

# Overview and Scrutiny



## Sustainable Development Select Committee Agenda

**8.00 pm**, Monday, 19 June 2023, Civic Suite, London SE6 4RU

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

### Part 1

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# Sustainable Development Select Committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Monday, 19 June 2023.

Jeremy Chambers, Monitoring Officer  
Friday, 9 June 2023

|                                                                                                                                                                                                                                                                                                                                            |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p><b>Members</b></p> <p>Councillor James Royston</p> <p>Councillor Edison Huynh</p> <p>Councillor Tauseef Anwar</p> <p>Councillor Liam Curran</p> <p>Councillor Sian Eiles</p> <p>Councillor John Paschoud</p> <p>Councillor Eva Stamirowski</p> <p>Councillor Rudi Schmidt (ex-Officio)</p> <p>Councillor Ese Erheriene (ex-Officio)</p> |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

# Agenda Item 1

## Minutes of the Sustainable Development Select Committee

Monday, 24 April 2023 at 7.00 pm

In attendance: Councillors James Royston, Edison Huynh, Tauseef Anwar, Liam Curran, Sian Eiles and John Paschoud

Apologies: Councillor Eva Stamirowski

Also present: Councillor Mark Ingleby, Councillor Louise Krupski (Cabinet Member for Environment and Climate), Seamus Adams (Head of Commercial Operations and Development), Timothy Andrew (Scrutiny Manager) and Paul Boulton (Interim Director of Public Realm)

Also present virtually: Councillor Luke Warner, Vince Buchanan (Head of Parks, Sport and Leisure), Neville Graham (Sport and Leisure Service Manager) and Michelle Hope (Traffic and Safety Manager)

NB: Those councillors listed as joining virtually were not in attendance for the purposes of the meeting being quorate, any decisions taken or to satisfy the requirements of s85 local government act 1972

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

1.1 Members were invited to agree the election of the Chair and Vice-Chair.

1.2 **Resolved:** that Councillor James Royston should be Chair and that Council Edison Huynh should be Vice-Chair of the Select Committee.

### 2. Minutes of the meeting held on 10 January 2023

2.1 **Resolved:** that the minutes of the meeting held on 10 January 2023 be agreed as an accurate record.

### 3. Declarations of interest

3.1 Councillor Mark Ingleby declared an interest as the Chair of the Friends of Grove Park Nature Reserve.

3.2 Councillor James Royston declared an interest in relation to item six as a member of Kent Athletics Club, which had an interest in Ladywell Arena.

### 4. Responses from Mayor and Cabinet

4.1 Members considered the response from Mayor and Cabinet – noting the future development of a housing retrofit strategy and emphasising the need for quantification of the carbon savings likely to be achieved by the actions in the action plan.

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

### 5. Implementation of the transport strategy: walking, cycling and healthy neighbourhoods

5.1 Paul Boulton (Interim Director of Public Realm) and Seamus Adams (Head of Commercial Operations and Development) introduced a short presentation (attached to the minutes) which outlined the key objectives of the transport strategy as well as the constraints of the current financial situation and priorities for implementation.

5.2 A representative of Lewisham Cyclist was invited to address the Committee – it was noted that:

- Lewisham Cyclists were the local borough group for the Lewisham Cycling campaign.
- It was important to note that the Council had committed itself to a number of actions to improve active travel. The benefits of cycling and active travel were broadly acknowledged and supported.
- Lewisham Cyclists welcomed the Council's approach to consultation, but they believed that the delivery of the Council's plans was lacking. There had been little progress on building new cycle infrastructure over the past seven years.
- Cyclists welcomed the plans from TfL – but there was little funding (especially in comparison to other boroughs) for cycle lane development in the local implementation plan.
- Lewisham had the lowest percentage of protected cycle ways of any inner London borough, and it scored the lowest on the healthy streets score card.
- Lewisham Cyclists welcomed the sustainable transport and parking consultation and looked forward to delivery of the Council's ambitions.
- Officers should include a Deptford to Lewisham link in future plans (along Brookmill Road). The Council should be ambitious for all of the sections of the Deptford to Downham route it was responsible for.
- The school streets were a good initiative – but they represented islands of safe streets that were not connected.
- The Council should make best use of all available revenue streams to implement improved cycling infrastructure.

5.3 Paul Boulton and Seamus Adams responded to questions from the Committee – the following key points were noted:

- It was unlikely that funding from Transport for London (TfL) would ever return to pre-pandemic levels.
- Officers were seeking to be innovative in identifying funding for active travel.
- A key way to access more funding was to ensure that the projects that were delivered were delivered well.
- Work was taking place to make the best use of data to focus resources and to demonstrate the benefits of improvements to residents.
- A report updating the Council's electric vehicle strategy was currently being considered – and a timetable for implementation was forthcoming.
- Work was taking place with e-bike companies to deliver hire schemes and the first would be implemented before the summer. This would be accompanied by a programme of communication.
- Officers had learnt a lot from recent consultations – and would continue to learn lessons for future schemes.
- Consideration was being given to resourcing for cycling and active travel – including the potential appointment of a dedicated cycling officer and a refresh of content on the Council's website.
- Work was taking place with Lewisham Homes to ensure that new cycle storage (and EV charging points) would be available on estates (work was also due to take place with other social housing providers).
- Officers were planning schemes that would be delivered in phases – as and when funding became available.

- It was recognised that improvements were needed in terms of communicating with people on the waiting list for cycle storage. This could be considered as part of future updates of the website.
- The spending of the funding from the climate bond would be agreed when more was known about the level of funding.
- The report of the outcome on the first phase of the sustainable parking and transport consultation was due at Mayor and Cabinet in July – this would inform the next stages of the programme and the future priorities for engaging with residents.
- The school streets programme had been very ambitious – work was now taking place on developing safer routes to schools to build on the successes of the programme.
- It was challenging to meet the Local Implementation Plan (LIP) targets for cycling (and to encourage people to cycle as a first choice for journeys) but there were many better active travel options than driving – especially for short journeys.
- There was lots of latent demand for walking and cycling – consideration was being given to making active travel safer.
- The Department for Transport was giving consideration to the use of electric scooters – the lessons from this would be considered in Lewisham.

5.4 Councillor Louise Krupski was invited to address the Committee – the following key points were noted:

- The relocation of the A205 would have a major impact on new cycling infrastructure and improvements on the A21.
- Work was taking place with the Greater London Authority to access support and funding from TfL.
- The stability of funding from TfL was contingent on its finances – which were highly dependent on customer numbers – numbers were still low following the pandemic.
- It was agreed that school streets were effectively islands of safety – but the programme had been a real success, which the Council could build on.
- The north of the borough had benefitted from new infrastructure – this was because there was more section 106 funding from planning obligations due to developments in the north of the borough.
- The early data from e-scooter trials indicated that they were quite safe. London Councils were producing a regulatory package for scooter and bike rental in London.

5.5 In the Committee's discussion, the following key points were also noted:

- It was important that (anonymised) data collected by the Council was used effectively to make quality decisions in as transparent a way as possible.
- The update on active travel was welcomed but there was concern that the Council's initiatives relating to active travel were not coordinated and not enough information was made available to residents.

5.6 Resolved:

- That consideration would be given in future work programme discussions about how best to scrutinise the Council's work on active travel.
- Further information would be provided regarding the targets for reducing car journeys as well as the baseline figures used to develop the LIP targets for cycling.
- Consideration should be given to improving the information about active travel on the Council's website (including the level of data available regarding active travel).

- There should be better communication with those on the cycle waiting list for cycle hangars.
- That additional information should be provided regarding the funding available and the prioritisation of funding from the issue of the climate bond.
- Members reemphasised the importance of including Brookmill Road and Southend Lane in the Deptford to Downham cycle route linking the north and south of the borough.

## **6. Parks and Open Spaces update**

- 6.1 Vince Buchanan (Head of Sports, Parks and Leisure) and Neville Graham (Sports and Leisure Service Manager) introduced the report. Vince highlighted the work carried out by the parks service to develop the Parks and Open Spaces strategy (in consultation with the Committee). He also highlighted the progress on delivering the strategy – and the key points from the annual monitoring report. Neville outlined the process for developing the playing pitch strategy in 2019 and provided an update on current work taking place in the sports and leisure service.
- 6.2 Vince Buchanan and Neville Graham (Sport and Leisure Services Manager) responded to questions from the Committee – the following key points were noted:
- The football foundation’s interest in Whitefoot playing fields was welcome. Consideration would also be given to options for improving the changing rooms and other facilities on site.
  - Feasibility work had been taking place regarding the development of the Grove Park urban national park – further consideration could be given to incorporating this work into the annual monitoring report.
  - Consideration would be given to including information in the monitoring report about the amount of external funding and grants that had been successfully secured each year.
  - Further information would be provided regarding the provision of charging points for concessions in parks.
  - There was no strategy for changing rooms – but further consideration would be given to improving provision.
  - There were benefits to artificial playing surfaces – but it was important that there was a balance between the provision of pitches of artificial grass (that could be played all year round) and the retention of natural grass pitches.
  - It should be noted that grass pitches also had an environmental impact in terms of the maintenance, levelling and weed control they required.
  - Careful consideration was given to the provision of events in parks – apart from the Council’s own ‘People’s Day’ no park was ever completely closed to the general public.
  - The current contractor (Glendale) received the income from events in parks – so it was in their interest to attract quality events. This also had the benefit of subsidising the cost of the contract. Glendale had responsibility for making good any damage to parks in the unlikely case that there were problems.
  - Work was taking place to bring the playing pitches at the Bridge Leisure centre back into use.
  - Provision of facilities for cricket was one of the Council’s key priorities.
  - The Council had adopted an integrated weed management plan. Further information about the use of glyphosate weed killer would be provided to the Committee.

- The opening hours of some facilities had been changed post-pandemic. These were constantly under review – as was the provision of access of facilities to the public.

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

- Members welcomed the level of additional funding and grants the parks service had been able to bring into the borough.
- Consideration should be given to increasing the numbers of playing pitches and changing spaces in the borough.

6.4 **Resolved:**

- That further information should be provided about the Council's use of glyphosate weed killer.
- That the Glendale event form would be shared with members.
- That an update should be provided on the provision of charging points for concessions (i.e. ice-cream vans) in parks.

## **7. Select Committee work programme**

7.1 The Committee discussed the work programme – and agreed:

- Further consideration should be given to scrutiny of levelling up funding for Lewisham Town centre.

The meeting ended at: 21:40

Chair:

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Date:

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## Sustainable Development Select Committee

### Declarations of Interest

**Date:** 2023-24

**Key decision:** No

**Class:** Part 1

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

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

### Outline and recommendations

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

## 1. Summary

1.1. Members must declare any personal interest they have in any item on the agenda. There are three types of personal interest referred to in the Council's Member Code of Conduct:

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

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

## 2. Recommendation

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

### 3. Disclosable pecuniary interests

3.1 These are defined by regulation as:

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

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

### 4. Other registerable interests

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

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25.

## 5. Non registerable interests

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

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

- 6.1. Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take not part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- 6.2. Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph 6.3 below applies.
- 6.3. Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- 6.4. If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- 6.5. Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

## 7. Sensitive information

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

## 8. Exempt categories

- 8.1. There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-
- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
  - (b) School meals, school transport and travelling expenses; if you are a parent or

guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor

- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception).

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

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



## Sustainable Development Select Committee

### Local Democracy Review update

**Date:** 19 June 2022

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Head of Development Management

### Outline and recommendations

The purpose of this report is to provide the Sustainable Development Select Committee (SDSC) with an update on proposals for a new Statement of Community Involvement.

The Sustainable Development Select Committee is recommended to:

- Note the consultation feedback and associated amendments to the Draft Statement of Community Involvement and advise of any comments prior to referral to Mayor and Cabinet for adoption.

## Timeline of engagement and decision-making

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

October 2022 – Community Group Meeting continuing engagement with amenity societies including the responses received from the July questionnaire.

October 2022 – an update of the Local Democracy Review project to Sustainable Development Select Committee

1 February 2023 – M&C meeting for approval to start public consultation

February 2023 – Community Group Meeting continuing engagement with amenity societies, highlighting ongoing formal consultation of SCI.

20-February – 3 April 2023 – formal public consultation undertaken. A total of 21 representations were received.

## 1. Summary

- 1.1. The purpose of this report is to provide the Sustainable Development Select Committee with an update on the draft Statement of Community Involvement was published for public consultation in February 2023. This document and the proposals within it were prepared following the October 2022 SDSC meeting.
- 1.2. A primary objective of the Statement of Community Involvement (SCI) is to set out how the Council will carry out its statutory consultation on planning applications.
- 1.3. The adopted SCI dates from 2006 and is in need of a comprehensive update, given changes in legislation, policy and more modern ways of working and communication. The SCI is a key priority within the Local Democracy Review work programme and an update to it has been agreed as part of the LDWG programme.

## 2. Recommendations

- 2.1. It is recommended that Sustainable Development Select Committee:
  - Note the consultation feedback and associated changes to the Draft Statement of Community Involvement and advise of any comments prior to referral to Mayor and Cabinet for adoption.

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### 3. Policy Context

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

- The Town & Country Planning (Development Management Procedure) (England) Order 2015 – for planning applications
- The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) – for listed building consents
- Planning and Compulsory Purchase Act 2004 (as amended)
- The Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended)
- Localism Act 2011 (as amended)
- The Neighbourhood Planning (General) Regulations 2012
- Neighbourhood Planning Act 2017
- Environmental Assessment of Plans and Programmes Regulations 2004
- Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020
- National Planning Policy Framework (NPPF) (2019) and National Planning Practice Guidance (NPPG).

### 4. Background

4.1. The existing 2006 Statement of Community Involvement (SCI) is a legal document, widely recognised as being out of date with methods of communication and legislation. A new SCI is necessary to meet legal obligations in setting out how the Council engages in the preparation of planning policies and statutory consultation of planning applications. The details of planning policy engagement in the SCI are not proposed to be varied as these were revised in 2020 as a partial amendment in order to enable the Local Plan to proceed. For planning applications, the SCI seeks to clarify and simplify the guidance on the consultation process for planning applications and remove duplication from other documents, namely the Constitution.

4.2. Within the SCI, it is proposed to emphasise the importance of developers/applicants undertaking pre-application engagement and to prepare stand-alone accompanying guidance for developers and applicants on how to undertake good pre-application engagement with the public and ward Cllrs.

4.3. Public consultation on the draft SCI took place between March and April 2023. The majority of the SCI raised no significant objections, and the consultation responses and proposed revisions are detailed below. There

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were two major areas of public interest, which this report proposes new ways forward to address:

1. The provision of Local Meetings
2. Formal recognition of Amenity Societies

## **5. Consultation responses and proposed SCI amendments**

- 5.1. The draft SCI for consultation sought to deal with the following key areas and was presented as single document having taken account of previous updates in respect of planning policy preparation.
  - Dealing with repetition
  - Reflect modern ways of working
  - Updating legislation and policy position
  - Promoting pre-application engagement
  - Proposals for Local Meetings
  - Proposals to formally recognise Amenity Societies
- 5.2. A public consultation of the SCI was undertaken for six weeks between 20 February and 3 April 2023, and involved:
  - Consulting (by digital mail-out) to consultation bodies and regular applicants to the planning service. This included our known Amenity Societies and Community Groups and regular planning agents.
  - Publication of the draft SCI on the Lewisham website Consultation Hub
  - Promotion of the consultation via the Community Forum
  - Email reminders to Amenity Societies and Community groups of the consultation
- 5.3. A total of 21 consultation responses were received, consisting of 11 Amenity Societies and Community Groups (and a further 4 representations of individuals affiliated to those groups), 1 Ward Councillor and 5 residents from the borough.
- 5.4. The representations focused on the removal of the decision-making details (the constitution), legalistic language and digital exclusion. The representations were focused on two key areas in relation to Local Meetings (when and how they take place) and the formal recognition of Amenity Societies.
- 5.5. Following the close of the consultation period, representations were received from the London Forum of Amenity and Civic Societies, welcoming that the Council is seeking to formally recognise Amenity Societies but raising concern at the detailed proposals around London Forum membership.
- 5.6. The following paragraphs summarise the comments received and the proposed response that informs the draft SCI for adoption.

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### Dealing with repetition

- 5.7. The role of an SCI is to set out how the Council engages on the preparation of planning policies and undertakes statutory consultation of planning consultations. The existing SCI contains repetitious information, namely details around decision making which are copied from the Constitution. The SCI is now out of date regarding the scheme of delegation following the adoption of the 2023 Constitution.
- 5.8. The representations received raise objection to the removal of the decision-making sections repeating parts of the constitution citing a lack of clarity for how decisions are made.

#### Response

- 5.9. There is no legal requirement for an SCI to repeat information from the Constitution, and its inclusion within a new SCI would result in a repeat of the existing SCI which has proven to be inflexible. It is proposed to make much greater use of the Council website to explain the planning process which it is proposed will include a simpler representation of the planning decision making process and the scheme of delegation within the Constitution. As such it is not considered appropriate or necessary to include details of the Constitution within the SCI.

### Reflecting modern ways of working

- 5.10. The current SCI reflects ways of working and communication that was largely paper based. The draft proposes modern methods of communication which are already working in practice. Representations received have raised concern that the SCI is too digital focused and therefore this may exclude some people from participation, particularly regarding Local Meetings.

#### Response

- 5.11. The consultation of planning applications is a statutory requirement and there are no proposals to change the existing practice of sending letters to surrounding occupiers to notify of a planning application.
- 5.12. In addition to the publication of a site notice and press notice (for certain applications where legislation requires).
- 5.13. It is proposed to amend the ability of the Council to reply to emailed representations via email but those who do not have an email contact would still be contacted by letter. Officers are satisfied that the changes would not exclude those who are less digitally able.
- 5.14. A number of representations raised concern with anticipated online format for Local Meetings, on the issue of digital exclusion and perceived participation limits. Officers have considered these concerns and propose alternative more inclusive arrangements for Local Meetings set out in this report at Part 6, para 6.6.

### Updating legislation and policy position

- 5.15. Throughout the SCI all legislative and policy references will be updated. This will include the status of the SCI which is now no longer defined by Government as a development plan document. Representations were

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received raising concern at the use of legalistic language throughout the document.

Response

- 5.16. While references to legislation and some technical terms are unavoidable, it is recognised that the SCI should minimise the use of abbreviations. The final version will also provide a full glossary with a simple explanation for unavoidable technical language in some circumstances.

#### Promoting pre-application engagement

- 5.17. There was strong support for the promotion of pre-application developer engagement as a means of the public having influence as schemes are developed.

Response

- 5.18. Officers intend to prepare a stand-alone best practice developer engagement protocol, which will be available on the Council website. This guidance will significantly elevate the importance of good developer engagement. The guidance will consider best practice examples from across London and be an item considered at Overview and Scrutiny Committee in July 2023.

#### Local Meetings

- 5.19. Local Meetings are public meetings held for an application that is chaired by a local ward Member and attended by the developer/ applicant and an officer to take notes. The existing SCI requires that these take place prior to a decision being made.
- 5.20. The draft SCI proposed that Local Meetings were held at pre-application stage and triggered at a threshold of 50 + new residential units.
- 5.21. The SCI consultation revealed strong support for Local Meetings and collaborative resident and ward councillor engagement in development proposals prior to planning application submission. Although, there were concerns raised as to when a Local Meeting may be held in the pre-application process and also at the proposed trigger. Further concerns were raised regarding the anticipated online format raising issues of digital exclusion and perceived limits on general participation.

Response

- 5.22. The proposals to publish best practice developer engagement protocol has provided the opportunity for the concerns regarding Local Meetings can be positively addressed through new proposals regarding when they take place and in what format. Proposals for Local Meetings are set out in this report in Part 6, para 6.5.

