If more than one applicant lives in a multi-occupancy building (e.g. flats) priority will be given to the applicant whose door number is the lowest numerically and/or alphabetically.

Twins, triplets and other multiple births – where twins, triplets or children from other multiple births qualify for the last school place to be allocated Lewisham will admit all of the qualifying siblings in excess of the published admissions limit and they will be considered as 'excepted pupils'.

Tie break - on the rare occasion where two or more identical applications qualify for the last available place, lots will be drawn to decide which qualifying child is offered the place.

Waiting lists - In accordance with the pan London agreement, and to ensure Lewisham meets its duty to continue to co-ordinate admissions beyond offer date and comply with the parents' highest possible preference, Lewisham will ensure that waiting lists do not contain lower ranked preferences except where it (or the home LA) has agreed to a parental request to change the order of preferences. In such cases, where there is a parental request to change the order of preferences, the original application, including any offer made under co-ordination, will be withdrawn and the applicant will be required to re-apply. Waiting lists for Lewisham's community schools will include those who have moved to the area and were unable to make an 'ontime' application.

The reception coordinated scheme continues until the end of the **summer term 2025**. Applications received for reception class beyond the end of the **summer term 2025** will be considered as an In Year applicant. Waiting lists will be held for the first term of the reception year only. Those with a continuing interest in a place at a school beyond this time will be required to make an in year application.

Appendix C

Lewisham's determined admissions criteria for community secondary schools for pupils (born between 1 September 2013 and 31 August 2014) transferring from primary to secondary school in September 2025

Where there is oversubscription places will be offered to:

- 1 A looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order. A looked after child is a child who is a) in the care of a local authority, or b) being provided with accommodation by a local authority in the exercise of their social services functions (see definition in Section 22(1) of the Children Act 1989). Details **must** be supplied by the allocated social worker or foster carer. The 2021 School Admissions Code (the Code) requires children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted to be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). This advice refers to these children as internationally adopted previously looked after children – **"IAPLAC"**.
- 2 In exceptional circumstances there is discretion to admit children on the grounds of their or their family's severe medical or social need for that particular school and who would not otherwise qualify for admission. The application must be supported by a letter from a hospital consultant, social worker or similar professional, setting out the reasons why the school is the only one to meet the child's needs before an admission decision is made. The admission decision will be considered in consultation with a panel of teaching and medical professionals. Medical professionals provide advice on applications made under medical conditions and teaching professionals advise on applications made for social or special reasons. Supporting evidence **must** be provided before the closing date for applications. Lewisham has a military covenant that enhances services offered by the Council to ex / serving military and their extended families, all applications for school places for the children of full-time service personnel are prioritised under the 'exceptional medical or social' criterion under for Lewisham's community school.
- 3a 11 – 16 Community Schools - Children whose older brother or sister is on roll of the school on the closing date for applications as well as those whose sibling was a former pupil of the school and who transferred to a 16-18 education provision at the end of the previous academic year. If the school is over-subscribed entirely with siblings, priority will be given
 - (i) to those with exceptional social and medical need and
 - (ii) to those living nearest the school.

Or

- 3b 11-18 Community Schools - Children whose brother or sister is on roll of the school on the closing date for applications and will still be on the roll of the school at the intended date of admission. If the school is over-subscribed entirely with siblings, priority will be given
 - (i) to those with exceptional social and medical need and
 - (ii) to those living nearest the school.

In all cases siblings include all blood and adoptive siblings, half-siblings, foster siblings of Looked After Children and step siblings. Siblings must all live at the same address as the child. Proof of the sibling relationship may be required.

4. Children of staff - Priority to children of staff will be given only where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.
- 5 Children who live nearest to the school.

All distances will be measured to a central nodal point in the school premises, using digitised mapping software of the area, from a nodal point in the applicant's permanent home address. If more than one applicant lives in a multi-occupancy building (e.g. flats) priority will be given to the applicant whose door number is the lowest numerically and/or alphabetically.

Twins, triplets and other multiple births – where twins, triplets or children from other multiple births qualify for the last school place to be allocated Lewisham will admit all of the qualifying siblings in excess of the published admissions limit.

Tie break - on the rare occasion where two or more identical applications qualify for the last available place lots will be drawn to decide which qualifying child is offered the place.

When a school is over-subscribed, any vacancy which arises as a result of the withdrawal of a successful application will be offered to the next child on the waiting list

Waiting lists - In accordance with the secondary transfer coordinated scheme t, and to ensure Lewisham meets its duty to continue to co-ordinate admissions beyond offer date and comply with the parents' highest possible preference, Lewisham will ensure that waiting lists do not contain lower ranked preferences except where it (or the home LA) has agreed to a parental request to change the order of preferences. In such cases, where there is a parental request to change the order of preferences, the original application, including any offer made under co-ordination, will be withdrawn and the applicant will be required to re-apply.

The pan London secondary transfer scheme continues until the end of the **summer term 2025**. Applications received for Year 7 beyond the end of the **summer term 2025** will be considered as In Year applications.

Waiting lists will be held for the first term of Year 7 only. Those with a continuing interest in a place at a school beyond this time will be required to make an in year application.



Appendix D

Lewisham's determined admissions arrangements for community school's sixth form

In the event of the school's sixth form being over-subscribed (having more applications than places available) places will be offered to the following:

1. A looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order. A looked after child is a child who is a) in the care of a local authority, or b) being provided with accommodation by a local authority in the exercise of their social services functions (see definition in Section 22(1) of the Children Act 1989). Details must be supplied by the allocated social worker or foster carer. The 2021 School Admissions Code (the Code) requires children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted to be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). This advice refers to these children as internationally adopted previously looked after children – “**IAPLAC**”.
2. Applicants who have an exceptional social or medical need for a place at the school, supported by professional documentation from a hospital consultant, social worker or similar. Decisions on these cases will be taken in consultation with the Executive Director for Children and Young People or their delegated representative.
3. Applicants who at the time of application are on roll of Forest Hill or Sydenham schools will be given priority at Sydenham and Forest Hill Sixth Form (SFH6).
4. Applicants who can best demonstrate their suitability for the course involved (factors taken into account will be attendance and previous academic performance).
5. If the school is over-subscribed with applicants from the feeder schools only, priority will first go to applicants from those schools with professionally-supported social or medical cases (see above), and then to those who can best demonstrate their suitability for the course involved.
6. If two identical applicants qualify for the last available place, home to school distance will be used as a tie break. If the applicants live the exact distance from the school lots will be taken to determine which applicant is offered the remaining place.

Any minimum standards required for entry will be published in the school's prospectus.

Lewisham is required to publish the number of places (if any) expected to be available to students not on roll of the feeder schools. For SFH6 it is expected that a maximum of 10 places per school (20 in total) will be available to children attending other schools.

There will be the right of appeal against any refusal of a place at the school's sixth form, and the appeal will be heard in line with the provisions of the Education Act 2002.

The sixth forms will publish a closing date for receipt of applications and the date of notification of the outcome of their applications. Late applicants will only be considered if there are places unallocated at the time of application.



Appendix E

Lewisham's determined arrangements for In Year Admissions to Lewisham community schools

Applications for places at a community school in a year group other than the normal year of entry to primary (ie Class R to Year 6) and secondary school (ie Year 7 to Year 11), will be treated as an In Year admission. Places for all year groups to a Lewisham community primary or secondary school will be offered to children in the following order:

- a) A looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order. A looked after child is a child who is a) in the care of a local authority, or
- b) b) being provided with accommodation by a local authority in the exercise of their social services functions (see definition in Section 22(1) of the Children Act 1989). Details **must** be supplied by the allocated social worker or foster carer. The 2021 School Admissions Code (the Code) requires children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted to be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). This advice refers to these children as internationally adopted previously looked after children – **"IAPLAC"**.
- c) Children with severe social and medical need for that particular school and who would not otherwise qualify for admission. The application must be supported by a letter from a hospital consultant, social worker or similar professional setting out the reasons why the school is the only one to meet the child's needs. Lewisham has a military covenant that enhances services offered by the Council to ex / serving military and their extended families, all applications for school places for the children of full-time service personnel are prioritised under the 'exceptional medical or social' criterion under for Lewisham's community school. If the child is in Key Stage 1, where infant class size legislation applies, the child can be placed as an 'exception' as detailed in the School Admissions Code
- d) Siblings of children already on the roll of the school.
- e) **Children of staff**
- f) Children who live nearest the school, the distance being measured in a straight line using digitized mapping software to a central nodal point in the school premises.

All distances will be measured to a central nodal point in the school premises, using digitised mapping software of the area, from a nodal point in the applicant's permanent home address. If more than one applicant lives in a multi-occupancy building (e.g. flats) priority will be given to the applicant whose door number is the lowest numerically and/or alphabetically.

Siblings include all blood or adoptive siblings, half-siblings, foster siblings of Looked After Children and step siblings. Siblings must all live at the same address as the child applying. Proof of the sibling relationship may be required.

Appendix F

Determined generic protocols for admitting children under the In Year Admissions Arrangements

- Parents wishing to make an In Year application to any maintained school including faith, foundation and free schools and Academies in Lewisham that participate in the centralised scheme should do so by completing a Lewisham iCAF. Community schools will not hold separate waiting lists.
- All schools, regardless of whether they participate in the scheme are required to inform Lewisham of their current vacancies.
- As the co-ordinating authority for in year admissions across both primary and secondary phases Lewisham LA will decide which school or federation of schools to approach about an individual admission. In most cases this will be at one of the schools named by the parent on their iCAF. Where it is not possible to offer a Lewisham resident a place at the school named and where the child is not on roll of a local school, Lewisham will offer the next nearest school to the family home with a vacancy. The parent will also be notified of their statutory right of appeal if the preferred school(s) is (are) full.
- Where the application is for a community school, Lewisham will inform the parent of the school offered and the schools must arrange the admission date as soon as possible.
- Where an application is made for a voluntary aided, foundation or free school or an Academy Lewisham will refer the applicant's details to the school who will be required to confirm in writing whether a place can be offered or not. Once a decision has been taken the school will inform Lewisham's Admissions and Appeals Service of the outcome and, where a place can be offered, the Service will contact the applicant direct to inform them of this. The Admissions Authority must inform unsuccessful applicants of their right of appeal. Schools must place the child on roll as soon as possible.
- Children transferring from one local school to another should not transfer to the new school until the start of the following half term unless both the home school and receiving school agrees an earlier admission date.
- Federations will have an important role in apportioning admissions among the schools in their federation.
- If an admission is challenged by a school, the the Fair Access Panel must be notified within 3 schools days that there will be an appeal. The appropriate referral form giving a detailed reason why the school is appealing should be submitted. The appeal will be discussed at the next Fair Acces Panel or under chairs action if the next meeting is beyond the maximum 20 school days.
- Details will be shared with schools termly about the numbers of FAP admissions taking place. There should not be a disproportionate impact on any school.

Transfers between schools

Children who request a transfer from their current school do not take priority over those who qualify under the Fair Access or In Year Admissions arrangements as detailed above. Applicants will be referred to their home school and the parent asked to discuss their reasons for transfer with the Headteacher. Children who are requesting a transfer due to their challenging behaviour may require a managed move. Please refer to the Managed Moves Policy.

Appendix G

Generic admissions arrangements

Lewisham local authority will continue to participate in the pan London admissions scheme (known as The Scheme) for reception and secondary transfer admissions. Please refer to the scheme for details of how this operates.

Reception

Timing of Admission – Lewisham will operate one point of entry for reception class. Children born between **1 September 2020** and **31 August 2021** will be expected to accept a full time reception place starting in **September 2025**.

Parents of children who permanently live in Lewisham **must** apply for a reception class place (Year R) by participating in the coordinated reception scheme by making an online application by **15 January 2025**.

The application period for the reception co-ordinated scheme will commence on **1 September 2024** and close on **15 January 2025**.

Deferred admission to primary school - Lewisham offers early admission in reception class to children before they reach statutory school age. Parents/carers have the option of deferring their child's admission to reception class to a later term eg the start of the spring or summer term. However the child must be admitted to school during the reception year and not beyond it. Alternatively the parent may arrange for their child to be admitted on a part time basis up to the point they reach statutory school age. Parents may not defer their child's admission beyond reception year or after the beginning of the term after their child's fifth birthday.

Children who attend a nursery class in a primary school frequently transfer to the main school; however there is no automatic transfer and children attending the nursery are not given priority. Parents of nursery children who permanently live in Lewisham **must** apply for a reception place by participating in the coordinated reception scheme by making an online application. Applications from parents of children on the roll of the nursery will be considered with other applicants at the appropriate time.

Secondary Transfer

Children born between **1 September 2013** and **31 August 2014** will be expected to transfer to secondary school in **September 2025**.

Parents of children who permanently live in Lewisham **must** apply for a secondary school place (Year 7) by participating in the coordinated secondary transfer scheme by making an online application by **31 October 2024**.

The application period for the secondary transfer co-ordinated scheme will commence on **1 September 2024** and close on **31 October 2024**.

Later admission: In certain circumstances Lewisham will consider a request for a delayed admission for an older child, this is under the updated “summer born” guidance from the DfE.

- The application should be supported by the child’s nursery/primary headteacher and/or an educational psychologist confirming that the child has learning delay or difficulty and their social maturity is well below that of their peers.
- The parent agrees that their child will transfer to primary/secondary school with the later cohort regardless of the outcome of their applications and had not participated in the transfer scheme the year before.

In cases described above parents must consider the implications of an earlier or later transfer as headteachers of primary/secondary schools are not required to continue to keep the child out of year group and may decide to later educate the child in the correct year*.

*further guidance on the admission of summer born children is expected and Lewisham will amend its current arrangements on ‘delayed entry into primary school for summer born children’ where necessary.

The Education and Skills Act 2008 increased the minimum age at which young people in England can leave learning which requires them to continue in education, employment or training to the age of 18. Children who have transferred to secondary school a year earlier than their peers will be required to stay in full-time education, undertake work-based learning such as an Apprenticeship, or part-time education or training if they are employed, self-employed or volunteering for more than 20 hours per week until they are 18.

Earlier Admission: In very exceptional circumstances Lewisham will consider a request for admission out of cohort for a younger child.

- The application may be supported by the child’s nursery/primary headteacher and/or an educational psychologist confirming that the child is academically outstanding and sufficiently physically and emotionally mature to cope with the demands of primary/secondary school.
- The parent agrees that their child will transfer to primary/secondary school with the earlier cohort regardless of the outcome of their applications and will not qualify to participate in the transfer scheme the following year.

Appeals: Appeals for statutory school phases will be heard in accordance with the provisions of the School Standards and Framework Act 1998 and the Education Act 2002, together with the School Admissions Appeals Code. Parents will have the right of appeal to any school that has refused their child a place. On time appeals for reception and secondary transfer phases for community schools will be heard during the summer term prior to the child’s admission to school.

Parents who have appealed unsuccessfully for a school will not be able to apply and subsequently appeal again for a place at the same school in the same academic year unless there are significant and material changes to the child or family’s circumstances. Documentary proof of such changes will be required from the appropriate professional(s) working with the family.

LEWISHAM ADDRESS PROTOCOL

All applicants will be required to demonstrate that the address they are applying from is their permanent home address and that they have parental responsibility and therefore eligible to apply for a school place for the child. Applications from children who are transferring to reception class or secondary school and not already on the roll of a Lewisham primary school and whose documentation has not been previously verified must be accompanied with:

One document from Section A

One document from Section B to confirm their address when applying:

Section A (all documents must be current)

- Council Tax bill/statement or letter
- Tenancy agreement or solicitors letter
- Letter from the National Asylum Support Service (NASS) or UK Border Authority (UKBA)
- A letter from any other local or national housing organisation (on headed paper)
- Proof of house purchase - only a solicitors completion document will be accepted - we do not accept exchange documents.

Section B (all documents must be current)

You must provide **one** of the following documents to confirm the child's date of birth:

- A valid passport
- EU national identity card
- Any other legal document which has your child's name and date of birth on it.

If applicant is living with a family member or friend they need to provide ALL of the following:

- a letter from the family member or friend stating that you and your child reside with them at the address listed on the application
- a copy of their current council tax bill
- Driver's licence or NHS registration letter/card or bank statement addressed to you at the address on the application.

Parents may state the reasons why they wish their child to attend a particular school, including whether there is a sibling already attending the school.

Shared care arrangements: Lewisham is aware that some parents share the care of their child. Lewisham will normally accept that the child lives with the parent who has parental responsibility and where the child resides for the majority of time during term time. Documentary evidence, for example a residence order or other court order, may be required.

Permanent home address: Proof of permanent home address will be required and will include the current Council Tax statement. In addition Lewisham may require copies of utility bills.

Lewisham is aware that some parents rent a property close to a popular school to increase the likelihood of their child gaining admission. To establish an applicant's permanent rather than temporary home address the following will be required;

1. closing accounts for the last known address,
2. official confirmation of the end of tenancy or house sale for the last known address,

3.a A tenancy agreement via a commercial letting agency for a period of 12 months or more. The period of the tenancy must extend beyond the start of the academic year in which the child is due to be admitted or

3.b Solicitor's confirmation of the completion of the purchase of the new property.

Where the tenancy or ownership of the last known address has not been surrendered, Lewisham will accept this last known address as the permanent home address.

In establishing permanent home address Lewisham may also check records held within the Council as well as other external agencies. If a false address has been given and an offer made on the basis of that information, the offer of a place may be withdrawn.

Lewisham's School Admissions Service reserves the right to request further documents should parents/carers not be able to provide the documentation listed above or if we need further information in order to verify and process the application at any stage.



Appendix H

DETERMINED ADMISSIONS LIMITS 2025/26 FOR MAINSTREAM COMMUNITY SCHOOLS IN LEWISHAM

Primary Schools	Admissions Number
Adamsrill Primary School	60
Ashmead Primary School	60
Athelney Primary School	60
Baring Primary School	30
Beecroft Gardens Primary School	60
Brindishe Green Primary School	90
Brindishe Lee Primary School	30
Brindishe Manor Primary School	60
Coopers Lane Primary School	90
Dalmain Primary School	60
Deptford Park Primary School	*60
Downderry Primary School	60
Edmund Waller Primary School	60
Elfrida Primary School	60
Eliot Bank Primary School	60
Fairlawn Primary School	60
Forster Park Primary School	60
Gordonbrock Primary School	90
Grinling Gibbons Primary School	30
Haseltine Primary School	60
Holbeach Primary School	60
Horniman Primary School	30
John Ball Primary School	90
John Stainer Primary School	60
Kelvin Grove Primary School	90
Kender Primary School	60
Kilmorie Primary School	90
Launcelot Primary School	60
Lucas Vale Primary School	30
Marvels Lane Primary School	60
Myatt Garden Primary School	60
Perrymount Primary School	30
Rangefield Primary School	60
Rathfern Primary School	60
Rushey Green Primary School	90
Sandhurst Primary School	90
Stillness Junior School (children automatically transfer from the Infant School)	90
Stillness Infant School	90
Torridon Primary School	90
Sir Francis Drake Primary School	30

* proposed reduction

*reduction in PAN being consulted on

Secondary Schools	Admissions Number
Conisborough College	180
Deptford Green School	180
Forest Hill School	180
Sydenham School	240



Appendix I

PAN-LONDON CO-ORDINATED ADMISSION SYSTEM

Template Pan London Schemes for Co-ordination of Admissions to Year 7 and Reception/Junior in Maintained Schools and Academies in 2025/26 and the LA Scheme for In Year Admissions 2025/26

Contents

Page 2	Definitions used in this document
Page 4	Template scheme for co-ordination of admissions to Year 7 in September 2024
Page 9	Template scheme for co-ordination of admissions to Reception/Junior in September 2024
Page 14	Content of Common Application Form -Year 7 and Reception Schemes (Schedule 1)
Page 15	Template outcome letter -Year 7 and Reception Schemes (Schedule 2)
Page 16	Timetable for Year 7 Scheme (Schedule 3A)
Page 17	Timetable for Reception Scheme (Schedule 3B)
Page 18	Lewisham's In Year Co-ordinated Scheme

Template LA Schemes for Co-ordination of Admissions to Year 7 and Reception in 2025/26

Definitions used in the template schemes

Application Year	the academic year in which the parent makes an application (i.e. in relation to the academic year of entry, the academic year preceding it).
The Board	the Pan-London Admissions Executive Board, which is responsible for the Scheme
Business User Guide (BUG)	the document issued annually to participating LAs setting out the operational procedures of the Scheme
Common Application Form	this is the form that each authority must have under the Regulations for parents to use to express their preferences, set out in rank order
Equal Preference System	the model whereby all preferences listed by parents on the Common Application Form are considered under the over-subscription criteria for each school without reference to parental rankings. Where a pupil is eligible to be offered a place at more than one school within an LA, or across more than one participating LA, the rankings are used to determine the single offer by selecting the school ranked highest of those which can offer a place
Highly Recommended Elements	the elements of the Template Scheme that are not mandatory but to which subscription is strongly recommended in order to maximise co-ordination and thereby simplify the application process as far as possible
Home LA	the LA in which the applicant/parent/carer is resident
LIAAG Address Verification Register	the document containing the address verification policy of each participating LA
Local Admission System (LAS)	the IT module for administering admissions in each LA and for determining the highest offer both within and between participating LAs
London E-Admissions Portal	the common online application system used by the 33 London LAs and Surrey, Kent, Herts, Essex and Thurrock.
Maintaining LA	the LA which maintains a school, or those within whose area an academy is situated, for which a preference has been expressed.

Mandatory Elements	those elements of the Template Scheme to which authorities must subscribe in order to be considered as 'Participating Authorities' and to benefit from use of the Pan-London Register
Notification Letter	the agreed form of letter sent to applicants on the Prescribed Day which communicates any determination granting or refusing admission to a primary or secondary school, which is attached as Schedule 2
Prescribed Day	the day on which outcome letters are posted to parents/carers. 1 March (secondary) and 16 April (primary) in the year following the relevant determination year except that, in any year in which that day is not a working day, the prescribed day shall be the next working day.
Pan-London Register (PLR)	the database which will sort and transmit application and outcome data between the LAS of each participating LA
Pan-London Timetable	the framework for processing of application and outcome data, which is attached as Schedule 3
Participating LA	any LA that has indicated in the Memorandum of Agreement that they are willing to incorporate, at a minimum, the mandatory elements of the Template LA Scheme presented here.
Qualifying Scheme	the scheme which each LA is required to formulate in accordance with The School Admissions Code 2021, for co-ordinating arrangements for the admission of children to maintained primary and secondary schools and academies.

Template Scheme for Co-ordination of Admissions to Year 7 in 2025/26

Applications

1. Lewisham LA will advise home LAs of their resident pupils on the roll of its maintained primary schools and academies who are eligible to transfer to secondary school in the forthcoming academic year.
2. Applications from Lewisham residents will be made on its Common Application Form, which will be available and able to be submitted on-line. This will include all the fields and information specified in Schedule 1 to this Template LA Scheme. These will be supplemented by any additional fields and information which are deemed necessary by Lewisham LA to enable the admission authorities in the area to apply their published oversubscription criteria.
3. Lewisham LA will take all reasonable steps to ensure that every parent/carer who is resident in the borough and has a child in their last year of primary education within a maintained school or academy, either in Lewisham or any other maintaining LA, is informed how they can access this LA's composite prospectus and apply online. Parents/carers who do not live in this LA will have access to this LA's composite prospectus, which will advise parents/carers to contact their home LA if they are unable to apply online.
4. The admission authorities within Lewisham will not use supplementary information forms except where the information available through the Common Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary information forms are used by the admissions authorities within Lewisham, the LA will seek to ensure that these only collect information which is required by the published oversubscription criteria, in accordance with paragraph 2.4 of the School Admissions Code 2021.
5. Where supplementary information forms are used by admission authorities in Lewisham LA, they will be available via their website. Such forms will advise parents that they must also complete their home LA's Common Application Form. Lewisham LA's composite prospectus and website, will indicate which schools in the borough require supplementary forms to be completed and where they can be obtained.
6. Where an admission authority in Lewisham receives a supplementary information form, Lewisham LA will not consider it to be a valid application unless the parent/carer has also listed the school on their home LA's Common Application Form, in accordance with paragraph 2.3 of the School Admissions Code 2021.
7. Applicants will be able to express a preference for six maintained secondary schools or Academies within and/or outside the borough.
8. The order of preference given on the Common Application Form will not be revealed to a school within Lewisham LA. This is to comply with paragraph 1.9 of the School Admissions Code 2021 which states that admission authorities must not give extra priority to children whose parents rank preferred schools in a particular order, including 'first preference first' arrangements. However, where a parent resident in Lewisham LA expresses a preference for schools in the area of another LA, the order of preference for that LA's schools will be revealed to that LA in order that it can determine the highest ranked preference in cases

where an applicant is eligible for a place at more than one school in that LA's area.

9. Lewisham LA undertakes to carry out the address verification process as set out in its entry in LIAAG Address Verification Register. This will in all cases include validation of resident applicants against Lewisham LA's primary school data and the further investigation of any discrepancy. Where Lewisham LA is not satisfied as to the validity of an address of an applicant whose preference has been sent to a maintaining LA, it will advise the maintaining LA no later than **17 December 2024**.
10. Lewisham LA will confirm the status of any resident child for whom it receives a Common Application Form stating s/he is currently or previously a 'Child Looked After' and will provide any additional evidence on receipt of a reasonable request by the maintaining LA in respect of a preference for a school in its area by **14 November 2024**.
11. Lewisham LA will advise a maintaining LA of the reason for any preference which is made, in respect of a child resident in the area of this LA to be admitted outside their correct age cohort, and will forward any supporting documentation to the maintaining LA by **14 November 2024**.

Processing

12. Applicants resident within Lewisham LA must return the Common Application Form, which will be available and able to be submitted on-line, to this LA by **31 October 2024**. However, Lewisham LA will publish information which encourages applicants to submit their application by **20 October 2024** (i.e. the Friday before half term), to allow it sufficient time to process and check all applications before the mandatory date when data must be sent to the PLR.
13. Application data relating to all preferences for schools in the area of a participating LA, which have been expressed within the terms of Lewisham's scheme, will be up-loaded to the PLR by **14 November 2024**. Supplementary information provided with the Common Application Form will be sent to maintaining LAs by the same date.
14. Lewisham LA shall, in consultation with the admission authorities within its area and within the framework of the Pan-London timetable in Schedule 3A, determine and state its own timetable for the processing of preference data and the application of published oversubscription criteria.
15. Lewisham LA will accept late applications only if they are late for a good reason, deciding each case on its own merits.
16. Where such applications contain preferences for schools in other LAs, Lewisham LA will forward the details to maintaining LAs via the PLR as they are received. Lewisham LA will accept late applications which are considered to be on time within the terms of the home LA's scheme, no later than **10th December 2024**.
17. The latest date for the upload to the PLR of late applications which are considered to be on-time within the terms of Lewisham LA's scheme is **13 December 2024**.
18. Where an applicant moves from one participating home LA to Lewisham after submitting an on-time application under the terms of the former home LA's

scheme, Lewisham LA will accept the application as on-time up to **9 December 2024**, on the basis that an on-time application already exists within the Pan-London system.

19. Lewisham LA will participate in the application data checking exercise scheduled between **13 December 2024 and 3 January 2025** in the Pan-London timetable in Schedule 3A.
20. All preferences for schools within Lewisham LA will be considered by the relevant admission authorities without reference to rank order in accordance with paragraph **1.9** of the School Admissions Code 2021. When the admission authorities within Lewisham LA have provided a list of applicants in criteria order to Lewisham, this LA shall, for each applicant to its schools for whom more than one potential offer is available, use the highest ranked preference to decide which single potential offer to make. This is the 'Equal Preference System'.
21. Lewisham LA will carry out all reasonable checks to ensure that pupil rankings are correctly held in its LAS for all maintained schools and academies in this LA's area before uploading data to the PLR.
22. Lewisham LA will upload the highest potential offer available to an applicant for a maintained school or academy in this LA to the PLR by **31 January 2025**. The PLR will transmit the highest potential offer specified by the Maintaining LA to the Home LA.
23. Lewisham's LAS will eliminate, as a Home LA, all but the highest ranked offer where an applicant has more than one potential offer across Maintaining LAs submitting information within deadline to the PLR. This will involve exchanges of preference outcomes between the LAS and the PLR (in accordance with the iterative timetable published in the Business User Guide) which will continue until notification that a steady state has been achieved, or until **14 February 2025** if this is sooner.
24. Lewisham LA will not make an additional offer between the end of the iterative process and **3 March 2025** which may impact on an offer being made by another participating LA.
25. Notwithstanding paragraph 24, if an error is identified within the allocation of places at a maintained school or academy in Lewisham, this LA will attempt to manually resolve the allocation to correct the error. Where this impacts on another LA (either as a home or maintaining LA) Lewisham LA will liaise with that LA to attempt to resolve the correct offer and any multiple offers which might occur. However, if another LA is unable to resolve a multiple offer, or if the impact is too far reaching, Lewisham LA will accept that the applicant(s) affected might receive a multiple offer.
26. Lewisham LA will participate in the offer data checking exercise scheduled between **19 and 26 February 2025** in the Pan-London timetable in Schedule 3A.
27. Lewisham LA will send a file to the E-Admissions portal with outcomes for all resident applicants who have applied online no later than **27 February 2025**.