#### Amenity Societies

- 5.23. Proposals for the formal recognition of Amenity Societies in the planning process were annexed to the SCI consultation. The consultation asked groups for:
- Their Society name, membership size, date of information
  - Specific Conservation area of interest including a map,

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- Topic of interest (i.e. conservation, transport, ecology)
  - A copy of their adopted constitution
  - How groups activities and work are undertaken, outreach to the wider community,
  - Membership of London or National forum
- 5.24. The consultation proposed that groups which cover more than one Conservation Area or a very small area, have a small membership or single-issue focus may not be generally recognised as Amenity Societies, but would still be consulted on planning applications.

#### Response

- 5.25. Despite early engagement and general support prior to the formal consultation commencement, there was a very low level of engagement from Amenity Societies with not a single fully completed response to the consultation.
- 5.26. This report sets out a suggested way forward for the formal recognition of Amenity Societies in part 6, para 6.9 and 6.10.

#### Other comments

- 5.27. Representations received have asked what 'weight' the community forum has. The Community Forum is not a decision-making body but is a place to facilitate open conversations on thematic planning issues between the planning service and the boroughs Amenity Societies and Community Groups.

## **6. Proposed way forward for Local Meetings and Formal recognition of Amenity Societies**

### Local meetings

- 6.1. Having considered the representations received, Officers recognise that proposals to move Local Meetings earlier in the process would not necessarily capture all potentially controversial development schemes, nor give the public certainty when Local Meetings may happen.
- 6.2. Changing the threshold to a lower residential figure and broader categories would increase the number held quite significantly (11 Local Meetings held in 2022, only 3 of which were for major developments with the majority for minor, including householder applications).
- 6.3. The SCI consultation also showed strong support for the preparation of good developer led pre-application engagement protocols. The aim of the developer protocol is to place a much greater emphasis on earlier engagement with communities so that they are better informed and have the chance to genuinely influence a scheme, well before the submission of a planning application. This will now be an item for discussion at Overview and Scrutiny Committee in July 2023, which will review best practice examples in the borough and across London which will inform the planning service's guidance and seek to elevate the importance of this document for Lewisham.

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- 6.4. The final guidance would be published on the website and promoted by the planning service, with the aim of increasing trust between the public and developers, and communities who will be able to share their local knowledge and expertise, which should improve the quality of schemes and reduce controversy when applications are submitted.
- 6.5. With the elevated guidance for the developer protocol to address public support for meaningful pre-application engagement, it is proposed to retain Local Meetings at application stage (with a trigger of 20 valid planning objections) as a backstop measure so that most controversial cases continue to benefit from the existing arrangements – being a meeting or drop-in session attended by the developer, ward councillors and officers prior to a decision being made by Planning Committee. It is proposed that householder schemes are excluded from the Local Meeting trigger given their limited impact.
- 6.6. In seeking to address concerns regarding online meeting arrangements for Local Meetings, the SCI proposes that Local Meetings are expected to be held in accessible formats, including online and hybrid meetings which ideally make use of a suitable local venue.

#### Formal recognition of Amenity Societies

- 6.7. Following the close of the consultation, representations were received from the London Forum of Civic and Amenity Societies who welcomed the recognition of Amenity Societies in the planning system, but objected to the proposals as set out for the following reasons:
  - The London Forum does not vet members constitutions, nor provide a constitution for members to adopt. Instead, they seek to satisfy themselves that applicants meet the following criteria (accept London Forums objectives set out in their constitution; have enduring purpose and that membership is open to all residents/ households in their area of benefit)
  - London Forum membership is diverse, covering entire boroughs to a single conservation area. They do not support the imposition of a fixed structure such as one Amenity Society per conservation area. The London Forum consider that community engagement works best when it emerges bottom-up and uneven granularity may be untidy, but it is more authentic.
  - Appears that amenity societies that represent conservation areas will be recognised, the voice of the community needs to also be heard in areas that do not enjoy conservation area status.
- 6.8. The London Forum have asked for the reference to membership to be deleted from the SCI but state a willingness for the Council to adopt or adapt the informal criteria for Forum membership.
- 6.9. Given the very low level of engagement from groups and the comments from the London Forum, Officers propose that a further period of engagement takes place to consider the exact arrangements for recognising Amenity Societies.
- 6.10. This engagement would take place directly with Amenity Societies and is a process that sits would sit outside of the SCI. This would mean that the

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adoption of a new SCI would not begin the process of establishing local criteria for formal recognition of groups. The changes to call in powers for amenity societies has been established by the Council's new Constitution so this would remain unaffected by the proposals.

## **7. Next steps**

- 7.1. Officers after taking account of any comments from SDSC, propose to refer the SCI for adoption at Mayor and Cabinet. The SCI would then be placed on the Council website and come into immediate effect.
- 7.2. Further engagement for formal recognition as set out above, would continue to take place with Amenity Societies to find a proposed way forward.

## **8. Financial implications**

- 8.1. The cost implications of arranging Local Meetings at application stage could be mitigated via a higher threshold that captures the most controversial cases.

## **9. Legal implications**

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

In summary, the council must, in the exercise of its function, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
  - Advance equality of opportunity between people who share a protected characteristic and those who do not
  - Foster good relations between people who share a protected characteristic and persons who do not share it
- 9.2. The duty continues to be a "have regard duty", and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
  - 9.3. The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to

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do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

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

## **10. Equalities implications**

- 10.1. The Council's Comprehensive Equality Scheme for 2020-2024 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.
- 10.2. Concerns have been raised at the potential for digital biased consultation. There are no proposals to change how the Council consults on planning applications – as this is a statutory requirement set by the Government.
- 10.3. Officers propose further engagement with Amenity Societies about the best way to formally recognise them in the planning process. This will be addressed outside of the SCI itself.

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

- 11.1. The adoption of a new SCI would have a positive impact on climate change and the environment by reducing the need to send paper-based communications in response to emails.

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

- 12.1. There are no crime and disorder implications.

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

- 13.1. There are no health and wellbeing implications.

## **14. Background papers**

- 14.1. Lewisham Statement of Community Involvement  
<https://lewisham.gov.uk/myservices/planning/policy/ldf/statement-of-community-involvement>
- 14.2. Sustainable Development Select Committee October 2022  
<https://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=136&MId=7915&Ver=4> (Item 4)
- 14.3. Mayor and Cabinet 11 February 2023  
<https://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=139&MId=7981&Ver=4> (Item 9)

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## 14.4 Glossary

| Term                               | Definition                                                                                                                                                                                                                                                                                                                                                           |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Statement of Community Involvement | The SCI forms part of the Local Development Framework and is a legal planning requirement. It sets out the Council's policy for involving and communicating with interested parties in matters relating to the preparation and revision of local development framework documents and the exercise of the authority's functions in relation to planning applications. |
| Amenity Society                    | A group set up with a specific interest in built environment conservation and heritage.                                                                                                                                                                                                                                                                              |
| Community Group                    | A group set up with a specific interest to represent a community with a defined area of interest to promote benefit residents.                                                                                                                                                                                                                                       |
| Residents Association              | A group set up who live in a particular area, could be a street, collection of local streets or a single development site who have a specific interest in their local area.                                                                                                                                                                                          |
| Local Meeting                      | A public meeting held for an application that is chaired by a local ward Member and attended by the developer/ applicant and an officer to take notes.                                                                                                                                                                                                               |

## 15. Report author and contact

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## **Statement of Community Involvement**

**Draft for adoption June 2023**

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# 1 Introduction

- 1.1. The Statement of Community Involvement (SCI) is a document which sets out how and when the council will consult with and involve the community and other stakeholders in planning matters including in the preparation of Lewisham's development plan, its supporting documents and in the planning application consultation process.
- 1.2. The Council is required by law to have an adopted SCI (as set out in the Planning and Compulsory Purchase Act (2004) (as amended)).
- 1.3. Being part of the planning process means that the Lewisham's diverse communities can play an active and visible role in shaping our neighbourhoods with a meaningful part in the decision-making process. The SCI will be accompanied by the Council's published guidance on good practice consultation.
- 1.4. The SCI is set out as follows:
  - **Section 2 Stakeholders** – The legislation regarding different types of consultee groups and their constituent bodies or persons.
  - **Section 3 Consultation Tools** – The range of consultation tools available to the Council in order to:
    - Meet the latest statutory requirements for public consultation.

- To ensure Council officers can continue to facilitate effective public consultation using a variety of methods, recognising improvements, and increasing use of Council’s webpage and other digital/online platforms; and
- **Section 4 Important Information** – Information about document access, and contact details for internal and external bodies.
- **Section 5 Local development Framework** – The Council’s minimum commitments for public consultation during the preparation of planning policy and guidance documents.
- **Section 6 Planning Applications** – Explanation of Development Management and outlines how the Council will consult and engage on planning applications
- **Section 7 Resources and Monitoring** – Explanation of the legislative requirements in respect of SCI reviews and to clarify Council commitments in respect of monitoring the SCI.
- **Appendix 1** – The latest legislation on sustainability appraisal, including that it is no longer required for Supplementary Planning Documents. Updates references to latest standing guidance (i.e. NPPG).
- **Appendix 2 Tests of Soundness for a Development Plan** – Factual updates to reflect the revised Tests of Soundness set out in the NPPF (2019) and to provide a new informative on the ‘basic conditions’ that neighbourhood plans are required to meet.
- **Further information and contacts** – Details regarding Council planning webpages and contact information (email, telephone, post).
- **Glossary** – a full explanation of technical terms

## 2 Stakeholders

### Introduction

2.1. This section describes the broad categories of stakeholder groups who may engage in the planning process, whether through participation in the preparation of the development plan and supporting documents or through involvement in planning applications. The categories reflect those set out by planning legislation. However, within these categories there will be stakeholder groups that are unique to Lewisham, reflecting the number and diversity of individuals, community organisations and other bodies with an interest in the borough.

### Who we consult when preparing the Local Plan and its supporting documents

2.2. The procedures and requirements for preparing a Local Plan are set out in legislation. There are several stages of formal public consultation in the plan-making process. At all stages, the Council has a legal requirement to make information available to interested residents and organisations, as well as a duty to consult defined 'specific' and 'general' consultation bodies.

2.3. **Specific consultation bodies** are groups that have expertise and knowledge in a particular subject.

2.4. **General consultation bodies** include: recognised voluntary bodies; recognised bodies which represent the interests of certain groups (such as racial, ethnic, national, religious, disabled persons, and age groups); and bodies which represent persons carrying out businesses in the borough.

2.5. There are also a range of **Other Consultees** which have an interest in planning. They include local representative bodies who are regularly consulted, including individuals, organisations and businesses that have formally indicated to the Council they wish to be actively engaged in the preparation of Lewisham's Local Plan, or other planning documents.

### Duty to Cooperate

2.6. Under the Localism Act 2011 and the National Planning Policy Framework, the Council has a legal 'Duty to Cooperate' with other local planning authorities, including neighbouring boroughs, and various other public bodies and organisations that address strategic planning matters. The duty to Cooperate helps to ensure

coordination in the approach to planning across administrative boundaries. It supports partnership working to address key issues through the plan making process.

- 2.7. To maximise effective working on strategic matters during the preparation of local plans, Section 33A of the Planning and Compulsory Purchase Act 2004 requires the Council to engage “constructively, actively and on an ongoing basis” with relevant policy makers and bodies. The Council will carry out the Duty to Cooperate and document how it has done so, in line with the legal requirements. The preparation of Statements of Common Ground is one way in which this will be demonstrated.

#### Planning policy consultation database

- 2.8. The Council’s Planning Service maintains a planning policy ‘consultation database’. This includes Other Consultees, along with contacts from specific and general consultation bodies. It is a live database and regularly updated. Everyone on the database is notified of public consultations for Local Plan documents. Organisations, groups and individuals can choose to be added or deleted from the database at any time by contacting the Planning Policy Team (for details, refer to the ‘Further information’ section at the end of this Addendum to the SCI). Those who have previously responded to a formal public consultation on a specific planning document are automatically added to the database but can be removed by request.

#### Supplementary Planning Documents

- 2.9. For Supplementary Planning Documents (SPDs), current legislation specifies that consultation must take place with narrowly defined ‘statutory consultees’. When preparing SPDs and other guidance documents, we will consult with the relevant statutory consultees. We will also seek to engage more widely with the above noted stakeholder groups, ensuring consultation is effective and proportionate in scope to the nature of the document and the communities likely to be affected by the proposals.
- 2.10. Where Strategic Environmental Assessment screening exercises or full SEA assessments are undertaken for an SPD, we will consult with the relevant ‘statutory bodies’.
- 2.11. Please refer to Annex A for a list of Specific, General and Duty to Cooperate bodies that are routinely consulted. This will be reviewed and updated regularly, where appropriate, to reflect the latest statutory requirements. The names of organisations may be subject to change over the lifetime of the SCI.

## 3 Consultation tools

### Introduction

- 3.1. This section provides information about the range of consultation tools available to the Council, which may be used to support the preparation and implementation of Lewisham's development plan. Further information about the documents that make up and support the development plan are set out in Chapter 5 of this Statement of Community Involvement.
- 3.2. Consultation with the community and other stakeholders is a vital part of the planning process. The Council will seek to ensure that effective and inclusive consultation with communities and other stakeholders is undertaken. Whilst meeting its statutory obligations, the Council will tailor public consultation using the tools available to it, taking into account:
- **The nature and scope of a policy or guidance document.** For example, development plan documents prepared by the Council (such as the Local Plan) are likely to require a larger program of consultation activities than other planning documents, due to the statutory requirements governing their preparation, as well as their influence on the borough and other local authorities.
  - **The nature and scale of a development proposal.**
  - **Who the consultation is aimed at.** For example, a more focussed consultation is likely to be appropriate when the Council consults on a neighbourhood plan or an Article 4 direction covering a particular area of the borough.
  - **Resources.** This includes an appropriate response to reduce the material costs for the Council, such as printing materials or postage costs.
- 3.3. In preparing for and undertaking consultation the Council will have regard to changes in legislation and Government guidance. Some consultation tools which have been used previously by the Council may therefore not be appropriate now, or at a future time. For example, COVID-19 and the public health emergency required the Council to adapt its consultation processes to ensure compliance with the Government's latest standing guidance on social distancing.



Consultation tools available

#### Physical copies of documents

Physical copies of documents made available for public inspection at the Council's principal office, as well as other offices or facilities the Council considers to be appropriate, for example, public libraries.

#### Lewisham council website

Electronic copies of documents made available to access on the internet via the Lewisham Council website. The Council will ensure online documents meet the relevant legal requirements and/or standards for accessibility.

#### Social media platforms

Information publicised through the Councils official social media accounts.

#### Posters and leaflets

Posters and leaflets which publicise or display information about public consultations. These will normally be sited or made available at prominent visitor and/or community destinations within the borough.

#### Public notices and press releases

Consultation information published in press outlets (such as Lewisham Life and the News Shopper). Public notices may also be used to publicise information regarding site or area specific consultations.

#### E-mail and postal correspondence and notifications

Electronic mail (e-mail) correspondence and notifications. This includes notifications to consultees included on the planning policy 'consultation database'. Where an individual or body included on the database expressly does not wish to receive correspondence by e-mail, a postal notification may be sent. The consultation database will be maintained by the Council having regard to the latest legal requirements on data protection, currently the General Data Protection Regulations (GDPR) 2018.

The Council may also send information about consultation and receive feedback or representations from the public by way of e-mail or post.

#### Public meetings

Meetings which the general public are invited to attend, including forums. The Council will use tools available to notify the public about opportunities to attend such meetings or forums.

#### Public exhibitions/drop-in events

Public exhibitions and drop-in events which are open for members of the public to attend. These can be used to publicise information about planning documents or planning applications. Where Council officers are present, they may be available to speak to members of the public regarding proposals or other matters.

Public exhibitions may not always involve the presence of a Council officer. Drop-in events will normally involve at least one Council officer being present.

#### Internal consultation with Members and Council service areas

Internal consultation in which Council planning officers engage both informally and formally with elected Members, as well as informally with officers in other service areas across the Council. Internal consultation is important to ensure a coordinated approach to preparation and implementation of Lewisham's development plan.

#### Other digital tools and telephone calls

A range of modern communication tools are now available and which continue to be used more widely by the public. These tools including online conferencing, 'virtual' workshops or meetings, as well as telephone conferencing and calls. These tools can often be useful to engage with hard to reach groups, and others whose circumstances make attending events in person a challenge.

#### Internet (online) consultation and engagement platforms

Consultation and engagement platforms hosted online. These can be used, for example, to display or publicise information and enable the public to submit comments or formal representations to consultations.

#### Planning Applications

- 3.4. How the Council engages with the public and applicants for planning permission is set out in Part 6 of this report.

## 4 Important information

- 4.1. This section outlines important information relating to planning, consultation and how the community can access planning information. It is presented in a question and answer' style.

### **How can planning information and consultation material be accessed?**

- 4.2. Information and consultation material can be accessed in a number of ways. To learn more, see the 'Further information' section of this document for details on contacting the Planning Service.

### **Can I obtain written information in alternative formats?**

- 4.3. Yes. The Council will provide advice and assistance to ensure all documents can be provided in alternative formats on request. The Council will also advise the community of the existence of this service as part of its consultation documents. Some common alternative formats include languages other than English, large print, audio, PDF and Braille. Those in the community requiring alternative formats are encouraged to discuss their requirements with the Council.

### **Is there a mailing list for keeping me informed on planning activities?**

- 4.4. Yes. The Council has developed a planning policy Consultation Database which you can request to be added to if you want to be contacted about planning matters in the borough. Contact the Council if you would like to be added.

### **Who is on the planning policy Consultation Database?**

- 4.5. The planning policy Consultation Database contains the names of individuals, groups and organisations on which the Council holds contact information for the purpose of consulting with them on matters relating to the Local Development Framework and Local Plan.

### **How can I speak to a council officer?**

- 4.6. The Council provides a range of pre-planning application advice services which enable prospective planning applicants to seek and receive advice on their proposals prior to submitting an application. A fee is payable, and this will vary depending on the type of service being sought.

4.7. Further information on the different types of service offered can be found at:

<https://lewisham.gov.uk/myservices/planning/apply-for-planning-permission/get-planning-advice>

### **How do I make a written representation to the Council?**

4.8. Those wishing to make a written representation/submission on a planning document or planning application can do so in the following ways:

- online via the Council's website ([www.lewisham.gov.uk](http://www.lewisham.gov.uk))
- by email ([planning@lewisham.gov.uk](mailto:planning@lewisham.gov.uk))
- by sending a letter to the Council

See the 'Further Information' section of this document for key contact information.

### **Where can I go for independent advice?**

4.9. Planning Aid for London is a registered charity and may be able to provide advice to individuals and groups unable to afford professional consultants. The details for Planning Aid for London are:

Planning Aid for London

Tel: 030 077 29 808

Website: [www.planningaidforlondon.org.uk](http://www.planningaidforlondon.org.uk)

Email: [info@planningaidforlondon.org.uk](mailto:info@planningaidforlondon.org.uk)

### **How can I comment on, compliment or complain about the service I receive?**

4.10. It's the community's feedback that helps the Council improve the way things are done. If you would like to make a comment, give a compliment or complain, you can contact the Planning Service or the Council switchboard – see the 'Further Information' section for details. The Council can also provide you with information about how to complain to the Local Government Ombudsman.

### **What if I have special requirements stopping me from participating?**

4.11. The Council is conscious of the need to ensure all in the community are able, if they so choose, to participate in planning at Lewisham. The Council also recognises that many have requirements that need to be considered

before they are able to participate (e.g. a disability, caring responsibilities, limitations on availability, mobility issues). In order to accommodate any special requirements people may have in order to participate, people can contact the Planning Service so that suitable arrangements (where feasible) can be put in place.