Offers

28. Lewisham LA will ensure that, if there are places available, each resident applicant who cannot be offered a preference expressed on the Common Application Form, receives the offer of an alternative school place in accordance with paragraph 2.11 of the School Admissions Code 2021. Usually this will be the closest school to the applicant's home address which has a vacancy after the allocation of school places.
29. Lewisham LA will inform all resident applicants of their highest offer of a school place and, where relevant, the reasons why higher preferences were not offered, whether they were for schools in Lewisham or in other participating LAs.
30. Lewisham LA's outcome letter will include the information set out in Schedule 2.
31. On **3 March 2025**, Lewisham LA will send by first class post notification of the outcome to resident applicants who made a paper application. Those who made an online application will be notified of their outcome electronically.
32. Lewisham LA will provide its primary schools with destination data of its resident applicants via the School Administration Module (SAM) which will be available from **3 March 2025**.

Post Offer

33. Lewisham LA will request that resident applicants accept or decline the offer of a place by **17 March 2025**, or within two weeks of the date of any subsequent offer.
34. Where an applicant resident in Lewisham LA accepts or declines a place in a school maintained by another LA by **17 March 2025**, Lewisham LA will forward the information to the maintaining LA by **24 March 2025**. Where such information is received from applicants after **17 March 2025**, Lewisham LA will pass it to the maintaining LA as it is received.
35. Where a place becomes available in an oversubscribed maintained school or academy in Lewisham's area, it will be offered from a waiting list ordered in accordance with paragraph 2.12 of the School Admissions Code 2021.
36. When acting as a maintaining LA, Lewisham will place an applicant resident in the area of another LA on a waiting list of any higher preference school in Lewisham's area. Where this process is not automatic, it will be done immediately following a request from the home LA.
37. Where a waiting list is maintained by an admission authority of a maintained school or academy in Lewisham's area, the admissions authority will inform this LA of a potential offer, in order that the offer may be made by the home LA.
38. When acting as a maintaining LA, Lewisham LA will inform the home LA, where different, of an offer for a maintained school or Academy in this LA's area which can be made to an applicant resident in the home LA's area, in order that the home LA can offer the place.
39. When acting as a maintaining LA, Lewisham LA and the admission authorities within it, will not inform an applicant resident in another LA that a place can be offered.

40. When acting as a home LA, Lewisham LA will offer a place at a maintained school or Academy in the area of another LA to an applicant resident in its area, provided that the school is ranked higher on the Common Application Form than any school already offered.
41. When acting as a home LA, when Lewisham LA is informed by a maintaining LA of an offer which can be made to an applicant resident in Lewisham's area which is ranked lower on the Common Application Form than any school already offered, it will inform the maintaining LA that the offer will not be made.
42. When acting as a home LA, when Lewisham LA has agreed to a change of preferences or preference order for good reason, it will inform any maintaining LA affected by the change. In such cases, paragraphs 40 and 41 shall apply to the revised order of preferences.
43. When acting as a maintaining LA, Lewisham LA will inform the home LA, where different, of any change to an applicant's offer status as soon as it occurs.
44. When acting as a maintaining LA, Lewisham LA will accept a change of preferences or preference order (including reinstated or additional preferences) from home LAs for maintained schools and academies in its area.
45. Waiting lists - Requests to be placed on a waiting list for a school within Lewisham must be made via the home LA. In accordance with the pan London agreement, and to ensure Lewisham meets its duty to continue to co-ordinate admissions beyond offer date and comply with the parents' highest possible preference, Lewisham will ensure that waiting lists do not contain lower ranked preferences except where it (or the home LA) has agreed to a parental request to change the order of preferences.

Waiting lists for community schools in Lewisham will be held for the first term of the academic year (Year 7) of admission only. Those wishing to be considered for a place beyond the first term of Year 7 will be required to make an in year application.

Secondary Transfer waiting lists for Lewisham's community schools will include those who have moved to the area and were unable to make an 'ontime' application.

Parental enquiries about waiting list positions or appeal procedures for community schools should be made to Lewisham's Admissions Team.

46. Lewisham LA, when acting as a home LA will make initial offer of places which become available after National Offer Day within a maximum of four weeks from National Offer Day.
47. Lewisham LA, when acting as a home LA, will, after preferences expressed in accordance with paragraph 7 above have been determined, will accept further preferences to be expressed.

The pan London secondary transfer scheme continues until the end of **June 2025**. Applications received for Year 7 from **1 July 2025** will be considered as In Year applications.

*This scheme also applies to atypical admissions to maintaining LA's university technology colleges, city technology colleges and studio schools (Year 10) where Lewisham acts as the home home LA.

**Template LA Scheme for Co-ordination of Admissions to Reception/Junior in
2025/26**

Applications

1. Applications from residents of Lewisham LA will be made on Lewisham LA's Common Application Form, which will be available and able to be submitted on-line. This will include all the fields and information specified in Schedule 1 to this Template LA Scheme. These will be supplemented by any additional fields and information which are deemed necessary by Lewisham LA to enable the admission authorities in Lewisham to apply their published oversubscription criteria.
2. Lewisham LA will take all reasonable steps to ensure that every parent/carer who is resident in Lewisham and has a child in a nursery class within a maintained school or academy, either in this LA or any other maintaining LA, is informed how they can access this LA's composite prospectus and apply online. Parents/carers who do not live in this LA will have access to this LA's composite prospectus, which will advise parents/carers to contact their home LA if they are unable to apply online.
3. The admission authorities within Lewisham will not use supplementary information forms except where the information available through the Common Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary information forms are used by the admissions authorities within Lewisham, the LA will seek to ensure that these only collect information which is required by the published oversubscription criteria, in accordance with paragraph 2.4 of the School Admissions Code 2021.
4. Where supplementary information forms are used by admission authorities in Lewisham, they will be available via their website. Such forms will advise parents that they must also complete their home LA's Common Application Form. Lewisham's composite prospectus and website will indicate which schools in this LA require supplementary forms to be completed and where they can be obtained.
5. Where a school in Lewisham LA receives a supplementary information form, Lewisham will not consider it to be a valid application unless the parent/carer has also listed the school on their home LA's Common Application Form, in accordance with paragraph 2.3 of the School Admissions Code 2021.
6. Applicants will be able to express a preference for up to six maintained primary schools or academies within and/or outside the borough.
7. The order of preference given on the Common Application Form will not be revealed to a school within Lewisham to comply with paragraph 1.9 of the School Admissions Code 2021. However, where a parent resident in Lewisham LA expresses a preference for schools in the area of another LA, the order of preference for that LA's schools will be revealed to that LA in order that it can determine the highest ranked preference in cases where an applicant is eligible for a place at more than one school in that LA's area.

8. Lewisham LA undertakes to carry out the address verification process set out in its entry in the LIAAG Address Verification Register. This will in all cases include validation of resident applicants against Lewisham LA's maintained nursery and primary school data and the further investigation of any discrepancy. Where Lewisham LA is not satisfied as to the validity of an address of an applicant whose preference has been sent to a maintaining LA, it will advise the maintaining LA no later than **12 February 2025**.
9. Lewisham LA will confirm the status of any resident child for whom it receives a Common Application Form stating s/he is currently or previously a 'Child Looked After' and will provide any additional evidence on receipt of a reasonable request by the maintaining LA in respect of a preference for a school in its area by **5 February 2025**.
10. Lewisham LA will advise a maintaining LA of the reason for any application which is made in respect of a child resident in the area of this LA to be admitted outside their correct age cohort, and will forward any supporting documentation to the maintaining LA by **5 February 2025**.

Processing

11. Applicants resident within Lewisham LA must return the Common Application Form, which will be available and able to be submitted on-line, to Lewisham LA by **15 January 2025**.
12. Application data relating to all preferences for schools in the area of a participating LA, which have been expressed within the terms of Lewisham's scheme, will be up-loaded to the PLR by **5 February 2025**. Supplementary information provided with the Common Application Form will be sent to maintaining LAs by the same date.
13. Lewisham LA shall, in consultation with the admission authorities within this LA's area and within the framework of the Pan-London timetable in Schedule 3B, determine its own timetable for the processing of preference data and the application of published oversubscription criteria.
14. Lewisham LA will accept late applications only if they are late for a good reason, deciding each case on its own merits.
15. Where such applications contain preferences for schools in other LAs, Lewisham LA will forward the details to maintaining LAs via the PLR as they are received. Lewisham LA will accept late applications which are considered to be on time within the terms of the home LA's scheme.
16. The latest date for the upload to the PLR of late applications which are considered to be on-time within the terms of Lewisham's scheme is **10 February 2025**.
17. Where an applicant moves from one participating home LA to Lewisham LA after submitting an on-time application under the terms of the former home LA's scheme, Lewisham LA will accept the application as on-time up to **10 February 2025**, on the basis that an on-time application already exists within the Pan-London system.

18. Lewisham LA will participate in the application data checking exercise scheduled between **14 February and 20 February 2025** in the Pan-London timetable in Schedule 3B.
19. All preferences for schools within Lewisham LA will be considered by the relevant admission authorities without reference to rank order to comply with paragraph 1.9 of the School Admissions Code 2021. When the admission authorities within Lewisham LA have provided a list of applicants in criteria order to this LA, Lewisham shall, for each applicant to its schools for whom more than one potential offer is available, use the highest ranked preference to decide which single potential offer to make. This is the 'Equal Preference System'.
20. Lewisham LA will carry out all reasonable checks to ensure that pupil rankings are correctly held in its LAS before uploading data to the PLR.
21. Lewisham LA will upload the highest potential offer available to an applicant for a maintained school or academy in this LA to the PLR by **12 March 2025**. The PLR will transmit the highest potential offer specified by the Maintaining LA to the Home LA.
22. Lewisham's LAS will eliminate, as a Home LA, all but the highest ranked offer where an applicant has more than one potential offer across Maintaining LAs submitting information within deadline to the PLR. This will involve exchanges of preference outcomes between the LAS and the PLR (in accordance with the iterative timetable published in the Business User Guide) which will continue until notification that a steady state has been achieved or until **20 March 2025** if this is sooner.
23. Lewisham LA will not make an additional offer between the end of the iterative process and the **16 April 2025** which may impact on an offer being made by another participating LA.
24. Notwithstanding paragraph 23, if an error is identified within the allocation of places at a maintained school or academy in Lewisham, this LA will attempt to manually resolve the allocation to correct the error. Where this impacts on another LA (either as a home or maintaining LA) Lewisham LA will liaise with that LA to attempt to resolve the correct offer and any multiple offers which might occur. However, if another LA is unable to resolve a multiple offer, or if the impact is too far reaching, this LA will accept that the applicant(s) affected might receive a multiple offer.
25. Lewisham LA will participate in the offer data checking exercise scheduled between **21 March and 11 April 2025** in the Pan-London timetable in Schedule 3B.
26. Lewisham LA will send a file to the E-Admissions portal with outcomes for all resident applicants who have applied online no later than **11 April 2025**.

Offers

27. Lewisham LA will ensure that, if there are places available, each resident applicant who cannot be offered a preference expressed on the Common Application Form, receives the offer of an alternative school place in accordance with paragraph 2.11 of the Schools Admissions Code 2021. Usually this will be the closest school to the home address where there is still a vacancy after the allocation of places.

28. Lewisham LA will inform all resident applicants of their highest offer of a school place and, where relevant, the reasons why higher preferences were not offered, whether they were for schools in Lewisham LA or in other participating LAs.
29. Lewisham LA's outcome letter will include the information set out in Schedule 2.
30. Lewisham LA will, on **16 April 2025**, send by first class post notification of the outcome to resident applicants who made a paper application. Those who made an online application will be notified electronically.
31. Lewisham LA will provide its maintained nursery and primary schools with destination data of its resident applicants via the School Administration Module (SAM) which will be available from **20 April 2025**.

Post Offer

32. Lewisham LA will request that resident applicants accept or decline the offer of a place by **1 May 2025** or within two weeks of the date of any subsequent offer.
33. Where an applicant resident in Lewisham LA accepts or declines a place in a school maintained by another LA by **1 May 2025**, Lewisham LA will forward the information to the maintaining LA by **8 May 2025**. Where such information is received from applicants after **1 May 2025**, Lewisham LA will pass it to the maintaining LA as it is received.
34. Where a place becomes available in an oversubscribed maintained school or academy in Lewisham's area, it will be offered from a waiting list ordered in accordance with paragraph 2.12 of the School Admissions Code 2021.
35. When acting as a maintaining LA, Lewisham will place an applicant resident in the area of another LA on a waiting list of any higher preference school. Where this is not done automatically, it will be done immediately following a request from the home LA.
36. Where a waiting list is maintained by an admission authority of a maintained school or academy in this LA's area, the admission authority will inform this LA of a potential offer, in order that the offer may be made by the home LA.
37. When acting as a maintaining LA, Lewisham LA will inform the home LA, where different, of an offer for a maintained school or academy in Lewisham LA's area which can be made to an applicant resident in the home LA's area, in order that the home LA can offer the place.
38. When acting as a maintaining LA, Lewisham LA and the admission authorities within it, will not inform an applicant resident in another LA that a place can be offered.
39. When acting as a home LA, Lewisham LA will offer a place at a maintained school or academy in the area of another LA to an applicant resident in its area, provided that the school is ranked higher on the Common Application Form than any school already offered.
40. When acting as a home LA, when Lewisham LA is informed by a maintaining LA of an offer which can be made to an applicant resident in this LA's area which is

ranked lower on the Common Application Form than any school already offered, it will inform the maintaining LA that the offer will not be made.

41. When acting as a home LA, when Lewisham LA has agreed to a change of preference order for good reason, it will inform any maintaining LA affected by the change. In such cases, paragraphs 39 and 40 shall apply to the revised order of preferences.
42. When acting as a maintaining LA, Lewisham LA will inform the home LA, where different, of any change to an applicant's offer status as soon as it occurs.
43. When acting as a maintaining LA, Lewisham LA will accept a change of preference or preference order (including reinstated or additional preferences) from home LAs for maintained schools and academies in its area.
44. Waiting lists - Requests to be placed on a waiting list for a school in Lewisham must be made via the home LA. In accordance with the pan London agreement, and to ensure Lewisham meets its duty to continue to co-ordinate admissions beyond offer date and comply with the parents' highest possible preference, Lewisham will ensure that waiting lists do not contain lower ranked preferences except where it (or the home LA) has agreed to a parental request to change the order of preferences.

The reception co-ordinated scheme continues until the end of **June 2025**. Applications received for reception class beyond **1 July 2025** will be considered as In Year applications.

Waiting lists for community schools in Lewisham will be held for the first term of the reception year only. Those wishing to apply for a place beyond the first term of the reception year will be required to make an in year application.

Waiting lists for Lewisham's community schools will include those who have moved to the area and were unable to make an 'ontime' application. Enquiries about waiting list positions or appeal procedures for community schools in the borough should contact Lewisham's Admissions Team.

45. Lewisham LA, when acting as a home LA will make initial offer of places which become available after National Offer Day within a maximum of four weeks from National Offer Day.
46. Lewisham LA, when acting as a home LA, will, after preferences expressed in accordance with paragraph 7 above have been determined, will accept further preferences to be expressed.

*Please note this scheme also applies to admissions to maintaining LA junior schools (Year 3), where Lewisham acts as the Home LA.

PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME
SCHEDULE 1

Minimum Content of Common Application Form for Admissions to Year 7 and Reception in 2025/26

Child's details:

Surname
Forename(s)
Middle name(s)
Date of Birth
Gender
Home address
Name of current school
Address of current school (if outside home LA)

Parent's details:

Title
Surname
Forename
Address (if different to child's address)
Telephone Number (Home, Daytime, Mobile)
Email address
Relationship to child

Preference details (x 6):

Name of school
Address of school
Preference ranking
Local authority in which the school is based

Additional information:

Reasons for Preferences (including any medical or social reasons)
Is the child a 'Child Looked After' (CLA)? Y/N
Is the child formally CLA but now adopted or subject to a Child Arrangements Order or Special Guardianship Order? Y/N
Does the child appear to have been in state care outside of England? Y/N
If yes, name of responsible local authority
Surname of sibling
Forename of sibling
DOB of sibling
Gender of sibling
Name of school sibling attends

Other:

Signature of parent or guardian
Date of signature

* Lewisham will take steps to ensure that no application for a child with an Educational Health Care plan (EHCp) or a statement of special educational needs will be sent via the PLR.

Template Outcome Letter for Admissions to Year 7 and Reception in 2025/26 national offer date – those who made a paper application.

From: Home LA

Date: 3 March 2025 (sec)
16 April 2025 (prim)

Dear Parent,

Application for a Secondary / Primary School

I am writing to let you know the outcome of your application for a secondary/primary school. Your child has been offered a place at X School. The school will write to you with further details.

I am sorry that it was not possible for your child to be offered a place at any of the schools which you listed as a higher preference on your application form. For each of these schools there were more applications than places, and other applicants had a higher priority than your child under the school's published admission criteria.

Offers which could have been made for any schools which you placed lower in your preference list, were automatically withdrawn under the co-ordinated admission arrangements, as a higher preference has been offered.

If you would like more information about the reason that your child was not offered a place at any higher preference school, you should contact the admission authority that is responsible for admissions to the school within the next few days. Details of the different admission authorities for schools in the borough of Lewisham are attached to this letter. If the school is outside the borough of Lewisham, the admission authority will either be the borough in which the school is situated, or the school itself.

You have the right of appeal under the School Standards & Framework Act 1998 against the refusal of a place at any of the schools for which you have applied. If you wish to appeal, you must contact the admission authority for the school within the next few days to obtain the procedure and the date by which an appeal must be received by them.

Please would you confirm that you wish to accept the place at X School by completing the reply slip below. If you do not wish to accept the place, you will need to let me know what alternative arrangements you are making for your child's education.

You must contact this office if you wish to apply for any other school, either in this borough or elsewhere.

Your child's name has been placed on the waiting list for any school which was a higher preference on your application than the school you have been offered. If you need to find out your child's position on the waiting list please contact the admissions authority or the borough in which the school is situated.

If you have any questions about this letter, please contact the Admissions Team on 020 8314 8282

Please return the reply slip by 17 March 2025 (secondary) /1 May 2025(primary).
(First preference offer letters will include the paragraphs in italics only)

**PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME
SCHEDULE 3A**

Timetable for Admissions to Year 7/Year 10 in 2025/26

Date	Process	Paragraph
Thur 31 Oct 2024	Statutory deadline for receipt of applications	12
Thur 14 Nov 2024	Deadline for the transfer of application information by the Home LA to the PLR (ADT file).	10, 11, 13
Fri 13 Dec 2024	Deadline for the upload of late applications to the PLR.	9, 17
13 December 2024 and 3 January 2025	Checking of application data	19
Fri 13 Dec 2024 - 10 January 2025	Ranking applications	19, 20, 21
Fri 31 Jan 2025	Deadline for the transfer of potential offer information from Maintaining LAs to the PLR (ALT file)	22
Fri 14 Feb 2025	Final ALT file to PLR	23
Wed 19 to Wed 26 February 2025	Checking of offer data	26
Thur 27 Feb 2025	Deadline for on-line ALT file to portal	27
Mon 3 Mar 2025	Offer letters posted/emailed.	24, 31
Mon 17 Mar 2025	Deadline for return of acceptances	33, 34
Mon 24 Mar 2025	Deadline for transfer of acceptances to maintaining LAs	34

**PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME
SCHEDULE 3B**

Timetable for Admissions to Reception/Junior in 2025/26

Date	Process	Paragraph
Wed 15 Jan 2025	Statutory deadline for receipt of applications	11
Wed 5 Feb 2025	Deadline for the transfer of application information by the Home LA to the PLR (ADT file)	9, 10, 12
Mon 10 Feb 2025	Deadline for the upload of late applications to the PLR.	8, 16
Fri 14 February – Thur 20 February 2025	Checking of application data	18
Fri 14 February – Wed 26 February 2024	Ranking applications	19, 20,
Wed 12 Mar 2025	Deadline for the transfer of potential offer information from the Maintaining LAs to the PLR (ALT file).	21
Thurs 20 Mar 2025	Final ALT file to PLR	22
Fri 21 March – Tues 11 April 2025	Checking of offer data	25
Fri 11 Apr 2025	Deadline for on-line ALT file to portal	26
Wed 16 Apr 2025	Offer letters posted/emailed.	23, 30
Thur 1 May 2025	Deadline for receipt of acceptances	32, 33
Thur 8 May 2025	Deadline for transfer of acceptances to maintaining LAs	33

LEWISHAM'S SCHEME FOR THE CO-ORDINATION OF IN-YEAR ADMISSIONS FOR MAINTAINED SCHOOLS AND ACADEMIES IN LEWISHAM 2025/26

Section 1: Applications

1. Applications from Lewisham and non-Lewisham residents for all maintained schools, including academies who participate in the Lewisham's centralised coordinated scheme will be made directly to Lewisham's admission team. The on line in-year application form is available from Lewisham's website at <https://lewisham.gov.uk/myserVICES/education/schools/school-admission>
2. Lewisham residents applying for places at maintained schools and academies outside Lewisham will need to apply directly to the LA in whose area the school is situated.
3. The admission authorities in Lewisham will not use supplementary forms except where the information available through the Common Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary forms are used by the admissions authorities within Lewisham, Lewisham's Admissions and Appeals Team will seek to ensure that these only collect information which is required by the published oversubscription criteria, in accordance with the School Admissions Code.
4. Where supplementary forms are used, they will be available from the school concerned and available on the school's website. Any supplementary forms must advise parents that they must also complete Lewisham's in-year application form. Lewisham's admission booklet and website will indicate which schools in Lewisham require supplementary forms to be completed and where they can be obtained. Parents will be advised that they should complete the supplementary form so that the school's Governing Body can fully consider their application.
5. Where an admission authority school in Lewisham receives a supplementary form, it will not consider it to be a valid application until the parent has also listed the school on Lewisham's In-Year Application Form.
6. Applicants will be able to express a preference for up to **three** maintained primary/secondary schools or academies in Lewisham.
7. The order of preference given on the In-Year Application Form will not be revealed to the schools listed on the In-Year application form.
8. Lewisham undertakes to carry out address verification for each application made to a participating maintained school or academy in Lewisham. Where Lewisham is not satisfied as to the validity of an address of an applicant it will advise the admission authority schools.

9. Lewisham will satisfy itself that each applicant's date of birth is correct.
10. Lewisham will check the status of any applicant who is a 'Looked After' or was previously looked after but immediately after being looked after became subject to an adoption, subject to a Child Arrangements Order, or special guardianship order.

Section 2: Processing

11. Lewisham will enter each pupil's preferences onto the admissions data base. This information will be available to admission authority schools participating in the scheme via the School Admissions Module (SAM) to enable them to consider the application in accordance with their published oversubscription criteria. Admissions authority schools should respond to an application within **10** school days, 15 as a maximum.
12. For all applicants, Lewisham will provide schools with the information contained in the In-Year Application Form (see Schedule 1 below).
13. Where an application is not fully completed, including address verification, Lewisham will not treat the application as valid until all information is received.
14. If a pupil is currently on roll at a school in Lewisham or a school in a neighbouring borough, the parent will be advised to discuss the transfer with the Headteacher or senior Teacher at the school.
15. Lewisham's in year iCAF, will request background information from the current/previous school to support the enrolment meeting or to determine whether the application qualifies as a Fair Access admission.

Section 3: Offers

16. If a school has a vacancy/vacancies, Lewisham will be expected to offer the place(s) within **10** school days of the vacancy arising to the next child entitled to a place in accordance with the published oversubscription criteria. The school must make reasonable attempts to contact the parent. If a school receives fewer applications than places available, places must be offered to all applicants unless the pupil has had a permanent exclusion from two or more schools in the previous two years.
17. Lewisham's Admissions and Appeals Team will write to parents who have not been offered places at their preference schools giving reasons and informing them of their right of appeal to an independent appeal in accordance with the School Standards and Framework Act 1988.
18. When Lewisham is notified that a pupil has been offered a place at a higher preference school, the lower ranking preferences will be withdrawn and the schools concerned notified.

19. Lewisham will notify the Home LA of the outcome of applications for their residents
20. Schools must place the child on as soon as possible.
21. Children transferring from one local school to another should not transfer to the new school until the start of the following half term unless both the home school and receiving school agrees an earlier admissions date.
22. Federations will have an important role in apportioning admissions among the schools in the federation.
23. If an admission is disputed by a school, the case must be referred to the Admissions and Appeals Team giving detailed written reasons within **3 school days**. The school will also be required to refer the child's placement to the Fair Access Panel (FAP). Lewisham reserves the right to direct admission if necessary.
24. When Lewisham is notified that a pupil has been offered a place at a lower preference school, the higher preferences will also be withdrawn unless the parent indicates otherwise.
25. Acting as Home LA, where an applicant who is out of school cannot be offered a place at one of their named preferences, Lewisham will offer an alternative school place.
26. It will be assumed that parents will accept the offer of a school place unless they formally decline the offer of a place and confirm what alternative arrangements they are making for their child's education.
27. Where Lewisham is informed that another LA is able to offer a place from the waiting list to one of its residents, Lewisham's database will be updated accordingly.
28. Waiting lists for schools in Lewisham will be held for the academic year in which the application was made. Waiting lists will not be carried over from one academic year to the next and parents will be required to reapply for subsequent academic years.

SCHEDULE 1

Lewisham's In-Year Common Application Form (iCAF) will contain the following fields.

Child's details:

- Surname
- Forename(s)
- Middle Name(s)
- Home Address
- Date of Birth

- Gender
- Name, address and dates of attendance of current/previous school(s)
- If currently in school, reason for transfer
- Date place is required
- Permanent exclusions
- Is the child Looked After?

Parent's/Carer's details:

- Title
- Initials
- Forename
- Surname
- Address (if different to child's address)
- Telephone Number(s)
- Relationship to Child
- Parental Responsibility?

Preference details (maximum of 3):

- Full Name of school
- Preference ranking
- Sibling Details
- Reasons for Preference (including any medical or social needs)

Other:


- Declaration including consequences of providing false information
- Signature of parent or carer
- Date of signature
- Data Protection notice
- Checklist including advice about completing supplementary forms

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

Date of Meeting	24 January 2024	
Title of Report	Green Space Spaces Management & Maintenance Contract Procurement	
Author	Vince Buchanan	Ext. 2024

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: 
 Councillor Walsh, Cabinet Member for Culture, Leisure, and Communication
 Date:

Signed: 
 Executive Director Community Services

Date:



Mayor and Cabinet

Green Space Spaces Management & Maintenance Contract Procurement

Date: 24 January 2024

Key decision: Yes

Ward(s) affected: All Wards.

Contributors: Vince Buchanan (Head of Park Sport and Leisure)

Nicholas Pond (Contracts and Service Development Manager)

Outline and recommendations

It is recommended that Mayor and Cabinet approve the procurement of a new 15-year Green Space Management and Maintenance Contract commencing 1 January 2025 and approve the award of contract provided that the contract sum does not exceed agreed budgets.

Delegate authority to Executive Director for Community Services (in consultation with Director of Law and Corporate Governance and the Director of Communities, Partnerships and Leisure) to select the preferred provider in accordance with the selection criteria and award criteria published in the tender documentation and agree and enter into the final form of contract.

Agree in principle to the disposal land as envisaged by this report and authorise ED Community Services in consultation with the Director of Law and Corporate Governance and Director of Communities, Partnerships and Leisure to advertise any disposal of open space as required by section 123(2A) Local Government Act 1972

Delegate authority to ED Community Services to consider and determine any objections made in response to any advert for the open space disposal in accordance with recommendation 2.3 above.

Subject to the responses to the advertisement above, and to compliance with best consideration requirements in section 123(2) Local Government Act, delegate authority to the ED Community Services in consultation with the Director for Law and Corporate Governance and Director of Communities, Partnerships and Leisure to agree lease terms and enter into a lease with the selected provider.

Timeline of engagement and decision-making

See Section 4 of this report for the detailed background to the recommendations set out in this report.

9/01/24 M&C Briefing

24/01/24 Approval to Procure Report presented to M&C for approval

Current contract extension: 2 November 2022 for 14 Months

Current contract expiry: 31st December 2024

01/04/24 Tender issued

16/08/24 Executive Director (or M&C) sign of Award Report

01/01/25 Contract mobilisation

1. Summary

- 1.1. This report seeks permission to procure a new Green Space Contract for a duration of 15 years, with 5-year break clauses, from 1 January 2025.
- 1.2. It provides a brief overview of the history of the current contractual arrangements and the work officers have undertaken to inform their recommendations to Mayor and Cabinet in relation to the procurement of a new contract.
- 1.3. This includes the scope of the specification and an indication of the potential cost of the new contract. Benchmark comparisons have been undertaken looking at the cost of similar services being delivered by other local authorities. This is to enable consideration of the potential budgetary impact of a new contract on the Council's overall budget position.

2. Recommendations

- 2.1 It is recommended that Mayor and Cabinet approve the procurement of a new 15-year Green Space Management and Maintenance Contract commencing 1 January 2025 and approve the award of contract provided that the contract sum is in line with agreed budgets.
- 2.2 Delegate authority to Executive Director for Community Services (in consultation with Director of Law and Corporate Governance and Director of Communities, Partnerships and Leisure) to select the preferred provider in accordance with the selection criteria and award criteria published in the tender documentation and agree and enter into the final form of contract.