**What is meant when the Council says it will do something where/as appropriate?**

- 4.12. Planning is very diverse in the issues it deals with and the people it impacts on. It is not possible to determine every possibility and, to this extent, the Statement of Community Involvement is intended to be flexible enough to accommodate various circumstances as they arise. In situations where there will be a need for the Council to exercise discretion in deciding how something should be dealt with, the terms 'where appropriate' or 'as appropriate' are used to reflect the reality that something will only happen if, having regard to the specific circumstances of the matter being considered, the Council considers it is a suitable and/or reasonable approach to take. Anyone in the community is able to raise and discuss with the Council circumstances where they think an action was not appropriate.

**What is the role of my ward councillor?**

- 4.13. Ward councillors receive notification of planning applications and may be involved in local meetings, as outlined in Section 6. The community are able to contact their ward councillor(s) about their concerns in relation to any planning matter. Councillor information can be obtained from the Council and on the Lewisham website.

## 5 Plan-making

### Introduction

- 5.1. The planning system in England is 'plan-led'. Local planning authorities, (including Lewisham Council) must prepare and have in place an up-to-date plan for their area, covering a specified period. The plan sets out policies and guidelines for the development and use of land, taking into account the direction provided by higher-level policies, including the National Planning Policy Framework. Adopted plans are used as the basis for planning decisions, including the determination of planning applications.
- 5.2. Most local planning policy and guidance documents for Lewisham are prepared through consultation with the community and other stakeholders. The following section describes the various types of planning policy documents and the hierarchy of these (see also Figure 5.1). It also sets out the opportunities for the public to get involved in their preparation.

### The planning policy framework

#### **National planning policy**

- 5.3. The UK government sets out guidelines for preparing local planning policies, and what they should include or take account of, through the National Planning Policy Framework (NPPF). Further details on how these national policies should be implemented are provided in the associated National Planning Practice Guidance (NPPG).

#### **Regional planning policy - The London Plan**

- 5.4. The London Plan, prepared by the Mayor of London, sets out the Spatial Development Strategy for London and forms part of Lewisham's statutory Development Plan. The London Plan includes policies on the development and use of land. It also instructs what the Local Plan should include to address London's future needs, as well as to ensure investment is appropriately coordinated across and within boroughs. The London Mayor also prepares Supplementary Planning Guidance (SPG) documents to support implementation of the London Plan.

#### **Lewisham's Development Plan**

- 5.5. Lewisham's statutory Development Plan is made up of the London Plan, the Local Plan (or Local Development Framework plans) and Neighbourhood Plans. Most applications for new development (with exceptions, such as for

permitted development) are assessed against the Development Plan and the policies contained in the NPPF.

### Lewisham Local Plan

- 5.6. The Lewisham Local Plan is the main strategic planning policy document prepared by the Council, in consultation with the community and key stakeholders. It sets out a long-term development and investment strategy for the borough along with strategic planning policies and guidelines to implement this. The Local Plan must be prepared in accordance with the processes and procedures set out by legislation. It is required to be consistent with national planning policy (i.e. NPPF) and in general conformity with the London Plan.

### Supplementary Planning Documents (SPDs)

- 5.7. Supplementary Planning Documents are prepared by the Council to support Lewisham's Development Plan. They provide further details and guidance on planning policies to help ensure these are implemented effectively. The planning matters addressed by SPDs can vary in scope, for example, by focussing on local areas within the borough, specific sites and/or certain types of development. SPDs do not contain policy themselves and therefore do not carry 'development plan' status. However, they are a material consideration in the determination of planning applications.
- 5.8. SPDs are not subject to independent public examination. Although the NPPF and planning legislation make clear that SPDs should be prepared through consultation with the community and other stakeholders.

### Neighbourhood Plans

- 5.9. Neighbourhood Plans are planning policy documents that are produced for specific areas by local community groups, called Neighbourhood Forums, which are designated by the Council. Once a proposed Neighbourhood Plan successfully passes through a public examination and local referendum, it is adopted by the Council and forms part of the statutory Development Plan. Neighbourhood Plans set out non-strategic planning policies for their respective designated Neighbourhood Areas. A Neighbourhood Plan can focus on one particular policy area or a number of different policy areas that the Forum feels is necessary to address. Neighbourhood plans must be in conformity with adopted strategic policies in higher-level documents, including the Local Plan.

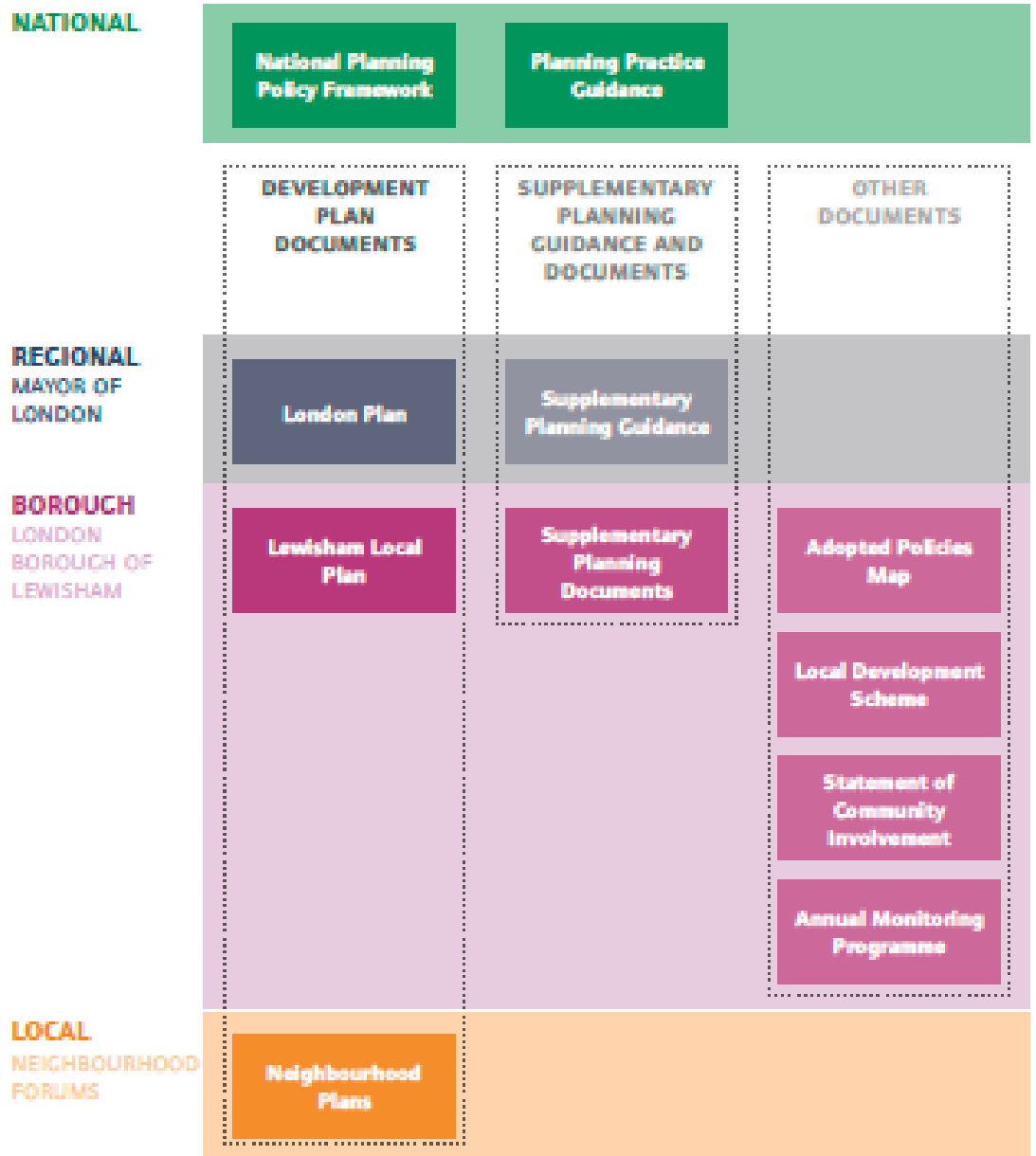


Figure 5.1 Planning policy hierarchy



## Plan-making in Lewisham

5.10. This section provides further details about the key stages of plan-making for different types of planning policy and guidance documents and the Council's consultation commitments during their preparation.

### Lewisham Local Plan

5.11. The Council is required to prepare the Local Plan in accordance with relevant planning legislation and national planning policy. This includes consultation with specific and general consultation bodies, and other consultees (see Section 2).

5.12. The following table provides a summary of the key stages of the plan-making process and highlights where there are opportunities for communities and other stakeholders to get involved. It also sets out the Council's commitments to public consultation at different stages throughout the process. We will follow the relevant planning regulations for the statutory stages of consultation.

|   | <b>Stage of preparation</b>                                                 | <b>What is involved?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Our commitment</b>                                                                                                                                                                                                                                                      |
|---|-----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Regulation 18<br><br><b>Early engagement, scoping and options appraisal</b> | The Council publicises its intention to undertake the preparation of a Local Plan document. The public is invited to comment on the scope of the document. This is an opportunity for the public to assist with the identification of the main issues for the Local Plan along with possible options to address these. The options, which may be presented as proposed policy approaches, will be informed by technical evidence and where possible, early engagement with stakeholders. This is an options testing stage of the plan-making process, which may be repeated. | A minimum 6-week period of public consultation.<br><br>Afterwards, a 'Consultation Statement' will be published setting out who was involved in the consultation, the main issues and other matters raised, and how the Council has addressed these in preparing the plan. |

|   | <b>Stage of preparation</b>             | <b>What is involved?</b>                                                                                                                                                                                                                                                                                                                             | <b>Our commitment</b>                                                                                                                                                                                                                                                      |
|---|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 | Regulation 19<br><br><b>Publication</b> | A more complete draft of the Local Plan document, including detailed policy proposals, is published for further public feedback. At this stage, the consultation is more narrowly focussed on matters of 'soundness', as set out in national planning policy, and legal compliance.                                                                  | A minimum 6-week period of public consultation.<br><br>Afterwards, a 'Consultation Statement' will be published setting out who was involved in the consultation, the main issues and other matters raised, and how the Council has addressed these in preparing the plan. |
| 3 | Regulation 22<br><br><b>Submission</b>  | The Local Plan document is submitted to the Secretary of State for independent examination.                                                                                                                                                                                                                                                          | There is not a formal public consultation at this stage.<br><br>The Council will give notice of its submission of the Local Plan, as required by legislation.                                                                                                              |
| 4 | Regulation 24<br><br><b>Examination</b> | A Planning Inspector, who is appointed by The Secretary of State, undertakes a public examination of the Local Plan document. The Inspector invites participants to the hearings, which are open to the public.<br><br>The Inspector may require that modifications are made to the Local Plan in order to ensure it is sound and legally compliant. | The Council will publish the dates, times and locations of public examination hearings in advance of them taking place.<br><br>The Council will consult the public on any modifications to the Local Plan, where required.                                                 |

|   | <b>Stage of preparation</b>                             | <b>What is involved?</b>                                                                                                            | <b>Our commitment</b>                                                                                                                                                                                                                                                                                        |
|---|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5 | Regulation 25<br><br><b>Planning Inspector's report</b> | The Planning Inspector issues their recommendations, which are published by the Council.                                            | The Council will publish the Inspector's Report and give notice to those who requested to be notified.                                                                                                                                                                                                       |
| 6 | Regulation 26<br><br><b>Adoption</b>                    | Where the Local Plan document is judged to be sound by the Planning Inspector, it can be formally adopted by a decision of Council. | A public meeting will be held, where Council will decide to adopt the Local Plan.<br><br>If the plan is adopted, the Council will make available the required Local Plan documents. An Adoption Statement will be sent to the Secretary of State and others who asked to be notified of the plan's adoption. |

### Sustainability Appraisal

- 5.13. Section 19 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to carry out a Sustainability Appraisal for each of the proposals in the Local Plan and prepare a report of the findings of the appraisal.
- 5.14. Sustainability Appraisals (SA) consider how the Local Plan document and its policies contribute to sustainable development, and assess whether the policies and proposals in the Local Plan document are the most appropriate given the reasonable alternatives. SAs are required for all Local Plan documents.
- 5.15. In accordance with the regulations, when deciding on the scope and level of detail to be included in a sustainability appraisal report, the Council will consult relevant consultation bodies. Where a consultation body decides to respond, it will be required to do so within a 5-week period after receipt of the request.
- 5.16. The Council will consult and invite public representations on SAs alongside the consultation of Local Plan documents.

## Strategic Environmental Assessment

5.17. Strategic Environmental Assessment (SEA) considers only the environmental effects of a Local Plan document, whereas sustainability appraisals consider the wider economic and social effects in addition to its potential environmental impacts.

### Supplementary Planning Documents (SPDs)

5.18. SPDs offer detailed guidance to support the implementation of the Lewisham Local Plan.

5.19. There are three main stages involved in preparing an SPD, as set out in the table below. We will follow the relevant planning regulations for the statutory stages of consultation.

|   | <b>Stage of preparation</b>                           | <b>Our commitment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | <b>Notification and preparation</b>                   | The Council will publish its intention to produce an SPD. Work will then commence on the preparation of the SPD. This can include the gathering of technical evidence and early engagement with key stakeholders to inform the direction of the document.                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 2 | <b>Public consultation and refining the draft SPD</b> | <p>A draft SPD will be prepared and published for public consultation, for minimum 4-week period. We will notify the community and other stakeholders, including statutory bodies, about the public consultation and details for submitting representations.</p> <p>The Council will take into account feedback received from the public consultation, and use this to inform necessary changes to the draft SPD.</p> <p>Prior to adopting an SPD, the Council will publish a Consultation Statement setting out who was involved in the public consultation, the main issues and other matters raised, and how the Council has addressed these in preparing the SPD.</p> |
| 3 | <b>Adoption</b>                                       | Once an SPD is adopted, the Council will make publicly available the SPD and an Adoption Statement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

## Strategic Environmental Assessment

- 5.20. SPDs do not require Sustainability Appraisals but may in exceptional circumstances require a Strategic Environmental Assessment (SEA) if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local plan or other development plan documents.
- 5.21. Where relevant, the Council will consult and invite representations on SEAs, including for screening reports, or other associated statements alongside the consultation of SPDs.

## Neighbourhood planning

- 5.22. Neighbourhood planning was introduced under the Localism Act 2011. It gives local communities statutory powers to create planning policy documents that can help shape development within a local area. This can be achieved through the preparation of Neighbourhood Plans and Neighbourhood Development Orders.
- 5.23. The NPPF (2021) states that Neighbourhood Plans “should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies”<sup>1</sup>.
- 5.24. Neighbourhood Plans are prepared by local community groups called Neighbourhood Forums, which are formally designated by the Council. The Council has a duty to support those who are preparing Neighbourhood Plans.<sup>2</sup> To be clear, the responsibility for preparing a plan lies with a Neighbourhood Forum. However, we will support all Forums with a view to ensuring their policy proposals have the best chance of succeeding at independent examination, so that the plan can be brought into force.
- 5.25. The process for preparing a Neighbourhood Plan is set out in legislation. In summary, the process involves five main stages:
1. Initiation (including designation of a Neighbourhood Forum and Area)
  2. Preparation of the plan (including public consultations)
  3. Independent examination
  4. Referendum
  5. Adoption by the Council

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<sup>1</sup> NPPF (2021), paragraph 13

<sup>2</sup> A requirement under Section 6 of the Neighbourhood Planning Act 2017

5.26. We will seek to provide the local community and Neighbourhood Forums with guidance and advice at all stages of the plan-making process, and carry out the Council's statutory functions within the resources available. Some of this support is set out in in planning regulations<sup>3</sup>, which reflect that the Council will have a more active role at key stages in the plan process. This support includes:

- Checking, publicising and determining applications for Neighbourhood Areas and Neighbourhood Forums;
- Publicising Neighbourhood Plan proposals in order to provide the local community and other stakeholders with an opportunity to comment on them;
- Appointing a plan examiner to undertake a public examination of the Neighbourhood Plan proposals; and where appropriate;
- Coordinating, carrying out and paying for a local referendum, in which members of the public can decide whether to support the Neighbourhood Plan so that it becomes part of Lewisham's Development Plan.

5.27. In addition, the Council will provide Neighbourhood Forums with planning and other technical advice, and share information (such as evidence base documents), to help support preparation of the Neighbourhood Plan.

5.28. It is vital that Neighbourhood Plans reflect the aspirations of the wider community. Community groups or other bodies interested in establishing a Forum, as well as designated Forums themselves, will therefore have an important role in engaging with the community at different stages in the plan process. Effective and inclusive consultation with the community (and others likely to be affected by a Neighbourhood Plan proposal) is therefore strongly encouraged, whilst recognising that the nature of consultation will depend on the stage in the plan-making process.

5.29. Further information on neighbourhood planning is available from:

- Lewisham Council's planning webpage
- The National Planning Practice Guidance (NPPG)<sup>4</sup>
- The Locality webpage<sup>5</sup>

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<sup>3</sup> The Neighbourhood Planning (General) Regulations 2012

<sup>4</sup> The NPPG is issued by the Department for Levelling UP, Housing and Communities (DLUHC)

<sup>5</sup> Locality also provides information on grant funding that may be available for community groups – see [www.locality.org.uk](http://www.locality.org.uk)

## Other planning documents

5.30. The Council may produce of a number of other planning documents, where there will be an opportunity for the public involvement and/or consultation.

| Document                                              | Our commitment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Community Infrastructure Levy (CIL) Charging Schedule | <p>The process of preparing and bringing into force a CIL Charging Schedule is set out in legislation. The Council will follow the relevant legal procedures.</p> <p>The Council will publish a draft Charging Schedule on its website and notify relevant stakeholders (such as local residents, community organisations, landowners and developers). The necessary periods of consultation(s) in line with statutory requirements will be carried out. Relevant Consultation Statement(s) will be published on the Council website, showing who submitted representations and how these representations have been addressed by the Council. A final draft Charging Schedule, which will then be submitted to an independent examiner.</p> |
| Neighbourhood Community Infrastructure Levy (NCIL)    | <p>To consult on spending priorities with the wider community for a minimum 6-week period. The results of the consultation will be made publically available. Priorities for NCIL spend will be agreed through community meetings, that will be published through the Council website and, where possible, social media.</p>                                                                                                                                                                                                                                                                                                                                                                                                                |
| Brownfield Land register                              | <p>The Council will consult for 42 days the first time Part 2 is published, and 21 days thereafter. For sites included in Part 2, where the Council receives an application for Technical Details Consent, there is a requirement to display a notice under Article 15(a) of the Permissions in Principle Order 2017 on or near the site.</p>                                                                                                                                                                                                                                                                                                                                                                                               |
| Other documents                                       | <p>To consult on with the public and relevant stakeholders on planning policy documents according to the scale, details and nature of these documents also taking into account legislative requirements. These documents may include, but are not limited to, Conservation Area Appraisals; Masterplans; Area Action Plans; and Article 4directions.</p>                                                                                                                                                                                                                                                                                                                                                                                    |

## 6 Planning Applications

### What is Development Management?

- 6.1. Development Management is an integral part of the planning process. Policies are used to achieve sustainable, high quality and inclusive development. Development Management includes all **applications** submitted for planning permission (and Listed building Consent, Advert Consent and Prior Approvals).
- 6.2. Development Management also includes **pre-applications** where applicants seek advice on how their schemes can best meet policy and deal with key planning issues. The Council strongly promotes the use of pre-application engagement but there is no legal requirement for an applicant to do so.
- 6.3. The Council strongly believes that pre-application engagement leads to a better-quality development, increases the likelihood of a successful application, and better informs affected communities.
- 6.4. Development Management also includes planning **enforcement**, and the Council intends to prepare an Enforcement Plan which explains how we will carry out those duties.
- 6.5. The Planning Service also carries out continuous engagement via the Community Forum, which is a meeting of Community Groups and Amenity Societies held quarterly. The purpose of this forum is to seek a positive working relationship between the Planning Service and our community groups, update on changes to the Planning System and Council policies/strategies, provide direct feedback to Officers and discuss planning issues thematically.
- 6.6. Applications for planning permission (regardless of the applicant) are assessed against policies in the adopted Development Plan, National Planning Policy, adopted Guidance and all other material planning considerations, including representations received from consultation.

#### Development Management process summary

##### 1. Pre-application Stage

The Council has a range of pre-application services for potential applicants. The Council will provide written feedback on a proposed development.

The applicant is expected to undertake pre-application engagement with their local community which includes residents, businesses and visitors. Pre-application engagement should include relevant ward Councillors, other Council service areas formal and other stakeholders where appropriate.

The Council expected applicants/ developers to positively engage with the published



guidance on good practice consultation and demonstrate through their pre-application discussions with the Planning Service how they have collaborated with local communities, ward Councillors and stakeholders throughout the design process.

## **2. Application Stage**

The Council will carry out consultation on an application where required by legislation. Consultation will meet the legal minimum standards and in some cases be expanded depending on the type of application.

Council Officers will assess the application against planning policy and any representations received from consultation. A formal recommendation will be made to approved or refuse permission.

## **3. Decision Making Stage**

A final decision issued. The majority of applications are determined by senior officers with delegated authority. Applications with high public interest are decided by planning committee.

### **Pre-Application**

6.7. The Council has a range of pre-application services that suit all types and scale of proposed development. This service offers professional planning advice and has any benefits in contributing to quality outcomes and avoiding delay through:

- Early identification of key issues
- Opportunity to give early advice on policies
- Advice on the level of pre-application engagement with the local community
- Potential for higher quality applications
- Deal with issues upfront which will lead to quicker and more straightforward processing of applications
- Identify key risks that may avoid refusal of planning permission and appeals
- Potential to save time and money

6.8. Details of the Councils pre-application advice service and charges are on the [website](#).

6.9. Major and complex proposals should be managed via Planning Performance Agreements.

### **Developer Protocol and undertaking good engagement**

6.10. The Council expects that developers/ applicants undertake pre-application engagement with those affected by development proposals, the level of which should be proportionate to the scale of the scheme. This could include

speaking to neighbours on smaller scale residential proposals up to the holding of meetings and exhibitions to give information about schemes, where larger and more complex.

- 6.11. Applicants are expected to refer to the Councils guidance on good practice consultation, published on the website.
- 6.12. Applicants are strongly encouraged to discuss their pre-application engagement plans with the Planning Service who can advise on the type and extent of consultation including identification of key stakeholders in the community, and that any queries from the community directed to the Council can be readily responded to. Discussions should include what steps are taken to minimise digital exclusion.
- 6.13. Engagement that is taken only just prior to submission is likely to be viewed as tokenistic, with limited chance for the community to engage and influence a proposal.

#### Design Review Panel

- 6.14. The Council expects that all new development is of the highest design quality to enhance townscape and the quality of place for its residents and visitors. The Council has an established Design Review Panel who will assist and encourage developers and their design teams to achieve high quality design.
- 6.15. The Design Review Panel referral should be undertaken at an appropriate stage during pre-application discussions, to ensure schemes deliver high quality developments and ensures that design review is undertaken early enough to inform a scheme.
- 6.16. The following pre-application schemes will be referred to the Design Review Panel:
- Major new developments and significant alterations to existing buildings with scope to impact the boroughs townscape.
  - Proposals for Listed Building Consent involving substantial demolition or alteration of any Grade II \* and Grade 1 listed buildings
  - Proposals for any significant new buildings within Conservation Areas
  - Any other proposals as considered necessary by the Director of Planning
- 6.17. Applicants would be expected to show how their scheme has evolved as a result of local engagement and consultation including the Lewisham Design Review Panel in their submissions, most likely as part of the Design and Access Statement/ Planning Statement.
- 6.18. Details of Lewisham Design Review Panel service and its charges are available on the [website](#).

## Application Consultation

6.19. The Council has a number of procedures in place to involve the community in the Development Management planning process. Consultation will depend on the nature of the application but may include:

- Notification to occupiers of adjoining properties (that share a boundary) – this could include, but is not limited to letters, communal foyer notices, and emails
- Display of a Site Notice
- Upload of all application documents to the Councils website
- Publication of notice in local press.
- Notification to ward Members
- Consultation with relevant statutory and non-statutory stakeholders
- Automatic notification via customer self-registration on the website

6.20. National legislation in the Town and Country Planning (General Development Management) Order 2015 sets out situations where site and press notices must be used and situations where there is discretion to use either site notices or letters to notify people occupying nearby properties that an application has been received. This legislation says that letters must be sent to the occupiers of “adjoining land or properties”, but there is no definition of what this means.

6.21. The Council takes a proportionate approach to consultation to suit the specifics of the application and may consider additional approaches where necessary.

6.22. An individual or organisation does not need to be specifically consulted in order to make their formal views on an application. Anyone is open to make representations on applications.

6.23. The Councils website will provide further information on good practice consultation.

## Notification

6.24. All occupiers who adjoin a site boundary (typically to the side and rear) will be notified of planning applications, this is typically via letter addressed to the property, but could include foyer notices for blocks of flats, emails and/or site notices as appropriate.

6.25. Extended consultation (i.e. beyond just those adjoining the site boundary) will take place for larger scale development with potentially wide-ranging impacts. Notifications will contain details of the proposals, where plans can be viewed and how comments can be made. The Council will allow at least 21 days for interested parties to respond.

6.26. Some types of applications require the display of a site notice in or around the application site. This will contain information on the proposal, where the plans can be viewed and how, and by when, to comment. The Council will ensure that the notices are as visible as possible. More than one notice may be required for major applications or large sites.

#### Website

6.27. All applications received will be uploaded to the Councils website. All plans and documents can be viewed and downloaded. Comments can also be made via the website online form.

6.28. Previous applications on a site can also be viewed and [personal notifications](#) can be set up that will send a user an email alert when an application is received in a certain street.

#### Public Notice in local press

6.29. Certain applications require the Council to put advertisements in a local newspaper. These include applications within a Conservation Area, applications affecting or adjacent to a Listed Building and where an application is contrary to the development plan. All Major development involving 10 or more dwellings or on sites of over 0.5 hectares will also be advertised.

#### Notification to ward Members

6.30. Elected Members will be notified of applications in their ward and have the chance to comment on applications.

#### Automatic notification via website

6.31. The website allows anyone to register for automatic notification of an application at an address point using an email address.

#### How do I make a comment on an application?

6.32. Comments on applications must be received in writing received by using online application page on the Council website, an email or letter.

6.33. The Councils website provides a guide to commenting on planning applications including our published privacy statement.

6.34. Representations should be received by the date posted on the consultation letter or site notice. This will be for a minimum of 21 days.

6.35. The Council will consider all representations received in reaching a decision.

## What is a Local Meeting?

- 6.36. A Local Meeting is a meeting held between an applicant/ developer (and where necessary their technical team) and third parties who have made representations on a planning application. Local Meetings provide the opportunity to discuss outstanding comments/ concerns prior to a decision being made.
- 6.37. Local Meetings are normally chaired by a local ward Councillor and a representative from the Planning Service attends to take a formal record of the meeting. Where a local ward Councillor is unable to attend, the Planning Service may invite Councillors from other wards.
- 6.38. In some circumstances, a drop-in session may be offered as an alternative to a Local Meeting. These may be suited to particularly large applications where there is a significant amount of information to review and discuss. The Council will decide if a drop-in session is more appropriate than a Local Meeting on a case-by-case basis.

## Who is invited to Local Meetings?

- 6.39. Anyone who has made representations will be invited to a Local Meeting or drop-in session by email or letter. This includes residents and business occupiers.

## What can I expect from a Local Meeting?

- 6.40. Local Meetings will start with formal introductions from the Local Ward Councillor or meeting Chair, the applicant team and the Planning Service representative. The applicant will make a short presentation summarising their scheme with most of the session available for questions and answers.

## When do Local Meetings take place?

- 6.41. A Local Meeting will be offered to those who have made representations and the applicant prior to a decision being made on an application in the following circumstances
- Where 20 or more valid planning objections have been received on applications for Full Planning Permission/ Outline and Hybrid permission.
- 6.42. Where an application is to be refused planning permission, a Local Meeting may not be offered. Applications for Householder development are excluded from Local Meetings.
- 6.43. Local Meetings are expected to be held in accessible formats which could include online meetings and hybrid meetings and which ideally make use of a suitable local venue to the planning application site. Drop-in sessions are expected to be held in person in local venues where possible which are accessible.

6.44. Applicants/ Developers will be expected to cover the Councils costs of arranging Local Meetings and drop-in sessions via written confirmation to the Planning Service.

What happens after the Local Meeting?

6.45. The formal record of the Local Meeting taken by the Planning Service representative will be made available on the Council website, uploaded to the relevant application page.

6.46. Participants at Local Meetings will be invited to a Planning Committee by email.

6.47. Where a drop-in session has been held, participants will be asked to sign a register providing their email contact details so that invitations to Planning Committee can be issued.

### **Guidance on revised submissions**

6.48. Where revised plans are submitted, the Council may seek to notify interested parties of the amended plans, particularly where the changes to a development are considered material in terms of impact to neighbouring properties. The length of time for re-consultation is normally 14 days, although this will depend on the revisions proposed.

### **Negotiation with the applicant**

6.49. The Council will negotiate with an applicant as appropriate to achieve an acceptable outcome on the application, having regard for the representations received, the Local Development Framework and any other material considerations. This negotiation may not take place where an application is to be recommended for refusal.

6.50. For clarity, the Council will negotiate only on applications for Planning Permission. Applications for Lawful Development Certificates and Prior Approval are assessed as set out in legislation.

6.51. The Council will not normally negotiate on applications for Approval of Details/ Conditions and will consider all material submitted as valid on receipt.

6.52. Applicants will be directed to the pre-application service where negotiation during the formal application process is not possible or appropriate.

### **Decision Making**

6.53. The majority of applications are decided using delegated powers, meaning that decisions are made and issued by senior officers in accordance with the adopted Scheme of Delegation.

6.54. Certain applications that are of high public interest are dealt with by Planning Committee, which is formed of elected Members.

6.55. The Scheme of Delegation and details of Planning Committees are contained within the [Councils Constitution](#) and further details can be found on the Councils planning pages.

## 7 Resources and monitoring

7.1. Resourcing consultation activities is important if the Council is to achieve the consultation standards set out in this document. The Statement of Community Involvement envisages using consultation tools which operate at a corporate level and at the Planning Service level.

7.2. Corporate consultation tools are undertaken by other departments and by the Council's partners, such as the Lewisham Strategic Partnership, community groups and statutory authorities. It is considered that this consultation will not have any resource implications, as it is not funded by the Planning Service and is consultation that would take place anyway.

7.3. Consultation operated and funded by the Planning Service generally comprises planning-specific consultation exercises. The Council anticipates savings (time and cost) on consultation by investing in consultation early in the plan-making process and achieving savings towards the end of the process. Where appropriate, the Council will seek to link community involvement initiatives on different Local Development Documents, for example where a Supplementary Planning Document (SPD) and a Development Plan Document (DPD) are prepared in parallel because the details set out in the former are fundamental to the early delivery of the policies in the latter. Overall, it is expected that consultation will be resourced within existing budgets but this will be continually monitored.

7.4. The Statement of Community Involvement will be subject to periodic review in accordance with the statutory requirements and updated where necessary, for example, to respond to changes in legislation or local circumstances. To facilitate meaningful information, the Council will also periodically seek information from those participating in consultation activities on who they are so as to ensure consultation is reaching all of the community. The Council will refer to and use good practice guidance to inform the gathering of this information.

7.5. There is no requirement in legislation for local planning authorities to consult when reviewing and updating their Statement of Community Involvement. However, as a matter of good practice the Council will seek to inform the public of its intentions to update this document.

## Appendix 1 Sustainability / sustainability appraisal

1. The Planning and Compulsory Purchase Act 2004 requires the Council, in its capacity as a local planning authority, to carry out a sustainability appraisal of each of the proposals in a plan during its preparation.
2. Sustainability appraisal is a process that is carried out during the preparation of local plan documents. Its main purpose is to promote sustainable development by assessing the extent to which the emerging plan, when considered against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. Sustainability appraisal is undertaken as an iterative process throughout the plan-making process. It is an opportunity to consider ways by which the plan can contribute to improvements in environmental, social and economic conditions, as well as a means of identifying and mitigating any potential adverse impacts. Sustainability appraisal reports are prepared and made publicly available at key stages throughout the plan process.
3. Sustainability appraisal normally incorporates the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (also known as the 'Strategic Environmental Assessment (SEA) Regulations'). The scope of SEA is focussed on assessment of environmental effects. Where SEA is fully integrated with the sustainability appraisal, this ensures that potential environmental effects are considered alongside social and economic issues.
4. Strategic Environmental Assessment can be required in some circumstances, even where sustainability appraisal is not needed. This is usually only where either neighbourhood plans or supplementary planning documents could have significant environmental effects. To establish whether a document requires a full SEA, a 'screening' exercise is carried out in line with the relevant legislation.
5. This Appendix has been compiled drawing from the National Planning Practice Guidance (NPPG), which should be referred to for further information. The NPPG is regularly updated to reflect changes in legislation and policy.



## Appendix 2 Tests of soundness

### Local plans

1. Local plans are subject to an independent public examination, where a Planning Inspector will assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound.
2. Paragraph 35 of the National Planning Policy Framework (2019) sets out that plans are 'sound' if they are:
  - Positively Prepared – Providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development
  - Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence
  - Effective – deliverable over the plan period, and based on effective joint working on cross – boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - Consistent with national policy – enabling the delivery of sustainable development in accordance with policies in this framework
3. The NPPF (2021) also provides that 'non-strategic' policies will be subject to the test of soundness in a proportionate way, taking into consideration the extent to which they are consistent with relevant strategic policies for the area.

### Neighbourhood plans

4. Before a neighbourhood plan can come into force, it must meet certain 'basic conditions' and other legal requirements set out in paragraph 8, schedule 4B of the Town and Country Planning act 1990 (as amended). These are tested through an independent examination before the neighbourhood plan may proceed to a referendum.

## Further information

Further information about planning consultations and accessing consultation materials, the Statement of Community Involvement, and other planning policy documents is available:

### **Online**

By accessing our planning webpages at <https://lewisham.gov.uk/planning>.

### **Email**

By contacting the planning policy team at [planning.policy@lewisham.gov.uk](mailto:planning.policy@lewisham.gov.uk).

### **Telephone**

Alternatively, you can request to speak with an officer by calling the Council's automated switchboard on 020 8314 6000.

### **Post**

Planning Service - Laurence House, 1 Catford Road, London, SE6 4RU

## **Glossary**

### **Authority Monitoring Report (AMR)**

A report that outlines the work carried out by the Planning Service. It sets out key information about the operation and performance of the Planning Service and assesses the extent to which the Council's planning policies are being implemented. It also highlights the wide range of projects that the Planning Service are involved in and the collaborative work being carried out with other Council teams and partners.

### **Amenity Society**

A group set up with a specific interest in the built environment, conservation and heritage.

### **Community Group**

A group set up with a specific interest to represent a community with a defined area of interest to promote public benefits for residents.

### **Core Strategy**

The Core Strategy is part of the current Development Plan and sets out the long-term vision for Lewisham. It provides the strategic policies and proposals that will deliver that vision.

### **Constitution**

A document which sets out how the Council elects its members, makes local decisions, sets out ethics and codes and how the public can influence key decisions.

### **Delegated decisions**

A decision made on a planning application by designated senior officers who review the recommendations and reasons set out in a report prepared by the planning application case officer.

### **Development Plan**

The Development Plan can be a single document or a number of documents that together provide adopted planning policy.

Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

### **Householder Applications/ Permission**

A proposal to alter or enlarge a single house (but not a flat), including works within the boundary/garden. This is commonly used if you are a homeowner wishing to complete work on your home. This does not apply to flats/ apartments, more than one house or changes of use.

### **Full Planning Permission**

A proposal for development which is not covered by a householder application or permitted development rights. This is commonly the case for new buildings of any kind and any commercial project.

### **Hybrid Planning Permission**

A hybrid application is one which is part detailed 'a full planning permission' with separate buildings or phases submitted in 'outline' form. Typically, such applications are used for large and strategic development proposals.

### **Independent examination**

Development Plan Documents are subject to an examination by a planning inspector to rigorously test whether the plan has been prepared in accordance with legal and procedural requirements and if it is sound. The tests of soundness are set out in the National Planning Policy Framework (NPPF).

### **Local Development Scheme (LDS)**

The LDS sets out the timetable for preparing Development Plan Documents and Guidance including the Local Plan, Area Action Plans (AAPs), Supplementary Planning Documents (SPD) and Neighbourhood Plans.

### **Local Development Framework**

A Local Development Framework (LDF) is a set of documents which guide planning and development in a local authority's area.

### **Local Ward Councillor/ Member**

Persons elected to represent their local community in the running of their local Council.

Your local councillor can be found on the Councils website.

### **Local Meeting**

A meeting held between an applicant/ developer and third parties who have made representations on a planning application. Local Meetings provide the opportunity to discuss outstanding comments/ concerns prior to a decision being made.

### **Major Planning Application**

Defined by the Town and Country Planning (Development Management Procedure) (England) (Order) 2015. An application for the creation of 10 or more residential units, development of a site of 0.5 hectares or more, non-residential development or change of use on a site of at least 1 hectare, creation of change of use of 1000sqm or more or gross floorspace.

### **Minor Planning Application**

An application that involves residential development between one and nine dwellings. Where the development created is less than 1000sqm, development is on sites less than one hectare and changes of use less than 1000sqm.

### **Material considerations**

A material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission). The scope of what can constitute a material consideration is very wide. However, as planning is concerned with land use in the public interest, the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light would not normally be material considerations.

### **National Planning Policy Framework (NPPF)**

This sets out the Government's planning policies for England and how these are expected to be applied. It provides guidance for local planning authorities and decision makers, both in drawing up plans and making decisions about planning applications. It must be taken into account in the preparation of planning policy document and is a material consideration in planning decisions. This is accompanied by Planning Practice Guidance which sets out how the NPPF is to be interpreted.

### **Neighbourhood Planning**

This was introduced by the Localism Act 2011, and it gives rights and powers for local communities to shape new development by coming together to prepare Neighbourhood Plans. A neighbourhood planning process can be used to prepare a Neighbourhood Plan, a Neighbourhood Development Order or a Community Right to Build Order, or a combination of the three.

### **Neighbourhood Development Plan/Neighbourhood Plan**

A plan generally prepared by a Neighbourhood Forum, which establishes planning policies for the development and use of land in a defined area. A Neighbourhood Plan must be in conformity with the Development Plan and will undergo examination and a referendum.

### **Neighbourhood Forums**

A designated neighbourhood forum is an organisation or group empowered to lead the neighbourhood planning process in a neighbourhood area where there is no town or parish council.

A group or organisation must apply to the Council to be designated as a neighbourhood forum (a forum application). Those making a forum application must show how they have sought to comply with the conditions for neighbourhood forum designation. These are set out in section 61F(5) of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

### **Outline Planning Permission**

A proposal submitted to agree the principle of how a site can be developed. As a minimum, outline applications must include information on: use; amount of development; indicative layout; scale parameters; indicative access points. Outline planning permission is granted subject to conditions, which can govern the use of a development as well as requiring the subsequent approval of one or more reserved matters.

### **Planning and Compulsory Purchase Act (2004)**

Legislation that updates the 1990 Town and Country Planning Act introducing statutory systems for regional planning, new systems for local planning, reforms to development control and compulsory purchase and compensation systems and removal of crown immunity from planning controls.

A public meeting which decides whether planning permission should be granted for a planning application. The committee is formed from elected members.

### **Planning Inspectorate (PINS)**

The Planning Inspectorate holds independent examinations by appointed Planning Inspectors to determine whether Development Plan Documents are 'sound'. The Planning Inspectorate also handles planning and enforcement appeals.