- 2.3 Agree in principle to the disposal land as envisaged by this report and authorise ED Community Services in consultation with the Director of Law and Corporate Governance and Director of Communities, Partnerships and Leisure to advertise any disposal of open space as required by section 123(2A) Local Government Act 1972
- 2.4 Delegate authority to ED Community Services to consider and determine any objections made in response to any advert for the open space disposal in accordance with recommendation 2.3 above.
- 2.5 Subject to the responses to the advertisement above, and to compliance with best consideration requirements in section 123(2) Local Government Act, delegate authority to the ED Community Services in consultation with the Director for Law and Corporate Governance and Director of Communities, Partnerships and Leisure to agree lease terms and enter into a lease with the selected provider.

3. Policy Context

- 3.1. This report aligns with Lewisham's Corporate Priorities, as set out in the Council's [Corporate Strategy \(2022-2026\)](#):
 - Cleaner and Greener
 - A Strong Local Economy
 - Quality Housing
 - Children and Young People
 - Safer Communities
 - Open Lewisham
 - Health and Wellbeing
- 3.2. This report is closely aligned to the cleaner and greener priority. Everyone enjoys our green spaces, and benefits from a healthy environment as we work to protect and improve our local environment. A key aspect of this commitment is the preservation of our award-winning green spaces.

4. Background

- 4.1. On 4th November 2009, the Mayor and Cabinet agreed the recommendation to award a 10-year Green Space Management Contract to Glendale Grounds Management.
- 4.2. On 10th October 2019, Mayor and Cabinet agreed in principle to insource parks and open spaces services, they also agreed a formal contract extension of 20 months from 1st March 2020 until 31st October 2021.
- 4.3. On 10th March 2021, due to several factors related to the COVID-19 pandemic, Mayor and Cabinet agreed that the insourcing be paused, and the current contract extended for a further 24 months until 31st December 2024.

- 4.4. The Council set its medium-term financial plan in July 2022, in the recovery period of a global pandemic without the clarity or certainty on the levels of funding it can expect beyond March 2023. The assumptions in that report produced an assumed budget gap of £36m over the four-year period of 2023/24 to 2026/27, with a profile of £10m, £10m, £8m, and £7m in each year. The updated medium term financial plan will be presented to Mayor and Cabinet in February 2024.
- 4.5. On the 2 November 2022, due to the financial situation facing the Council, it was agreed that the current contract be extended a further 14 months until the 31 December 2024, and that the outsourced delivery model continued for the foreseeable future – see further details in section 5 below.

5. Assessment of the scope of a new contract

- 5.1. As set out above the current arrangements for the management and maintenance of the borough's parks and open spaces have been in place since 2000. During this time, the service has performed extremely well with Lewisham assessed as having the best parks in the capital for three of the past six years as assessed by the Good Parks for London report. Lewisham has never been out of the top three positions and is the highest scoring borough across the period.
- 5.2. The service topped the satisfaction list in the 2021 Lewisham Residents' Survey. Overall, the current model of delivery is achieving high quality results across all aspects of the services and there are no concerns regarding the partnership approach taken. Any potential drop in the quality of service will be identified via the agreed monitoring processes and managed via the robust default mechanisms.
- 5.3. The current Green Space contract is a combined management and maintenance contract. There is a legal transfer of the assets and risks to the contractor who indemnifies the council for associated health and safety liabilities that arise from the management of the infrastructure for the duration of the contract.
- 5.4. The following services have been included within the scope of the contract:
- Grounds and Ecological Management
 - Environmental Maintenance
 - Serviced facilities e.g. parks buildings and depots
 - Maintenance of park furniture and sports equipment
 - Playground Inspection repair and maintenance
 - Waterplay and Water Features
 - Infrastructure maintenance
 - Keepers/Patrols/Locking/Unlocking of Parks
 - Events and Activities
 - Sports & Sports Development
 - Marketing and Development
 - Customer Care

- 5.5. A grounds maintenance only service is provided at other locations at the cost of the respective services where appropriate, these include:
- Closed churchyards
 - Car Parks
 - Homeless Person's Accommodation (Lewisham Housing Service Hostels)
 - The Corporate Estate, including Laurence House and the Civic Suite
 - Two School Playing Fields (Elm Lane and Whitefoot Lane)
- 5.6. The Mayor and Cabinet in November 2022 agreed that the current contract be extended by a further 14 months until the 31st of December 2024. This would enable a continuity of service and allow for the preparation for a full open procurement process. A new contract is required to be in place from 1 January 2025.
- 5.7. This agreed recommendation put before Mayor and Cabinet was informed by detailed financial modelling of an insourced service. This work was undertaken by FMG Consulting. The financial modelling has been reviewed and the principles upon which it was based remain sound, ergo the decision to return to the market remains sound.
- 5.8. FMG's financial modelling revealed that there would be a considerable increase in costs to the Council should the decision have been to insource the service. It was recommended that we continue with the current delivery model for the foreseeable future.

<https://councilmeetings.lewisham.gov.uk/documents/s103537/Parks%20and%20Open%20spaces%20-%20FINAL.pdf>

<https://councilmeetings.lewisham.gov.uk/documents/s103538/Appendix%201%20-%20Lewisham%20Parks%20Open%20Spaces%20Insourcing%20-%20Financial%20Modelli...pdf>

- 5.9. The legal transfer of assets and risk facilitated by the current contract has contributed to the delivery of a high-quality service. The contractor is given a high degree of ownership and accountability for the service outcomes. It is therefore in their interests to ensure that the parks fabric, buildings, and wider estate are well maintained, to minimise their exposure to risk.
- 5.10. It is recommended that the new Green Space Contract is let for a period of 15-years with an inbuilt 5 yearly review mechanism with a break clause option.
- 5.11. A 15-year contract is predicated on the view that this option will offer several advantages for the Council as well as the contractors.
- 5.12. Longer-term contracts are beneficial to us for the following reasons:
- **Stability and Predictability:** Longer contracts provide contractors with a greater sense of stability and predictability. They offer a longer-term commitment from the partner organisation, reducing the uncertainty

associated with shorter contracts. This stability allows contractors to plan their resources, invest in their business, and make long-term strategic decisions.

- **Financial Security:** Longer contracts typically provide contractors with a more stable income stream over an extended period. They can rely on a consistent flow of work and income. This financial security enables them to better manage their finances, pay employees or sub-contractors, and invest in their professional development.
- **Relationship Building:** Longer contracts allow contractors to develop stronger relationships with the client and its staff. They have more time to understand the organisation's culture, values, and objectives, which can lead to greater collaboration and improved communication. Building strong relationships can enhance the contractor's reputation and increase the likelihood of future contract extensions or new opportunities within the organisation.
- **Efficiency and Effectiveness:** Longer contracts give contractors the opportunity to become more familiar with the client's processes, and requirements. As they gain experience and institutional knowledge, they can become more efficient and effective in delivering their services. This can result in higher-quality work, improved productivity, and cost savings for the organisation.
- **Skill Development and Career Growth:** Longer contracts provide contractors with a platform to develop their skills and expertise. They can dedicate more time to learning and improving their capabilities. This professional growth can enhance their reputation, increase their competitiveness in the market, and open other opportunities.
- **Reduced Administrative Burden:** Longer contracts mean fewer administrative tasks associated with contract bidding, negotiation, and mobilisation.

5.13. It is important to note that while longer contracts offer benefits such as those set out above, they also present potential risks. When it comes to longer-term public service contracts, there are several risks that clients may encounter.

5.14. Understanding these risks is crucial for effective contract management. Some of the common risks and potential mitigation strategies, many of which are present in the current Green Space Contract, are set out in the following sections:

- Dependency on a single provider for an extended period can pose risks such as limited competition, reduced innovation, and potential disruptions if the provider fails to deliver
- Contract requirements, public service needs, and technology evolve over time. Risks associated with this include services becoming outdated, lack of flexibility, and the inability to adapt to emerging trends
- Longer-term contracts may have financial and budgetary constraints. Risks include cost overruns, unexpected expenses, inadequate budget planning and reduced flexibility to make significant alterations to the contract sum.

- 5.15. Officers have considered the above and believe that risk can be mitigated by:
- Including clauses in the contract that allow for periodic reviews and updates. The 5 yearly review mechanism would allow scope to flex around changing requirements and technological advancements.
 - Continuing with the robust performance monitoring mechanisms with clear indicators and benchmarks.
 - Building in provisions for innovation, research, and development, to ensure the services remain up to date.
 - Stipulating clear protocols for communication and collaboration between the client and the service provider to address any emerging needs or changes.
- 5.16. Officers have considered shorter term contracts of 5 years but believe this option is sub-optimal. This is because of the character and complexity of managing a dynamic asset, that requires long term planning and investment. The potential financial and organisational risks and cost associated with a short-term approach presents a significant risk.
- 5.17. Consideration has been given to what should and what should not be included in the scope of the new contract. After a thorough review a decision was taken that the contract should remain fundamentally the same as the current contract. This is set out in the table below:

Within the scope of the proposed Contract	Outside of the scope of the proposed Contract
Parks	Beckenham Place Park
Highways Enclosures	Nature Conservation Sites
Car Parks	Lewisham Housing Services Hostels (tbc)
CYP (Children & Young People) Playing Fields: <ul style="list-style-type: none"> • Elm Lane • Whitefoot Lane 	Cemeteries & Crematorium Grounds
Warren Ave Playing Fields	
Corporate Estate: <ul style="list-style-type: none"> • Laurence House • Civic Suite • Ladywell Day Centre • 45 Bromley Road (Hollydale) 	
Sports Development Leisure Centre Ground Maintenance	

- 5.18. All items listed as ‘Within the scope of the proposed contract’ in the table above are included in the current contract and have benefitted from high quality service provision that the contract has delivered. Therefore, there is no reason to change the arrangement.
- 5.19. Officers have considered the locations listed in the table above as ‘Outside of the scope of the proposed contract’ for the following reasons:
- 5.20. Beckenham Place Park could be considered Lewisham’s principal park. It is a

prestigious asset that is currently managed by an in-house parks team and has benefitted from considerable internal and external investment over the last 5 years. Officers consider that it is the only Lewisham park that is of sufficient size and ecological interest to be appropriately managed as a standalone, financially sustainable country park type location. There are currently several leases in place between the Council and the businesses that operate within the park. The leases have a considerable number of years to run and will generate a steady stream of income. The income generated from the leases along with the income generated from large and small events and car parking, currently contribute to the ongoing costs of management and maintenance of the park. At this moment in time the best option is to not include Beckenham Place Park within the scope of the new Green Space Contract.

- 5.21. The Council's 16 nature conservation sites should also remain outside of the scope of the new Contract. This is because they require careful, specialist, and iterative management that is sensitive to the protected species and habitats present at those sites. Officers consider that this work should be delivered by a specialist contractor with the close oversight of the Ecological Regeneration Manager.
- 5.22. We will have the option for the conservation sites to be varied into the Green Space Contract should there be issues with obtaining a specialist contractor or with affordability. If this were considered necessary, to maintain the standards required, it would be done on the proviso that the successful contractor employs a suitably competent persons for this specialist work.
- 5.23. Lewisham Housing Services Hostels and other HRA funded areas of grounds maintenance should be delivered outside of the scope of the new Contract. These sites currently make up a small part of the current Green Space Contract. They are a remnant of the housing stock that was excluded when Lewisham Homes insourced the housing grounds maintenance service. The cost of this work is currently met via a recharge to the HRA (Housing Revenue Account).
- 5.24. The exclusion of Hostels is subject to final confirmation but would offer the potential for Lewisham Housing Services to provide direct management of the service via their existing in-house grounds maintenance teams. This would allow them to better engage with residents within the hostels on the quality of the services that they receive.
- 5.25. Bereavement Services Sites, in consultation with the Head of Bereavement Services, it was agreed that the management and maintenance of Lewisham's cemeteries and crematorium grounds should not be included within the scope of the new Green Space Contract as the inclusion presents potential reputational risks.
- 5.26. The risks arise from the nature of some of the sensitive operations unique to cemeteries. There is the view that an externalised service at these locations will present additional challenges in meeting the corporate need for responsive, flexible, and sensitive provision, given some of the operational issues that can arise.
- 5.27. There is a likelihood that a decision to outsource this service as part of the new

contract will create a two-tier work force. Transferring staff from the Council would remain on more favourable terms and conditions compared to the staff employed by a successful contractor. However, if at a future date the Council wish to incorporate these sites within the new contract, then all, or part, could be varied in.

- 5.28. All income generated from events and concession in our parks and open spaces included within the current contract go directly to Glendale our incumbent Contractor (except for a share of a large music festival held at Blackheath). This allows the contractor to financially benefit from the hosting and management of events, and the letting of concessions. The theory is that the income generated by the contractor via events and concessions should reduce the global contract sum payable by the Council.
- 5.29. A range of specialisms are required to support successful events and concessions contracts. The successful contractor would be expected to set out in their business plan how they intended to deliver this aspect of the services and how they will generate revenues from those activities. The events plan will be reviewed on an annual basis to ensure that it reflects the Council's wider calendar for the arts and cultural life of the borough.
- 5.30. Officers have considered a risk / reward sharing arrangement and think this should be considered rather than replicating the current contract model. This would see the Council receive an agreed percentage of revenue generated from events and concessions.
- 5.31. Any income generation to the Council needs to be balanced against the risks involved. Risks include future pandemics or being drawn in to both legal and operational issues with event organisers and/or concessionaires.
- 5.32. If it is decided that we proceed with a shared risk/reward arrangement, we will leave it to bidders to set out within a Method Statement how they propose to do this. The client team will evaluate ongoing performance throughout the life of the contract to ensure that the specification and the Method statement are being met.
- 5.33. A long-term business plan will be required for any new contractor and/or for the Council depending on the decision of where these services sit. Significant up-front investment and plans for ongoing revenue expenditure would be required so that opportunities are effectively advertised and marketed.

6. Procurement Options Considered

- 6.1. There are a wide number of grounds maintenance frameworks. The requirement for the Green Space Spaces Management & Maintenance Contract would not be covered by one single framework, multiple frameworks and lots would be required. The duration would be far less 15 years. This would result in several separate contracts that would all require monitoring and further procurement. This

route would involve officers managing multiple contracts. Therefore, this is not the recommend route.

- 6.2. It is recommended that an open tender exercise be conducted. This will follow on from Market engagement and Market warming event. This is a niche market with fewer suppliers therefore a 2-stage process would not be suitable.
- 6.3. The Green Spaces team will develop the contract specifications, pricing details, and evaluation criteria. Lewisham Council's Procurement team and Legal team will review and approve these documents.
- 6.4. The tender weightings are 45% price, 45% quality, and 10% social value. The evaluation will involve the Compliance Manager and compliance team members.
- 6.7. Invitations to tender will be sent using Council templates via Proactis.

7. Financial implications

- 7.1. The cost of the 2023/24 Grounds Maintenance contract is being met from the Parks and Open Spaces Service budget within the Communities Directorate. As part of budget setting for 2024/25 the expected cost of the existing contract for the remaining 9 months has been considered.
- 7.2. The council has an annual budget setting process, the contract sum for the new service commencing 1st January 2025 will be consider as part of budget setting for 2025/26 and onwards as well any inflationary increases over the life of the contract.

8. Legal implications

Approval to Procure

- 8.1. The report seeks approval to procure an external service provider for the Green Space Management and Maintenance Contract. Given the potential spend on this contract (at a length of 15 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.
- 8.2. 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 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 and must be complied with.

Approval to Award

- 8.3. This report proposes that Mayor and Cabinet approve the award of a contract for Green Space Management and Maintenance. This report further proposes that Mayor and Cabinet instruct the Executive Director for Community Services in consultation with the Director of Communities, Partnerships and Leisure 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.
- 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 in line with agreed budgets and the preferred contractor 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.
- 8.6. It is envisaged that a lease or leases will be entered into with the selected provider. The Council may dispose of its land provided it complies with section 123 Local Government Act 1972 including, where a lease is granted for more than a 7 year term, obtaining the best consideration for the lease that is reasonably obtainable and, where the lease is of open space, complying with the publication and consultation requirements set out in section 123(2A).

9. Risk Implications

- 9.1. This is a complex, high value contract. It is reliant on well-designed documentation that requires multiple internal and external inputs and consultees. Ensuring that there is enough resource provision to check that all elements are correct, of sufficient detail and quality can be challenging to predict and negotiate.
- 9.2. Not all liabilities are included in the scope of the current or the proposed contract. 'Closed churchyards' are an example where the liability for infrastructure maintenance, remains with the Local Authority. The contractor is only responsible for grounds maintenance. They will not be responsible for walls, gates, fences, and pathways, many of which are historic and require specialist consideration.

9.3. The Council's current financial position and affordability of the tender returns present a risk. Also, the possibility of future cuts and/or of income projections not being achieved. (We will be in a better position to mitigate against these risks after conducting an independent cost assessment and market research exercise.)

9.4. Failure of the new contractor to deliver the same quality to that of the current Green Space Contract or on priorities set out in the Corporate Plan. This may result in negative public perception and dissatisfaction, a loss of trust that has been built up over many years. Public dissatisfaction could result in negative media attention.

8.5. ~~OBJ~~The mitigation steps that will be taken to reduce risk are as follows:

Risk	Mitigation
Procurement timeline slippage	Mitigation for these risks started early with ongoing discussion between all the relative parties, definition of roles and responsibilities, communication of timescales, realistic assessment of the work and standard of input required and by whom. Attentive monitoring of the staged process, understanding of the tolerances and early identification of issues as required.
Affordability	Fixing the maximum tender price will mean that a greater emphasis can be placed on evaluating the quality elements of the tender. This might have some advantages in a highly competitive industry, where there are only a few companies that are set up to undertake a large and complex contract of this type. Historically the partnership approach characterised by this contract has allowed for negotiated reduction in the level of services in response to financial pressures faced by the Council.
Performance issues	Replication of the robust quality assurance and monitoring processes that are built into the current contract. Proactive communication with elected members and key stakeholders during the re-tendering process and establishment of the new contract.

10. Equalities implications

10.1. A full Equalities Assessment Analysis (EAA) has been completed in relation to the procurement of this service. See Appendix A

11. Climate change and environmental implications

- 11.1. The Council's Environmental objectives are addressed in the current Parks and Grounds Maintenance contract specification and will form part of the assessment criteria for the award of the new contract.

12. Crime and disorder implications

- 12.1. Failure to maintain the Councils parks and open spaces could lead to overgrown shrubbery and hedgerows blocking clear sight lines and adding to both the opportunity for crime to be committed and the fear of crime in general.

13. Health and wellbeing implications

- 13.1. Health and wellbeing implications are enormous and cannot be overstated. Well maintained parks and open spaces are critical to the health and wellbeing of Lewisham residents. Studies have shown that every pound invested in parks drives health and wellbeing benefits valued at a factor greater than 25:1 in terms of preventative mental and physical health.
- 13.2. We know that the direct cost of physical inactivity to the NHS is more than £1.06 billion. Mental illness costs the UK (United Kingdom) economy 110 billion £ per year and that if no specific policies are employed to address prevention and/or early intervention, then the cost of health care according to the World Health Organisation is projected to double by 2050.

14. Social Value implications

- 14.1. The contract specification and evaluation process will ensure that the successful contractor will assist the Council delivering its policy objectives related to creating greater Social Value from all its contracts. Bidders will be expected to set out their approach to this within the relevant Method Statement and scored against the evaluation criteria accordingly.
- 14.2. It is expected that the successful contractor will pay the London Living Wage (LLW).

15. Background papers

- 15.1. Report to Mayor and Cabinet 2 November 2022
<https://councilmeetings.lewisham.gov.uk/documents/s103537/Parks%20and%20Open%20spaces%20-%20FINAL.pdf>
- 15.2. Lewisham Parks & Open Spaces Insourcing - Financial Modelling completed by FMG consulting
<https://councilmeetings.lewisham.gov.uk/documents/s103538/Appendix%201%20-%20Lewisham%20Parks%20Open%20Spaces%20Insourcing%20-%20Financial%20Modelli...pdf>

16. Glossary

Term	Definition
Break Clauses	Stipulated points within the contract duration where either party can terminate the contract prematurely.
Scope of Specification	The detailed description of the work, services, or goods to be provided under the contract.
Benchmark Comparisons	Evaluation of costs and performance against similar services provided by other entities to assess competitiveness and value
Budgetary Impact	The effect of the new contract on the overall financial position of the Council.
Insourcing	Bringing services or operations that were previously outsourced back in-house.
Financial Modelling	The process of creating a representation of the Council's financial situation and potential outcomes.
Inbuilt Review Mechanism	A provision in the contract allowing for periodic assessments or evaluations.
Risk Mitigation	Strategies to minimize or manage potential risks associated with the contract.
Tender Documentation	Official documents provided to potential bidders outlining the requirements and terms of the contract.
Legal Transfer of Assets and Risks	The shift of ownership and responsibility for assets and associated risks from the Council to the contractor.
Market Engagement	Interaction with potential suppliers to gather information and assess market conditions before initiating the procurement process.
Two-Stage Process	A procurement approach involving initial engagement followed by a formal tendering process
Social Value	The broader benefits and positive impacts a contract can bring to the community and society.
London Living Wage (LLW)	The hourly wage rate considered the minimum required to maintain a basic standard of living in London.
Method Statement	A document outlining how a contractor intends to approach and carry out specific aspects of the contract.

Term	Definition
Proactis	A platform or system used for electronic procurement and sourcing.
Equalities Assessment Analysis (EAA)	An evaluation of the potential impact of the contract on equality and diversity.
Association of Public Sector Excellence (APSE)	An organization providing support and advice to public service organizations.
FMG Consulting	A consulting firm involved in financial modelling and analysis for the Council.
Bill of Quantities (BoQs)	A document detailing the quantity and type of work, goods, or services required in the contract.
State of the Market Report	An analysis of the current conditions and trends in the relevant industry or market.
Compliance Team	A group responsible for ensuring that the contract complies with legal and regulatory requirements.

17. Report author(s) and contact

- 17.1. Vince Buchanan, Head of Parks Sport, and Leisure 020 8314 2024
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- 17.2. Nick Pond Contracts and Service Development Manager
nicholas.pond@lewisham.gov.uk
- 17.3. Comments for and on behalf of the Executive Director for Corporate Resources provided by Yusuf o Shaibu, Strategic Finance Business Partner (Community Services)
- 17.4. Comments for and on behalf of the Director of Law and Corporate Governance provided by Mia Agnew, Senior Contract Lawyer

18. Appendices

- 18.1. *Appendix A Equalities Analysis Assessment*

Appendix A: EAA Green Space Contract 2025-2040

Author	Jordan Ihama	Directorate	Community Partnership & Leisure
Date	01/12/2023	Service	Greenscene – Parks & Open Spaces

1. The project or decision that this assessment is being undertaken for

This EAA is being completed as part the procurement process for the renew of the Green Space Contract 2025-2040. For the provision of management and maintenance of Lewisham Council’s Parks and Open Space.

The aim of this process is to identify existing management & maintenance contract offers and develop future quality opportunities to ensure cost effective & efficient service delivery. As well as to ensure continuity of delivery of a targeted effective cost saving efficiency management service.

This EAA reviews the potential impact of these changes on our park users and the wider Lewisham residents. And to ensure we continue to tackle inequality and promote equality in our parks & open spaces, within the borough’s diverse communities.

To ensure that every resident, irrespective of their background or life experience are provided with the opportunity to continue to access and use these spaces without prejudice or other barriers.

That we continue to build on the council’s historic values of fairness, equality. And that our parks & open spaces are welcoming & safe places for all, where we celebrate the diversity that strengthens us.

To ensure the continuous development of the council’s park & open space service inclusive tradition of working alongside residents and community, voluntary and faith groups irrespectively.

This process aims to continue to have a positive impact across all the protected characteristics, ensuring that we:

- a) Meet the responsibilities placed on us by the equalities Act.
- b) Take equality and inclusion issues into account when making decisions.
- c) Identify what barriers people face and take steps to remove them.
- d) Develop measures and actions to tackle discrimination.
- e) Challenge discrimination against people who work for the Council or who use our services.
- f) Raise staff awareness and understanding of these issues.

2. The protected characteristics or other equalities factors potentially impacted by this decision. What is the likely impact of the proposed changes?

Include evidence to support anticipated impacts, both positive and negative.

Age:

Improving sites will ensure that areas are accessible to a range of facilities suitable for different ages. Depending on the play provision, location and nature of play, younger children or older young people may feel excluded. As part of the Parks and Open Spaces Strategy 2020 - 2025, a public survey of the quality level & uses of our parks & open spaces was undertaken in 2018.

This highlighted that 84.24% agreed that they were good facilities for children and young people within our parks. However, some age-appropriate equipment excludes some age groups.

Disability:

Through improving sites to the standards required in the design guidance, open space sites will become accessible to all users including for people with limited mobility and disabilities.

Children and young people with disabilities may be negatively impacted if:

- play areas are not accessible and the play equipment are not suitable for children with disabilities.

Corporate Equalities Policy

- If children & young people with disabilities are excluded from consultations on design of playgrounds.

Ethnicity/Religion:

If due considerations are not given perhaps to people's custom/cultural practices, some communities may feel excluded or unable to participate in usage.

Gender/Sex:

Improving sites should have a positive impact on community cohesion by providing high quality spaces for all communities to interact.

Through improving sites, site use is increased, which results in greater natural surveillance and reduced fear of crime and feeling of vulnerability for lone individuals.

Risk of gender inequality may exist if parks layout and play provisions are designed in ways that excludes a particular sex from participating in the use of this spaces.

If dedicated play provision are not made available for specific gender.

Positives for residents of Lewisham and Park users:

- Improving quality of life for park users in parks
- Reducing pollution
- Improve quality of service provision
- Areas are accessible to a range of facilities suitable for different ages
- Household type and socioeconomic status will be positively impacted – as improvements to green space can often positively impact those without access to a garden

Service Users

It will benefit all Lewisham residents, including children, the young, elderly, SEN, disable people and their families, from having a variety of safe, accessible, and well-maintained parks & Open green spaces local to their homes.

As part of this process, we engaged with residents and our park user group forum through an online survey carried out in 2018 across the borough to understand their view on the present level of maintenance and management of the borough's parks & open spaces, on accessibility, utilisation of these spaces, how this can be improved, and their aspirations for future models of parks and open spaces.

Other Council Services

Include evidence to support anticipated impacts, both positive and negative.

Not anticipated to have a negative impact.

Partners

Include evidence to support anticipated impacts, both positive and negative.

Not anticipated to have a negative impact.

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Impact & Outcomes

Through improving open space sites and facilities in as many areas as possible within the borough, should have a positive impact on community cohesion by providing high quality spaces for all communities to interact.

Are there any specific equalities implications? Please provide a response for each protected characteristic/equalities consideration, even if the impact is neutral.

Protected characteristics and other equalities considerations	High (Positive / Negative)	Medium (Positive / Negative)	Low (Positive / Negative)	Neutral
Age		X		
Disability		X		
Ethnicity	X			
Gender		X		
Gender reassignment				X
Marriage and civil partnerships				X
Pregnancy and maternity				X
Religion and belief		X		
Sexual orientation				X
Socio-economic inequality		X		
Is a full EAA required?			Y/N (with Corporate Policy input)	

<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Ethnicity/Race	<input checked="" type="checkbox"/> Religion or belief	Language spoken	<input type="checkbox"/> Other, please define:
<input checked="" type="checkbox"/> Gender/Sex	Gender identity	<input checked="" type="checkbox"/> Disability	Household type	
Income	Carer status	Sexual orientation	Socio Economic	
Marriage and Civil Partnership	Pregnancy and Maternity	Refugee/Migrant/Asylum seeker	Health & Social Care	
Nationality	Employment			

3. The evidence to support the analysis.

The quality assessment suggests that 28.35% of the borough's total area of greenspace is of 'good' quality, 61.90% are of 'fair' quality and 9.75% are of 'poor' quality. The assessment suggests that the borough does not have any sites of 'excellent' quality. (See *Maps Lewisham Council Open Space Assessment 2020 publication*)

QUALITY ASSESSMENT ANALYSIS

The Tables below present the quality assessment of park user survey data gathered through the online assessment of Lewisham's parks and open spaces.