### **Planning Practice Guidance**

The Government's detailed online, web-based guidance on national planning policies, which adds detail to the National Planning Policy Framework.

### **Reserved Matters**

An application submitted within the specified timescale of the approval of an outline application. Reserved matters are normally layout; scale; appearance; access and landscaping.

### **Sound/soundness**

This describes where a Development Plan Document is considered to 'show good judgement' and also to fulfill the expectations of legislation, as well as conforming to national policy.

### **Statement of Community Involvement (SCI)**

This is a document that sets out how the Council will consult and involve the public in preparation of planning policy and in the determination of planning applications.

### **Supplementary Planning Document (SPD)**

These are generally topic specific documents which provide further information and details to support the implementation and delivery of policies in Development Plan Documents. Guidance within SPD's can be a material consideration in the determination of planning applications.

### **Public Sector Equalities Duty (PSED)**

The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to consider or think about how their policies and decisions affect people who are protected under the Equality Act.

### **Strategic environmental assessment**

A generic term used to describe environmental assessment as applied to policies, plans and programmes.





## Sustainable Development Select Committee

### **Report title: Community Infrastructure Levy (CIL) Governance**

**Date:** 14 June 2023

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributor:** Director of Planning and Development Contributions Manager

### **Outline and recommendations**

This paper seeks to update on CIL Governance.

The Committee is asked to provide comments on the contents of this report and to:

- Note the proposed amendments to existing governance to include Strategic CIL
- Advise officers on any matters it wishes to be considered on the proposed process for the identification of the annual available SCIL amount and the annual process for allocation
- Advise officers of any matters it wishes to be considered on the proposed prioritisation process for Strategic CIL

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

|                               |                                                                                                                                                |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| 21 <sup>st</sup> October 2003 | Procedures for allocating S106 funding were approved by Mayor and Cabinet                                                                      |
| 1 <sup>st</sup> April 2015    | Lewisham starts collecting Borough CIL                                                                                                         |
| 8 <sup>th</sup> February 2023 | Mayor and Cabinet agreed that officers prepare a CIL governance and a prioritisation process, based on the adaptation of existing arrangements |

## 1 Summary

- 1.1 This paper seeks to update on CIL Governance, inviting comments on this alongside the intended strands of work which are to be formulated during this year.
- 1.2 On 8<sup>th</sup> February 2023, Mayor and Cabinet agreed that officers prepare governance and a prioritisation process, based on the adaptation of existing arrangements, with a recommendation to:
  - Vary the existing governance process for s106 monies agreed by Mayor and Cabinet to accommodate CIL and make any necessary updates to reflect the current Constitution
  - Explore an annual Strategic CIL budget for infrastructure project allocation
  - Develop an annual process for the allocation of Strategic CIL as part of the budget-setting process
  - Develop a prioritisation process for Strategic CIL projects, to be reviewed after its first year of implementation
- 1.3 In response to the Mayor and Cabinet decision, officers have developed a series of approaches to CIL to use the existing governance structures in place for s106 as a starting point; varying them to primarily include the spend of Strategic CIL (SCIL) and to increase existing approval thresholds to align with the constitution.

## 2 Recommendations

- 2.1 The Sustainable Development Select Committee is asked to provide comments on the contents of this report and approach to CIL governance.

## 3 Policy Context

- 3.1 Lewisham's Infrastructure Planning Documents consist of:
  - Lewisham Local Plan;
  - Infrastructure Delivery Plan and
  - CIL Infrastructure Priorities list.
- 3.2 Lewisham Local Plan  
The emerging, new Lewisham Local Plan has just completed the Regulation 19 stage consultation. The document was revised prior to consultation following public consultation at Regulation 18 stage and has drawn on a huge number of evidence based documents.
- 3.3 The draft plan sets out a spatial strategy and Development Management policies to accommodate the required growth in the borough including the London Plan housing target of 1,667 new homes per annum, new employment floorspace and new town centre floorspace.

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- 3.4 The new plan identifies the necessary infrastructure to accommodate this growth ranging from London wide strategic transport projects such as the BLE, or Lewisham based strategies including reducing and sustainably managing waste (policy SD12), Energy infrastructure (SD 4) and Safeguarding and securing community infrastructure (CI 1). It also set outs more localised infrastructure needs; for example, the need to support, enhance and protect a linear network of green infrastructure (LEA 4) in the East Area part of the Borough.

*The Infrastructure Delivery Plan (IDP)*

- 3.5 The IDP seeks to identify the physical, social, and green infrastructure that may be needed over the local plan period. It seeks to ensure that the borough has sufficient schools, health centres and quality open space; the transport and physical infrastructure (e.g. utilities) it needs; and supports the borough's environmental objectives such as seeking to become a carbon neutral borough, tackling poor air quality, and greening the borough. It may not capture all the Borough's infrastructure requirement over the plan period; but focuses on strategic matters that underpin the delivery of the plan.
- 3.6 It is prepared by the planning team to support the Local Plan with input from all infrastructure providers including internal departments and external stakeholders such as TFL, Thames Water, Lewisham, and Greenwich NHS trust etc. The IDP has also been reviewed by the Sustainable Development Select Committee during its preparation.

*CIL Infrastructure Priorities list*

- 3.7 The Council has a CIL Infrastructure Priorities list (formally known as the Regulation 123 List) which lists infrastructure which it intends will be, or may be, wholly or partly funded by CIL. This includes:
- State education facilities.
  - Public health care facilities.
  - Strategic transport enhancements (excluding site-specific, highways and public transport matters needed to make developments acceptable in planning terms.
  - Publicly accessible open space, allotments, and biodiversity.
  - Strategic flood management infrastructure.
  - Publicly owned leisure facilities.
  - Local community facilities (including (but not limited to) community centres and halls and libraries, but excluding places of worship); and
  - Public Emergency Services (this is intended to apply to physical projects by the police, fire, or ambulance services).

**Community Infrastructure Levy**

- 3.8 Section 216 of the Planning Act 2008, ("the Act") and Regulation 59 CIL Regulations 2010 (as amended) made pursuant to the Act requires that CIL must be spent by the Council on the 'provision, improvement, replacement,

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operation, or maintenance of infrastructure to support the development of its area.’ Section 216(2) of the Act defines “infrastructure” as including: (a)roads and other transport facilities, (b)flood defences, (c)schools and other educational facilities, (d)medical facilities, (e)sporting and recreational facilities, and (f)open spaces. The infrastructure itself may be in or outside the borough as long as it supports its development

- 3.9 This definition allows the levy to be used to fund a very broad range of facilities such as play areas, open spaces, parks and green spaces, cultural and sports facilities, healthcare facilities, academies and free schools, district heating schemes and police stations and other community safety facilities. As such local authorities can choose what infrastructure they need to deliver Lewisham’s Local Plan and the London Plan in London. It cannot be used to fund affordable housing..
- 3.10 The borough’s strategic infrastructure needs are listed in the Council’s Infrastructure Delivery Plan (IDP) which is a living document, updated regularly. The last version was published in 2022. The IDP recognises that all strategic infrastructure needs in the Borough cannot be fully met by CIL, meaning that projects which are eligible for CIL funding need to be prioritised.

### **S106**

- 3.11 In February 2015, the Council published the Lewisham Planning Obligations SPD. This document provides detailed guidance on the likely type and scale of planning obligations for development proposals to ensure that the impact of development on infrastructure and services can be adequately mitigated. The intention is to commence a review of this document during 2023.
- 3.12 Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition and they must meet the three tests (paragraph 204, NPPF, S122 CIL Regulations 2010) to ensure that they are:
- (i) necessary to make the development acceptable in planning terms;
  - (ii) directly related to the development; and,
  - (iii) fairly and reasonably related in scale and kind to the development.

### **New Infrastructure Levy**

- 3.13 The Levelling Up and Regeneration Bill (introduced in House of Commons May 2022), proposes an Infrastructure Levy (IL) which would replace CIL and limit s106s. Local authorities would impose this levy to fund infrastructure such as roads, transport facilities and open spaces, and things such as childcare provision and affordable housing.
- 3.14 Whilst it is not clear yet how IL might operate if the measure is taken forward. If this is implemented, it is understood that a lengthy period of

pilots would be undertaken to test the measures meaning that there would be time to undertake a review of Lewisham's arrangements to fund infrastructure.

## 4 Background

- 4.1. The Council has been collecting CIL since April 2015. CIL receipts can be broken down into three portions – Strategic CIL, Neighbourhood CIL, and CIL administration. The SCIL collected to date totals circa £16m. Mayoral CIL is also collected which is passed to TfL save for an administration fee. This is a separate ringfenced fund and is not the subject of this paper.
- 4.2. At present, there are procedures in place for the spend of S106 and NCIL. The Council has focused on spending the more restricted, often time limited s106 sums and delivering NCIL processes to support communities. This has also allowed SCIL sums to accumulate.
- 4.3. Of the CIL that the Council receives, 25% is apportioned to Neighbourhood CIL with the remaining 75% allocated as Strategic CIL (SCIL). 5% of the CIL collected is used for the administration of CIL, which when apportioned, mean that 3.75% of CIL is available for the administration of SCIL.
- 4.4. CIL income fluctuates year on year, with c£3m being the average received each year over the last 7 years, with £2.3m of that yearly average being SCIL.
- 4.5. Procedures for allocating S106 funding were approved by Mayor and Cabinet in October 2003 (overview in Appendix 1). This established the S106 Overview Group for the allocation of projects up to a value of £499,999. It also established that projects seeking over £500,000 were to be a Mayor and Cabinet decision.
- 4.6. Current internal practice for approvals is:
  - PIDs seeking £40,000 or less of s106 are decided by S106 Overview Group,
  - PIDs seeking between £40,000 are decided by the Regeneration and Capital Delivery Programme Board (RCPBD) and if over £500,000 are decided by Mayor and Cabinet.
- 4.7. In the last two years, due to the demands on S106 funds, prioritisation has been introduced to ensure S106 funded projects:
  - are listed in the Infrastructure Delivery Plan or meet a need it identifies,
  - Contribute to delivering Lewisham's Corporate Strategy and/or align with the Corporate Priorities and a departmental or service level strategy, and
  - Offer value for money.

Additionally, the funding of projects should be considered alongside other funding streams where possible

## 5. New Governance Process to incorporate CIL

5.1. With the success of S106 spending and growing SCIL pot, the Council is now in a position to begin spending SCIL on infrastructure needs across the Borough. Arrangements for governance therefore need to be developed. In accordance with the February 2023 Mayor and Cabinet decision, officers have developed a proposed approach based around the following principles:

- The adaptation of existing arrangements to include CIL
- The use of an annual budget for SCIL
- Development of an annual process for the allocation of SCIL as part of the budget setting process
- Developing a prioritisation process, recognising that infrastructure needs will outstrip available funds and so a process for identifying the highest priority projects will be necessary.

5.2. The other key principle for new CIL governance is that it must be deliverable within the CIL admin fee to ensure that the process can be properly administered. No more than 3.75% of what is received per year can be spent on administering SCIL so any proposals will need to be manageable within this budget envelope.

5.3. The new process seeks to also introduce a more coordinated approach for how the Council prioritises CIL spend to support growth linked to the Local Plan and IDP, capital programme and other council strategies into the established boards.

### **The adaptation of existing arrangements to include CIL**

5.4. It is proposed that there are two approval routes - the Strategic CIL (SCIL) Process and General Approvals Process:

#### *SCIL Process*

5.5. This is a new route using an agreed amount from the Strategic CIL Budget.

5.6. It is proposed that this would be an annual process involving a prioritisation process with Regeneration and Capital Programme Delivery Board (RCPDB) recommending projects for approval at Regeneration and Capital Board (RCB). Projects funded through this route would be included as part of the Council's annual budget for approval at Mayor and Cabinet and Council.

#### *General Approvals Process*

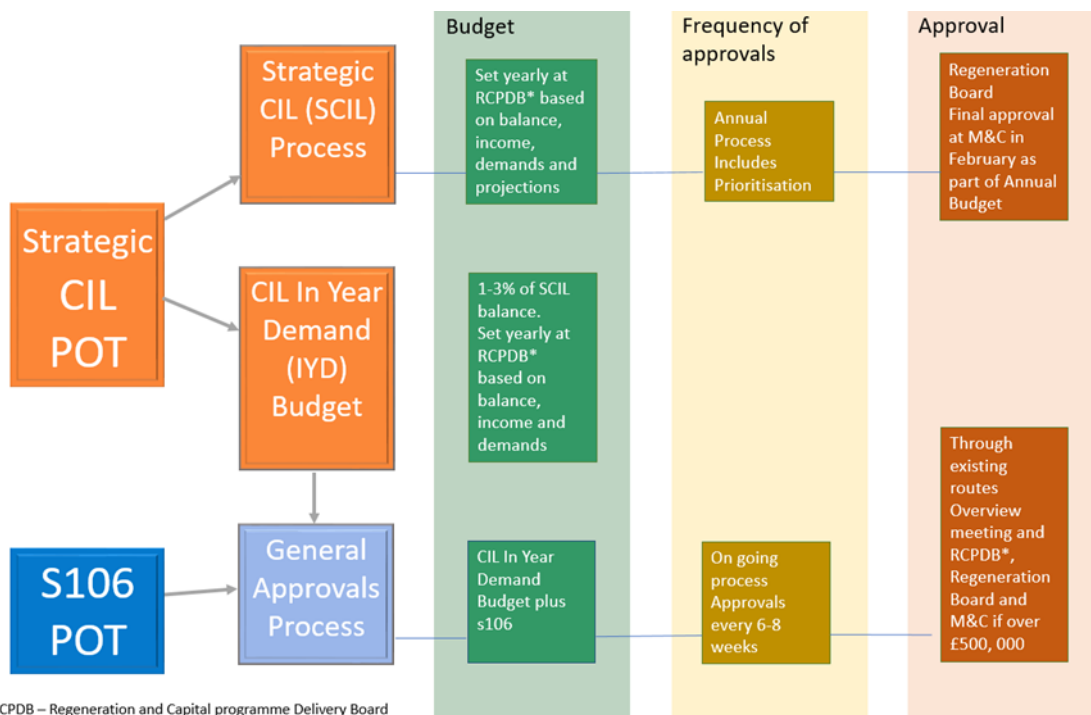
5.7. The existing process for the approval of s106 sums would be amended to include a portion of SCIL. This portion would be set aside for in year demands and known as the In-Year demand (IYD) budget. This would

ensure that whilst an annual process is developed and used as the main route for the allocation of SCIL, the Council retains flexibility to address projects and opportunities that arise during the financial year.

- 5.8. As with the existing S106 process, it is proposed that this would be ongoing throughout the year.

The new arrangements are shown on the diagram below:

*Approval routes:*



**General approval process**

- 5.9 This process to is to remain unvaried from how S106 works, but alongside S106, a CIL fund for in year demands (IYD budget) is proposed to be available for projects. This amount would be set annually, based on the CIL income achieved.

- 5.10 It is also proposed that there is a slight increase in the amounts approved at the different levels. This would allow simple, fundamentally acceptable schemes to be dealt with more quickly. Additionally (and only in the case of s106) where a sum has been secured for a specific purpose via a planning permission (i.e. to undertake necessary highways improvements at the entrance to a site), that up to £250,000 can be approved at the Overview meeting where a project has been prepared to be used to deliver those specific works. The financial approval levels reflect existing delegations within the current Constitution. The proposed levels are set out below:

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| <b>Boards</b>                                     | <b>New Approval Levels</b>                                                                                                                   |
|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| Overview meeting                                  | Up to £50,000 of S106 or CIL<br>Up to £250,000 of s106 if funds have been secured for a specific purpose for which the project would deliver |
| Regeneration and Capital Programme Delivery Board | Over £50,000 of S106 or CIL<br>Over £250,000 of s106 if funds have been secured for a specific purpose which the project would deliver       |

## **Strategic CIL Process**

### **The use of an annual budget for SCIL as part of budget setting**

- 5.11. Using a yearly budget from the accumulated SCIL monies to provide for strategic infrastructure needs, means that incoming CIL receipts (£2.3m on average p.a.) can replenish some of what has been spent.
- 5.12. The annual SCIL budget would be set each year, based on the overall SCIL balance, SCIL income received during the previous financial year, demands arising during the year and SCIL projections. It is proposed that this would be set by RCPDB and reported as part of the Annual Budget.
- 5.13. There are a few projects for which an in-principal commitment to use CIL has already been given at Mayor and Cabinet or have been earmarked. As such, in the first year of the new governance process, it is considered that these are the projects that should be funded. These projects amount to c£8.3m so would leave c£7.8m in the SCIL budget going forward.
  - Movement of the South Circular - £3,694,782
  - Works at Lewisham Play Tower - £265,600
  - Levelling up Fund (LUF) projects match fund requirement plus funding to enable additional elements to be delivered - c£4,000,000



## Development of an annual process for the allocation of SCIL

5.14 This process would be undertaken annually:

|                         |                                                                                                                                            |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| By Autumn               | Applications made for SCIL funding, prioritisation forms reviewed by Officers and projects are put before RCPDB to make recommendations on |
| By end of calendar year | recommendations go to RCB for approval                                                                                                     |
| By February             | Agreed SCIL allocations are reported in Annual budget setting report                                                                       |

### Development of a prioritisation process

5.15 As agreed at Mayor and Cabinet, a process for identifying the highest priority projects will be necessary given the borough's infrastructure needs are greater than the funds available.

5.16 Given the need for the proper planning for future infrastructure needs, the system developed must allow for:

- Strategic planning of infrastructure – not first come first served.
- Certainty of funding.
- Better allocation of limited resources including leveraging match funding from other sources

5.17 As such any project seeking to use SCIL through the annual SCIL process will need to pass through the steps outlined below (detailed steps are set out in Appendix 2). If a project fails at any stage, it will not proceed for a SCIL funding allocation.

|        |                                                                                                                                                                       |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Step 1 | Would the project use CIL for the provision, improvement, replacement, operation, or maintenance of infrastructure to support the development of the borough?         |
| Step 2 | Is the project listed in the Infrastructure Delivery Plan? If not, is it considered as an exception i.e. is it a match funding opportunity which has Council support? |
| Step 3 | Has a PID and Project Prioritisation Form (PPF) been completed?                                                                                                       |
| Step 4 | Does the project score over 63 points on the PPF? – Considered first for funding                                                                                      |
| Step 5 | Does the project score over 60 points on the PPF? Considered next for funding if funds are available.                                                                 |

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- 5.18 Project Prioritisation forms (PPFs) have also been developed and refined following testing across Council departments and with service areas who deliver capital projects and infrastructure. Testing all projects against an agreed set of criteria ensures fairness in the consideration of all projects and allows for transparency around recommendations and decision making. A copy of the proposed PPF is attached in Appendix 3. It requires a project to demonstrate:
- How it aligns or responds to the Local Plan Vision and objectives and the Corporate Priorities
  - It is in the Capital Programme
  - Its ability to support new development
  - The revenue implications for the Council and, if there are whether they are affordable
  - Project funding
  - Timescales for delivery
  - That there are sufficient CIL funds available
  - The expected Customer Impact
  - The risks and opportunities
  - The quality and benefit of the project to the area/community
  - How it improves outcomes in health, employment and/or tackle inequalities
  - It is value for money
  - Innovation and improvement
  - Whether the delivery of a project relies on any other legal processes
- 5.19 The identified criteria seek to balance matters of good financial planning with the achievement of the Council's aims and objectives, legal requirements to ensure that projects are deliverable and legally permissible to be funded via SCIL and importantly, outcomes for Lewisham's communities. Most responses would be scored against five criteria, the highest scoring being 5 and the lowest being 1. If a project does not score highly enough on any criteria it would fail and not move forward for SCIL funding
- 5.20 It is proposed that projects must score a total score of over 60 to be considered for SCIL funding. A score of 60 has been identified as being the point at which a project would be delivering good outcomes across all categories. Projects passing the prioritisation testing would be reported to RCPDB for review. Recommend projects would then pass to approval at Regeneration and Capital Board and the final stage of approval would be that the projects would be reported in the Annual Budget. This follows the approach taken with the Capital programme and would ensure that there is a thorough review at officer level against priorities with political oversight as part of annual budget setting.
- 5.21 The three projects listed in 5.9 have been run through the prioritisation testing process and all scored over the required 60 points.

### Ensuring necessary infrastructure evidence is up to date

- 5.22 To ensure the evidence of the borough's infrastructure requirements is up to date, periodic updates of the IDP and biannual updates of the Capital Programme are necessary. Addressing the IDP and Capital Programme together would result in a more coordinated and integrated approach to planning for infrastructure would be achieved and enable an understanding of the short (1 year), medium (5 years) and long term (life of the Local Plan) requirements and delivery.

|                                    | <b>Responsibility</b>                                                  | <b>Frequency of Update</b> | <b>Reported to RCPDB</b> |
|------------------------------------|------------------------------------------------------------------------|----------------------------|--------------------------|
| IDP                                | Planning, service areas and external partners                          | Periodically               | Annually                 |
| Oversight of the Capital Programme | Regeneration team, Service areas responsible for projects and Finance. | Quarterly                  | Quarterly                |

### Reporting

- 5.23 Reporting on CIL priorities, spend, allocation etc would be done through existing reporting mechanisms and documents as set out below:

| <b>Dept.</b> | <b>Published reports where CIL spend etc would be reported</b>                   | <b>Liaison and Scrutiny</b>        |
|--------------|----------------------------------------------------------------------------------|------------------------------------|
| Planning     | Infrastructure Funding Statement (IFS) and the Authority Monitoring Report (AMR) | Liaison with Lead member and Mayor |
| Finance      | Annual Budget                                                                    | Public Accounts Select Committee   |
| Regeneration | Capital Programme Review                                                         | Public Accounts Select Committee   |

## Monitoring

- 5.24 Monitoring would be undertaken using existing processes:
1. Monitoring annual CIL spend and the delivery of priorities would be presented as part of the Capital Strategy to the RCPDB and Regeneration and Capital Board.
  2. Monitoring of projects would be through highlight reports presented to the RCPDB and Update and Closure reports submitted to Developer Contributions Team at the end of the financial year.
  3. Quarterly monitoring of capital programme at Mayor and Cabinet

## 6 Financial implications

- 6.1 The Council has now accumulated a Strategic CIL budget of c£16m. Whilst this is a large sum of money the borough's infrastructure needs (which are set out in the IDP) are much greater than the SCIL funds available. As such a prioritisation process has been developed to ensure that only projects which meet agreed criteria are met and where possible other funding streams are considered.
- 6.2 Spend decisions on SCIL would be made at RCPDB and Regeneration and Capital Board and presented to Mayor and Cabinet for approval in the Annual Budget.
- 6.3 A percentage of the SCIL pot also would be used for in year demands and would follow the existing established and successful process which currently operates for s106

## 7 Legal implications

- 7.1 CIL must be used by authorities for funding infrastructure to support the development of its area as set out in Regulation 59 of The Community Infrastructure Levy Regulations 2010 (Amended)
- 7.2 Infrastructure is defined in The Planning Act 2008. It has a broad definition including transport, flood defences, schools, hospitals, health, and social care facilities. As such CIL can be used to fund a wide variety of facilities such as play areas, parks, and green spaces, cultural and sports facilities and district heating.
- 7.3 In accordance with Regulation 62(5) the council is required to publish an Infrastructure Funding Statement reporting on its website by 31 December for each financial year which will report SCIL spend and agreed budgets.
- 7.4 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.
- 7.5 In summary, the Council must, in the exercise of its functions, have due

regard to the need to:

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

7.6 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 7.5 above.

7.7 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

## **8 Equalities implications**

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

## **9 Climate change and environmental implications**

9.1 There are no direct Climate change and environmental implications arising from this report

## **10 Crime and disorder implications**

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

## **11 Health and wellbeing implications**

11.1 There are no direct health and wellbeing implications arising from this report. However, the spend of CIL could be used to fund projects that improve health and wellbeing outcomes.

## **12 Report author and contact**

12.1 Julia Robins, Development Contributions Manager  
[julia.robins@lewisham.gov.uk](mailto:julia.robins@lewisham.gov.uk)

## **13 Comments for and on behalf of the Executive Director for Corporate Resources**

13.1 Sofia Mahmood, Chief Accountant, Financial Services  
[sofia.mahmood@lewisham.gov.uk](mailto:sofia.mahmood@lewisham.gov.uk)

## **14 Comments for and on behalf of the Director of Law, Governance and HR**

Paula Young – Senior Lawyer, Legal Services, [paula.young@lewisham.gov.uk](mailto:paula.young@lewisham.gov.uk)

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## **Appendix 1: Overview of procedures formalised by Mayor and Cabinet in October 2003**

History:

An officer working group overseeing S.106 Agreements was set up in 1997

S106 Procedures were formalised at Mayor and Cabinet in October 2003.

They agreed:

- Officer Working Group Terms of reference
- Endorsement of s106 Protocol
- Engagement of a s106 Officer
- Agreed that 6 monthly s106 monitoring reports should be produced.

It noted the following:

### **Officer Working/Overview Group (now – S106 Overview Meeting)**

The Chair - The Development Control Manager (now Head of Development Management), or Head of Planning (now Director of Planning).

Membership - Key officers from all Directorates.

### **Strategic Development Sites Group (now RCPDB)**

The Chair - Director of Regeneration (now Director of Inclusive Regeneration)

Role - raising awareness of potential linkages and opportunities.

Approval level - Up to a level of £500,000 are delegated to the Director of Regeneration where monies are used to support a regeneration scheme. Schemes outside this area would need to be reported to the Mayor and Cabinet.

It also noted that drawdowns were to take place at financial year with closure reports being produced.

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## Appendix 2: Overarching process for seeking CIL funding

| Steps  | Description                                                                                                                                                                                                                |     | Action                      |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------|
| Step 1 | Does project accord with Legal Requirements around use of CIL:<br><br>Would it be used for the provision, improvement, replacement, operation, or maintenance of infrastructure to support the development of the borough? | Yes | Move to stage 2             |
|        |                                                                                                                                                                                                                            | No  | Proposal fails              |
| Step 2 | Is the project listed in the Infrastructure Delivery Plan? If not does it fall as an exception?<br><br>Exceptions being: Match funding opportunities which have Council support                                            | Yes | Move to stage 3             |
|        |                                                                                                                                                                                                                            | No  | Proposal fails              |
| Step 3 | Has a PID and Project Prioritisation Form (PPF) been fully completed? See Appendix 1 for PPF?                                                                                                                              | Yes | Move to Stage 4             |
|        |                                                                                                                                                                                                                            | No  | Proposal fails              |
| Step 4 | Does the project score over 63 points on PPF?                                                                                                                                                                              | Yes | Consider for CIL allocation |
|        |                                                                                                                                                                                                                            | No  | Move to Stage 5             |
| Step 5 | Does the project score over 60 points on PPF and is it a project that the quorate consider should be funded? Answers to last two questions on PPF, although not rated, should form part of the consideration.              | Yes | Consider for CIL allocation |
|        |                                                                                                                                                                                                                            | No  | Proposal fails              |

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### Appendix 3: Project Prioritisation Form

|                        |  |                                              |  |
|------------------------|--|----------------------------------------------|--|
| <b>Project Name</b>    |  | <b>Lead officer name and contact details</b> |  |
| <b>Project Address</b> |  | <b>SRO name and contact details</b>          |  |
| <b>Project Ward/s</b>  |  | <b>Director name and signature</b>           |  |

**Describe the project:**

## Appendix 3: Project Prioritisation Form

Complete form fully as responses will be rated based on information supplied

| Criteria                                                                 | Response<br><i>Please provide a response below. All boxes MUST be completed, and full explanations given with evidence where necessary.</i>                                                            | Rating                                                                                                                                                                                  | Scoring            |
|--------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1. Demonstrate how project aligns / respond to the Local Plan Vision     | Please read Appendix 1 - <b>Criterion 1 - Local Plan Vision and Objectives</b> . It provides information on how to mark this Criteria                                                                  | 5 – Meets in all aspects<br>4 - Meets in most aspects<br>3 - Generally meets<br>2 - Meets in some respects<br>1 – Does not meet                                                         | Fails if 2 or less |
| 2. Demonstrate how project aligns / respond to the Local Plan objectives | *Please attach a copy of Appendix 1 - <b>Criterion 1 - Local Plan Vision and Objectives</b> to your submission. It also provides information on how to mark this Criteria and a detailed marking sheet | 5 – Meets A + two or more whole categories<br>4 - Meets A + 1 whole category and another objective<br>3 - Meets A +1 whole category<br>2 - Meets A only<br>1 – Does not meet objectives | Fails if 1         |
| 3. Demonstrate how project aligns / responds to the Corporate Priorities | Please see Appendix 2 – Corporate Priorities                                                                                                                                                           | 5 – - Meets in many aspects – over 75%<br>4 - Meets over 50%<br>3 - Meets 5 or more criteria<br>2 - Meets 4 or fewer criteria<br>1 – Does not meet                                      | Fails if 2 or less |

### Appendix 3: Project Prioritisation Form

|                                                                                                                                                                                                                                |                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                          |                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 4. Is the project in the Capital Programme?                                                                                                                                                                                    |                                                                                                                                                                                                                | 5 – Yes<br>1 - No                                                                                                                                                                                                                                                        |                    |
| 5. Is the project needed to support new development in any of the following ways:<br>a. It will enable development.<br>b. It will encourage and attract development.<br>c. It will support recent new or pipeline developments |                                                                                                                                                                                                                | 5 – Critically needed<br>4 – Essential<br>3 – Will support<br>2 – Has little impact<br>1 – Unknown/ Not assessed                                                                                                                                                         | Fails if 2 or less |
| 6. Does the project have revenue implications for the Council?<br>What are they and can and, if so, are they affordable?                                                                                                       | Describe implications – short, medium and long term; positive and negative                                                                                                                                     | 5 – Does not have revenue implications<br>4 - Has revenue implications but they are limited and affordable<br>3 - Has revenue implications but they are affordable<br>2 – Has revenue implications and they are unaffordable<br>1 – Has significant revenue implications | Fails if 2 or less |
| 7. How is the project to be funded?                                                                                                                                                                                            | Response must include details on the following:<br>How critical is CIL funding for delivery?<br>Demonstrate that alternative funding sources have been explored including s106?<br>Is there any match funding? | 5 – Is a deliverable project with a full and solid package of funds (other than CIL) or is a                                                                                                                                                                             | Fails if 3 or less |

### Appendix 3: Project Prioritisation Form

|                                                                                                                            |                                                                                                                                            |                                                                                                                                                                                                                                                                                                                           |                    |
|----------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
|                                                                                                                            |                                                                                                                                            | <p>deliverable project relying on CIL alone</p> <p>4 – Is a deliverable project relying on CIL and is a match funding project</p> <p>3 – Delivery is questionable or/and there are questions over funding</p> <p>2 – Is not deliverable</p> <p>1 – Has not demonstrated that it is deliverable or that it has funding</p> |                    |
| 8. What is the timescale for delivery?                                                                                     | Set out here timescale for delivery against funding streams and other factors                                                              | <p>5 - timescales are reasonable and deliverable</p> <p>4 - timescales ambitious but deliverable</p> <p>3 – timescales ambitious and there is a risk of delay</p> <p>2 - timescales unachievable</p> <p>1 - No date set for delivery</p>                                                                                  |                    |
| 9. That there are sufficient CIL funds available or that they are projected to be available within the project timescales? | Contact <a href="mailto:CIL@lewisham.gov.uk">CIL@lewisham.gov.uk</a> before answering this.                                                | <p>5 – Yes</p> <p>1 - No</p>                                                                                                                                                                                                                                                                                              | Fails if 1         |
| 10. What is the Customer Impact?                                                                                           | <p>Who are the customers for this project? What will the benefits to them be?</p> <p>Will the project benefit some groups over others?</p> | 5 - High positive customer impact                                                                                                                                                                                                                                                                                         | Fails if 3 or less |

### Appendix 3: Project Prioritisation Form

|  |                                                                                                                                                            |                                                                                                                                                |  |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|--|
|  | <p>Has the project been driven by a certain group and what's the basis for their concern/desire to do project</p> <p>What are the measures of success?</p> | <p>4 - Medium positive customer impact</p> <p>3 - Low positive customer impact</p> <p>2 - Impact stays same</p> <p>1 - Impact not assessed</p> |  |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|--|

|                                                                 |  |                                                                                                                                                                                                                                                                                                                              |                           |
|-----------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <p>11. What are the risks and opportunities of the project?</p> |  | <p>5 - High number of opportunities/low number of risks</p> <p>4 - Some opportunities/low number of risks/has suitable balance of risk and opportunities</p> <p>3 - Some opportunities/some risks</p> <p>2 - Low number of opportunities/high number of risks</p> <p>1 - Risks/Opps not assessed / not properly assessed</p> | <p>Fails if 3 or less</p> |
| <p>12. Is the project of high quality and of</p>                |  | <p>5 - High benefit/high quality</p> <p>4 - Medium benefit/high quality</p>                                                                                                                                                                                                                                                  | <p>Fails if 3 or less</p> |

### Appendix 3: Project Prioritisation Form

|                                |  |                                                                                                                                                                      |  |
|--------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| benefit to the area/community? |  | 3 – Medium benefit/low quality or Low benefit/high quality<br><br>2 – low benefit/low quality or No benefit<br><br>1 - Benefit analysis not done / not done properly |  |
|--------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|



### Appendix 3: Project Prioritisation Form

|                                                                                                |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |
|------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <p>13. Does the project improve outcomes in health, employment and/or tackle inequalities?</p> |  | <p>5 – Demonstrates significant improved outcomes in health, employment and/or tackles inequalities</p> <p>4 – Demonstrates some improved outcomes in health, employment and/or tackles inequalities</p> <p>3 – Demonstrates negligible improved outcomes in health, employment and/or tackles inequalities</p> <p>2 – Demonstrates no improved outcomes in health, employment and/or tackles inequalities</p> <p>1 –Improving outcomes in health, employment and/or tackles inequalities assessment not done / not done properly</p> | <p>Fails if 2 or less</p> |
| <p>14. Does the project/scheme demonstrate value for money?</p>                                |  | <p>5 - Demonstrates value for money</p> <p>4 – Demonstrate reasonable value for money</p> <p>3 – Demonstrates not good value for money</p> <p>2 – Is not value for money</p>                                                                                                                                                                                                                                                                                                                                                          | <p>Fails if 3 or less</p> |

### Appendix 3: Project Prioritisation Form

|                                                                                      |                                                                                                                     |                                                                                                                                                                                                                                                                                                      |                    |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
|                                                                                      |                                                                                                                     | 1 – Value for money assessment not done / not done properly                                                                                                                                                                                                                                          |                    |
| 15. Does the project demonstrate innovation and improvement?                         |                                                                                                                     | <p>5 - Demonstrates innovation and improvement</p> <p>4 – Demonstrates a reasonable level of innovation and improvement</p> <p>3 – Demonstrates minimal innovation and improvement</p> <p>2 – Does not demonstrate innovation and improvement</p> <p>1 – Innovation and improvement not assessed</p> | Fails if 3 or less |
| 16. Does the project rely on any other legal process which may put delivery at risk? | List all that apply, clearly noting all e.g. CPO, lease extensions, planning permission and issues surrounding them | <p>5 – Project does not rely on another legal process which may put delivery at risk</p> <p>3 – Project relies on another legal process which may put delivery at low risk</p> <p>1 – Project relies on another legal process which may put delivery at high risk</p>                                | Fails if 1         |

## Appendix 3: Project Prioritisation Form

### Further information

Not rated but must be fully answered; as these form part of the assessment in some circumstances

| Criteria                                                                                                    | Response | Assessor comments | Quorate comment |
|-------------------------------------------------------------------------------------------------------------|----------|-------------------|-----------------|
| Is there a third-party sponsor? (e.g. Network Rail if for station)<br><br>Are they undertaking the project? |          |                   |                 |
| What consultation has been undertaken? Is there stakeholder support?                                        |          |                   |                 |

### Scores:

Overall total is out of 80

Projects scoring over 63 points will be considered first for funding (subject to available CIL funds).

Next, and if CIL funds are available, projects scoring over 60 will be considered for allocation if the project is deemed by the quorate to be of high enough quality or bring sufficient benefit. If projects score between 60 and 63 answers to the last three questions must be completed as may affect decision.

**Appendix 3: Project Prioritisation Form**

Score for project

|                    |       |      |
|--------------------|-------|------|
| Scored by:         |       |      |
| Name               | Title | Date |
|                    |       |      |
| Scoring agreed by: |       |      |
|                    |       |      |



## Sustainable Development Select Committee

### Select Committee Work Programme Report

**Date:** 19 June 2023

**Key decision:** No.

**Class:** Part 1 (open)

**Ward(s) affected:** All

**Contributors:** Director of Law and Corporate Governance (Scrutiny Manager)

### Outline and recommendations

To ask members to discuss the Committee's priorities for the 2023-24 municipal year and to agree an annual work programme.

The Committee is asked to:

- Consider the potential items set out in the draft work programme at **Appendix D**.
- Consider the policy context: the corporate strategy priorities.
- Discuss the Committee's priorities and agree a work programme for 2023-24.
- Note opportunities for public engagement, site visits and expert witnesses.

### Timeline of engagement and decision-making

The Sustainable Development Select Committee is scheduled to meet on the following dates in the municipal year 2023-24:

- Monday 19 June 2023
- Tuesday 12 September 2023
- Wednesday 8 November 2023
- Tuesday 9 January 2024
- Thursday 29 February 2024

## 1. Summary

- 1.1. This report asks members to discuss and agree priorities for the Select Committee's work programme for the year ahead and describes the process for its approval by the Overview and Scrutiny Committee and ongoing monitoring by the Select Committee.

## 2. Recommendations

- 2.1. The Committee is asked to:
  - Consider the potential items set out in the draft work programme at **Appendix D**.
  - Consider the policy context: the corporate strategy priorities.
  - Discuss the Committee's priorities and agree a work programme for 2023-24.
  - Note opportunities for public engagement, site visits and expert witnesses.
- 2.2. The Committee may wish to consider appointing a climate champion as suggested by the Overview and Scrutiny Committee.

## 3. The role of the Select Committee

- 3.1. The role of the Sustainable Development Select Committee is to scrutinise the Council's approach to environmental issues, climate adaptation the use of resources and sustainability. This includes Lewisham's approach to tackling the climate emergency as well as: flooding, transport, healthy streets, active travel, parks and biodiversity. The Committee also has responsibility for considering the Council's approach to jobs and skills as well as major regeneration projects and redevelopment schemes.
- 3.2. The Committee's full terms of reference are set out in **Appendix A**.

## 4. Different types of scrutiny

- 4.1. It's important to think early on about the most effective way to scrutinise each item on the work programme. Some issues may only require an initial briefing, circulated by email, for information, some may require site visits and public engagement, and others may require detailed questioning at a formal committee meeting and input from stakeholders.
- 4.2. The Effective Scrutiny Guidelines at **Appendix C** set out five key principles to take into account when carrying out scrutiny: Prioritise; Be independent; Work Collectively; Engage; make SMART recommendations. This will help the Committee decide on the most appropriate approach for the issue at hand.
- 4.3. Members should also note the comments in the [Local Democracy Review](#) about how scrutiny can be even more effective, participative and open. Suggestions included:
  - Focusing on fewer issues more closely linked to council priorities

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- More engagement with the public outside of formal meetings
  - Individual scrutiny members leading on defined topic areas
  - Contributing to new policy proposals at an early stage
- 4.4. Some of the most common scrutiny methods are described below, but members are encouraged to try new ways of gathering evidence and engaging the public and these categories are not absolute or necessarily discrete from one another.
- 4.5. The majority of work programme items tend to involve the below mentioned activities, where scrutiny is carried out as part of a single meeting with members:
- agreeing in advance the information and analysis needed
  - receiving an officer report presenting the relevant information
  - gathering additional evidence via activities outside of meetings
  - asking questions of the presenting officers or external witnesses
  - agreeing recommendations to Mayor and Cabinet and partners.