Corporate Equalities Policy

Table 1.1 - Overall Quality Assessment Scores - All Sites Surveyed

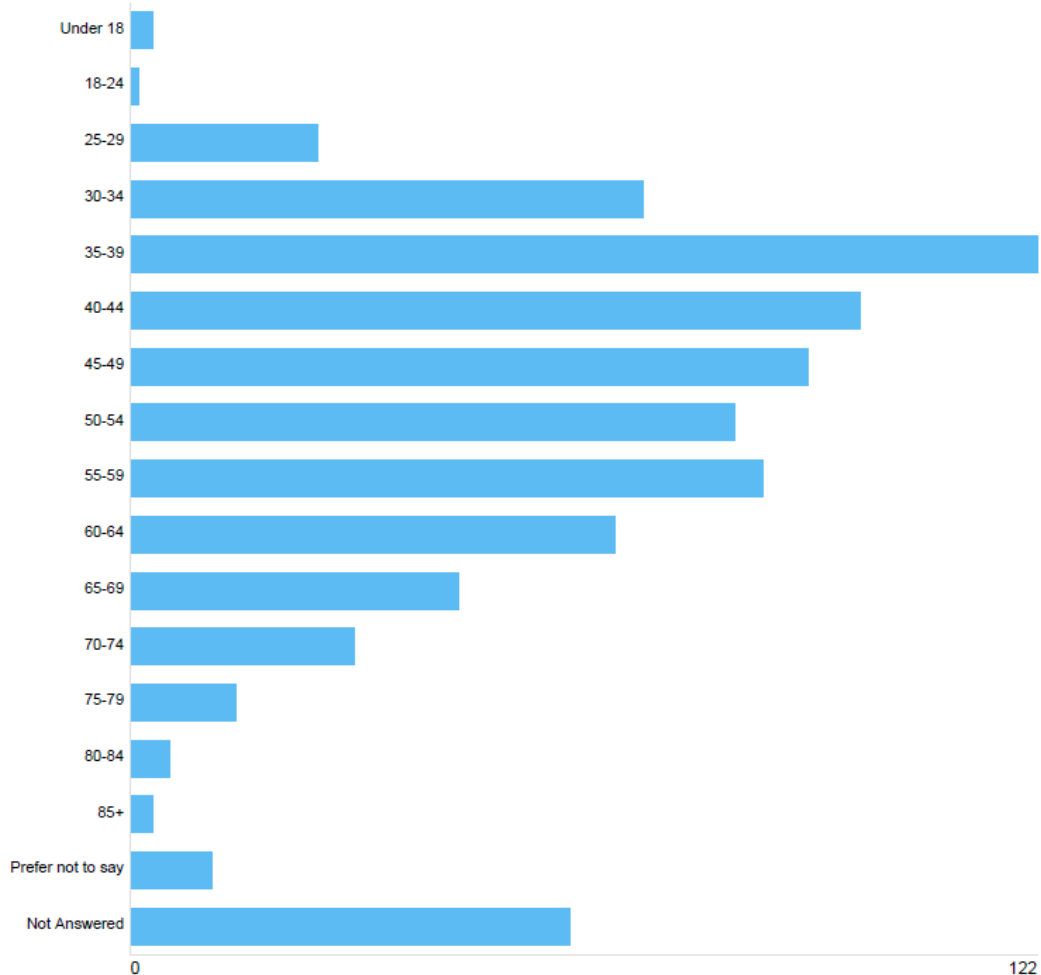
	Number of Sites	% of Number of Sites	Area(ha)	% of Total Area
GOOD	35	10.03%	220.45	28.35%
FAIR	207	59.61%	481.33	61.90%
POOR	107	30.66%	75.78	9.75%
TOTAL	349	100%	777.56	100%

A review of service user data and outcomes was undertaken by the Parks & Open Spaces services. The information we gathered through this survey and other public engagement activities was used to influence the Council's Local Plan and Parks & Open Spaces Strategy 2020-2025.

Below shows relevant park user data from the 2018 consultation showing who is represented as park users in the borough:

Question 21: What is your age?

Age



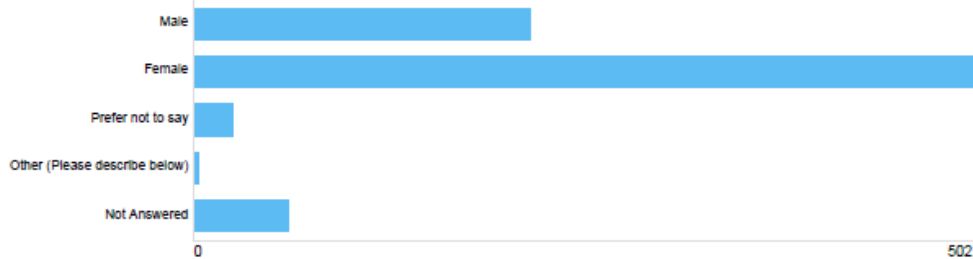
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Lewisham

Option	Total	Percent
Under 18	3	0.37%
18-24	1	0.12%
25-29	25	3.10%
30-34	69	8.56%
35-39	122	15.14%
40-44	98	12.16%
45-49	91	11.28%
50-54	81	10.05%
55-59	85	10.55%
60-64	65	8.06%
65-69	44	5.46%
70-74	30	3.72%
75-79	14	1.74%
80-84	5	0.62%
85+	3	0.37%
Prefer not to say	11	1.36%
Not Answered	59	7.32%

Question 22: What is your sex?

Please select one of the following from the dropdown list:



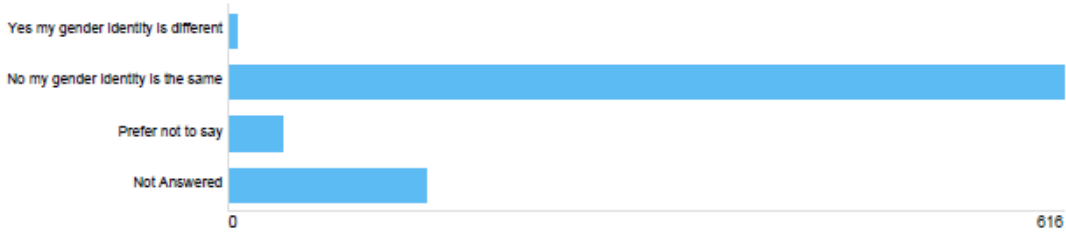
Option	Total	Percent
Male	217	26.92%
Female	502	62.28%
Prefer not to say	25	3.10%
Other (Please describe below)	2	0.25%
Not Answered	60	7.44%

Corporate Equalities Policy



Question 23: Is your gender identity different from the gender you were assigned at birth?

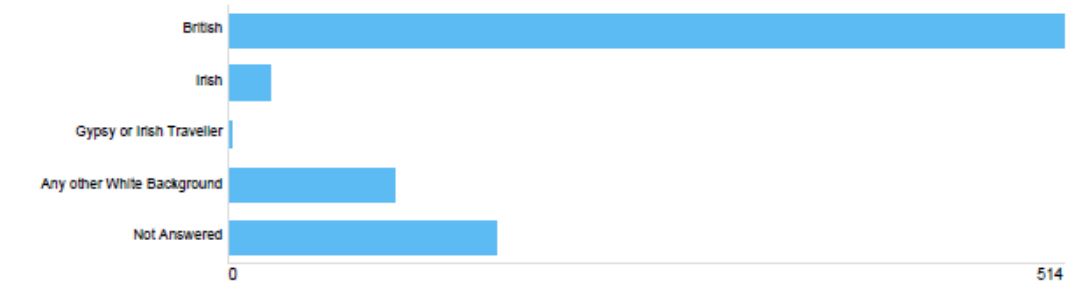
Transgender



Option	Total	Percent
Yes my gender identity is different	6	0.74%
No my gender identity is the same	616	76.43%
Prefer not to say	39	4.84%
Not Answered	145	17.99%

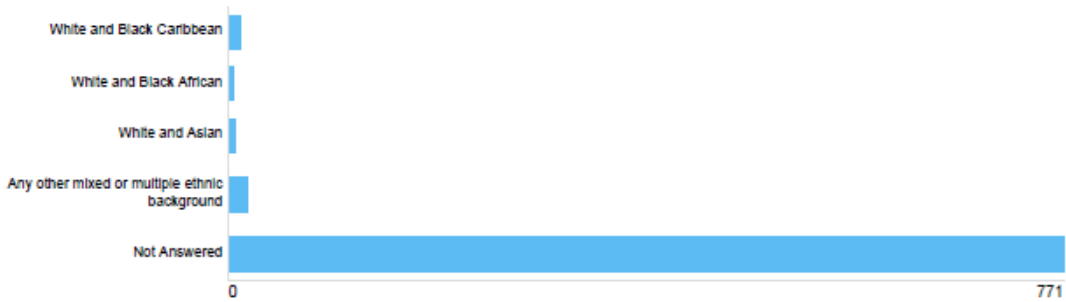
Question 24: What is your ethnicity?

Ethnicity - White

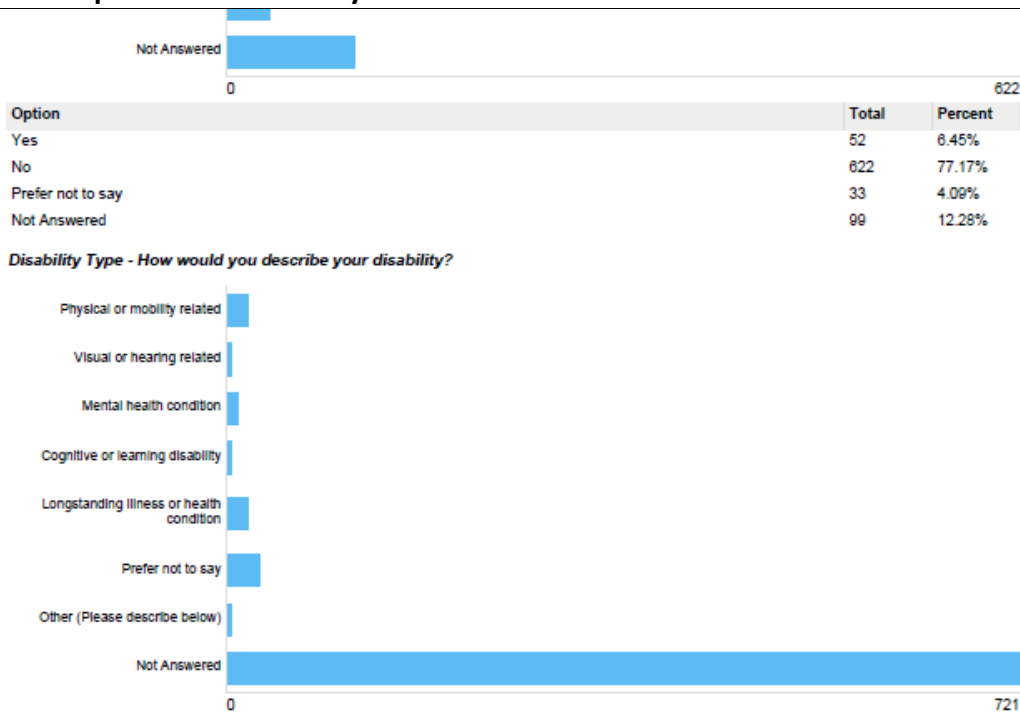


Option	Total	Percent
British	514	63.77%
Irish	25	3.10%
Gypsy or Irish Traveller	1	0.12%
Any other White Background	102	12.66%
Not Answered	164	20.35%

Ethnicity - Mixed or multiple ethnic groups



Corporate Equalities Policy



4. The analysis

As demonstrated in the graphs above, people from ethnic minority backgrounds are unrepresented in the consultation data. Lewisham council seek to address this through various mitigating factors highlighted in the mitigation section.

We have also performed a recent consultation exercise on the future green space contract. Which was carried out on the 21st of September 2023 with representatives from the Lewisham Park User Group forum. An exercise carried out as part of the new contract procurement process. To inform areas for consideration and need for potential improvement.

Although the consultation exercise was underrepresented of people from ethnic minority backgrounds, this consultation exercises will inform how the park service will mitigate fair representation of this deficiency in the future consultation processes. We aim to improve the diversifications of the data we collate on ethnic background in future consultations and surveys throughout the borough.

Going forward in order to create a meaningful inclusive representation, we aim to ensure that underrepresented groups have a seat at the next & future decision-making forum. We would actively seek out diverse perspectives, create opportunities for collaboration, and champion the voices of underrepresented.

We would identify barriers and encourage engagement.

It also demonstrates that people with disabilities are unrepresented in the 2018 consultation exercise, only 6.45% in comparison to 15.2% of disabled people in Lewisham.

Corporate Equalities Policy

We aim to ensure inclusivity and fair representation in future processes.

The largest age represented in the survey data was 35–39-year-olds at 12.9%. Ages below 18 were significantly underrepresented in this data at 0.37%. Age is probably underestimated in the consultation data as people below the age of 18 are much less likely to attend such consultation.

The data may not be conclusive to those who are park users, but we believe it provides a fair background of those who will be or potentially impacted in future changes, providing opportunities to mitigate them. This will be guided by our developed clear diversity and inclusivity policies.

5. Impact summary

See below summary of impacts. Overall, with all factors and wider commissioning decisions taken into consideration, the impact was found to be neutral across most protected characteristic and medium on others. It was however found to have positively impact people from an ethnic background as they are currently underrepresented in park user groups.

- Age – Medium
- Ethnicity/Race – Positive
- Religion or belief – Medium
- Language spoken – Neutral
- Gender/Sex – Medium
- Gender identity – Medium
- Disability – Medium
- Household type – Neutral
- Income – Neutral
- Carer status – Neutral
- Sexual orientation – Neutral
- Socio Economic – Medium
- Marriage and Civil Partnership – Neutral
- Pregnancy and Maternity – Neutral
- Refugee/Migrant/ Asylum seeker – Neutral
- Health & Social Care – Neutral
- Nationality – Neutral
- Employment – Neutral

The impact of the new park management contract will be particularly significant for ethnic minority groups who are currently underrepresented as park users. To address this issue, the contract aims to promote diversity within Friends of Park groups and the management team, fostering a more inclusive and representative environment. Through consultation exercises and data gathering, the specific needs and preferences of underrepresented communities will be considered. This will enable the development of targeted outreach and engagement strategies to encourage park usage among individuals from diverse ethnic backgrounds. Ultimately, the contract will prioritise community involvement and collaboration, ensuring the park management reflects the surrounding population's diversity.

Corporate Equalities Policy

6. Mitigation

As part of this process in the implementation of this procurement process, it ensures due regards are paid to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality 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.

We will work towards overarching **Equality Act 2010 Public sector equality duty**.

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Age:

The parks & open space strategy action plan will ensure that all play spaces and opportunities are available and accessible to all Lewisham children and young people of all ages. Opportunities will also be available for intergenerational & all-inclusive play, where adults can participate and enjoy play as well as people with various disabilities. We will achieve this through targeted areas of service delivery.

Disability:

The delivery plan of the Parks & Open Spaces strategy will ensure that both new and existing, play provisions are accessible with appropriate reasonable adjustments to allow full participation from children and young people with all types of disabilities. Work with disabilities coalition groups to involve Children and young people with disabilities and their families in the design and development of play opportunities within our park and other open spaces.

Ethnicity /Race /Religion:

The Council's Corporate Equalities Policy will be used to reflected in the action plan of play provisions. To ensure that parks & open spaces show a multicultural theme and are responsive to cultural needs. Through ongoing consultations and park user surveys being carried out, in tangent with our park's service delivery plan, we aim to identify and address potential barriers of play for children and young people from diverse backgrounds and to actively seek to ways of meeting the needs and expectations.

Gender/Sex:

To work in partnership with park users' groups in tangent with our strategic delivery plan to promotes equality and ensure that all service provision within our park embed' s equality into practice.

Overall, wherever possible & practicable we aim to also measure levels of discrimination against all protected characteristics groups.

Inorder to ensure a successful approach to mitigation, we would adopt a core principle of Community engagement strategy, which will be through transparency, trust openness, collaboration, and shared purpose. Which will subsequently ensure a sustainable engagement & participatory culture, particularly within minority ethnic & underrepresented groups.

Corporate Equalities Policy

The following would be considered as part of our commitment to consider our service users throughout the procurement process and going forward in the future.

Ensure that good equality and diversity practices, to make sure that the services provided to people by the new contractor are fair, opened and made accessible to everyone.

And ensure that people are treated as equals and that people get the dignity and respect, they deserve. And that their differences are celebrated.

Ensure that everyone in the community feels that their park or green space are places & spaces that can be access freely.

Aim to actively promote equality and diversity to help our parks or open spaces to thrive. Which will in turn help us attract a wider pool of people from varied ethnic & religious backgrounds, volunteers, and other users.

Most importantly, that people of all backgrounds can come together and enjoy these facilities.

To continue to encourage children from diverse backgrounds through volunteering, by reaching out to a local school or college that attracts the demographic group we are seeking to engage. Through engagement in wildlife ecological or outdoors components as part of their curricula activities.

What the Council is already doing to meet our equality responsibilities:

Providing accessible paths for wheelchair/pushchair users within our park.

Working alongside our leisure & sport section to provide play opportunities for people with disabilities and special needs, so that everybody, regardless of disability or additional needs, can access sport or physical activity that suits them.

Providing a range of leisure activities within our parks to cater for varied age range i.e., outdoor gym equipment to keep active and to maintain and improve their health and wellbeing.

Promoting consultation and community engagement through our park improvement & development processes.

Organise and facilitate outdoor environmental education for schools' pupils of diverse background irrespective of ethnicity of gender orientations.

Working with the safe neighbourhood service to ensure a safe and welcoming park for everyone to use.

Potential risks of the Equality & Diversity Policy:

Failing to comply with equality duties and/or other equalities legislation.

Compliance notices and/or enforcement action being taken by the Equality and Human Rights Commission.

Insufficient staff and/or lack of cooperation to take forward the Policy's actions and priorities. Financial consequences of enforcement action/non-compliance.

Financial consequences of discrimination/harassment claims.

Impact on the Council's reputation if we are not perceived as an 'equal opportunities employer'.

Risk of service exclusion if we do not know who the hard-to-reach groups are and how to engage with them.

Signature
Director

of





Mayor and Cabinet

Approval to Procure – Affordable Workspace Provider – Town Hall Chambers

Date: 24th January 2024

Key decision: Yes

Class: Part 1.

Ward(s) affected: Catford

Contributors: Joe Lee, Principal Business Development Officer; Spike van der Vliet-Firth, Interim Head of Economy, Jobs and Partnerships

Outline and recommendations

Mayor and Cabinet is recommended to approve the procurement of a provider for the provision of affordable workspace within the Town Hall Chambers. The value of the contract to the Provider will be estimated £168,000 per annum and a total of £1,008,000.00 for the whole contract period. The contract will be for a period of 5 years with an option for a further year of delivery.

Extend contract of Bow Arts to deliver workspace in the 4th Floor Old Town Hall until the 31st December 2024 or until the termination of the lease by the Council.

Approve the award of contract and entry into a lease with the preferred service provider for the provision of affordable workspace.

Delegate authority to the Executive Director for Place (in consultation with Director of Law and Corporate Governance and the Cabinet Member for Business, Jobs and Skills to select the preferred service provider in accordance with the selection and award criteria published in the tender documentation and agree final form of contract and lease.

Timeline of engagement and decision-making

Lewisham Council delivered a Creative and Digital Industry Study in 2017. This highlighted how availability and affordability of premises has constrained new businesses setting up across the borough. It also highlighted how workspace has reduced over time across the borough.

Lewisham Council previously procured Bow Arts Trust to provide affordable workspace within the 4th Floor Old Town Hall in 2016. The current lease is due to expire on the 31st December 2023 however this is due to be extended by one year to 31st December 2024.

In July 2023 the Council adopted the Affordable Workspace Strategy, delivered as part of the Creative Enterprise Zone action plan. Alongside the strategy, Mayor and Cabinet also approved the use of UK Shared Prosperity Fund to facilitate the creation of affordable workspace including within the Council's own stock.

Summary

The purpose of this report is to seek agreement from the Mayor and Cabinet to approve the Economy, Jobs and Partnerships team to undertake the procurement of a provider to deliver Affordable Workspace within the Town Hall Chambers for a minimum period of five years with the option for a further year of delivery, this will be a concessions contract with an estimated income to the provider of £168,000 per annum.

Recommendations

Mayor and Cabinet is recommended to approve the procurement of a provider for the provision of affordable workspace within the Town Hall Chambers. The value of the contract to the Provider will be estimated £168,000 per annum and a total of £1,008,000.00 for the whole contract period. The contract will be for a period of 5 years with an option for a further year of delivery.

Extend contract of Bow Arts to deliver workspace in the 4th Floor Old Town Hall until the 31st December 2024 or until the termination of the lease by the Council.

Approve the award of contract and entry into a lease with the preferred service provider for the provision of affordable workspace.

Delegate authority to the Executive Director for Place (in consultation with Director of Law and Corporate Governance and the Cabinet Member for Businesses, Jobs and Skills to select the preferred service provider in accordance with the selection and award criteria published in the tender documentation and agree final form of contract and lease.

Policy Context

This report aligns with Lewisham's Corporate Priorities, as set out in the Council's [Corporate Strategy \(2022-2026\)](#):

- A Strong Local Economy

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In particular, this report is closely aligned to the priority of ‘attracting jobs and businesses to Lewisham’, because it will help to create more workspace allowing new businesses to either start up or grow in Lewisham.

This report also aligns with the newly adopted Affordable Workspace Strategy which adopted in July 2023 set out for the Council to better use its assets to create truly affordable workspace.

This report also aligns to the new Cultural Strategy that has a priority to promote and create creative workspace in public sector buildings through our Creative Lewisham Enterprise Workspace project (UK Shared Prosperity Fund).

Background

Workspace demand is on the rise across London, with workspaces closing across the capital including within the London Borough of Lewisham due to a number of issues including rising costs, leases not being renewed and permitted development rights allowing landlords to convert commercial space into residential without needing planning permission.

The Council’s Creative and Digital Industry (CDI) baseline study and CDI strategy (July 2018), highlight that Lewisham is an emerging growth borough for the CDI sector. Statistics showed that the CDI sector was growing at a rapid rate with +71% employment growth over the five years leading up to 2018, faster than the capital as a whole at 34%.

The demand for affordable and creative workspace in the borough has continued to rise since the pandemic due to the displacement of creative businesses, the rise of working from home and the growth in new businesses looking for move on (from home to commercial space). This demand is seen across a number of sectors including commercial kitchen space, hot-desking, artist studios and small office space

Lewisham Council appointed Bow Arts in 2016 to deliver affordable workspace from the 4th Floor of the Old Town Hall. After two contract extensions the current lease is due to expire on 31st December 2024

Bow Arts delivery on the 4th Floor has been very successful and has delivered since 2016:

- Number of businesses supported: 92
- Number of jobs created: 100
- Numbers of Lewisham residents operating from The Old Town Hall: 78 (85%)
- Number of school sessions delivered: 700
- Number of Lewisham school children supported: 2,315
- Additional GVA since opening: £3,371,664

Lewisham Council recently finalised the first Affordable Workspace Strategy for the borough. One recommendation is for the Council to better use their assets to deliver affordable workspace which will also deliver additional socio-economic outputs in line with the Council’s Social Value Policy.

The Affordable Workspace Strategy highlighted the different types of spaces needed across the borough. The most pressing need for space was affordable workspace supporting the Creative sector. This is due to both high growth of new businesses (120% increase since 2016) and a loss of workspace across the borough. On average, affordable workspace providers are oversubscribed to their available spaces at a rate of 4:1. The strategy also highlights the lack of affordable workspace within the south of the borough.

The provider will be expected to offer the space to a variety of users within the creative sector, we would be welcoming proposals that offer a mixed model of rates for example a lower rate

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for fine artists but a higher rate for those within the Creative and Digital Industry. We would also welcome any multi-use or business space that can provide other uses for example podcasting booths. Across the Catford estate, introduction of creative workspace in Town Hall Chambers complements activity in the Catford Broadway, with the opportunity for creative start-ups and small businesses to compliment and benefit from collaboration with the local cultural offer. Complimentary affordable creative workspace adjacent to the Broadway provides the chance for local growing creative businesses to work with the Broadway and their programme of performance.

The Economy, Jobs and Partnerships team received approval from the Greater London Authority to use a portion of Lewisham's UK Shared Prosperity Funding (UKSPF) allocation to support the delivery of this workspace by undertaking repairs to the roof. Utilising UKSPF provides an opportunity for the Council to deliver necessary renovations to the Old Town Hall while also supporting the creative workspace aims underpinning the Council's grant agreement with the GLA. UKSPF allocations must be spent in full by March 2025.

The most recent condition survey for the Town Hall Chambers was undertaken in in 2019. It was graded satisfactory and identified the main issues as being damp / water ingress, window and rainwater issues. No repair works have been undertaken since the survey so the condition is likely to have deteriorated since 2019. By delivering affordable workspace from the Town Hall Chambers we will be able to access UK Shared Prosperity Fund which will allow the Council to undertake necessary roof repairs alongside creating more high-demand workspace. The Town Hall Chambers were previously occupied by various council teams until 2020 when staff were transitioned to Laurence House. Since 2020, it has been used for temporary storage supporting the Catford Broadway refurbishment and archives transferred from Eros House

As part of the theatre refurbishment, the Council separated the rehearsal space and adjoining offices on the 1st floor. This space is now part of the theatre and lies within its domain for access and fire escape. There is no access between this space and town hall chambers (the door has been locked). The utilities (heating, lighting, water etc) for this rehearsal space is still part of the town hall chambers.

Proposed Approach and Rationale

The Mayor of Lewisham has set a target of 4,000 new jobs for Lewisham. Affordable workspace is an important tool for safeguarding existing jobs in Catford as well as bringing new jobs to the borough by creating conditions for enterprise to grow.

Lewisham Council seeks to procure a provider to deliver affordable workspace as Economy, Jobs and Partnerships do not hold the necessary expertise to deliver the desired workspace model. We are aware of a healthy market of suitable providers operating locally through our Affordable Workspace Forum. An open procurement process will be followed as it is a specialised market, and we will need a provider that has extensive experience in working with creative sector businesses.

We will be holding sessions, which will be bookable in advance, for interested parties to review the space. This will enable us to make sure that we are providing interested parties with a clear understanding of the space and what the Council is wanting to achieve from letting the space.

Currently the affordable workspace operating from the Old Town Hall is in receipt of an inclusive rent/service charge lease capped at £93,000.00 per annum.

Once the new provider has been appointed to deliver within the Town Hall Chambers the 4th

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Floor of the Old Town Hall will be listed on the market at a commercial rate that will be expected to return £200,000.00 per annum in line with other Old Town Hall tenants.

Significant regeneration is planned in and around Catford Town Centre over the next twenty years. The council adopted the Catford Town Centre Framework in 2021 to set out the council's aspirations for regeneration. This includes aspirations to become the greenest town centre and have a vibrant economy. The delivery of affordable workspace within the Town Hall Chambers aligns with these aspirations as it will deliver jobs, social value and increase footfall to the town centre. The delivery of the workspace on a five-year contract aligns with internal timescales of need for office space for Council staff.

The Town Hall Chambers could achieve an estimated commercial income of £200,000.00 per annum. The UK Shared Prosperity Fund can only be used for the repair of the Town Hall Chambers by delivery of affordable workspace. If the space was to be let on the open market, then an incoming tenant would need to undertake this repair work themselves which would lead to a sizeable rental free period. When combining the capital works needed and the short lease it would most likely not be a viable option for most office spaces.

The Council has received interest for further space within the Old Town Hall from commercial tenants and we are aware of a continued interest from affordable workspace providers for space so expect the interest in the Town Hall Chambers to be high.

This approach to retaining a strong affordable creative workspace footprint helps further shape Catford as a Cultural & Creative hub and aligns with the legacy of the Borough of Culture.

This approach will retain and protect the provision of affordable workspace in Catford, while also allowing the Council to find a tenant for the Old Town Hall which unlocks additional rental income for the Council.

This approach also aligns with three of the four objectives of the Affordable Workspace Strategy adopted in July 2023:

- Create and safeguard affordable workspace: where possible working through the planning system to safeguard existing spaces and secure new ones to help maintain a baseline of supply
- Affordable from the bottom up: For workspace and its benefits to be accessible to everyone
- An affordable workspace in every neighbourhood: expanding affordable workspace through the borough, providing more start-up and networking opportunities for more residents

This approach also aligns with recommendations made by the Overview and Scrutiny Committee's Task and Finish Group on affordable workspace in Lewisham

Proposed Lease & Contract Terms

Lewisham Council will look to offer a six-year lease which will include a break option at five years. The Council will be the only party able to trigger the extension and this will be done in response to the potential future demand for office space from for Council staff.

The provider will occupy the following space within the Town Hall Chambers:

Ground Floor Reception: 104.7sqm

1st Floor: 197sqm

2nd Floor: 389.35 sqm

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3rd Floor: 361.65sqm

The chosen provider will pay rent to the Council on a quarterly basis. All other costs related to workspace operations will be paid direct by the workspace provider to their chosen supplier. The provider will receive income from tenants from the sub-leasing of smaller units within the Town Hall Chambers.

The contract will be a concessions contract as we expect the workspace provider to generate income from the site of around £168,000 per annum based on a similar provision to the Old Town Hall of 35 studios charging an inclusive rent of £400 per calendar month. This rate aligns with the Affordable Workspace Strategy's definition of affordability.

The provider will not be paid by the Council to deliver this workspace, however in response to receiving a below market rate rental income, the Council will expect the provider to deliver wider social value outcomes including job creation, apprenticeships, business support, working with local schools and community engagement. The proposed contract will cover the same time period as the lease.

The chosen provider will be required to offer an allocation within the building to the current tenants of the Old Town Hall workspace to help alleviate displacement from Bow Arts facilities in the Old Town Hall. Council definitions of affordability in relation to workspace will also be applied to the contract, ensuring it achieves the objective of supporting growth in emerging and expanding local businesses.

Financial implications

The purpose of this report is to seek agreement from Mayor & Cabinet to undertake the procurement of a Provider to deliver Affordable Workspaces within the Town Hall Chambers (THC). Lewisham will look to offer a six-year lease with a break option at five years.

The current workspaces will relocate from the 4th Floor Town Hall (TH) to the THC. The annual income currently received from the Bow Arts in the Town Hall (4th Floor) is £83k, the Provider generates approx. £168k per annum from 35 let studios.

Under the new Town Hall Chambers lease, the minimum income for the Council is estimated at £465k over 5 years and £558k over six years, i.e., £93k per annum. All operational and internal maintenance costs will be the responsibility of the Provider.

Remedial work is required on the roof of THC before it is rentable. The Economy, Jobs, and Partnership team has received approval from the GLA to use a portion of Lewisham's UK shared Prosperity Funding allocation to support the delivery of this workspace by undertaking repairs to the roof at an estimated cost of £100k.

The move to the THC, will allow the 4th floor Town Hall to become available to let at an estimated rent of £200k per annum.