#### Pre-decision scrutiny

- 4.6. This is scrutiny undertaken in connection with a forthcoming decision. It may entail reviewing the policy area and issues to which the decision relates and making recommendations to inform the development of the executive's proposals or reviewing the executive's draft or final proposed decision and making recommendations regarding the proposals.

#### Policy review and development

- 4.7. This is where a committee reviews an issue and any relevant policy and develops policy recommendations to address the issue or improve any related policy.

#### Performance monitoring

- 4.8. Scrutiny can request a wide range of performance information to examine the effectiveness of council services. This includes monitoring data on key performance indicators and outcomes, financial performance and assessing the delivery of particular programme or projects against set targets, budgets or timescales.

#### Task and Finish Groups

- 4.9. For issues that require more extensive evidence gathering, members may put forward a proposal for a Task and Finish Group (TFG). The Overview & Scrutiny Committee will agree which TFGs should be established, their membership, terms of reference and duration. TFGs are independent of select committees and make recommendations directly to Mayor & Cabinet.

#### Information items

- 4.10. Some low-priority items may only require a briefing report to be circulated to

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committee members by email, with questions put to the report author for written response. There is no provision for discussion of information items at committee meetings.

## 5. Agreeing the Committee's work programme

- 5.1. A draft work programme is attached at Appendix D. It currently includes:
  - suggestions made by the Committee at the last meeting of 2022-23
  - issues arising as a result of previous scrutiny
  - suggestions from Committee members, Cabinet Members and Council officers (further detail is set out in sections below).
- 5.2. It is for the Committee to set its own work programme and agree the priority issues it would like to include – the Committee does not have to look into everything officers, the public or other members suggest.
- 5.3. When deciding on issues to include in the work programme, the Committee should consider the key services and programmes within the Committee's remit, the criteria for selecting and prioritising topics (see flowchart below), upcoming Mayor & Cabinet decisions (Appendix E) and avoid duplicating the work of any agreed task and finish groups (TFGs).
- 5.4. The Corporate Strategy 2022-26 sets out how the Council will deliver for its residents up to 2026. The Corporate Strategy provides an overarching framework and focus for all council business; and items within the Committee's work programme should be linked to the priorities in the strategy (Appendix B).
- 5.5. The Committee is recommended to schedule no more than two substantive items per meeting to allow enough time for detailed discussions and the involvement of any invited witnesses or guests and to leave space for any Mayor & Cabinet responses that may arise throughout the year. The Committee should be responsive and if urgent business arises throughout the year the work programme can be amended with urgent business added and lower priority business removed.
- 5.6. Provision is made for meetings to last for up to 2.5 hours, but the Committee should aim to **manage its business within 2 hours**. In exceptional cases the Committee may decide to suspend standing orders and extend the meeting for a further 30 minutes to conclude any urgent business.
- 5.7. The Committee should specify the information it would like for each item to ensure that officer reports and other evidence meets its needs. This should be done under the work programme item at every meeting.
- 5.8. There is no provision at Committee for the discussion of information items (reports to note). If required, they will be circulated to members by email with questions put to the report author for a written response.
- 5.9. Some of the regular reports that fall under the Committee's remit, which are presented as reports to note and are circulated to members by email in the first instance, include the following. They are only taken as substantive items if wider engagement and scrutiny would add value, in line with the prioritisation process below.
  - Annual parking report

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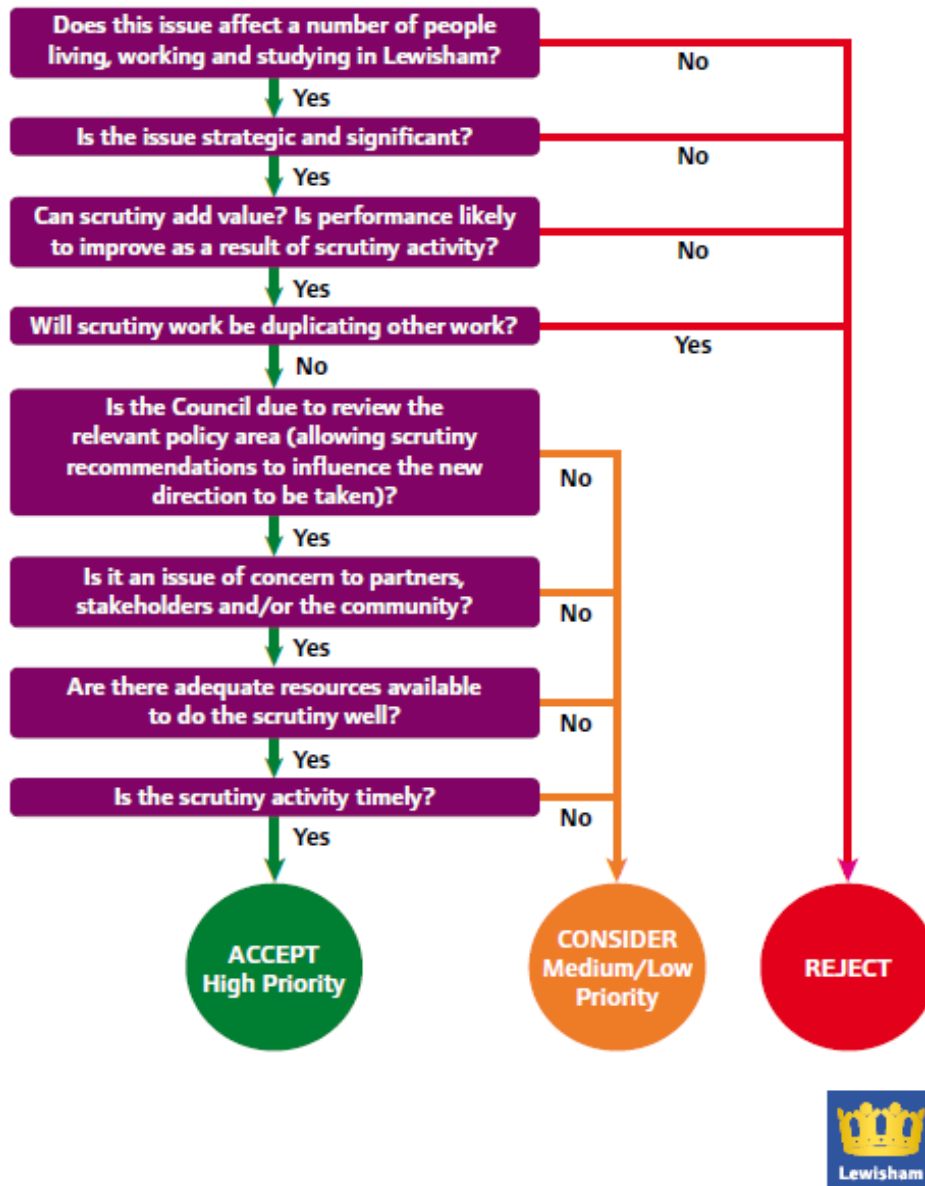
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- Biodiversity action plan update
  - Parks and Open spaces strategy update
  - Environmental crime enforcement team update
  - Reduction and recycling plan update
  - Jobs and skills (green skills) update
- 5.10. An informal work programme planning session was held on 5 June 2023. This session enabled the Committee Members to discuss their priorities for 2023-24. The following suggestions for the work programme have been put forward by Committee Members and Officers, or have arisen as a result of previous scrutiny. They have been added to the provisional work programme attached at Appendix D, but it is up to the Committee to decide whether or not these items should be included in the final work programme.
- 5.11. Suggestions made by the Committee at the last meeting of 2022-23
- Sustainable transport and parking programme
  - Implementation of the transport strategy: walking, cycling and healthy streets
- 5.12. Suggestions from Officers in view of forthcoming developments
- Statement of community involvement
  - CIL governance proposals
- 5.13. Issues arising as a result of previous scrutiny
- Climate emergency action plan
  - Flood risk management
  - Regeneration of Catford Town Centre
  - Air quality action plan
- 5.14. It is the Chair's responsibility to keep abreast of developments within the Committee's remit, liaise regularly with the relevant cabinet member(s) and escalate any issues that require action by the Committee to the work programme as appropriate.
- 5.15. The Committee should also note that there is a list of proposed briefings, visits and information items included on the draft work programme.

## Scrutiny work programme – prioritisation process



### 6. Approval and ongoing monitoring of the work programme

- 6.1. Each select committee is required to submit its work programme to the Overview and Scrutiny Committee for approval. This is to ensure a coordinated overview and scrutiny work programme across select committees that avoids duplication of effort and supports effective scrutiny. The Overview and Scrutiny Committee will meet on 4 July 2023.
- 6.2. The Committee's work programme can be reviewed at each meeting to allow urgent items to be added and lower priority issues to be removed. Any potential items should be considered against the priority criteria outlined earlier in this report. If a high-priority item is included, a lower-priority item should be

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removed. The Committee's work programme must be achievable in the time available.

## **7. Financial implications**

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

## **8. Legal implications**

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

## **9. Equalities implications**

- 9.1. Equality Act 2010 brought together all previous equality legislation in England, Scotland and Wales. The Act included a new public sector equality duty, replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.2. The Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
  - advance equality of opportunity between people who share a protected characteristic and those who do not.
  - foster good relations between people who share a protected characteristic and those who do not.
- 9.3. There may be equalities implications arising from items on the work programme and all activities undertaken by the Select Committee will need to give due consideration to this.

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

- 10.1. There are no direct climate change or environmental implications arising from the implementation of the recommendations in this report. However, in February 2019 Lewisham Council declared a Climate Emergency and proposed a target to make the borough carbon neutral by 2030. An action plan to achieve this target was subsequently agreed by Mayor and Cabinet (following pre-decision scrutiny by the Sustainable Development Select Committee)<sup>1</sup>. The plan incorporates all areas of the Council's work. Items on the work programme may well have climate change and environmental implications and reports

---

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

considered by the Committee should acknowledge this.

- 10.2. The Committee may wish to appoint a climate champion as suggested by the Overview and Scrutiny Committee.

## **11. Crime and disorder implications**

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

## **12. Health and wellbeing implications**

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

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

- 13.1. If you have any questions about this report please contact:

Timothy Andrew (Scrutiny Manager) 020 8314 7916  
([timothy.andrew@lewisham.gov.uk](mailto:timothy.andrew@lewisham.gov.uk))

## **14. Appendices**

Appendix A – Committee terms of reference (see below)

Appendix B – Council corporate priorities (see below)

Appendix C – Effective scrutiny principles (see below)

Appendix D – Draft Work Programme for Sustainable Development Select Committee 2023-24 (see attached)

Appendix E – Forward Plan of Key Decisions (see attached)

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## **Appendix A- Sustainable Development Select Committee Terms of Reference**

The following roles are common to all select committees:

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

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

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

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

### **(c) Scrutiny**

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

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

- To promote and put into effect closer links between overview and scrutiny members

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and the local community

- To encourage and stimulate an enhanced community representative role for overview and scrutiny members including enhanced methods of consultation with local people
- To liaise with the Council's ward assemblies so that the local community might participate in the democratic process and where it considers it appropriate to seek the views of the ward assemblies on matters that affect or are likely to affect the local areas, including accepting items for the agenda of the appropriate select committee from ward assemblies.
- To keep the Council's local ward assemblies under review and to make recommendations to the Executive and/or Council as to how participation in the democratic process by local people can be enhanced
- To receive petitions, deputations and representations from local people and other stakeholders about areas of concern within their overview and scrutiny remit, to refer them to the Executive, appropriate committee or officer for action, with a recommendation or report if the committee considers that necessary
- To consider any referral within their remit referred to it by a member under the Councillor Call for Action, and if they consider it appropriate to scrutinise decisions and/or actions taken in relation to that matter, and/or make recommendations/report to the Executive (for executive matters) or the Council (non-executive matters).

**(e) Finance**

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

**(f) Work programme**

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

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

- to examine issues relating to the protection of the environment including 'green' issues such as the conservation of natural resources, air quality, energy efficiency and conservation and/or the reduction of all types of pollution and make recommendations to the Mayor and Cabinet as appropriate;
- to comment and consult on and make recommendations to the Mayor and Cabinet in relation to the following:

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- i. sustainable development, economic development, business support, employment and training;
  - ii. the formulation of the Council's planning policies, (including the preparation of the Council's Local Development Documents and other local plans for the use and development of land, but excluding planning control and building control functions);
  - iii. highways, parking, traffic and transport, and urban regeneration;
  - iv. the environment including waste disposal, environmental health, street and market trading (but not the granting of licences and related matters);
  - v. public protection, refuse collection and disposal, street cleaning, consumer protection, cemeteries and crematoria;
  - vi generally to examine the performance of the Mayor and Cabinet in relation to the matters listed at (i) to (v) above.
- the review and scrutiny of the exercise by risk management authorities of flood risk management and coastal erosion risk management affecting the area.

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## **Appendix B: Corporate Priorities 2022-2026**

### Cleaner and greener

- We will do everything we can to ensure that over the next four years we make the borough cleaner and greener for our residents. Working to tackle the climate crisis through every area of council policy, we will ensure Lewisham is rated as a ‘top tier’ council for our work on climate action.
- We will continue the excellent work we have done over the last four years on tree planting. By 2026 we will have planted more street trees, tiny forests and community orchards across our borough.
- We will strive to maintain our status as having the best parks in London, continuing to invest in our much-loved parks and using our upcoming Play Strategy to create exciting environments for children within them.
- We will enable more active travel, and aim to reduce reliance on cars, introducing new walking paths to connect our borough, making it easier and more pleasant to get about Lewisham by foot or bike.
- We will keep our high streets cleaner by supporting residents to do what they can and increasing our prosecutions for fly-tipping and street littering.

### A strong local economy

- We will continue to expand our apprenticeship programme into new areas of work, building on the 260 apprentices that we placed during the 2018–2022 administration.
- We will invest in our high streets and create more pedestrianised spaces, doing what we can do ensure our borough is the best place in London for entrepreneurs to start their businesses.
- We will continue to promote Lewisham’s Shop Local Campaign, providing support for our independent businesses as well as protecting and improving our local street markets.
- We will actively work to attract jobs and businesses to Lewisham, building on the success of Lewisham Works and creating more spaces for pop-up stores and markets in shops that are temporarily empty.
- We will continue to work with businesses across the borough, encouraging them to become London Living Wage employers.

### Quality housing

- We will deliver more social homes for Lewisham residents, working to provide as many people as possible with safe, comfortable accommodation that they can be proud of and happy living in.
- We will aim to improve the conditions in the borough’s housing stock, working with all housing providers to encourage retro-fitting as part of our drive to be carbon-neutral by 2030, and to develop a Lewisham Rent Repairs Charter that improves the quality and timeliness of repairs.
- We will provide more support to renters through further landlord licensing and enforcement of poorly managed homes, holding landlords to account and giving a voice to renters across the borough.

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- We will safeguard our heritage by preserving and restoring our historic buildings and landmarks, ensuring Lewisham's history is preserved and maintained for future generations.

### Children and Young People

- We will continue the fantastic work of the last four years, supporting our schools to improve and increasing the opportunities for young people in Lewisham.
- We will relentlessly focus on pupil achievement, working with our schools and communities to build on our inclusive and high-achieving system of local comprehensive schools.
- We will ensure the most vulnerable children are protected from harm, driving improvement in children's social care and aiming to reduce the number of children coming into care through earlier targeted support for families in crisis.
- We will help to create new breakfast clubs at schools and continue to lobby the government to expand their free school meals programme.

### Safer Communities

- We will work with the police to implement our Violence Against Women and Girls strategy. This will include developing a new reporting tool that allows residents to map areas where they don't feel safe, and feed that back to the Council and police.
- We will continue to support the Mayor of London's Have a Word campaign, which encourages men to reflect on their own behaviour and the way they see, treat and talk about women.
- We will reduce the number of young people who enter the criminal justice system, focusing on prevention and expanding our trauma-informed approach, championed by our Youth Offending Service.
- We will continue to focus and develop our successful public health approach to youth violence, aiming to tackle knife crime and reduce sexual exploitation across the borough.

### Open Lewisham

- We will celebrate Lewisham's diversity, ensuring we are a representative and inclusive council and workforce.
- We will maintain our status as a Borough of Sanctuary and London's leading borough for refugee resettlement.
- We will develop plans to build on our legacy as London's Borough of Culture, celebrating the diverse and creative communities within Lewisham. This will include creating a new Culture and Live Music Strategy and bringing artists, community groups and businesses together to launch a Black Arts Festival.
- We will maintain and strengthen the Lewisham Way of working in collaboration with our voluntary and community sectors and seek new areas where we can partner together.
- We will actively listen to our residents, being responsive to their concerns and

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communicative in our approach. We will co-design services with those affected by them and ensure strong consultation processes that reach out to people whose voices are seldom heard.

### Health and Wellbeing

- We will partner with local food banks, food growing groups, schools and communities, through our joint Lewisham Food Action Plan. Together, we will ensure that everyone can access food and other essentials.
- We will learn from our Birmingham and Lewisham African and Caribbean Health Inequalities Review, aiming to mitigate and ultimately end, structural racism and discrimination as a driver of health inequalities.
- We will progress towards a fairer social care system, improving conditions for care workers to ensure they feel valued, and that Lewisham is known as an exemplary employer.
- We will work with the local NHS to deliver the services Lewisham residents need and create the Lewisham Health Care and Wellbeing Charter.
- We will collaborate with other organisations to deliver the places, activities and programmes our residents need to feel empowered to live a physically active lifestyle.

#### **Is this report easy to understand?**

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## **Appendix C- Effective Scrutiny Guidelines**

**At Lewisham we:**

### **1. Prioritise**

It is more effective to look at a small number of key issues in an in-depth way, than skim the surface of everything falling within scrutiny's remit. We try to focus on issues of concern to the community and/or matters that are linked to our corporate priorities. We only add items to the work programme if we are certain our consideration of the matter will make a real and tangible difference.

### **2. Are independent**

Scrutiny is led by Scrutiny Members. Scrutiny Members are in charge of the work programme, and, for every item, we specify what evidence we require and what information we would like to see in any officer reports that are prepared. We are not whipped by our political party or unduly influenced by the Cabinet or senior officers.

### **3. Work collectively**

If we collectively agree in advance what we want to achieve in relation to each item under consideration, including what the key lines of enquiry should be, we can work as a team to question witnesses and ensure that all the required evidence is gathered. Scrutiny is impartial and the scrutiny process should be free from political point scoring and not used to further party-political objectives.

### **4. Engage**

Involving residents helps scrutiny access a wider range of ideas and knowledge, listen to a broader range of voices and better understand the opinions of residents and service users. Engagement helps ensure that recommendations result in residents' wants and needs being more effectively met.

### **5. Make SMART evidence-based recommendations**

We make recommendations that are based on solid, triangulated evidence – where a variety of sources of evidence point to a change in practice that will positively alter outcomes. We recognise that recommendations are more powerful if they are:

- Specific (simple, sensible, significant).
- Measurable (meaningful, motivating).
- Achievable (agreed, attainable).
- Relevant (reasonable, realistic and resourced, results-based).
- Time bound (time-based, time limited, time/cost limited, timely, time-sensitive).

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Please give us feedback so we can improve.