Legal implications

The report seeks approval to procure an external service provider to deliver Affordable Workspaces within the Town Hall Chambers. This is a concession contract, which means that the Council do not pay for the service. The provider receives payment from a third party. The

value of the contract falls below the financial threshold for the application of the Concession Contracts Regulations 2016 and therefore they do not apply.

A concession contract is a contract for the supply of services to the Council where the consideration for the contract consists of the provider's right to exploit an asset (that is the Council makes no payment) and where there is transfer of the operating risk to the provider.

Concession contracts are covered by different legal requirements than those applicable to other contracts, including regarding the estimated expenditure threshold.

Concession contracts are still subject to competition in accordance with the Contract Procedure Rules. To determine the procurement route under the Contract Procedure Rules the value of the contract needs to be calculated. This is done by calculating the total turnover of the concessionaire generated over the duration of the contract, net of value added tax, as estimated by the contracting, in consideration for the services which are the object of the concession contract and for the supplies incidental to such works and services.

Given the potential value of this contract (at a length of 6 years) it would be categorised by Contract Procedure Rules as a "Category A" contract. The procurement route proposed meets the requirements of the Contract Procedure Rules.

Approval to Award

This report proposes that Mayor and Cabinet approve the award of the contract and entry into lease for the provision of Affordable Workspaces within the Town Hall Chambers. This report further proposes that Mayor and Cabinet instruct the Executive Director for Place in consultation with Cabinet Member for Business, Jobs and Skills and the Director of Law and Corporate Governance to give effect to this decision by applying the selection and award criteria to determine and enter into contract with the preferred provider.

The entry into lease on the terms proposed is compliant with the Council's power to dispose of assets contained in s123 Local Government Act 1972.

The decision to award the contract and enter into lease contained in this report is not a Key Decision under Article 16.2 of the Constitution.

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 Contract with Bow Arts

The recommendation in the report is to extend the contract with Bow Arts for a further year without carrying out a competitive process. 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 this extension to the contract for a further year is 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

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requirement to undertake a new procurement. On that basis, therefore, the proposed changes are allowable under the Council's Contract Procedure Rules paragraph 17.]

Equalities implications

The procurement will recognise the under-representation of Black and Ethnic Minority as well as disabled residents in the culture and creative sector, providing a model suited to Lewisham's local community and the desire to see emergence of new creative business which reflect the breadth of our community.

In the procurement process, any bidding providers would be assessed on their proposed approach to considering the implications of protected characteristics. We would expect a provider to undertake an Equalities Impact Assessment as part of their selection, and provide a similar framework to their marketing and securing of new tenants. This will ensure the provider creates a workspace environment which feels inclusive to all needs and backgrounds.

The Affordable Workspace Strategy also highlighted that the delivery of affordable workspace provides opportunities to run or grow a business for residents and organisations that struggle to secure premises on full market terms.

Climate change and environmental implications

The environmental and climate implications of this report are limited. However, any bidding providers would be assessed on their proposed approach to limiting the climate impact of the programme.

Crime and disorder implications

There are no direct crime and disorder implications associated with the recommendations of this report.

Health and wellbeing implications

There are no immediate health and wellbeing implications associated with the recommendations of this report

Background papers

[Lewisham Affordable Workspace Strategy and Action Plan](#)

[Lewisham Creative and Digital Strategy](#)

Glossary

[Link to Oxford English Dictionary here.](#)

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Report for: Mayor and Cabinet

Part 1

Part 2

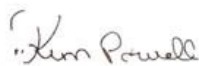
Key Decision

Non-Key Decision

Date of Meeting	24/01/2024	
Title of Report	Affordable Workspace Strategy	
Author	Joe Lee; Spike van der Vliet-Firth	Ext.

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 Business, Jobs and Skills

Date: 12/01/2024

Signed: 

Executive Director for Place

Date: 12/01/2024

Agenda Item 11

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	24 th January 2024	
Title of Report	Catford Regeneration Partnership Limited (CRPL) - Update	
Author	Kplom Lotsu – Head of Property, Estates and Capital Programmes	Ext. 49283

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

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

Signed: 

Cabinet Member for Housing, Development and Planning – Brenda Dacres
Date: 16/01/2024

Signed: 
Executive Director for Place – Nazeya Hussain
Date: 15/01/2024

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

Catford Regeneration Partnership Limited (CRPL) Update

Date: 24th January 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: Rushey Green / Catford South

Contributors: Director of Inclusive Regeneration; Director of Finance; Head of Property, Estates and Capital Programmes.

Outline and recommendations

The report seeks Mayor and Cabinet's review of the latest operating position of CRPL and asks Mayor and Cabinet to note the need for additional support through shareholder action to ensure the company continues to manage its portfolio in accordance with the objectives agreed at its inception.

Timeline of engagement and decision-making

- September 2021 – Three-year CRPL Business Plan was approved M&C.
- May 2023 – Appointment of new Director by Mayor and Cabinet
- September 2023 – Appointment of two new Directors by Mayor and Cabinet

1. Summary

- 1.1. The Catford Regeneration Partnership Limited (CRPL) is a wholly owned company of Lewisham Council. The company was originally created in January 2010 to purchase the leasehold interests in and around the Catford Centre in order to manage and regenerate the assets to improve the economic, social and environmental wellbeing of the people of the London Borough of Lewisham.
- 1.2. The delivery strategy for the overall Catford Framework plan is currently being developed and it is expected that the Catford Centre would form part of the latter phases of development plans. In the meantime, a combination of factors including the slow

recovery post pandemic and other macro-economic factors are impacting many businesses in the centre and in turn, the value of the assets and the company's ability to fulfil some its own obligations, including paying down the loans and interest owed to the Council.

- 1.3. This report provides some background to the company's current operations as well as the macro-economic and local context within which it operates. It outlines the company's current cashflow position over the short-term and sets out the need for some financial support from the Council as its shareholder and the need for the Council to affirm its parent company guarantee status in order to secure CRPLs operations in the immediate future.

2. Recommendations

Mayor and Cabinet is asked to:

- 2.1 Note the current operating position of the company including the latest cashflow projection and associated assumptions.
- 2.2 Agree that the Council, as sole shareholder of CRPL, continue to provide additional financial support to the company through parent company guarantee to enable it to continue to manage and operate the assets within and around the Catford Centre.
- 2.3 Agree a further deferment of loan interest payments and capitalisation on the current loan for a further two years to 2026 to enable the company to stabilise its cashflow.
- 2.4 As part of the wider Catford Town Centre Regeneration plan, to agree the disposal of the former Thomas Lane Depot site and delegate authority to the Executive Director of Corporate Resources, in consultation with the Executive the Director for Place, to agree final terms of the disposal. The receipt from the disposal will be used to pay down part of the loan with the Council and help stabilise the Company's cashflow in the short-term.
- 2.5 Note that the outcome of an ongoing review of the Company together with a new Business Plan detailing further efforts that the company will be making to ensure it continues to operate the centre in a manner that remains consistent with the outcomes agreed at its inception will be reported to Mayor and Cabinet in due course.

3. Policy Context

- 3.1 The Local Authority has a duty to ensure the long-term growth of its town centres is planned and managed, to ensure that viable and vital functions of its town centres are integrated as part of a sustainable development strategy.
- 3.2 The Council's Corporate Strategy (2022-2026) outlines the Council's vision to deliver for residents over the next three years. Building on Lewisham's historic values of fairness, equality and putting our community at the heart of everything we do, the Council will create deliverable policies underpinned by a desire to promote vibrant communities, champion local diversity and promote social, economic and environmental sustainability.
- 3.3 Furthermore, the Council's Local Development Framework sets the vision, objectives, strategy and policies that will guide development and regeneration in the borough to 2026 and together with the Mayor of London's 'London Plan', forms the statutory development plan for the Borough. It anticipates major change and includes a focus on Catford Town Centre as a major development opportunity. The London Plan reinforces

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this view by identifying Catford as having potential for significant urban renewal.

- 3.4 In July 2021 Mayor and Cabinet agreed the Catford Town Centre Framework (CTCF). The framework sets out a long-term strategy for the transformation of the town centre over the next 15-20 years. The delivery programme for the CTCF is currently in development and will be reported to Mayor and Cabinet in the new year.
- 3.5 CRPL's core objectives accord with the above. This report is therefore set against this policy background in outlining the support required by CRPL to ensure it can continue to effectively manage its assets in a way which supports the delivery of the Catford Town Centre Framework.

4. Background and Narrative

- 4.1. Catford Regeneration Partnership Limited (CRPL) is a wholly owned company of Lewisham Council. The company was originally created in January 2010 to purchase leasehold interests in and around the Catford Centre in order to manage and regenerate the properties to improve the economic, social and environmental wellbeing of the people of the London Borough of Lewisham.
- 4.2. At the company's inception, the current Articles of Association were agreed. These detail how and when the company must interact with its shareholders. In this case it is Lewisham Council, which is the sole shareholder. Changes to the business plan and budget which details activities of the company for a given period are responsibilities of the shareholder as set out in the Articles of Association.
- 4.3. The company was tasked with the following core activities at its inception:
 - To continue the effective management of the Catford Centre, ensuring that the operational management standards remain high, and that the full commercial potential of the centre is being realised through letting and renewal strategies.
 - To enable the redevelopment of the Catford Centre by working with Lewisham Council to undertake a regeneration process and reach a commercial agreement with key stakeholders in the town centre, in order to contribute to the regeneration aims for the town centre as a whole.
- 4.4. The shopping centre comprises a number of retail tenancies (some of which are double units). There are a number of units outside the main centre located on the Rushey Green as well as Catford Broadway. The portfolio also includes a number of flats let on ASTs. Altogether, the portfolio has an annual rent roll / income of approximately £1M.
- 4.5. The 2023 interim valuation at the end of October estimates a valuation of the CRPL portfolio at **£17.383M**. This is against a long-term debt in the form of a loan from the Council with an estimated outstanding balance at 31 March 2024 of approximately **£16.934M**. The assets are valued annually, and the next valuation is expected at the end of March 2024. In 2021 Business Plan, the Council agreed that loan and interest repayments will be frozen for 3 years from 2020-2023, restarting again in 2024/25. The Council does not have to charge MRP (Minimum Revenue Provision - repayment of the loan capital) on the loan for 2023/24 or 2024/25 as per the proposed MRP Guidance 2024.
- 4.6. The current status of the wider Catford Town Centre Regeneration Framework plan agreed by Mayor and Cabinet in July 2021 has implications for the operations of the company. As a result of this, further changes are likely in the nature and form of CRPL's operations in the medium term as the delivery structure for the framework begins to take shape.

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- 4.7. In the meantime, the Company continues to manage the property portfolio in accordance with the objectives agreed at its inception and the annual business plan approved by the Council. This is done by the two directly appointed Directors and their appointed managing agents as well as support staff from the Council's Property and Estates team.
- 4.8. Although the company is currently relatively stable in-year and retail market conditions continue to improve post pandemic, the pace is slower than expected. This means the company continues to deal with a number of short-term challenges which are impacting its operations and cashflow position.
- 4.9. A number of these challenges are highlighted below:
- 4.9.1. Economic Climate: The effect of the current economic climate is a very challenging environment for commercial tenants and individual households. Although some key indicators, such as inflation has started to improve, overall recovery is slow. The CRPL portfolio, has to date, fared well, with a relatively low void rate however, the impact of COVID and the slow economic recovery continue to be felt through rent and service charge payments.
- 4.9.2. Rent and Service Charge Arrears: Managing the post COVID level of arrears of rent and service charge, currently in the region of £1.2M, is posing a challenge to the company's cashflow. Although some tenants have repayment plans and have started to pay down their debt, the significant size of both arrears is adversely impacting the company's cashflow and ability, in the short-term, to fulfil its own obligations including paying down its loans with the Council. Further, based on the current combined rent and service charge arrears and the prevailing economic conditions, it seems likely that CRPL will need to forego a significant proportion of the arrears currently owed. Every effort is being made to collect all arrears and most businesses have some form of payment plans in place, however, it is prudent to assume that not all arrears may be collected.
- 4.9.3. Loan and Asset Value: As part of the current Business Plan, the company agreed a short (3-year) deferment of the interest and repayments on loans from the Council to enable it to stabilise its cashflow due to the impact of COVID. The deferment ends in April 2024 and the company will be expected to resume repayment of the loan and interest due to the Council. A consequence of the high arrears owed to the Company is that it is not able to fulfil its own obligations in paying down the loan owed to the Council. Further, although the current asset to loan value remains marginally positive, the compounding interest could push the assets into negative equity if values don't improve significantly and/or tenants don't keep up repayments of arrears owed.
- 4.10. The challenges above are key a consideration in the summary cashflow projection of the company set out below for 2023-2026. An updated and detailed cashflow will be provided as part of the Business Plan report to Mayor and Cabinet in due course.

Summary cashflow projection for 2023-2026

	2023 - 24	2024-25	2025-26
Total Income	£955,668	£960,024	£1,079,216
Total Expenditure	£947,036	£990,796	£1,057,509
Net Income/Expenditure	£8,632	£-30,772	£21,708
Cash Available/brought forward	£95,597	£104,229	£73,457
Profit(cr)/ Loss	£104,229	£73,457	£95,165

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4.11. The above cashflow is based on the current rental income base or passing rent of the portfolio and assumes that approximately 90% of all rents for the respective years will be collected. It assumes further, that none of the current arrears owed in the form of rent and service charge arrears will be collected, both of which reflect the difficulty CRPL has collecting rental income and service charges. However, tenants are starting to pay back arrears, and every effort will continue to be made to collect the outstanding arrears which will all go towards improving the overall cashflow. Further, the cashflow does not assume a receipt of the Thomas Lane Depot site. In any case, if the disposal is approved, the receipt will be used to pay down the loan owed to the Council.

4.12. Thomas Lane Yard Development:

4.12.1. The Council is looking to bring forward its planned development of Thomas Lane Yard car park and depot site. The mixed used scheme on the site north of Catford Broadway will deliver new affordable homes, enhance outdoor space, new jobs and commercial space (including affordable workspace). The majority of the land required for the development is in Council ownership, however key sections including the former Thomas Lane Depot (currently let to Supersets, a film set production company) and a strip of land behind the row of shops on Catford Broadway, are in CRPL ownership. Achieving a full Council ambition for the site will require the inclusion of the sites currently in CRPL ownership.

4.12.2. To that end, discussions are underway between the Council and the CRPL on the potential acquisition of the two CRPL interests stated above. This will ensure that the Council has all the land interest it needs to complete the development. The Articles of Association agreed at the inception of the company makes clear that acquisitions and disposals of assets in excess of £25,000 not currently included in a given year's Business Plan is a shareholder reserved matter. The current market value of each of the sites exceed £25k, therefore Mayor and Cabinet (Shareholder) approval is required to dispose of the sites to enable the redevelopment of the Thomas Lane Yard project to proceed. The receipt derived from the disposal will be used to pay down the current loan with the Council.

4.12.3. The disposal will mean a potential reduction in the total value of the CRPL asset portfolio because of the loss of these two asset interests. The strip of land behind the row of shops does not generate any income to CRPL however, the disposal of the former Thomas Lane Depot building, which currently generates an income of £58,224, will mean a reduced income to the company. The loss of income is likely to impact the company's cashflow in the short term however the portfolio is forecast to achieve some modest rental growth in the medium term in the form of lease renewals, new lettings etc which will help reduce the overall impact of the loss of the Depot. Also, it is anticipated that CRPL will continue to receive income on the asset until such time that vacant possession is required sometime in 2025.

4.13. Governance Review:

4.13.1. The Company has been active since 2010 and in that time, the purpose and governance arrangements have been unchanged. A review of the aims, purpose of and governance arrangements of the company in light of the development of the delivery strategy for the Catford Town Centre Framework Plan which is in development and will be brought forward for Mayor & Cabinet consideration in due course. This is particularly pertinent to allow the Council to consider whether there are other routes through which it can deliver its ambitions for Catford.

4.13.2. To this end, a review has been commissioned by the Director of Law and Corporate Governance which will amongst other things, consider the purpose of the company

and its effectiveness, governance and relationship with the Council. The review will also consider options for the future operation of the company.

4.13.3. Specifically, the review will focus on three key areas namely:

- 4.13.3.1. Purpose – The company is currently set up for general services so has a lot of flexibility. However, in light of the Council’s wider ambitions for the framework plan, it is now necessary for the Council to consider the overall purposefulness of the current structure of the company in meeting those ambitions.
- 4.13.3.2. Governance - Clarity of the Director role in line with the company’s articles and all relevant statutory requirements including: compliance and accountability.
- 4.13.3.3. Operations – Effective day to day running of the company through agencies, contracts, delegations, spend controls etc.

4.14. Parent Company Guarnantee:

- 4.14.1. More generally, progress continues to be made on early stages of implementation of the agreed Catford Town Centre Framework plan including the development of a delivery strategy which will set out how the Council’s ambition for the Town Centre will be delivered over the next 15 – 20 years. In the meantime there remains growing expectations of the company, given its controlling land interests and their being central to the future regeneration of the town centre which will require clear distinction between what are Council decisions and actions and those of the company, and the related reputational risks. Further, enabling the delivery of the regeneration objectives of the Council may also require the company to absorb more non-commercial priorities on behalf of the Council.
- 4.14.2. The Council’s recovery of the current and outstanding loan to CRPL is assumed to be recoved through the Catford development plans. The Council’s town centre framework sets ambitious objectives for the delivery of affordable housing and civic provision, which are likely to present viability challenges. Therefore there is a risk that the recovery of the Council’s current loan to CRPL may not be recovered based on the emerging development assumptions. This in turn would have an impact for the Council’s reserves and require an additional annual cost of funding this opportunity. These impacts are not assume within the Council’s current budget and will be the subject of separate Mayor and Cabinet consideration as the Catford delivery business case is further developed.
- 4.14.3. The latest valuation of the Company’s assets places the value quite close to the current value of the loan which the Company holds with the Council and while the projected cashflow suggests some liquidity for operations, it is likely that at some point, the value of the loan may exceed the value of the current asset base - a position of ‘negative equity’. In that scenario, the company will require some form of guarantee or support from its Shareholder (the Council) in order for it to continue as a going concern. This will be in the form of Parent Company Guarantee (PCG). The PCG will enable the Council to underwrite activities of the company and ensure that it can continue to meet its obligations of holding and managing the assets in a way which remains consistent with the Council’s objectives in the event of negative equity.

5. Financial Implications:

- 5.1. The estimated value of the loans and rolled up interest to CRPL as at 31 March 2024 is £16.934m. The Company is seeking to continue to defer the payment of the interest and principal for a further two years, and based on this it is forecast that the closing balance at 31 March 2025 would be £17.663m and £18.423m by 31 March 2026.

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- 5.2. Whilst the current (October 2023) valuation of the Company's assets is £17.4m, and therefore exceeds the forecast value of the loan and interest as at 31 March 2024, the value of the Company's assets may increase or decrease when next valued as at 31 March 2024. Therefore, there is the risk that in 2024/25 the value of the loan and interest will exceed the value of the assets.
- 5.3. The loan between the Council and the Company is not a commercial loan and therefore, as set out in paragraph 4.5, in the event that the loan exceeded the value of the assets, under the proposed guidance the Council would not be required to make a Minimum Revenue Provision adjustment. However, under accounting standard International Financial Reporting Standard 9 (IFRS 9), authorities must account for expected or actual credit losses on loans, and therefore it is possible that in 2024/25 the Council would need to account for any Expected Credit Loss, via the creation of a provision in its accounts.
- 5.4. As this is only a risk that has not materialised the quantum of this cannot be provided at this point in time as it is based on a number of factors and variables which are subject to change. This will be kept under review in 2024/25 and reported back in the next report on the Company.
- 5.5. The receipt from the sale of the Thomas Lane Yard assets will be utilised to reduce the rolled-up interest on the loan but will also reduce the total valuation of the Company's assets, and is therefore considered not to effect the financial risk profile as set out above.
- 5.6. As set out in paragraph 4.14, the Company is seeking a Parent Company Guarantee from the Council which will enable it to continue as a going concern. It will also make the Council explicitly liable for the Company's potential losses, including that of the value of the loan. Therefore, in addition to the potential financial impact of any future Expected Credit Loss provision that the Council may need to make, the provision of the PCG further increases the potential financial exposure of the Council. As discussed above, the Company's assets are integral to the Council's wider ambition for the Town Centre redevelopment and therefore it is considered necessary that it extends this guarantee to the Company at this point but notes the accompanying financial risk.

6. Legal Implications

- 6.1. All relevant legal matters have been addressed in the main body of the report.

7. Equalities implications

- 7.1. There are no immediate equalities implications directly arising from this report.

8. Climate change and environmental implications:

- 8.1. None specific to this report.

9. Crime and disorder implications

- 9.1. None specific to this report.

10. Health and wellbeing implications

10.1. None specific to this report.

11. Background papers

11.1. None

12. Report author and contact

12.1. Kplom Lotsu – Head of Property, Estates and Capital Programmes

Email: kplom.lotsu@lewisham.gov.uk

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

13.1. Katharine Nidd – Director of Finance

Email: Katharine.Nidd@lewisham.gov.uk

14. Comments for and on behalf of the Director of Law & Corporate Governance

14.1. Jeremy Chambers – Director of Law and Corporate Governance

Email: Jeremy.Chambers@lewisham.gov.uk

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

Date of Meeting	24 th January 2024	
Title of Report	BfL, Appropriation for Planning Purposes: Former Fairlawn Primary School Annexe Site and Former Ladywell Leisure Centre Site	
Author	david.sterba@lewisham.gov.uk	07783 881 112

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:



Councillor Brenda Dacres

(Deputy Mayor and Cabinet Member for Housing Development and Planning)

Date: 11.01.2024

Signed: 

Nazeya Hussain

(Executive Director, Place) Date: 10.01.2024



Mayor and Cabinet

Building for Lewisham, Appropriation for Planning Purposes: Former Fairlawn Primary School Annexe Site and Former Ladywell Leisure Centre Site

Date: 24 January 2024

Key decision: Yes

Class: Part 1

Ward affected: Forest Hill and Ladywell

Contributors: Executive Director Place, Executive Director of Corporate Resources and Director of Law, Corporate Governance and Elections.

Outline and recommendations

It is recommended that Mayor and Cabinet:

- (i) Agrees to the appropriation of the Council-owned land known as the former Fairlawn Primary School Annexe, as outlined in red on the plan attached at Appendix A, from housing purposes to planning purposes under Section 122 of the Local Government Act 1972, as it is no longer required for the purpose for which it is currently held and the Council believes that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land pursuant to section 226(1)(a) of the Town and Country Planning Act 1990;*
- (ii) Agrees to the appropriation of the Council owned land known as the Former Fairlawn Primary School Annexe, as outlined in red on the plan attached at Appendix A, from planning purposes back to housing purposes under Section 122 of the Local Government Act 1972;*
- (iii) Agrees to the appropriation of the Council-owned land known as the former Ladywell Leisure Centre, as outlined in red on the plan attached at Appendix B, from housing purposes to planning purposes under Section 122 of the Local Government Act 1972, as it is no longer required for the purpose for which it is currently held, and the Council believes that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land pursuant to section 226(1)(a) of the Town and Country Planning Act 1990;*
- (iv) Agrees to the appropriation of the Council-owned land known as the former Ladywell Leisure Centre, as outlined in red on the plan attached at Appendix B, from planning purposes back to housing purposes under Section 122 of the Local Government Act 1972;*
- (v) Delegates authority to the Executive Director Place in consultation with the Director of Law, Governance and Elections to deal with any necessary arrangements to record the appropriation of the site for planning purposes including the transfer of the land from the Housing Revenue Account (HRA) to the General Fund account (GF) at the current red book value; the transfer of the land from the GF to the HRA at the current red book value; to negotiate and enter into agreements by deed and payment of compensation for the release of third-party rights where this can be achieved on reasonable terms within a reasonable timescale; and to take all necessary steps to settle claims for compensation pertaining to rights of light under section 204 of the Housing and Planning Act 2016.*

Timeline of engagement and decision-making

Mayor and Cabinet, 11 July 2018 – New Homes Programme

Mayor and Cabinet, 15 January 2020 – Building for Lewisham Programme

Mayor and Cabinet, 15 June 2020 - Ladywell Redevelopment

Mayor and Cabinet, 9 July 2020 – Building for Lewisham Update

Mayor and Cabinet, 10 March 2021 - Building for Lewisham Programme Requirements

Mayor and Cabinet, 19 May 2021 - Building for Lewisham Programme Requirements

Mayor and Cabinet, 14 July 2021 – Building for Lewisham Programme – Enabling Works

Mayor and Cabinet, 12 January 2022 – Building for Lewisham Update

This report is a Key Decision, therefore any decision will be subject to scrutiny

1. Summary

- 1.1. Officers have undertaken to provide regular updates to Mayor and Cabinet on the delivery of new housing and to seek approvals as required for the Building for Lewisham programme, in addition to the wider housing delivery in the borough.
- 1.2. This report relates to the proposed developments of the former Fairlawn Primary School Annexe site and former Ladywell Leisure Centre for new housing. Planning permission for 12 new homes on the Fairlawn site was secured on 26 May 2023 (DC/23/130308). Planning permission for 102 new homes on the Ladywell site was secured on 24 October 2023 (DC/22/129317). Officers are working on the next steps to deliver the schemes.
- 1.3. Following planning permission, the next step is to appropriate the land for planning purposes and back to housing purposes. This process de-risks the delivery of scheme by preventing a third party from obtaining an injunction to prevent or delay construction.
- 1.4. If the recommendations in the report are approved, officers will continue to assess the viability of the schemes and seek to procure a main contractor for each site. A further report will be presented to Mayor and Cabinet with further recommendations once the procurement exercise has concluded.

2. Recommendations

It is recommended that Mayor and Cabinet:

- 2.1. Agrees to the appropriation of the Council owned land known as the Former Fairlawn Primary School Annexe, as outlined in red on the plan attached at Appendix A, from housing purposes to planning purposes under Section 122 of the Local Government Act 1972 as it is no longer required for the purpose for which it is currently held, and the Council believes that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land pursuant to section 226(1)(a) of the Town and Country Planning Act 1990;
- 2.2. Agrees to the appropriation of the Council owned land known as the Former Fairlawn Primary School Annexe, as outlined in red on the plan attached at Appendix A, from planning purposes back to housing purposes under Section 122 of the Local Government Act 1972;

- 2.3. Agrees to the appropriation of the Council-owned land known as the Former Ladywell Leisure Centre, as outlined in red on the plan attached at Appendix B, from housing purposes to planning purposes under Section 122 of the Local Government Act 1972, as it is no longer required for the purpose for which it is currently held and the Council believes that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land pursuant to section 226(1)(a) of the Town and Country Planning Act 1990;
- 2.4. Agrees to the appropriation of the Council owned land known as the Former Ladywell Leisure Centre, as outlined in red on the plan attached at Appendix B, from planning purposes back to housing purposes under Section 122 of the Local Government Act 1972;
- 2.5. Delegates authority to the Executive Director Place in consultation with the Director of Law, Governance and Elections to deal with any necessary arrangements to record the appropriation of the sites for planning purposes including the transfer of the land from the Housing Revenue Account (HRA) to the General Fund account (GF) at the current red book value; the transfer of the land from the GF to the HRA at the current red book value; to negotiate and enter into agreements by deed and payment of compensation for the release of third-party rights where this can be achieved on reasonable terms within a reasonable timescale; and to take all necessary steps to settle claims for compensation pertaining to rights of light under section 204 of the Housing and Planning Act 2016.

3. Policy Context

- 3.1. The Council's Corporate Strategy (2022-2026) explains our values, priorities and focus for the next four years, our learning from how the borough worked together in response to the pandemic, and how we plan to continue improving our services for residents, businesses and partners in an ever more challenging environment.
- 3.2. Above all, the strategy outlines the principles that showcase who we are as a borough and as an organisation. Our focus is on equality, putting our residents at the centre of everything we do, and ensuring transparency and sound financial management are embedded within all key decisions Council officers make to enhance the life-chances and outcomes for those who reside in this borough.
- 3.3. Delivering this strategy includes the following priority outcomes that relate to the provision of new affordable homes:
 - Cleaner and Greener – working to tackle the climate crisis through our development policies.
 - A Strong Local Economy – continue to expand our apprenticeship programme and invest in our high streets, doing what we can to be the best place in London for new businesses.
 - Quality Housing and Safer Communities – we will deliver more social homes for Lewisham residents, providing as many people as possible with safe, comfortable accommodation that they can be proud of and happy to live in.
 - Open Lewisham – we will co-design services and ensure strong consultation processes that reach out to people whose voices are seldom heard.
- 3.4. Housing Strategy (2020-2026), includes the following themes that relate to the provision of new affordable homes:
 1. delivering the homes that Lewisham needs.
 2. preventing homelessness and meeting housing need.
 3. improving the quality, standard and safety of housing.

4. supporting our residents to live safe, independent and active lives.
5. strengthening communities and embracing diversity.