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**Sustainable Development Select Committee work plan 2023-24**

| Item                                                                                   | Type                   | Priority | 19-Jun-23 | 07-Sep-23 | 08-Nov-23 | 09-Jan-24 | 29-Feb-24 |
|----------------------------------------------------------------------------------------|------------------------|----------|-----------|-----------|-----------|-----------|-----------|
| Active travel updates                                                                  | Ongoing                | TBD      |           |           |           |           |           |
| Sustainable Transport and Parking Improvements programme - recommendations for Phase 1 | Pre-decision           | CP6      |           |           |           |           |           |
| CIL governance proposals                                                               | Policy development     | CP6      |           |           |           |           |           |
| Statement of community involvement                                                     | Standard item          | CP6      |           |           |           |           |           |
| Air quality action plan                                                                | Performance monitoring | CP6      |           |           |           |           |           |
| Regeneration of Catford Town Centre update                                             | Pre-decision           | CP6      |           |           |           |           |           |
| Budget cuts                                                                            | Pre-decision           | All      |           |           |           |           |           |
| Levelling Up funding: Lewisham Town Centre                                             | Pre-decision           | CP2,4,6  |           |           |           |           |           |
| Climate emergency action plan                                                          | Performance monitoring | CP6      |           |           |           |           |           |
| Implementation of the transport strategy: walking cycling and healthy neighbourhoods   | Performance monitoring | CP6      |           |           |           |           |           |
| Flood risk management (new responsibilities 2025)                                      | Standard item          | CP6      |           |           |           |           |           |

Information items, briefings, visits

|                                                         |             |         |  |  |  |  |  |
|---------------------------------------------------------|-------------|---------|--|--|--|--|--|
| East London Bio-Gas visit                               | Visit       | CP6     |  |  |  |  |  |
| Lewisham Gateway visit                                  | Visit       | CP2,4,6 |  |  |  |  |  |
| Local Plan Briefing                                     | Information | All     |  |  |  |  |  |
| Annual parking report                                   | Information | CP6     |  |  |  |  |  |
| Environmental crime enforcement team update             | Information | CP6     |  |  |  |  |  |
| Biodiversity action plan update                         | Information | CP6     |  |  |  |  |  |
| Parks and Open Spaces Strategy Annual Monitoring Report | Information | CP6     |  |  |  |  |  |
| Reduction and recycling plan                            | Information | CP6     |  |  |  |  |  |
| Employment, jobs and skills                             | Information | CP6     |  |  |  |  |  |

**Corporate Priorities****Priority**

|          |                                  |             |
|----------|----------------------------------|-------------|
| <b>1</b> | <b>Open Lewisham</b>             | <b>CP 1</b> |
| <b>2</b> | <b>Quality Housing</b>           | <b>CP 2</b> |
| <b>3</b> | <b>Children and Young People</b> | <b>CP 3</b> |
| <b>4</b> | <b>A Strong Local Economy</b>    | <b>CP 4</b> |
| <b>5</b> | <b>Health &amp; Wellbeing</b>    | <b>CP 5</b> |
| <b>6</b> | <b>Cleaner and greener</b>       | <b>CP 6</b> |
| <b>7</b> | <b>Safer Communities</b>         | <b>CP 7</b> |

## FORWARD PLAN OF KEY DECISIONS

### Forward Plan June 2023 - September 2023

This Forward Plan sets out the key decisions the Council expects to take during the next four months.

Anyone wishing to make representations on a decision should submit them in writing as soon as possible to the relevant contact officer (shown as number (7) in the key overleaf). Any representations made less than 3 days before the meeting should be sent to Emma Aye-Kumi, the Local Democracy Officer, at the Council Offices or [emma.aye-kumi@lewisham.gov.uk](mailto:emma.aye-kumi@lewisham.gov.uk). However the deadline will be 4pm on the working day prior to the meeting.

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

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

|              |                                                                                                                    |                                                                                 |                                                                                     |  |  |
|--------------|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--|--|
| January 2023 | <b>Adventure Playgrounds:<br/>Procurement of Play Service<br/>and Site Maintenance and<br/>Development Service</b> | 21/06/23<br>Mayor and Cabinet                                                   | and Councillor Chris<br>Barnham, Cabinet<br>Member for Children and<br>Young People |  |  |
| April 2023   | <b>Amersham Rd and Northover<br/>Conversion and Refurbishment<br/>Project Contract Award</b>                       | 21/06/23<br>Executive Director<br>for Housing,<br>Regeneration &<br>Environment | Stephen Sealy and                                                                   |  |  |

**FORWARD PLAN – KEY DECISIONS**

| Date included in forward plan | Description of matter under consideration                                               | Date of Decision Decision maker | Responsible Officers / Portfolios                                                                                                                        | Consultation Details | Background papers / materials |
|-------------------------------|-----------------------------------------------------------------------------------------|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------------------------|
| April 2023                    | <b>Annual Complaints Report</b>                                                         | 21/06/23<br>Mayor and Cabinet   | Maxine Gordon, Director of Resident and Business Services and                                                                                            |                      |                               |
| April 2023                    | <b>Decision on the proposal to open a new SEN provision at Launcelot Primary School</b> | 21/06/23<br>Mayor and Cabinet   | Matthew Henaughan, Head of Business, Infrastructure, Compliance and Education and Councillor Chris Barnham, Cabinet Member for Children and Young People |                      |                               |
| April 2023                    | <b>Distribution of the government's household fund</b>                                  | 21/06/23<br>Mayor and Cabinet   | Mick Lear, Service Manager, Benefits and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy                                               |                      |                               |
| April 2023                    | <b>Housing Futures progress report</b>                                                  | 21/06/23<br>Mayor and Cabinet   | Nazeya Hussain and Councillor Sophie Davis, Cabinet Member for Housing Management, Homelessness and Community Safety                                     |                      |                               |
| April 2023                    | <b>Permission to award Maximising Wellbeing at Home contracts (Lots 1-4, 7)</b>         | 21/06/23<br>Mayor and Cabinet   | Tristan Brice, Associate Director, Community Support and Care and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care                  |                      |                               |
| April 2023                    | <b>Permission to award Maximising Wellbeing of</b>                                      | 21/06/23<br>Mayor and Cabinet   | Tristan Brice, Associate Director, Community                                                                                                             |                      |                               |



**FORWARD PLAN – KEY DECISIONS**

| Date included in forward plan | Description of matter under consideration                                                                        | Date of Decision Decision maker | Responsible Officers / Portfolios                                                                                                             | Consultation Details | Background papers / materials |
|-------------------------------|------------------------------------------------------------------------------------------------------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------------------------|
|                               | <b>Unpaid Carers contract</b>                                                                                    |                                 | Support and Care and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care                                                    |                      |                               |
| April 2023                    | <b>Permission to Establish a Dynamic Purchasing System (DPS) for the provision of travel assistance services</b> | 21/06/23<br>Mayor and Cabinet   | Paul Creech, Senior Joint Commissioner • Joint Commissioning FQC and Councillor Chris Barnham, Cabinet Member for Children and Young People   |                      |                               |
| April 2023                    | <b>Permission to procure Integrated Community equipment Services</b>                                             | 21/06/23<br>Mayor and Cabinet   | Tristan Brice, Associate Director, Community Support and Care and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care       |                      |                               |
| April 2023                    | <b>Refugee Programme contract extension</b>                                                                      | 21/06/23<br>Mayor and Cabinet   | and                                                                                                                                           |                      |                               |
| April 2023                    | <b>Supported Accommodation sites and leases</b>                                                                  | 21/06/23<br>Mayor and Cabinet   | Iain McDiarmid, Assistant Director - Adult Integrated Commissioning and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care |                      |                               |
| April 2023                    | <b>Pay Policy Statement for 2023/24</b>                                                                          | 05/07/23<br>Council             | Claudia Menichetti, Head of Employee Services and Councillor Amanda                                                                           |                      |                               |

| <b>FORWARD PLAN – KEY DECISIONS</b>  |                                                                                                                                                                  |                                        |                                                                                                                                            |                             |                                      |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------------------------|
| <b>Date included in forward plan</b> | <b>Description of matter under consideration</b>                                                                                                                 | <b>Date of Decision Decision maker</b> | <b>Responsible Officers / Portfolios</b>                                                                                                   | <b>Consultation Details</b> | <b>Background papers / materials</b> |
|                                      |                                                                                                                                                                  |                                        | De Ryk, Cabinet Member for Finance and Strategy                                                                                            |                             |                                      |
| April 2023                           | <b>2023/24 Capital Programme for Highways and Transport - Borough-wide Footway Improvements &amp; Carriageway Resurfacing and Local Implementation Programme</b> | 19/07/23<br>Mayor and Cabinet          | Seamus Adams, Parking Service Manager and Councillor Louise Krupski, Cabinet Member for Environment and Climate                            |                             |                                      |
| April 2023                           | <b>Affordable Workspace Strategy</b>                                                                                                                             | 19/07/23<br>Mayor and Cabinet          | Joe Lee, Small Business and Enterprise Officer and Councillor Kim Powell, Cabinet Member for Businesses, Jobs and Skills                   |                             |                                      |
| March 2023                           | <b>Approval of a 5 year Physical Activity Strategy and implementation plans</b>                                                                                  | 19/07/23<br>Mayor and Cabinet          | Neville Graham, Sports and Leisure Service Manager and                                                                                     |                             |                                      |
| March 2023                           | <b>Approval of the councils updated Homelessness &amp; Rough Sleeping Strategy 2023-26</b>                                                                       | 19/07/23<br>Mayor and Cabinet          | Fenella Beckman, Director of Housing and Councillor Sophie Davis, Cabinet Member for Housing Management, Homelessness and Community Safety |                             |                                      |
| February 2022                        | <b>BfL Programme - Approval to enter into contract</b>                                                                                                           | 19/07/23<br>Mayor and Cabinet          | James Ringwood, Housing Delivery Manager and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and         |                             |                                      |

**FORWARD PLAN – KEY DECISIONS**

| Date included in forward plan | Description of matter under consideration                | Date of Decision Decision maker | Responsible Officers / Portfolios                                                                                                                           | Consultation Details | Background papers / materials |
|-------------------------------|----------------------------------------------------------|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------------------------|
|                               |                                                          |                                 | Planning                                                                                                                                                    |                      |                               |
| April 2023                    | <b>Cultural Strategy</b>                                 | 19/07/23<br>Mayor and Cabinet   | James Lee, Director of Communities, Partnerships and Leisure and Councillor Andre Bourne, Cabinet Member for Culture, Leisure and Communication (job share) |                      |                               |
| March 2023                    | <b>Dementia Strategy</b>                                 | 19/07/23<br>Mayor and Cabinet   | Tristan Brice, Associate Director, Community Support and Care and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care                     |                      |                               |
| May 2023                      | <b>Excalibur Phase 4 and 5 updates (Parts 1 &amp; 2)</b> | 19/07/23<br>Mayor and Cabinet   | James Ringwood, Housing Delivery Manager and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning                 |                      |                               |
| May 2023                      | <b>Financial Monitoring Period 2</b>                     | 19/07/23<br>Mayor and Cabinet   | Nick Penny, Head of Service Finance and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy                                                   |                      |                               |
| May 2023                      | <b>Home Park and Edward Street Development</b>           | 19/07/23<br>Mayor and Cabinet   | James Briggs, Head of Strategic Housing and                                                                                                                 |                      |                               |

**FORWARD PLAN – KEY DECISIONS**

| Date included in forward plan | Description of matter under consideration                                         | Date of Decision Decision maker | Responsible Officers / Portfolios                                                                                                                     | Consultation Details | Background papers / materials |
|-------------------------------|-----------------------------------------------------------------------------------|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------------------------|
|                               |                                                                                   |                                 | Growth and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning                                             |                      |                               |
| June 2022                     | <b>Home Park and Edward Street Development Budget and Programme Update Report</b> | 19/07/23<br>Mayor and Cabinet   | James Briggs, Head of Strategic Housing and Growth and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning |                      |                               |
| April 2023                    | <b>Medium Term Financial Strategy 2024/25 - 2028/29</b>                           | 19/07/23<br>Mayor and Cabinet   | Kathy Freeman, Executive Director for Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy                       |                      |                               |
| April 2023                    | <b>Millwall FC Lease</b>                                                          | 19/07/23<br>Mayor and Cabinet   | Patrick Dubeck, Director of Inclusive Regeneration and                                                                                                |                      |                               |
| May 2023                      | <b>New Procurements for Oracle support and enhancement services</b>               | 19/07/23<br>Mayor and Cabinet   | Mark Froud, IT Procurement Manager - Digital Solutions and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy                          |                      |                               |
| May 2023                      | <b>Permission to award Maximising Wellbeing at Home</b>                           | 19/07/23<br>Mayor and Cabinet   | Tristan Brice, Associate Director, Community                                                                                                          |                      |                               |

| <b>FORWARD PLAN – KEY DECISIONS</b>  |                                                                                               |                                        |                                                                                                                                                                       |                             |                                      |
|--------------------------------------|-----------------------------------------------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------------------------|
| <b>Date included in forward plan</b> | <b>Description of matter under consideration</b>                                              | <b>Date of Decision Decision maker</b> | <b>Responsible Officers / Portfolios</b>                                                                                                                              | <b>Consultation Details</b> | <b>Background papers / materials</b> |
|                                      | <b>contracts (Lots 5,6,8,9)</b>                                                               |                                        | Support and Care and                                                                                                                                                  |                             |                                      |
| March 2023                           | <b>Public Space Protection Order consultation outcome</b>                                     | 19/07/23<br>Mayor and Cabinet          | James Lee, Director of Communities, Partnerships and Leisure and Councillor Louise Krupski, Cabinet Member for Environment and Climate                                |                             |                                      |
| March 2023                           | <b>Sustainable Transport and Parking Improvements programme - recommendations for Phase 1</b> | 19/07/23<br>Mayor and Cabinet          | Martha Lauchlan, Transport Planner and Councillor Louise Krupski, Cabinet Member for Environment and Climate                                                          |                             |                                      |
| May 2023                             | <b>Update on the Annual Besson Street Business Plan</b>                                       | 19/07/23<br>Mayor and Cabinet          | Katharine Nidd, Head of Strategic Finance, Planning and Commercial and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning |                             |                                      |
| May 2023                             | <b>Adventure Playgrounds Grant of Leases and Contract Award</b>                               | 20/09/23<br>Mayor and Cabinet          | Harsha Ganatra, Joint Commissioner (FQC) and Councillor Chris Barnham, Cabinet Member for Children and Young People                                                   |                             |                                      |
| June 2022                            | <b>Approval to appoint operator for concessions contract at Beckenham Place Park Lake</b>     | 20/09/23<br>Mayor and Cabinet          | Peter Maynard, Contract Officer, Green Scene and Councillor Andre Bourne,                                                                                             |                             |                                      |

| <b>FORWARD PLAN – KEY DECISIONS</b>  |                                                                              |                                                              |                                                                                                                                              |                             |                                      |
|--------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------------------------|
| <b>Date included in forward plan</b> | <b>Description of matter under consideration</b>                             | <b>Date of Decision Decision maker</b>                       | <b>Responsible Officers / Portfolios</b>                                                                                                     | <b>Consultation Details</b> | <b>Background papers / materials</b> |
|                                      |                                                                              |                                                              | Cabinet Member for Culture, Leisure and Communication (job share)                                                                            |                             |                                      |
| May 2023                             | <b>Approval to procure: School Minor Works Programme 2023 (SMWP 23)</b>      | 20/09/23<br>Executive Director for Children and Young People | Lemuel Dickie-Johnson, Project Manager Capital Delivery Programme and Councillor Chris Barnham, Cabinet Member for Children and Young People |                             |                                      |
| May 2023                             | <b>Children Centre commissioning</b>                                         | 20/09/23<br>Mayor and Cabinet                                | Harsha Ganatra, Joint Commissioner (FQC) and Councillor Chris Barnham, Cabinet Member for Children and Young People                          |                             |                                      |
| November 2022                        | <b>CIL Governance Proposals</b>                                              | 20/09/23<br>Mayor and Cabinet                                | Julia Robins, BLE Planning Manager and                                                                                                       |                             |                                      |
| March 2023                           | <b>Contract award for Council Insurances</b>                                 | 20/09/23<br>Executive Director for Corporate Services        | Karen Eaton, Group Manager, Insurance and Risk and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy                         |                             |                                      |
| May 2023                             | <b>Contract Award Report for School Minor Works Programme 2023 (SMWP 23)</b> | 20/09/23<br>Children and Young People Select Committee       | Lemuel Dickie-Johnson, Project Manager Capital Delivery Programme and Councillor Chris Barnham, Cabinet Member for Children and              |                             |                                      |

**FORWARD PLAN – KEY DECISIONS**

| Date included in forward plan | Description of matter under consideration                                                                      | Date of Decision<br>Decision maker                           | Responsible Officers /<br>Portfolios                                                                                                                                    | Consultation Details | Background papers /<br>materials |
|-------------------------------|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------------------|
|                               |                                                                                                                |                                                              | Young People                                                                                                                                                            |                      |                                  |
| May 2023                      | <b>Contract Award to a Registered Provider for Supported Accommodation for Young People -Site 1 and Site 2</b> | 20/09/23<br>Executive Director for Children and Young People | Chloe Vergara, CLA Placements Contract Manager and                                                                                                                      |                      |                                  |
| April 2023                    | <b>Lewisham and Lee Green LTN monitoring update</b>                                                            | 20/09/23<br>Mayor and Cabinet                                | and Councillor Louise Krupski, Cabinet Member for Environment and Climate                                                                                               |                      |                                  |
| May 2022                      | <b>On Street Advertising Contract Variation and Extension</b>                                                  | 20/09/23<br>Mayor and Cabinet                                | and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy                                                                                                   |                      |                                  |
| May 2023                      | <b>to approve the annual Besson Street Business Plan</b>                                                       | 20/09/23<br>Mayor and Cabinet                                | Luke Riley, Head of New Initiatives and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning                                  |                      |                                  |
| April 2023                    | <b>Approval to enter into contract - Drakes Court development</b>                                              | 01/11/23<br>Mayor and Cabinet                                | Eleanor Davies, Associate Director Joint Mental Health Commissioning and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning |                      |                                  |
| April 2023                    | <b>Grant of Leases for Adventure Playground Sites</b>                                                          | 01/11/23<br>Mayor and Cabinet                                | Harsha Ganatra, Joint Commissioner (FQC) and                                                                                                                            |                      |                                  |

| <b>FORWARD PLAN – KEY DECISIONS</b>  |                                                                  |                                        |                                                                                                                                                |                             |                                      |
|--------------------------------------|------------------------------------------------------------------|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------------------------|
| <b>Date included in forward plan</b> | <b>Description of matter under consideration</b>                 | <b>Date of Decision Decision maker</b> | <b>Responsible Officers / Portfolios</b>                                                                                                       | <b>Consultation Details</b> | <b>Background papers / materials</b> |
|                                      |                                                                  |                                        | Councillor Chris Barnham, Cabinet Member for Children and Young People                                                                         |                             |                                      |
| December 2022                        | <b>Ladywell - Budget requirement</b>                             | 06/12/23<br>Mayor and Cabinet          | James Ringwood, Housing Delivery Manager and Councillor<br>Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning |                             |                                      |
| December 2022                        | <b>Mayfield - Budget Requirement</b>                             | 06/12/23<br>Mayor and Cabinet          | James Ringwood, Housing Delivery Manager and Councillor<br>Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning |                             |                                      |
| January 2023                         | <b>Annual progress update on the Autism Strategy Action Plan</b> | 24/01/24<br>Mayor and Cabinet          | and                                                                                                                                            |                             |                                      |



**FORWARD PLAN – KEY DECISIONS**

| <b>Date included in forward plan</b> | <b>Description of matter under consideration</b> | <b>Date of Decision Decision maker</b> | <b>Responsible Officers / Portfolios</b> | <b>Consultation Details</b> | <b>Background papers / materials</b> |
|--------------------------------------|--------------------------------------------------|----------------------------------------|------------------------------------------|-----------------------------|--------------------------------------|
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