4. Background

- 4.1. In January 2020 the Building for Lewisham programme was officially launched. The programme is to provide much needed genuinely affordable homes delivered now through the Council's own Strategic Housing & Growth team, within the Place Directorate
- 4.2. The Fairlawn Nursery Annexe is a small piece of land off Waldenshaw Road, as outlined in red on the attached plan at Appendix A, and is ten minutes' walk from Fairlawn Primary School itself. The school previously used the Annex as an early years nursery.
- 4.3. The nursery was closed by the School in August 2016 as it was no longer financially viable to keep the nursery open due to falling child numbers and the high running costs of the separate building and site which meant the nursery was being heavily subsidised.
- 4.4. The Education Team confirmed that, due to a reduced child population, there is surplus space on the main school site off of Honor Oak Road. If the school were to want to open a nursery again in the future, this could be accommodated on the main site, rendering the Annexe site redundant for educational purposes.
- 4.5. Mayor and Cabinet agreed a budget in July 2020 to bring forward proposals to develop the Fairlawn Nursery Annexe site. The development is subject to the normal financial viability hurdles as part of the Building for Lewisham Programme.
- 4.6. The site was held in the Council's General Fund (GF) for educational purposes. As the proposal is to use the site for new housing, officers were required to seek consent of the Secretary of State for Education to change the use of the land. Following a report to Mayor and Cabinet in 10 March 2021, officers made the required application.
- 4.7. In July 2022 the Council received notification from the Secretary of State that the land could be changed from education use to housing use.
- 4.8. Following this, the project team secured planning permission on 26 May 2023 under application no. DC/23/130308 for 12 new homes in a single structure four storeys in height, along with associated landscaping provision and related highways works. The 12 homes are a mix of 1, 2 and 3 bed properties including a 1 bed wheelchair home.
- 4.9. The Ladywell site is the land of the former Ladywell Leisure Centre which was demolished in 2014 to make way for a housing development. The site is outlined in red on the attached plan at Appendix B.
- 4.10. On 15 June 2022, Mayor and Cabinet agreed to an officer recommendation to appropriate the land from the General Fund (Leisure) to Housing Revenue Account in order for the future proposed housing use.
- 4.11. Mayor and Cabinet agreed a budget in July 2020 to bring forward proposals to develop the Ladywell site. The development is subject to the normal financial viability hurdles as part of the Building for Lewisham Programme.
- 4.12. The project team secured planning permission on 24 October 2023 under application no. DC/22/129317 for 102 new homes across four residential blocks ranging from 3 to 7 storeys, the construction of a single-storey building comprising storage and electrical substations and the construction of replacement cycle and refuse stores for Place Ladywell together with the re-provision of existing car parking on Longbridge Way and the creation of new public realm including children's play space, cycle parking, car

parking and associated works.

- 4.13. In line with the well documented increases in construction costs, as well as the increase in the cost of borrowing, officers are taking a programme-wide approach to viability and will continue to assess how best to bring forward this scheme through the procurement process.

5. Appropriation

- 5.1. Under Section 122 of the Local Government Act 1972, the Council may appropriate for any purpose for which the Council is authorised by statute to acquire land by agreement any land which belongs to it and is no longer required for the purpose for which it is held immediately before the appropriation.
- 5.2. Under Section 226(1)(a) of the Town and Country Planning Act 1990 the Council has power to acquire compulsorily land in its area for planning purposes if it thinks that the acquisition will facilitate the carrying out of development/re-development or improvement on or in relation to the land. The Council must not exercise the power under Section 226(1)(a) unless it thinks that the development/re-development or improvement is likely to contribute to the achievement of one or more of the following objects:
 - (a) the promotion or improvement of the economic well-being of the area;
 - (b) the promotion or improvement of the social well-being of the area;
 - (c) the promotion or improvement of the environmental well-being of the area.
- 5.3. The Council has power to appropriate land for planning purposes on the same basis as that stated in 5.2. In this case, the appropriation of the land for planning purposes will facilitate the development of the land in question, promote both social and environmental well-being in the immediate vicinity, and increase the quantum of affordable tenure housing in the borough's asset portfolio.
- 5.4. Land is held by the Council subject to any existing interests and rights belonging to third parties. Under Section 203 of the Housing and Planning Act 2016, a person may carry out building work or use land to which Section 203(1) and 203(4) apply even if it involves interfering with a relevant right or interest or, breaching a restriction as to the user of the land arising by virtue of a covenant. The power applies where:
 - (i) there is planning consent for the building works;
 - (ii) the land has at any time on or after 13 July 2016 either been vested in or acquired by the authority or appropriated for planning purposes
 - (iii) the authority could acquire the land compulsorily for the works/use; and
 - (iv) the works/use is for purposes relates to the purposes for which the land was vested, acquired or appropriated.
- 5.5. The power will therefore apply following the appropriation of the land for planning purposes.
- 5.6. These land titles are held within the Housing Revenue Account for housing purposes. It is proposed that these parcels of land be appropriated for planning purposes under section 122 of the Local Government Act 1972 and subject to the powers provided by section 237 of the Town & Country Planning Act 1990. This will support the regeneration potential of the land.
- 5.7. The effect of appropriating land in this way is that the rights of affected third parties (such as rights of light and rights of access) can be over-ridden to preclude an adjacent or other owner's right to obtain a court injunction whose outcome establishes the infringement of the enjoyment of easement of light. A court could mandate a remedy whose effect would be to stop progression of the development and/or make it unviable

due to the necessary diminution in the quantum of homes the proposed design could consequently accommodate.

- 5.8. Appropriation de-risks the possibility of the scenario described in 5.7 above, to the extent that adjacent etc owners, identified through analysis, to suffer an actionable injury (to their enjoyment of an easement to right of light) can only seek compensation through negotiation, and cannot obtain an injunction via the courts.
- 5.9. Assessment of compensation for the loss of rights would be calculated on the basis of the before and after market value of the affected properties, and employing industry standard codes of practice in calculating compensation sums. The project financial modelling appraisal has a sum set aside to cover for such a claim.
- 5.10. Whilst it is possible to identify the registered rights / interests that may be interfered with as part of any proposed development through detailed title investigation and site surveys, it is much harder to identify unregistered rights / interests that are likely to be interfered with as part of any development project. The ability of s203 HPA 2016 to override rights and interests applies not only to registered rights and interests but also unregistered rights and interests.
- 5.11. Indemnity insurance has been considered but this would not prevent the risk of injunction, therefore officers recommend appropriation of the site.
- 5.12. The sites have a number of adjacent properties owned by third parties. Right to Light surveys have been carried out to establish if there is any loss of light to those properties as a result of the proposed development. The surveys found that there is an impact and as a result, the Right to Light surveyor has undertaken an assessment of the impact and level of compensation that may be applicable.
- 5.13. The assessed level of compensation should claims come forward is minimal and can be managed within total scheme budgets.
- 5.14. Through the recommended appropriation, the assets would transfer from the Housing Revenue Account into the General Fund. So as not to place additional burden on the General Fund, officers recommend that Mayor and Cabinet agree to appropriate the land back for housing use.

6. Financial implications

- 6.1. There is no direct cost to the appropriation of land, however by appropriating the land the Council will enable the New Build programme to proceed and thus reduce the risks of not being able to take advantage of external grant monies or Right to Buy receipts allocated to this programme with the consequential impact that these funds fall out of grant programme and need to be returned to the granting authority.
- 6.2. As stated in the report, the assessed level of compensation that may be claimed is considered minimal and can be managed through the total scheme cost budgets allocated to the schemes.
- 6.3. The transfer of land from the HRA to the General Fund and back to the HRA, does not result in any cost to the General Fund. Any compensation due will be paid from the HRA project budget.

7. Legal implications Melanie Dawson (Principal Lawyer – Place Directorate)

Appropriation for Planning Purposes – General Comments

- 7.1. The Council has power under section 122 of the Local Government Act 1972 to appropriate land belonging to it that is no longer required for the purpose for which it was held immediately before the appropriation, provided that the new purpose is one for which the Council would be authorised to acquire land by agreement.
- 7.2. Appropriation for planning purposes allows the Council to commence development

works even though such works might interfere with the rights of third parties affected by the development. If the Council chose not to appropriate for planning purposes prior to works commencing, then it would potentially be infringing third party rights. The remedy for such an infringement is an injunction which the courts may grant at their discretion. Alternatively, damages might be awarded if the court considers this an adequate remedy. If affected third parties initiated proceedings, the court might also grant an injunction pending the court's decision on whether there has been an infringement of their rights or not. Therefore, if the Council chooses not to appropriate for planning purposes as proposed, it is possible that commencement of the development and delivery of the schemes might be delayed.

- 7.3. A decision to override third party rights is an interference with rights protected under Articles 1 and 8 of the Protocol to the European Convention on Human Rights. Such interference must strike a fair balance between the public interest associated with the developments proposed and private rights. The Council must further ensure that any interference is no more than is necessary.
- 7.4. The public benefit associated with each development is described in this report and any person who can show that they hold an interest in the land will be entitled to compensation in accordance with the relevant statutory provisions. It is therefore considered that the interference with the private rights of those affected would be lawful, justified and proportionate, and compatible with the European Convention on Human Rights.
- 7.5. Compensation to affected third parties will be calculated on the same basis at compensation payable under sections 7 and 10 of the Compulsory Purchase Act 1965. If there is a dispute about the amount of compensation which is due, the matter can be referred to the Upper Tribunal for determination.

Equalities

- 7.6. In deciding to proceed with the exercise of appropriation as proposed in this report the Council must pay due regard to its Public Sector Equality Duty, as set out in Section 149 of the Equalities Act 2010 and consider whether any adverse impacts on a protected group can be mitigated.
- 7.7. Within the process of engaging and negotiating with affected third parties, officers should take account of vulnerable parties in accordance with the Public Sector Equality Duty.

Appropriation between the HRA and the General Fund

- 7.8. Section 32(2) of the Housing Act 1985 requires that there should be no disposal of land (including by way of appropriation) held within a Housing Revenue Account (HRA) without the consent of the Secretary of State. The Secretary of State has issued a number of general consents known as the General Housing Consents 2013. Paragraph A3.2 of the General Consents allows the Council to dispose of 'vacant land' without the need for a specific consent from the Secretary of State. It is confirmed that the land to be appropriated is 'vacant' land. Further to that, it states (at paragraph 8 of the Commentary to the General Consents) that the disposal can be for any price determined by the local authority.
- 7.9. The appropriation from the HRA to the General Fund and back will result in an accounting adjustment rather than a sale/purchase of land. In conducting its financial affairs, the Council must comply with the requirements of the Local Government Act 2003, the Local Authorities (Capital Financing & Accounting – England) Regulations 2003, the Localism Act 2011 and have regard to the CIPFA Treasury Management and Prudential Codes.

8. Equalities implications

- 8.1. The appropriation of the Council-owned land at Fairlawn is not believed to have any direct equalities implications to local residents. As stated, impacted residents may have the right to claim compensation which would be independently assessed by relevant industry professionals, namely right of light surveyors already appointed by the project team.
- 8.2. The appropriation will allow for the unhindered delivery of new Council owned homes for social rent, which result in a net positive outcome for a greater number of people. Not providing new Council owned homes for social rent means that there are greater disproportionate impacts on those on the Housing Register and in temporary accommodation, as they will remain inadequately housed for longer.
- 8.3. Lewisham Homes on the Council's behalf consider any impact and implications in relation to protected characteristics as the scheme progresses through design, planning and construction stages. It should be noted that the Council is committed to ensuring our developments will be inclusive and feature accessible and adaptable homes that will meet the needs of our residents throughout their life.
- 8.4. Equalities implications will continue to be assessed as the schemes progress through the design, planning and construction process.

9. Climate change and environmental implications

- 9.1. Existing planning consents are and will be in line with the high standards expected by Lewisham Council and the GLA. Developments such as Fairlawn will of course comply with and meet all current requirements of codes of practice and the like to reduce energy consumption, emissions, and promote climate change through good design and construction practice.
- 9.2. In relation to the new Fairlawn building, the energy supply for the 12 homes will be provided through air source heat pumps and solar panels will generate power to light the communal areas. All homes have been assessed for overheating, solar gain, ventilation and the like, and measures are now incorporated into the design to ensure compliance with all relevant criteria, minima, and standards required.
- 9.3. Every effort has been made to enhance the natural environment on the land at Fairlawn, as well as the landscape around the proposed structure within the site's red line boundary, and the amenity space provided for each resident household.
- 9.4. The requirements for bio-diversity net gain, urban greening factor, meeting the energy hierarchy and designing a sustainable urban drainage system, as well as consideration of flood risk have all been incorporated into the design of Fairlawn.
- 9.5. Demolition and subsequent construction management plans are conditioned in the planning permission, and mandate that details are provided to the authority at the relevant stage of the construction process. Council officers will ensure compliance.

10. Climate change and environmental implications

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

11. Health and wellbeing implications

- 11.1. There are no direct health and wellbeing implications arising from this report although the provision of new social homes will have a positive impact on health and wellbeing of people on the housing register waiting for permanent accommodation.

12. Social Value Implications

- 12.1. Lewisham Council will address social value benefits for the Lewisham community when procuring and awarding contracts for works.

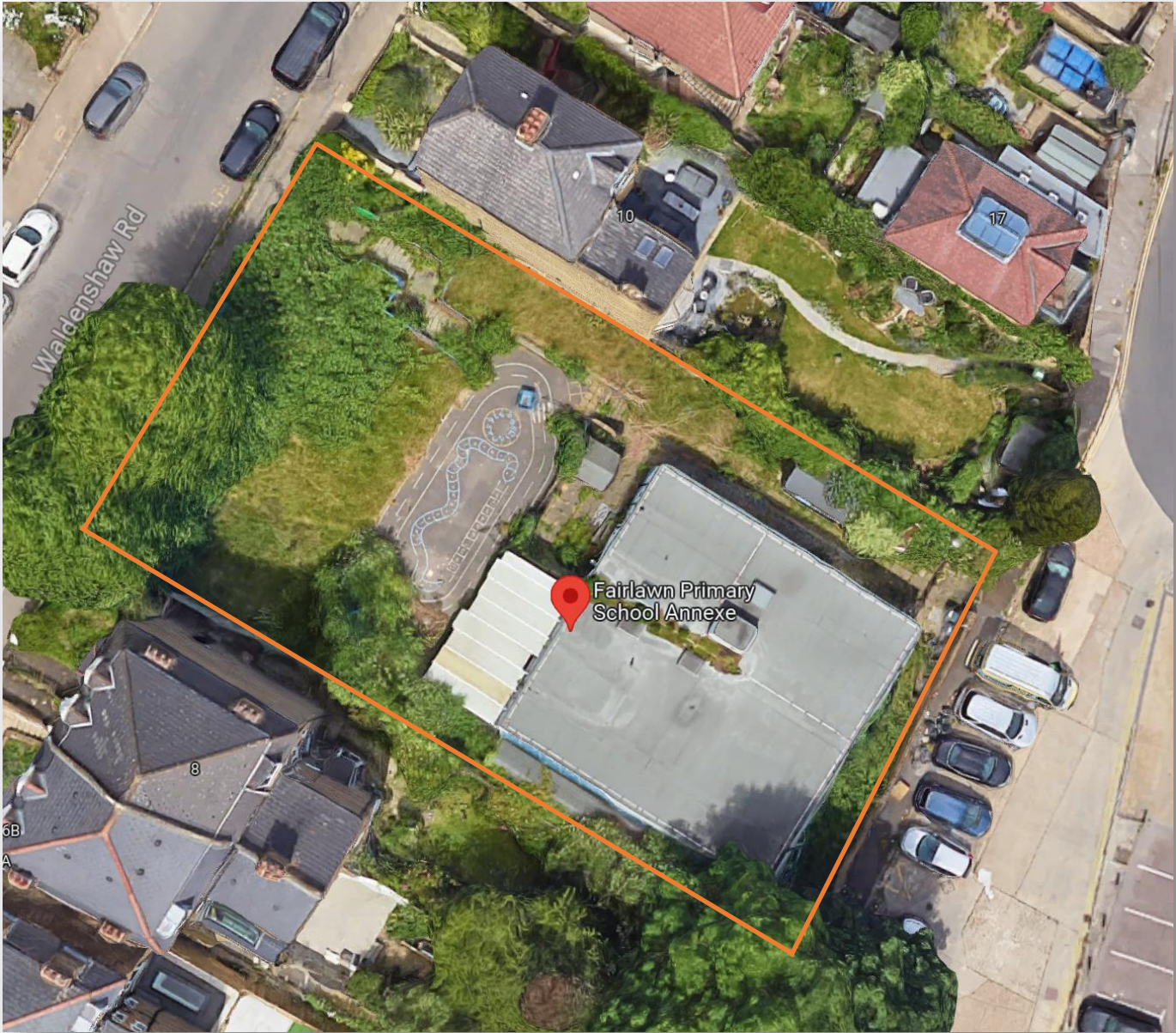
Appendix 1

Annex A – plan showing the land to be disposed of by transfer at Fairlawn Primary School Annexe, Waldenshaw Road, London, SE23 3XP, edged red.

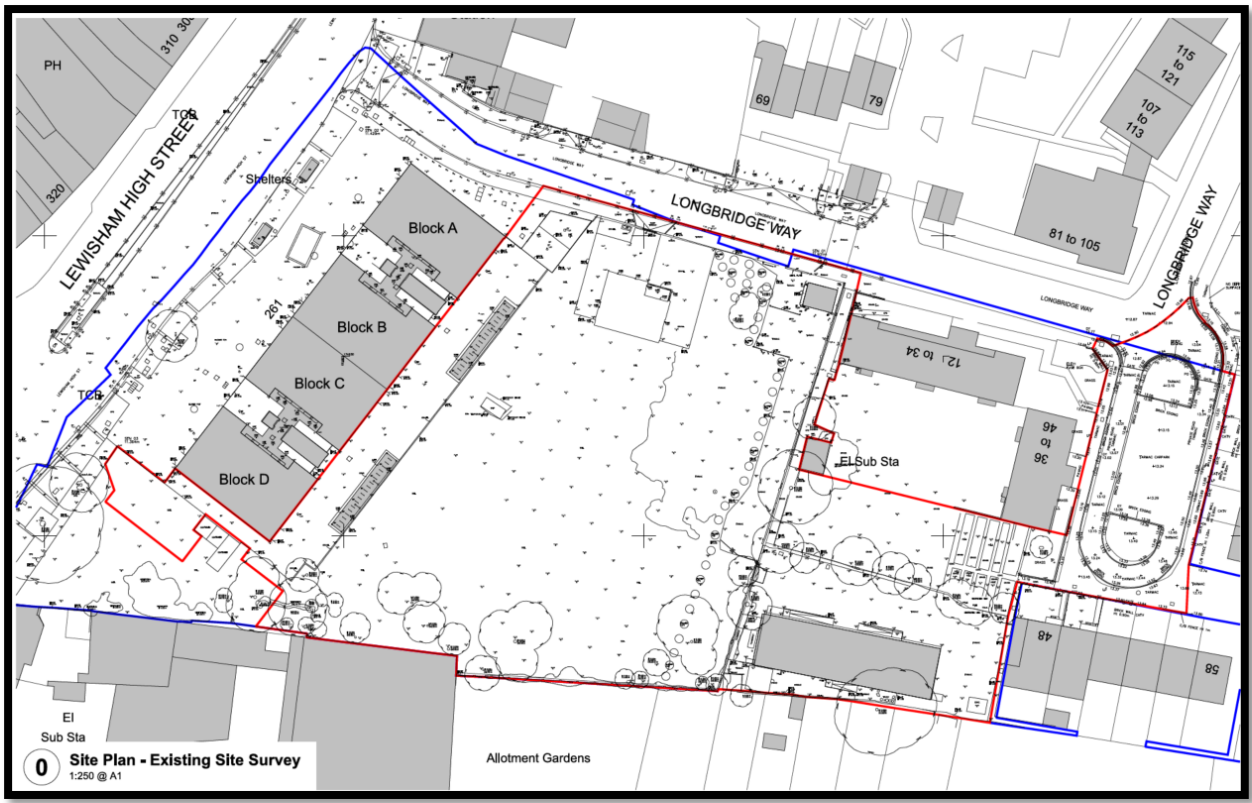
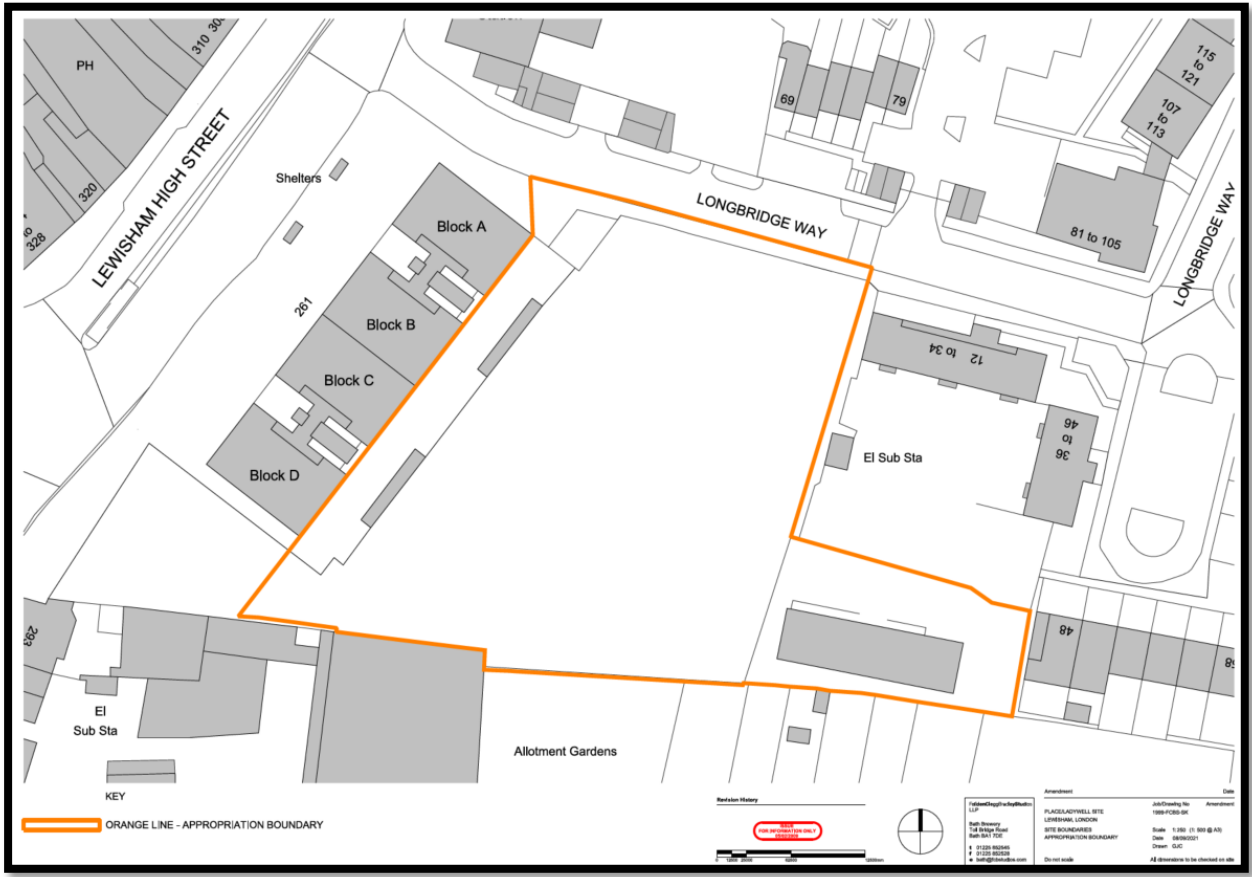


Appendix 2

Satellite image of Fairlawn Primary School Annexe, showing existing derelict single-storey school building and adjacent properties of 8 and 10 Waldenshaw Road.



Appendix 4 Ladywell Park Gardens – Appropriation Boundary



Ladywell Park Gardens - Existing Site



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

Date of Meeting	24 th January 2024	
Title of Report	Building for Lewisham: Approval of Capital Budgets and Procurement Strategy	
Author	david.sterba@lewisham.gov.uk	07783 881 112

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:



Councillor Brenda Dacres

(Deputy Mayor and Cabinet Member for Housing Development and Planning)

Date: 11/01/2024

Signed:



Nazeya Hussain

(Executive Director, Place)

Date: 11/01/2024



Mayor and Cabinet

Building for Lewisham: Approval of Capital Budget and Procurement Strategy

Date: 24 January 2024

Key decision: Yes

Class: Part 1

Wards affected: Perry Vale, Forest Hill, Lee Green, Lewisham Central.

Contributors: Executive Director for Housing, Regeneration and Public Realm, Executive Director of Corporate Resources and Director of Law, Corporate Governance and Elections.

Outline and recommendations

The sites at Valentine Court estate, Mayfield Hostel (now known as Mayfield), Fairlawn Nursery School Annexe (now known as Fairlawn) and the former Ladywell Leisure Centre (now known as Ladywell Park Gardens) are part of the Building for Lewisham (BfL) programme. Planning permission has been secured for a total of 219 new affordable tenure homes on these four sites. This paper also requests interim approval of costs for Longfield Crescent remedial works.

On 06 December 2023, M&C were advised of updated budgets for these four projects.

It is recommended that Mayor and Cabinet:

- (i) Approves the updated forecast Contract Sums as detailed in Part 2 of this report
- (ii) Approves the forecast total scheme On-Costs as detailed in Part 2 of this report
- (iii) Approves the updated forecast Total Scheme Costs as detailed in Part 2 of this report
- (iv) Approves the allocation of Right to Buy receipts to contribute to the funding for Valentine Court, Mayfield, Fairlawn, and Ladywell Park Gardens, as detailed in Part 2 of this report
- (v) Approves the receipt and use of GLA grant to contribute to the funding for Valentine Court, Mayfield, Fairlawn, and Ladywell Park Gardens, as detailed in Part 2 of this report
- (vi) Approves such additional GLA or other grant funding that facilitates successful delivery and delegate authority to the 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.
- (vii) Approves the procurement strategies for demolition, enabling and main works construction contracts for Valentine Court, Mayfield, Fairlawn, and Ladywell Park Gardens, as further detailed in Part 2 of this report
- (viii) Approves the procurement strategies and the progress to tender of the sites at Valentine Court, Mayfield, Fairlawn, and Ladywell Park Gardens, and delegates authority to ED Place (in consultation with Director of Law and Governance) to enter into contract with the most economically advantageous tenderer as determined by the evaluation criteria set out in the tender documentation provided the relevant contract sum is within the financial limits set out in the Part 2 report.
- (ix) Approves the procurement of a Principal Contractor for Valentine Court, delegate authority to the Executive Director for Place to award a Pre-Construction Services Agreement (PCSA) to the most economically advantageous tenderer (to be determined in accordance with the published evaluation criteria) and, subject to both satisfactory performance of the PCSA and provided the contract sum is within the limits set out in this Part 2 report, delegate authority to the Executive Director for Place to enter into the main works contract with the PCSA contractor.
- (x) Delegates authority to the Executive Director, Place (in consultation with the Executive Director for Housing, Regeneration and Public Realm and with the Director of Law, and Corporate Governance), to agree the final contract sum for demolition and enabling works for Mayfield and Fairlawn, up to delegated authority approval levels.
- (xi) Delegates authority to the Executive Director, Place to approve the estimated costs detailed in part 2 of this paper for remedial works to Longfield Crescent to continue on the first two houses while further surveys on the other houses and flats are undertaken.

Timeline of engagement and decision-making

Mayor and Cabinet, 11 July 2018 – New Homes Programme

Mayor and Cabinet, 15 January 2020 – Building for Lewisham Programme

Mayor and Cabinet, 9 July 2020 – Building for Lewisham Update

Mayor and Cabinet, 10 March 2021 - Building for Lewisham Programme Requirements

Mayor and Cabinet, 19 May 2021 - Building for Lewisham Programme Requirements

Mayor and Cabinet, 12 January 2022 – Building for Lewisham Update

Mayor and Cabinet, 1 February 2023 - Building for Lewisham, Appropriation for Planning

This report is a Key Decision, therefore any decision will be subject to scrutiny

1. Summary

- 1.1. Officers have undertaken to provide regular updates to Mayor and Cabinet on the delivery of new housing and to seek approvals as required for the Building for Lewisham programme and wider housing delivery in the borough. Further to M&C being advised of updated scheme budgets in the BfL programme on 06 December 2023, this report seeks to obtain M&C approval to progress the procurement for demolition, enabling and main works contracts for Valentine Court, Mayfield, Fairlawn, and Ladywell Park Gardens as further detailed in this report.
- 1.2. Information relating to this report which is considered as commercially sensitive, is contained within the accompanying Part 2 report.
- 1.3. The schemes are summarised below;

<i>Project</i>	<i>All Tenures</i>	<i>Social Rented</i>	<i>Shared Ownership</i>
<i>Valentine Court</i>	41	26	15
<i>Mayfield</i>	64	23	41
<i>Fairlawn</i>	12	1	11
<i>Ladywell Gardens</i>	102	47	55
	219	97	122

2. Recommendations

It is recommended that Mayor and Cabinet:

- 2.1. Approves the procurement strategies and progress to tender Valentine Court, Mayfield, Ladywell Gardens, and Fairlawn and delegates authority to Executive Director Place (in consultation with Director of Law and Corporate Governance) to enter into contract with the most economically advantageous tenderer as determined by the evaluation criteria set out in the tender documentation provided the relevant contract sum is within the financial limits set out in this Part 2 report.
- 2.2. Approves the procurement strategies for demolition, enabling and main works construction contracts detailed in this report for Valentines Court, Mayfield Hostel, Ladywell Baths, & Fairlawn Annexe, and as further detailed in Part 2 of this report;

- 2.3. Approves the procurement of a Principal Contractor for Valentine Court, delegate authority to the Executive Director for Place to award the Pre Construction Services Agreement (PCSA) to the most economically advantageous tenderer (to be determined in accordance with the published evaluation criteria) and, subject to both satisfactory performance of the PCSA and provided the contract sum is within the limits set out in the Part 2 report, delegate authority to the Executive Director for Place to enter into the main works contract with the PCSA contractor.
- 2.4. Delegates authority to the Executive Director, Place (in consultation with the Executive Director for Housing, Regeneration and Public Realm and with the Director of Law, Governance and Elections), to agree the final contract sum for demolition and enabling works for Mayfield and Fairlawn, up to delegated authority approval levels.
- 2.5. Delegates authority to the Executive Director Place to approve the estimated remedial works costs to Longfield Crescent, as detailed in part 2 of this paper. Costs incurred are to continue on the first two houses while further surveys on the other houses and flats are undertaken.

3. Policy Context

- 3.1. The Council's Corporate Strategy (2022-2026) explains our values, priorities and focus for the next four years, our learning from how the borough worked together in response to the pandemic, and how we plan to continue improving our services for residents, businesses and partners in an ever more challenging environment.
- 3.2. Above all, the strategy outlines the principles that showcase who we are as an organisation; our focus on equality, putting our residents at the centre of everything we do and ensuring transparency and sound financial management are embedded within all key decisions the council makes.
- 3.3. Delivering this strategy includes the following priority outcomes that relate to the provision of new affordable homes:
 - Cleaner and Greener – working to tackle the climate crisis through our development policies.
 - A Strong Local Economy – continue to expand our apprenticeship programme and invest in our high streets, doing what we can to be the best place in London for new businesses.
 - Quality Housing and Safer Communities – we will deliver more social homes for Lewisham residents, providing as many people as possible with safe, comfortable accommodation that they can be proud of and happy to live in.
 - Open Lewisham – we will co-design services and ensure strong consultation processes that reach out to people whose voices are seldom heard.
- 3.4. Housing Strategy (2020-2026), includes the following themes that relate to the provision of new affordable homes:
 1. delivering the homes that Lewisham needs.
 2. preventing homelessness and meeting housing need.
 3. improving the quality, standard and safety of housing.
 4. supporting our residents to live safe, independent and active lives.
 5. strengthening communities and embracing diversity.

4. Background

- 4.1. In January 2020, the Building for Lewisham (BfL) programme was officially launched. The programme is to provide much-needed genuinely affordable new homes, at the time through partnerships with the Council's Arm's-Length Management Organisation, Lewisham Homes, and its partner Registered Providers.
- 4.2. The BfL programme highlighted a number of Council-owned sites held within the Housing Revenue Account (HRA) which were under-used in their current form and therefore presented opportunities to deliver new housing.
- 4.3. The four BfL sites that are the subject of this report will deliver a total of 97 social rented homes. All these homes for rent will be allocated to households on the Council's housing register.
- 4.4. The BfL programme is not only providing the much-needed genuinely affordable homes that our residents need, but also will deliver wider social value benefits for residents through training and employment opportunities, as well as improvements to our existing estates, thereby making the best use of Council assets. The development of these four sites will additionally deliver an improved environment for those borough residents living adjacent to them, as well as those currently living in homes within the relevant sites.
- 4.5. In October 2023, Lewisham Homes ceased as an ALMO and its functions, including the BfL programme, were incorporated back into the Council's services.
- 4.6. In December 2023, M&C were advised of the updated budgets for the BfL programme, which includes the projects of Valentine Court, Mayfield, Fairlawn and Ladywell Park Gardens. Part 2 of this paper now seeks formal approvals for these projects, as presented in the Part 2 Recommendations.
- 4.7. In December 2023 M&C were also advised that the new homes completed in 2019 at Longfield Crescent were having remedial works undertaken and further investigations into the causes of water penetration. The principal contractor, Mid Group, is now insolvent so we are unable to make recourse to them. However, once full investigations have been completed the Council will seek recourse, where possible, from NHBC (who provided the New Build Warranty). A full report will be brought to M&C in early 2024 once a full scope of remedial work has been specified and priced by United Living (UL), the Council's preferred housing contractor. The budget approval in this paper is to enable the works and investigations to continue.

5. Progress to date

Valentine Court

- 5.1. Valentine Court is a small estate in the Perry Vale Ward comprising 112 existing homes split across either side of the road Perry Vale. There is a planning permission (DC/22/127024) to add a further 41 units across 3 blocks and a row of houses. 26 of these will be target rent homes and 15 will be shared ownership, along with some landscape and facilities improvements for the existing estate.
- 5.2. Valentine Court is in the Perry Vale Ward. The estate currently comprises of the blocks listed in table 5.2, with the North and South sites split by the road Perry Vale. The table below indicates locations of the proposed new blocks in relation to the existing provision.

Table 5.2 Valentine Court - Existing and new blocks

<i>North side (of Perry Vale)</i>	Block containing Flats 1 - 20	New Block A: 15 units: 8 x 1bed [2 wch] 4 x 2bed [1 wch] 3 x 3bed
	Block containing Flats 21 - 32	
<i>South side (of Perry Vale)</i>	Block containing Flats 33 - 48	New Block B: 4 units 4 x 3bed Houses (SO)
	Block containing Flats 49 - 60	
	Block containing Flats 61 - 72	
	Block containing Flats 73 - 84	New Block C: 11 units 4 x 1bed [1 wch], 7 x 2bed
	Block containin112	New Block D: 11 units 3 x 1bed , 8 x 2bed

- 5.3. These blocks are surrounded by green space as well as un-used ancillary buildings and hardstanding areas.
- 5.4. Officers identified the estate as a potential development site to be included in the Building for Lewisham programme, specifically the area around the former derelict laundry building, caretaker's facility, play area (being re-provided), hardstanding and some green space.
- 5.5. Lewisham Homes engaged with residents and other key stakeholders to bring forward an infill scheme totalling 41units, with one new block A on the north side to be adjacent to existing block containing flats1-20 and two further new blocks of flats (C&D) and a row of 4nr SO houses. The engagement has included newsletters, door-knocking, a dedicated Commonplace site, surveys and online video-conferencing meetings , in addition to pop-up events at the site.
- 5.6. In March 2021, Council Officers carried out a consultation with local residents under s105 of the Housing Act 1985. The outcome of the consultation was reported to Mayor and Cabinet on 19 May 2021 where the recommendation to continue work on the proposed development was approved.
- 5.7. The derelict laundry building and care-takers facility were demolished in January 2022 in preparation for commencement of the main works.
- 5.8. On 31 May 2022, Lewisham Homes submitted a full planning application (DC/22/127024) for 41 new residential properties, including new play spaces, provision of car parking spaces, cycle parking spaces, refuse/recycling stores, new public realm and associated landscaping works to be built on locations across the estate and a new crossing for Perry Vale road. The submission is for 15x 1 bed properties, 19x 2 bed properties and 7x 3 bed properties. Planning permission was granted by Committee on 29 September 2022. All properties will be affordable, with 26 being for target rent and 15 for shared ownership.
- 5.9. The Council owns the freehold interest of the site. The land was originally occupied by a disused laundry building, former caretaker's facility, play area (to be re-provided), hardstanding and green space.
- 5.10. In February 2023, Mayor and Cabinet approved that the land be appropriated for

planning purposes and then appropriated back to the Housing Revenue Account to deliver the new housing.

- 5.11. In June 2023, procurement of a main works contract for Valentine court was undertaken on the basis of a RIBA3 design, and evaluated in September 2023. Both tender returns were unviable as substantially above the order of cost estimate. The tender process was formally stopped the following month.
- 5.12. A single-stage tender process for Valentine Court was terminated earlier in the year, as the build costs contained within all of the tender returns resulted in a project unable to meet the council's financial hurdles, and therefore became unviable.
- 5.13. As the single-stage process essentially provides the council with a lump sum a contractor assesses they can build a project for, the project team is now seeking approval to undertake a two-stage tender process, the ultimate aim of which is to contract at a level of build cost that ensures overall viability of the project. The procurement mechanisms enabling this outcome are further detailed in s.7 of this report.

Mayfield

- 5.14. Mayfield site currently has on it a hostel building containing 26 temporary accommodation(TA) units but that is not fit-for-purpose as either temporary or sustainable accommodation.
- 5.15. A decanting strategy is in place for the occupants of the hostel's TA units, and officers across relevant departments are ensuring both decanting and development programmes are in alignment.
- 5.16. The project team has submitted a planning application (DC/23/132184) for 64 new homes across 3 blocks, providing 23 target rented homes and 41 shared ownership units. Landscaping, resident gardening, and ecology enhancements are also proposed. All draft planning conditions and s106 obligations are agreed for Mayfield, and a resolution to grant permission to develop is expected to be issued from the planning authority by the time members read this paper.

Fairlawn

- 5.17. This site has a single structure on it, formerly an annexe building to the nursery school of the same name. The land is now appropriated for both planning and housing purposes.
- 5.18. Planning permission (DC/22/130308) is granted to develop a single block comprising 12 units. 11 of these are for Shared Ownership tenure homes, with a target rented wheelchair unit to address a known need designed into the structure at street level.

Ladywell Park Gardens

- 5.19. Located on land of the former leisure centre and to the rear of Place Ladywell, this site in November 2023 gained planning permission (DC/22/129317) to construct 102 homes across 4 blocks and are 3 to 7 storeys in height. 47 of these homes will be social rented, with the balance of 55 being for shared ownership tenure.

Longfield Crescent

- 5.20. This project provided 27 affordable homes and completed in 2019 by our principal contractor MID Group. This contractor is now insolvent.
- 5.21. Following completion, several defects were reported relating to water penetration and consequent mould growth. These are timber-framed buildings so the possibility of the effect of protracted water penetration on the structure is particularly significant,

particularly in view of the defects observed above.

- 5.22. The objective of the project team is to achieve a speedy resolution of the defects which will ensure resident safety and restore residents' full access to external balconies and terraces.
- 5.23. We have appointed United Living (UL) the Council's preferred housing contractor to assist us in remedying of these defect issues. Whilst some minor repairs have been completed, we are undertaking further Intrusive surveys on site to ensure we obtain a full report to the extent of the issues within these buildings.
- 5.24. One house is fully decanted, and the second house has scaffolding as well. The budget approval will allow works to the first two houses to continue while full estimates for the other 6 houses and the 19 flats is developed for a subsequent M&C approval.
- 5.25. **Mayfield**
March 2020 M&C approved a budget to meet on-cost project requirements
- 5.25.1. *March 2021* following the re-appraisal of an earlier (and consented) modular design for the site, a further sum was approved by M&C to cover the progression of a new design and contingency sum, resulting in a new approved budget.
- 5.26. *July 2021* M&C, via delegated authority, approved Development allowance for previous two years not originally included, plus contingency increases, bringing the current approved agreed budget to develop a 67-unit concrete frame scheme.
- 5.27. *Sept 2022* Major Projects Board were presented with the new design proposal for a 67 to 64 units scheme across three blocks, developed to RIBA2.
- 5.28. *Dec 2023* Project is included in an update paper to M&C detailing financial and other changes to projects in the BfL programme since the last approvals.
- 5.29. **Ladywell** Now known as Ladywell Park Gardens, this 102-unit project, to be set across 4 blocks on the car park of the former Leisure Centre, achieved planning consent on 24th October 2023 (DC/22/129317). All drawings and reports are available on the planning portal. Ctrl and 'click' the link below to view the project particulars.
https://planning.lewisham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= LEWIS_DCAPR_117239

6. Procurement and tendering

- 6.1. **Valentine Court** - The procurement for the construction of the Valentine Court scheme started before the housing delivery function transferred from Lewisham Homes (LH) to Lewisham Council on 1 February 2023.
- 6.2. Grant: £1,010,500 of income, namely 'brownfield land release fund(BLRF2)' and 'Small sites, small business(SSSB)' funding is available for this project, both earlier approved by M&C to be received.
- 6.3. LH's Chief Executive approved the procurement approach under her delegated powers under Lewisham Homes' Scheme of Delegation for the procurement process for the appointment of a Principal Contractor for the main works.
- 6.4. The invitation to tender was sent out on 17th November 2023 with tender returns expected by 31 March 2023.
- 6.5. Three contractors committed to submit a tender for the contract, detailed in Part 2 of this report. At close of tender, two remained. These two tenders have been assessed in line with the commercial and technical evaluation procedures and protocols. Due to the wider economic conditions prevalent during the tender period, both tenders were

not viable, the details of which are considered commercially sensitive and contained within Part 2 of this report.

- 6.6. To progress the BfL programme, officers consider a 2-stage tender process at this juncture will deliver a viable construction contract via a pre-construction services agreement (PCSA). In outline, the tender procedure is to offer an invitation to tender to the market via the proactis portal of the Find a Tender Service, shortlist to 5 tenderers who will propose a budget price in their tender returns, and award a PCSA with an agreed target price for the main works.
- 6.7. The successful tenderer will collaboratively develop and optimise the design, secure works packages on an open-book basis as the design is optimised and cost-reducing solutions are embedded, and ultimately the target price for a main works contract is achieved. Note, there is no contractual obligation under the PCSA to enter into a subsequent main works contract.
- 6.8. At conclusion of the successful PCSA, the overall aim of which is to work with the successful contractor to review and enhance project value to achieve a viable project, the project team will submit to M&C, via delegated authority, an approval to enter into a main works construction contract with the PCSA contractor.
- 6.9. Terms within the PCSA will allow, if the need becomes apparent, to terminate the contract at an early stage and well before incurring its full value, providing a mechanism to ensure financial prudence is available at all times.
- 6.10. **Mayfield Hostel** - in January 2024, planning consent was secured. Officers are now seeking M&C approval to procure a main works contract, along with procurement of associated demolition and enabling works, to deliver 64 units across three blocks, as summarised below;

Mayfield - Summary			Shared Ownership			Affordable Rented		
1beds		30	1beds		25	1beds		5
2beds		26	2beds		16	2beds		10
3beds		8	3beds		1	3beds		7
		64			42			22

Block A				Block B				Block C			
	NIA (m ²)	Qty			NIA (m ²)	Qty			NIA (m ²)	Qty	
[SO] 1b2p	50	18	[AR] 1b2p	50	4	[SO] 1b2p	50	4	[AR] 1b2p	50	4
[SO] (wch) 1b2p	60	3	[AR] (wch) 1b2p	60	1	[SO] (wch) 1b2p	60	0	[AR] (wch) 1b2p	60	0
[SO] 2b3p	61	4	[AR] 2b3p	61	3	[SO] (wch) 2b3p	67	1	[AR] 2b3p	61	3
[SO] 2b4p	70	5	[AR] (wch) 2b3p	69	1	[SO] 2b4p	72	6	[AR] (wch) 2b3p	69	1
[AR] (wch) 3b5p	102	1	[AR] 2b4p	72	5	[SO] 3b5p	95	1	[AR] 2b4p	72	5
		31	[AR] (wch) 2b4p	84	1			12	[AR] (wch) 2b4p	84	1
			[AR] 3b5p	86	3				[AR] 3b5p	86	3
			[AR] 3b6p	97	3				[AR] 3b6p	97	3
					21						

- 6.11. The procurement strategy for Mayfield is to commence a single stage tender process via an LBL-approved framework, for the demolition of the existing hostel on the site and the construction of the consented 64-unit scheme, with project team first procuring a RIBA4a design package for inclusion in the tender pack. The Mayfield site presents fewer utilities challenges than for example Valentine Court does, and when the market is presented with a Mayfield scheme that has detailed design, and its site risks addressed, a single stage procurement will achieve best value for the borough.
- 6.12. **Fairlawn** - The procurement strategy for Fairlawn is to commence a single stage tender process via an LBL-approved framework, for the demolition of the existing timber-framed Annexe building on the site and the construction of this consented 12-unit scheme, with detailed design drawings to RIBA4a being progressed prior to tender and the output included in the tender pack. By providing detailed design drawings

within the tender pack, the Council can achieve best value as prospective tenderers can price more accurately as design risks are known.

- 6.13. Fairlawn has planning consent as a social rented development. To secure the necessary tenure change on this site that will support the wider BfL programme due to its very positive consequential NPV, the project team has submitted a s.73 application to the LPA for tenure change, citing a programme-wide and evidence-based rationale for doing so that is acceptable to planning officers.
- 6.14. **Ladywell** — the procurement strategy for Ladywell Park Gardens is predicated on first completing, over a 16-week period, RIBA Stage 4a design co-ordination of key details, to be submitted as part of the tender pack. This will leave the final delivery options open to the tendering contractors. Demolition is already completed at Ladywell.
- 6.15. This will also deliver a very robust tender pack. The key here is ensure we *do not* design out every detail but ensure the solutions put forward within the design are *options*.
- 6.16. Note the design integrity is nonetheless protected, as planning conditions for Ladywell stipulate that the project architect, FCB Studios, shall be retained as design guardian for the Council throughout, or be novated as the contractor's designer.
- 6.17. The project team and employer's agent will methodically address project risks, and mitigate where possible and provide provisional sums for inclusion in the tender pack
- 6.18. A RIBA 4 design pack will be included in a tender pack to be submitted within an approved framework, specifically the Development Framework administered by Notting Hill Genesis.
- 6.19. **Longfield Crescent** – United Living (UL), the Council's preferred housing contractor, has been appointed to assist us in addressing remedial issues initially on two houses which includes erection of scaffolding, opening up works, investigation and determination of scope of rectification works required, roof and structure works, and associated making good of the aforementioned.
- 6.20. Estimated costs associated with these works are detailed in part 2, and for which M&C approval is sought.

7. Contract Management Arrangements

- 7.1. The JCT 2024 suite of contracts may be available to the market by the time these main works contracts are executed, and it is the recommendation of Legal Services to adopt them at the appropriate time. All tender packs will inform bidders of LB Lewisham's right to opt for the JCT 2024 suite irrespective of any earlier-dated contract suites cited at time of tender
- 7.2. For procurements undertaken in the period whilst waiting for JCT Ltd to issue the JCT 2024 suite of contracts, tenderers will be notified of that intention, and provided with the JCT 2016 D&B form of contract, with LBL's Amendments.
- 7.3. A JCT pre-construction services agreement (PCSA), amended to align with our main D&B main contract form will be the additional contract management arrangements for the Valentine Court project.
- 7.4. Fairlawn, Ladywell, and Mayfield are intended to operate within the JCT Design&Build contract form, with LB Lewisham Amendments, as agreed and updated as necessary with legal colleagues.
- 7.5. For Longfield Crescent the existing term contractual arrangements are being used.

8. Risk Implications

- 8.1. Risk implications for the Valentine Court, Mayfield, Fairlawn and Ladywell Park Gardens are addressed in the December 2023 M&C paper, which covered Financial, governance, programme and reputational risks associated with the BfL programme, and outlined ways these risks are being mitigated.
- 8.2. Risk registers for all schemes are held within each project folder and reviewed quarterly by heads of service.

9. Financial implications

- 9.1. Financial implications are provided in part 2 of this report

10. Legal implications

- 10.1. The Council has sufficient powers to procure contracts and enter into agreements for grant funding as envisaged in this report.
- 10.2. Any procurement must comply with the Contract Procedure Rules in the Council's Constitution as well as, where applicable, Public Contract legislation then in force.
- 10.3. Public law principles will apply to the decisions made by the Council in relation to each scheme, including the Council's duty to take account of its fiduciary duty and to act prudently with public monies entrusted to it. The Council is also under a general duty to act reasonably and show that its decisions in relation to the delivery of each scheme are made after having given due and proper consideration to all relevant factors (disregarding irrelevant factors).
- 10.4. All legal agreements arising from the matters in this report, must be in a form approved by the Director of Law and Corporate Governance.

11. Equalities implications

- 11.1. The appropriation of the Council owned land at Drakes Court and Valentine Court is not believed to have any direct equalities implications to local residents. As stated, impacted residents may have the right to claim compensation which would be independently assessed.
- 11.2. The appropriation will allow for the unhindered delivery of new Council owned homes for social rent, which result in a net positive outcome for a greater number of people. Not providing new Council owned homes for social rent means that there are greater disproportionate impacts on those on the Housing Register and in temporary accommodation, as they will remain inadequately housed for longer.
- 11.3. Lewisham Homes on the Council's behalf consider any impact and implications in relation to protected characteristics as the scheme progresses through design, planning and construction stages. It should be noted that the Council is committed to ensuring our developments will be inclusive and feature accessible and adaptable homes that will meet the needs of our residents throughout their life.
- 11.4. Equalities implications will continue to be assessed as the schemes progress through the design, planning and construction process.

12. Climate change and environmental implications

- 12.1. Existing planning consents are and will be in line with the high standards expected by Lewisham Council and the GLA. Developments will consider the guidance including seeking to reduce energy consumption, emissions, and climate change.
- 12.2. The the energy supply for the homes these four schemes deliver will be provided through air source heat pumps. Mechanical Ventilation units are also proposed within each home which would be a positive addition to the scheme.
- 12.3. In relation to the Valentine Court site, the proposed energy strategy is to provide heating and hot water via air source heat pumps (ASHP's) delivered to all affordable rent homes via an ambient loop. SO homes are to benefit from individual ASHP's for which they will be solely responsible. Also, high efficiency mechanical ventilation heat recovery (MVHR) is proposed to all homes where relevant.
- 12.4. Every effort will be made to enhance the natural environment, the landscape and amenity space in adherence to the planning permissions. This will include undertaking demolition and construction works in line with environmental protection and public health guidelines and seek to limit the impact.

13. Crime and disorder implications

- 13.1. There are no direct crime and disorder implications arising from this report. All four schemes have been assessed by Designing Out Crime Officers (DOCO) and where recommendations have been made layout and designs have been altered to address any crime and disorder implications.

14. Health and wellbeing implications

- 14.1. There are no direct health and wellbeing implications arising from this report although the provision of new social homes will have a positive impact on health and wellbeing of people on the housing register waiting for permanent accommodation. Greater permeability of the site will result in fewer car journeys undertaken by the wider community, thereby reducing CO2 and NOx emissions in the vicinity.

15. Social Value Implications

- 15.1. Lewisham Council will address the social value benefits for the Lewisham community when procuring and awarding contracts for works. All tenders above the thresholds contained in the council's procurement procedures for the relevant services will be applied in the procurement of these four schemes' contracts.
- 15.2. A social value matrix is included in the ITT and tender pack for each project, as applicable.

16. Background papers

- 16.1. 06 December 2023: M&C Paper, Parts 1 and 2
- 16.2. 24 January 2024: M&C Paper, Fairlawn: Appropriation for Planning Purposes

17. Glossary

All terms are defined within the paper.

18. Report author and contact

- 18.1. David Sterba, Senior New Initiatives Manager (david.sterba@lewisham.gov.uk)
- 18.2. Comments for and on behalf of the Executive Director for Corporate Resources
- 18.3. Financial Implications: Sandra Gray Sandra.gray@lewisham.gov.uk
- 18.4. Legal Implications: Melanie Dawson melanie.dawson@lewisham.gov.uk (Comments for and on behalf of the Director of Law and Corporate Governance)

19. Appendices


None

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


Date of Meeting	24 th January 2024	
Title of Report	Thomas Lane Yard – Acquisition and Planning Submission	
Author	Charlotte Harrison	Ext.

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 Housing Development and Planning
 Date: 11/01/2024



Signed:
 Executive Director for Place
 Date: 11/01/2024



Mayor and Cabinet

Report title: Thomas Lane Yard – Acquisition and Planning Submission

Date: January 2024

Key decision: Yes

Class: Part 1

Ward(s) affected: Rushey Green

Contributors: Director of Inclusive Regeneration, Director of Public Realm, Director of Finance, Director of Law

Outline and recommendations

- 1.1. This paper seeks delegated authority to negotiate and acquire land currently held by Catford Regeneration Partnership Limited to facilitate the delivery of the Thomas Lane Yard scheme. The paper also seeks delegated authority to submit a planning application for the scheme to the Local Planning Authority. Delegated authority is required now to support the programme required by the GLA's Affordable Housing Programme.
- 1.2. Its is recommended that Mayor & Cabinet:
- 1.3. Note the progress on developing the Thomas Lane Yard scheme, including the proposed housing mix.
- 1.4. Approve the freehold acquisition of land from Catford Regeneration Partnership Ltd shown shaded in green and pink on the plan in Appendix 1
- 1.5. Delegate authority to the Executive Director of Place to:
- 1.6. Agree final terms for the freehold acquisition
- 1.7. Agree final terms for the leaseback arrangement with CRPL pending vacant position of the site being required
- 1.8. Agree the final scheme and submit a full planning application to the Local Planning Authority

Timeline of engagement and decision-making

In July 2018, Studio Egret West architects were appointed to develop a draft Catford Masterplan for public consultation. On 14 July 2021, Mayor & Cabinet adopted the Catford Town Centre Framework.

In March 2020, the Council secured £1.65m Good Growth Funding from the Greater London Authority (GLA), following a successful bid to develop, amongst other schemes, plans for Thomas Lane car park site. On 16 September 2020, Mayor & Cabinet approved match-funding to the GLA Good Growth Fund, agree and enter the GLA's Good Growth Grant Agreement and to commence procurement of consultancy support.

On 28th October 2021 the Executive Director of Housing, Regeneration and Public Realm gave approval for officers to undertake a procurement process via the ADUP framework. Turner Works architects were appointed to commence the scheme design in January 2021.

On 28th April 2023, the Executive Director for Place approved the extension of Turner Works contract and fees to enable updates to the scheme in line with the council's requirements, to bring the scheme in line with changes to building regulations and to explore various options for the introduction of a second cores in the residential elements of the scheme.

1. Summary

- 1.1. This paper seeks delegated authority to negotiate and acquire land currently held by Catford Regeneration Partnership Limited (CRPL) to facilitate the delivery of the Thomas Lane Yard housing scheme. The paper also seeks delegated authority to submit a full planning application to the Local Planning Authority.
- 1.2. Thomas Lane Yard (TLY) is a mixed use scheme on a site north of Catford Broadway. The scheme currently delivers 113 affordable units: 39 new social rented homes (target rent) and 74 shared ownership flats. These homes will be in two separate blocks, Nelgarde House (target rent) and Doggett House (shared ownership).
- 1.3. The majority of the site constitutes Thomas Lane car park, owned by Lewisham Council. There are two further pieces of land owned by CRPL (Title Number LN208811 and Title Number TGL544865). Acquisition of these sites by the Housing Revenue Account (HRA) provide the Council the opportunity to deliver Thomas Lane Yard and provide much needed high-quality affordable housing, affordable workspace and public realm to the wider area.

2. Recommendations

- 2.1. That Mayor & Cabinet:
- 2.2. Note the progress on developing the Thomas Lane Yard scheme, including the proposed housing mix.
- 2.3. Approve the freehold acquisition of land from Catford Regeneration Partnership Ltd shown shaded in green and pink on the plan in Appendix 1
- 2.4. Delegate authority to the Executive Director of Place to:
- 2.5. Agree final terms for the freehold acquisition
- 2.6. Agree final terms for the leaseback arrangement with CRPL pending vacant position of the site being required
- 2.7. Agree the final scheme and submit a full planning application to the Local Planning Authority

3. Policy Context

- 3.1. This report aligns with Lewisham's Corporate Priorities, as set out in the Council's Corporate Strategy (2022-2026):

- Cleaner and Greener
- A Strong Local Economy
- Quality Housing
- Children and Young People
- Safer Communities
- Open Lewisham
- Health and Wellbeing

- 4.2.1 The scheme will contribute towards the Council's Corporate Strategy (2022-2026) objectives of delivering homes that Lewisham needs, meeting housing needs and improving the quality, standard and safety of housing. The scheme meets these objectives by providing 113 affordable units.

- 4.2.2 Lewisham's new Local Plan will build on the existing growth strategy contained within the Core Strategy 2011, which identifies a growth corridor extending from New Cross and Deptford to Catford. Lewisham's new Local Plan proposes a strengthened focus on Lewisham's places, to ensure that development is positively managed with

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communities over the long-term for the benefit of all.

- 4.2.3 The Catford Town Centre Framework forms part of the evidence base for the new Lewisham Local Plan's place-making approach. The process of plan making involves significant information gathering and specialist studies at the front end of the process. This information is then used to set policy options and preferred approaches for the plan going forward. Local plans are required to meet prescribed 'tests of soundness' as set out in the NPPF. This includes that they must be 'justified' by evidence. The evidence base will be published alongside the submission Local Plan and be subject to scrutiny through the independent examination process. The Catford Town Centre Framework will form part of this evidence base along with other Area Frameworks.
- 4.2.4 The London Plan has identified opportunity areas across London in order to help meet the challenges of economic and population growth. These opportunity areas represent London's largest development opportunities. The Plan identifies Catford as a Major town centre within the London retail hierarchy and as an opportunity area where more intensive development is supported.
- 4.2.5 The focus of the National Planning Policy Framework (NPPF) is on a presumption in favour of sustainable development and positive growth. The NPPF provides a high-level planning policy context for Catford, setting out the evidence base requirements for town centre uses and encouraging local authorities to meet town centre needs in full. This is particularly relevant for Catford, given the need to maximise opportunities for the regeneration of the town centre while responding to local needs.

4. Background

- 4.1. Thomas Lane Yard (TLY) is a mixed use scheme on a site north of Catford Broadway. The majority of the site constitutes what is now Thomas Lane car park, owned by Lewisham Council and the Supersets site, owned by the Catford Regeneration Partnership Limited (CRPL).
- 4.2. The scheme forms part of the first phase of the Catford Town Centre Framework. The Framework sets out the council's regeneration aspirations for the town centre for the next 15-20 years.
- 4.3. The scheme currently delivers:
- 113 affordable units: 39 new social rented homes (target rent) and 74 shared ownership flats. These homes will be in two separate blocks, Nelgarde House (target rent) and Doggett House (shared ownership).

- Nelgarde House is an 8-storey mixed-use building with 6 stories of residential above commercial/workspace/ancillary functions, the building is over the 18m and under 30m;
- Doggett House is a 12-storey mixed-use building with 11 stories of residential above commercial/workspace/ancillary functions, the building is over 30m.
- Ten percent of the homes provided will meet the M4(3) standard wheelchair user dwellings. The remainder will meet the M4(2) adaptable dwelling standard (lifetime homes) in accordance with the London Plan. No parking (except blue badge) is being provided in the scheme.
- Over 1000sqm of new commercial and office space (including a proportion of affordable workspace which is a requirement of the GLA Good Growth Funding).
- Over 3000sqm of public realm.

4.4. When the scheme was last presented to M&C it was only providing 101 units at 50% affordable housing. The scheme has secured affordable housing grant funding from the Greater London Authority for the target rent units and will use Right to Buy receipts for the shared ownership which has allowed the private for sale units to become shared ownership. The scheme is now 100% affordable.

4.5. The current schedule of residential accommodation is as set out below:

TYPE	TARGET RENT	SHARED OWNERSHIP	RESIDENTIAL TOTAL
1 BEDS	14	42	56
2 BEDS	11	32	43
3 BEDS	14	0	14
TOTAL	39	74	113

4.6. The number of shared ownership units in the scheme has increased to rebalance viability following the loss of residential floorspace due to the inclusion of a second staircase in both buildings to comply with a change in fire safety guidance and building regulations.

4.7. The changes to building regulations are still pending however we have taken advice from fire safety consultants, the Health and Safety Executive and the London Fire Brigade in arriving at the current design and, notwithstanding any further changes that

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may be made, the scheme is compliant and projected to be delivered within the grace period that Government has confirmed.

4.8. The current schedule of non-residential uses is as set out below:

DESCRIPTION	PLANNING USE	UNITS	AREA SQM
BASEMENT COMMERCIAL (Plant)	Class E	TBC	100
GROUND FLOOR COMMERCIAL	Class E	TBC	668
FIRST FLOOR COMMERCIAL	Class E	TBC	274
TOTAL			1042

4.9. The commercial spaces have been designed to achieve a BREEAM Excellent rating. Soft market testing for this space has commenced.

5. Land assembly

5.1. The majority of the site constitutes Thomas Lane car park, owned by Lewisham Council (outlined in blue on plan 1). There are two further pieces of land owned by the Catford Regeneration Partnership Limited (CRPL, a wholly owned council company) which will need to be acquired freehold (shaded pink and green on plan 1 in appendix 1). A leaseback arrangement is being proposed for the CRPL sites until vacant possession is required.

5.2. The Council proposes to acquire the following freehold interests from CRPL:

- Title Number LN208811 (site A – shaded pink on plan 1)
- Title Number TGL544865 (site B – shaded green on plan 1)

5.3. Acquisition of sites A and B by the Housing Revenue Account (HRA) provide the Council the opportunity to deliver the Thomas Lane Yard scheme and provide much needed high-quality affordable housing, affordable workspace and public realm to the wider area.

5.4. Site C (title number 377841, shaded blue on plan 1) is Thomas Lane car park, which sits within the General Fund (GF). It is intended that in due course, the Council will appropriate this site into the HRA and following the grant of planning permission the Council will then appropriate the entire site (A, B and C) for planning purposes. A future

M&C decision will be sought for this.

6. Closure of Thomas Lane car park

- 6.1. Thomas Lane car park currently provides 60 car park spaces. The car park is used for informal servicing by commercial premises on the Broadway. When the scheme is complete these units will need to be serviced from the Broadway.
- 6.2. The scheme, once developed will only provide blue badge parking and loading bays. The car park is in close proximity to the Holbeach Road car park (another council owned car park) which has sufficient capacity to absorb users of Thomas Lane when it is no longer available. It is expected that the lost income from the car park will be made up through the use of Holbeach Road.

7. Engagement with Planning to date

- 7.1. There has been a range of engagement activity during design development. This includes five pre-application meetings with Council planning officers, two presentations to Lewisham's Design Review Panel and a presentation to the GLA London Review Panel.
- 7.2. The feedback from these meetings has informed the overall scheme including the layout of the site, the siting and massing of the buildings and the mix of uses across the site and how they are accessed and serviced.

8. Consultation to date

- 8.1. The community have been involved from the outset in these proposals. This took the form of a programme of public consultation events in September 2021, with a series of in-person and online events. This hybrid digital/in person approach was taken due to the restriction on public gatherings due to COVID-19.
- 8.2. A dedicated website 'Beyond Broadway' was built as an online platform to share the information about the proposals and upcoming events and to invite feedback.
- 8.3. At the engagement events, polls were taken on the following categories of the design: public space, town centre living, home design and ground floor uses
- 8.4. Feedback was generally positive with many engaged members of the community actively participating in the process. The findings from all stages of engagement have fed into and strengthened the development of the proposals. The designs were amended as follows to address some of the concerns raised:
 - Efforts were undertaken to introduce more character to the façade designs.

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Warmer tones for the brick were selected in response to comments.

- Cycle parking in the public realm has been allocated and the scheme provide spaces for cargo bikes.
- A landscape designer was appointed to select appropriate species of trees and planting and create a holistic and connected ecology strategy for the scheme.
- The provision of public toilets was explored.
- Spaces for community use have been designed into the public realm, with adequate space and flexibility.

9. Budget

- 9.1. The scheme has an approved budget up to planning submission. This budget includes all work on the scheme including the work carried out prior to the decision to phase it.
- 9.2. Additionally, the Part 2 report sets out the current Total Scheme Costs, funding for the delivery of the scheme and details of financial viability.

10. Financial implications

- 10.1. As identified within part 2 of the report.

11. Legal implications

- 11.1. This report seeks authorisation for the Council to acquire for planning purposes land currently owned by Catford Regeneration Partnership Limited. Section 227 of the Town and Country Planning Act 1990 permits the Council to acquire by agreement any land which the Council could acquire compulsorily pursuant to section 226 of that same act. Section 226 permits the Council to compulsorily acquire any land in its area that the Council thinks will facilitate the carrying out of development, redevelopment or improvement in relation to the land. To do so, the Council must be satisfied that the development, redevelopment or improvement will contribute to the promotion or improvement of the economic, social, and/or environmental well-being of the area. This report sets out reasons why it is considered that the the acquisition of the site currently owned by Catford Regeneration Partnership Limited would satisfy these requirements.
- 11.2. The Council has the power under section 120 of the Local Government Act 1972 to acquire by agreement any land for any purpose for which they are authorised by any enactment to acquire land (including under section 227 of the Town and Country Planning Act 1990) notwithstanding that the land is not immediately required for that purpose. Until the land is required for the purpose for planning purposes it may be

used for the purposes of any of the council's functions.

- 11.3. It is intended that a planning application will be made for the development of the site. The Local Planning Authority will consider that application in the usual way and no approval given in this report will fetter the Local Planning Authority's decision making powers. Should planning approval for the site be granted, it is intended that the Council will seek to rely on its powers in section 203 Housing and Planning Act 2016 to override third party rights in respect of land acquired from Catford Regeneration Partnership Limited as well as land on the development site already owned by the Council. This will be the subject of a future report.

12. Equalities implications

- 12.1. The Council must have due regard to its Public Sector Equality Duty as set out in the Equality Act 2010. This requires all public bodies, including local authorities, to 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
- 12.2. The Council's Single Equality Framework 2020-2024 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.
- 12.3. The Council is committed to ensuring our developments will be inclusive and feature accessible and adaptable homes that will meet the needs of our residents throughout their life.
- 12.4. Ten percent of the homes provided in the Thomas Lane Yard scheme will meet the M4(3) standard wheelchair user dwellings. The remainder will meet the M4(2) adaptable dwelling standard (lifetime homes) in accordance with the London Plan. No parking (except blue badge) is being provided in the scheme.
- 12.5. A more detailed equalities implications will be set out as part of the full planning application.

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13. Climate change and environmental implications

- 13.1. The scheme will seek a planning consent will be in line with the high standards expected by the Council and the GLA. Developments will meet the London Plan requirements including seeking to reduce energy consumption, emissions, and climate change.
- 13.2. Every effort will be made to enhance the natural environment, enhance landscape and amenity space. This will include undertaking demolition and construction works in line with environmental protection and public health guidelines and seek to limit the impact on neighbours.

14. Crime and disorder implications

- 14.1. There are no matters arising from this report.

15. Health and wellbeing implications

- 15.1. There are no direct health and wellbeing implications arising from this report although the provision of new social homes along with improvements to the the public realm and additional communal amenity spaces will have a positive impact on health and wellbeing of people on the housing register waiting for permanent accommodation.

16. Background papers

- 16.1. The Catford Town Centre Framwork - <https://lewisham.gov.uk/inmyarea/regeneration/catford-regeneration/catford-town-centre-framework>

17. Glossary

- 17.1.

Term	Definition
CRPL	Catford Regeneration Partnership Limited (CRPL) is a wholly owned subsidiary of Lewisham Council. The company was originally created in January 2010 to purchase the leasehold interests in and around the Catford Centre in order to manage and regenerate the property to improve the economic, social and environmental wellbeing of the people of the London Borough of Lewisham (LBL).

Term	Definition
Health and Safety Executive	The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety.

18. Report author(s) and contact

- 18.1. Charlotte Harrison, charlotte.harrison@lewisham.gov.uk
- 18.2. Comments for and on behalf of the Executive Director for Corporate Resources
- 18.3. Sandra Gray, Building for Lewisham Commercial Accountant,
Sandra.Gray1@lewisham.gov.uk
- 18.4. Comments for and on behalf of the Director of Law and Corporate Governance
- 18.5. Jeremy Chambers, Director of Law and Corporate Governance,
jeremy.chambers@lewisham.gov.uk

19. Appendices

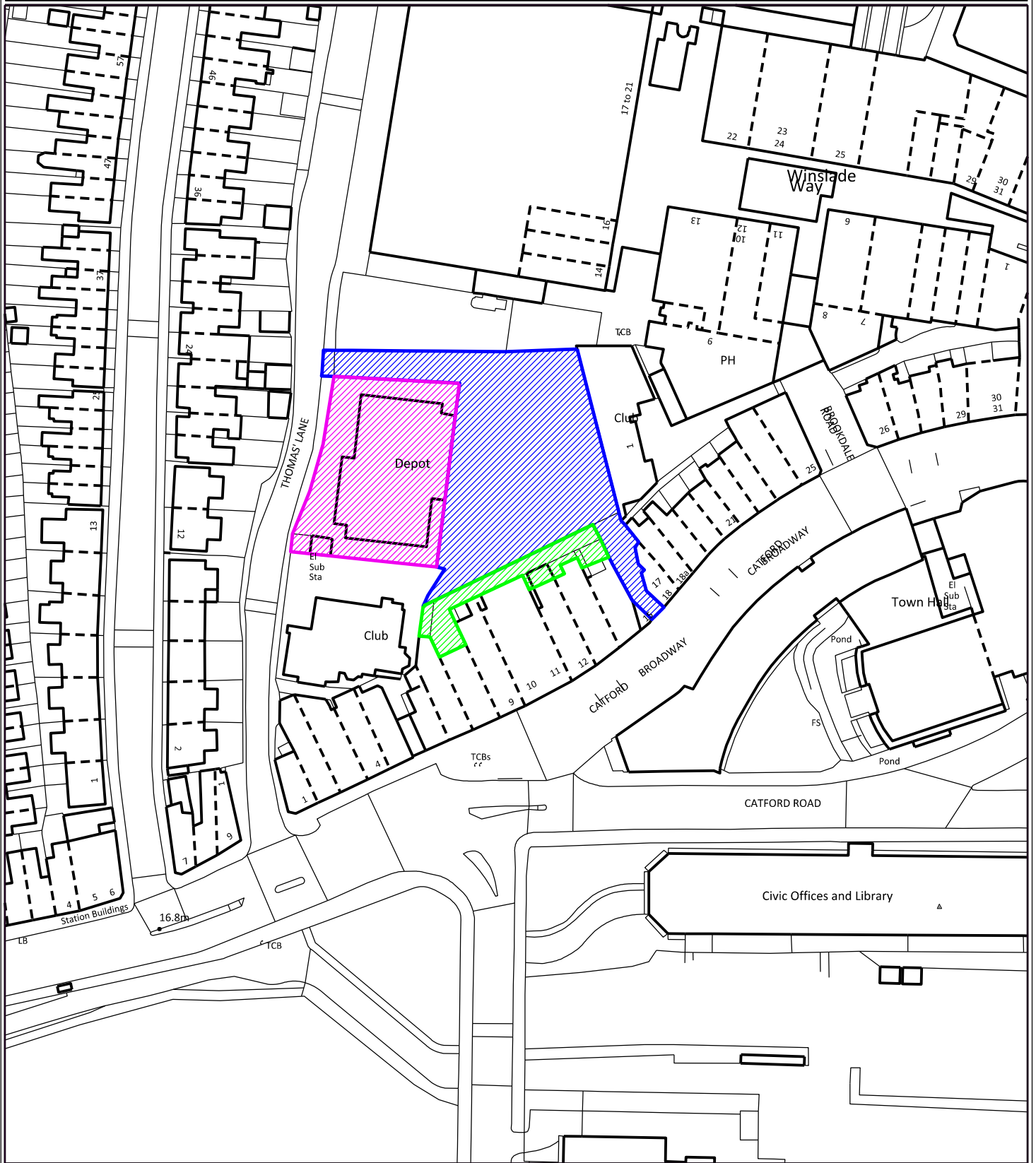
- 19.1. Appendix 1 – Site plan

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


Catford Town centre




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A4 plan scale: 1:1250


date:04.01.2024
 drawn:acm
 coloured:acm
 amended:
 drawing ref.m2475-D

-  Title number 377841 (LBL owned)
-  Title TGL 544865 (CRPL owned)
-  Title number PN 206811 (CRPL owned)

REGENERATION AND PLACE

 Lewisham

DataGraphics
 Laurence house
 Rushey Green
 Catford, London
 SE6 4RU




Agenda Item 15

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

Date of Meeting	24 January 2024	
Title of Report	Beckenham Place Park - Swimming Concession	
Author	Peter Maynard	Ext. 2277

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: 

Councillor Walsh, Cabinet Member for Culture, Leisure, and Communication

Date:

Signed: 

Executive Director Community Services

Date:



Mayor and Cabinet

Report title: Beckenham Place Park - Swimming Concession

Date: 24 January 2024

Key decision: Yes.

Class: Part 1

Ward(s) affected: Bellingham and Downham

Contributors: Peter Maynard, Green Space Contract Officer

Outline and recommendations

Mayor and Cabinet are recommended to award a concession contract to PTP Coaching Ltd. to manage lake activities (swimming & boating) on the lake at Beckenham Place Park and lease.

The contract will be for a period of 5 years, commencing 1 June 2024.

The tender opportunity was advertised between 28/09/2023 – 31/10/2023 via the London Tender Portal, Find a Tender service and Contracts Finder, as per the Council's contract procedure rules.

An Approval to Procure report was approved at Mayor and Cabinet on 15 January 2020.

1. Summary

1.1 This report seeks approval to award a contract to an operator for the provision of lake

activities at Beckenham Place Park. This service will include but not be limited to the provision of swimming and boating activities.

- 1.2 This replaces the interim arrangement that has been in place since 2019.

2. Recommendations

- 2.1 It is recommended that the Mayor and Cabinet approve the award of a concession contract to PTP Coaching Ltd for the provision of swimming and other lake activities in Beckenham Place Park. The contract will be for five years, commencing 1 June 2024, and will provide investment into the site and an income to the Council based on a combination of rent and percentage share of annual gross turnover.
- 2.2 That Mayor and Cabinet agree in principle to the disposal of open space and authorise the Director of Communities, Partnerships and Leisure to advertise the disposal as required by section 123(2A) Local Government Act 1972.
- 2.3 Delegate authority to the Executive Director for Community Services to consider and determine any objections made in response to the advert for the open space disposal advertised in accordance with recommendation 2.2.
- 2.4 Subject to the responses to the advertisement above, delegate authority to the Executive Director for Community Services in consultation with the Director for Law and Corporate Governance to agree lease terms and enter into a lease in accordance with section 123 Local Government Act 1972.

3. Policy Context

- 3.1 This report aligns with Lewisham's Corporate Priorities, as set out in the Council's Corporate Strategy (2022-2026):
 - Cleaner and Greener – through the preservation and enhancement of the Borough's award winning green spaces;
 - A Strong Local Economy – by providing London Living Wage employment and apprenticeship opportunities;
 - Children and Young People – by providing school work experience opportunities, a Youth Development Scheme with funded relevant training and qualifications, and subsidised sessions for schools;
- 3.2 In particular, this report is closely aligned to priority Health and Wellbeing – by creating opportunities for people to develop and sustain healthy lifestyles through the provision of open water swimming and boating activities, both of which support physical and mental wellbeing.

4. Background

- 4.1 Beckenham Place Park is Lewisham's largest park. It is the one of the largest parks in London, and South East London's biggest open space. At 95 hectares it is 30% bigger than Greenwich Park. It boasts ancient woodland, meadow, parkland, a river and several historic buildings. It was originally acquired by the London County Council to be the key amenity space for the new estates of Bellingham and Downham.
- 4.2 Despite these considerable attributes the park was failing to attract visitors, with an estimated 200,000-220,000 visitors per year in 2013. The Council developed an

ambitious plan to attract funding to restore this historic parkland and its listed buildings in order to increase use. The plan received considerable financial support from the National Lottery Heritage Fund and from the Mayor of London allowing a major investment plan to be implemented in 2018-19.

- 4.3 The plan involved the restoration of the historic parkland including restored gardens, childrens' playground and habitat enhancements. The centrepiece of the restoration was the recreation of the lake to act as a landscape feature and public amenity.
- 4.4 During public consultation on changes to the park there was interest in use of the lake for swimming and other leisure activities. As a result the design of the lake was enhanced to create high quality water conditions necessary for these uses.
- 4.5 The Council sought an operator to trial lake activities in the months following relaunch of the park in July 2019 and an operator called PTP Coaching has been providing lifeguarding and boating activities. Some initial problems caused by high demand resulted in the lake's closure shortly after opening, but the lake re-opened in late August 2020 and swimming proved particularly popular.
- 4.6 In the past 2 years the operator estimates it has facilitated approximately 60,000 swimmers with 75% of them being returning customers.
- 4.7 Since the Approval to Procure Report a permanent lake boundary has been installed in the form of railings and native hedging, providing a boundary that defines the area of the concession while being sensitive to the heritage park setting.

5. Procurement process

- 5.1 Approval to Procure was given by Mayor and Cabinet on 15 January 2020.
- 5.2 A market warming exercise was held on 16 December 2021.
- 5.3 The tender was open from 28 September 2023 to 31 October 2023.
- 5.4 Eight companies viewed the tender, including three of those who attended the market warming exercise.
- 5.5 One submission was received via the Council's procurement portal.
- 5.6 The process was conducted in line with all applicable procurement legislation, and local policy and procedures.

6. Tender evaluation

- 6.1 The tender evaluation was weighted with 50% of the overall score based on quality and 50% on price.
- 6.2 The quality element was split into 15 performance standards with associated method statements that bidders were required to submit:

Performance Standard	Weighting	Method Statement
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Normal Operating Plan *	8%	MS1
Emergency Action Plan *	8%	MS2
Other lake activities	4%	MS3
Infrastructure Development Proposal	6%	MS4
Infrastructure Maintenance	4%	MS5
Cleansing, waste management and pest control	4%	MS6
Environment, sustainability and climate change	4%	MS7
Security and anti-social behaviour	2%	MS8
Operating hours	Unscored	MS9
Social value	6%	MS10a
Equality, Diversity & Inclusion	2%	MS10b
Information Communication Technology (ICT)	Unscored	MS11
Marketing and promotion	Unscored	MS12
General Data Protection Regulations (GDPR)	Unscored	MS13
Business Plan	2%	MS14
Total quality score	50%	

*Minimum score of 7 required

- 6.3 The price was split in to three elements; sub sections; Infrastructure development, Annual rent and Income to Council from gross turnover
- 6.4 In the event of multiple submissions the Pricing element was to be assessed using the following weightings:
- Weighting for total infrastructure investment offer = 20
 - Weighting for total rent offer over the 5 year contract = 20
 - Weighting for % of turnover offer = 10
- 6.5 Quality submissions were assessed in November 2023 by four separate assessors – three council officers and one external specialist from the Royal Life Saving Society who assessed Method Statements 1, 2 and 3 only.
- 6.6 Each officer undertook an independent evaluation of the submissions using the Council’s standard 0-10 scoring matrix.
- 6.7 A virtual moderation meeting supervised by a Senior Procurement Officer from the Council’s Procurement team took place on 28 November 2023, during which all

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evaluators discussed their scores and reasoning, and agreed a moderated consensus score for the single tender submitted.

- 6.8 PTP Coaching Ltd addressed all the method statements to at least the required minimum standard required. They also demonstrated that they can provide the service outlined in the specification to the required level.
- 6.9 A synopsis of the PTP bid and scoring is provided in Part 2 of the report:

7. Financial implications

- 7.1 There are no adverse financial implications for Lewisham Council from recommendations in paragraph 2. The council will lease out its asset to the contractor and all financial risks are borne by the provider and fee income is expected to accrue to the council over the 5 year of the lease for use of this asset .

8. Legal implications

- 8.1 This is a concession contract, which means that the Council do not pay for the service. The contractor receives payment from a third party. The Council will receive an income from the Contractor over the duration of the contract. The value of the contract falls below the financial threshold, therefore the Concession Contracts Regulations 2016 do not apply, however the Contract Procedure Rules (“CPR”) as set out in the Council’s Constitution must be complied with.
- 8.2 A concession contract means that the consideration for the contract consists of the contractor’s right to exploit an asset (that is the Council makes no payment), and where the concessionaire takes some risk. Concession contracts are covered by different legal requirements than those applicable to other contracts, including regarding the estimated expenditure threshold.
- 8.3 The relevant Category for determining the procurement route under these Contract Procedure Rules will be calculated by calculating the total turnover of the concessionaire generated over the duration of the contract (net of value added tax). The estimated contract value is above £500,000 therefore this is a category A contract for the purposes of the CPR and the decision to award must be made by Mayor and Cabinet. This contract has been externally and openly advertised as required by the Council’s Constitution.
- 8.4 The report explains the evaluation approach and process applied to the bid and the reasons for recommending the successful bid for approval. The process followed was in compliance with the advertised and required procedures.
- 8.5 Section 123 Local Government Act 1972 permits the Council to dispose of its land, subject to some limitations. Section 123(2A) of that Act states that a Council may not dispose of any land consisting or forming part of an open space unless before disposing the land in question it is advertised for two consecutive weeks in a local newspaper and consider any objections to the proposed disposal which may be made to them. Should it approve the recommendations set out in this report, Mayor and Cabinet will only be agreeing in principle to the grant of lease to the selected provider for a 5 year term. No final decision on the grant of the lease will be made until after the Council has complied with the notice and consultation requirements of section 123(2A) and any objections to the disposal have been duly considered in line with the delegated authority set out in this report. Any decision to grant a lease will be the subject of a separate delegated authority report.

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9. Risk Implications

- 9.1 This is a high-profile concession contract in a sector which there are only a small number of similar operators in the London region. Operational risk will be managed within the scope of the contract, specification and appropriate accreditation.
- 9.2 If this contract is not awarded then the Council will not be able to operate a swimming concession at the lake in Beckenham Place Park. This would necessitate a retendering process and a delay of at least 18 months during which the service would not be provided.

Risk	Mitigation
Not awarding the contract - Loss of opportunity for residents to access the health and wellbeing benefits of outdoor swimming and other lake activities	Retendering
Not awarding the contract - No income to the Council from the lake	Retendering
Not awarding the contract - No new investment in the lake and surrounds	Retendering
Not awarding the contract - Possible breach of terms of GLA funding	Retendering
Operator ceases trading	Satisfactory Creditsafe Report has been obtained Comprehensive contract terms.
Operational risk	This will be managed by robust quality assurance and monitoring processes set out in the specification, and the requirement for the operator to have appropriate accreditation and insurance.

10. Equalities implications

- 10.1 The Council's Equalities objectives are addressed in the contract documentation and were part of the tender evaluation criteria.
- 10.2 The Contract Specification contains a performance standard that requires the Operator to take positive steps to ensure that disabled persons can fully participate in the lake activities being provided.
- 10.3 Tenderers were asked to address equal opportunities in a specific and scored Method Statement (MS10b).

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- 10.4 This aspect will be monitored by the Authorised Officer during the contract period using the relevant performance standards.
- 10.5 The Operator will offer discounted swimming to Concessionary Members of the Be Active Scheme <https://lewisham.gov.uk/inmyarea/sport/be-active-discounts>. This will be fully subsidised by the Council.

11. Climate change and environmental implications

- 11.1 The contract specification requires the Operator to manage environmental impacts of the operation, addressing sustainability and climate change.
- 11.2 The Operator shall ensure that the natural habitats of the lake and surrounds are safeguarded and conserved throughout the duration of the contract.
- 11.3 No chemicals shall be used in the operation that are hazardous to the aquatic environment, and wherever feasible, non-chemical methods should be employed.
- 11.4 This aspect will be monitored by the Authorised Officer during the contract period using the relevant performance standards.

12. Crime and disorder implications

- 12.1 There are no specific crime and disorder implications resulting from the awarding of this contract.
- 12.2 The Operator shall be responsible for security within the red line area both during and outside operational hours and shall ensure there is sufficient staff presence to manage entry to the red line area during operating hours.
- 12.3 This aspect will be monitored by the Authorised Officer during the contract period using the relevant performance standards.

13. Health and wellbeing implications

- 13.1 There are no specific crime and disorder implications resulting from the awarding of this contract.
- 13.2 The concession contract will create opportunities for people to develop and sustain healthy lifestyles through the provision of activities that support physical and mental wellbeing.

14. Social Value implications

- 14.1 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.
- 14.2 Bidders were therefore asked to submit a method statement that has a weighted score of 6%. Bidders needed to demonstrate how the service will contribute to the key social value outcomes identified in the tender documentation
- 14.4 This will be monitored by the Authorised Officer during the contract period using the relevant performance standards
- 14.5 The Council is officially an accredited London Living Wage (LLW) Employer and is

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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.

- 14.6 PTP Coaching Ltd has confirmed it pays the equivalent of LLW and will be expected to continue to meet LLW requirements.

15. Contract Management

- 15.1 Under the new contract, the Operator's performance in relation to the Specification will be monitored using the following Performance Standards to ensure the service is being delivered at an optimum level and the Operator's performance is effectively managed. :

- Performance Standard I - Normal Operating Plan (NOP) for swimming
- Performance Standard II - Emergency Action Plan (EAP) for swimming
- Performance Standard III – Other lake activities
- Performance Standard IV - Infrastructure development
- Performance Standard V - Infrastructure maintenance
- Performance Standard VI - Cleansing, waste management and pest control
- Performance Standard VII - Environment, sustainability and climate change
- Performance Standard VIII - Security and anti-social behaviour
- Performance Standard IX - Operating hours
- Performance Standard X - Social value and Equality, Diversity & inclusion
- Performance Standard XI - Information Communication Technology (ICT)
- Performance Standard XII - Marketing and promotion
- Performance Standard XIII - General Data Protection Regulations (GDPR)
- Performance Standard XIV – Finance

- 15.2 In the event of any inconsistency, ambiguity or discrepancy between the Specification and the Method Statements the Specification shall prevail.

- 15.3 The following Social Value KPIs will also be monitored during the contract:

- Carbon Net Zero Commitment
- CO2 Emissions Reduction
- Reduced travel/last mile deliveries
- Good Work Practices
- Wellbeing Practices for Employees
- Modern Slavery Statement
- Change Champions
- Gain 'Mental Health Tick' standard
- Accreditation with the Living Wage Foundation

- No. of FTE opportunities for refugees, employed or unemployed Lewisham Residents
- No. of LBL residents securing apprenticeships
- Provide on-the-job development/growth opportunities for existing staff
- No. of LBL residents on work experience
- No. of LBL residents on work experience
- Lewisham Local Card Membership (supplier)
- Lewisham Local Card Membership (supporter)
- No of local business accessing sub-contracting opportunities
- Digital Inclusion
- Provision of facilities/resources for use by wider community
- Volunteering opportunities
- Making Lewisham Accessible
- Investment in local green projects action bond

16. Background papers

[Approval to Procure report \(15 January 2020\)](#)

17. Glossary

[Link to Oxford English Dictionary here.](#)

Term	Definition
LLW	London Living Wage
NOP	Normal Operating Plan
EAP	Emergency Action Plan
RLSS	Royal Life Saving Society – the organisation that manages Beyond Swim accreditation for outdoor swimming operations

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18. Report author(s) and contact

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Agenda Item 16



Mayor and Cabinet

Exclusion of the press and public

Date: 24 January 2024

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 one item of business.

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

17. Building for Lewisham: Approval of Capital Budgets and Procurement Strategy PART 2
18. Thomas Lane Yard – Acquisition and Planning Submission PART 2
19. Approval to Appoint Operator for Concessions Contract at Beckenham Place Park Lake

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

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of the Local Government Act 1972.

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of the Local Government Act 1972.

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Agenda Item 19

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

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