

**LONDON BOROUGH OF LEWISHAM**

**COUNCIL MEETING**

**18 JULY 2018**

**Question by Councillor Hall**  
**of the Mayor**

**Question**

What progress has the Mayor made with the full implementation and assessing the implications of the Aarhus Convention? Will the Mayor give a commitment that the Council will fully comply with the "three pillars"?

**Reply**

The Government is responsible for undertaking the legislative, regulatory and other measures required to implement the Aarhus Convention and for reporting on their practical implementation. The Council will comply with all UK legislation relevant to the Convention, its principles and the 'three pillars'. It is recognised that local authority initiatives contribute to demonstrating practical implementation of the Convention and the Council will also, within the constraints of pressures on resources and where it is appropriate to do so, seek to enable Lewisham residents to influence environmental issues and the local environment through the delivery of services and the Council structures and policies.

**LONDON BOROUGH OF LEWISHAM**

**COUNCIL MEETING**

**18 JULY 2018**

**Question by Councillor Rathbone**  
**of the Cabinet Member for Community Sector**

**Question**

Will the new mayoral administration commit to supporting charitable, community and voluntary organisations in the same, or similar basis as the previous administration?

**Reply**

Lewisham was the first London Borough to develop a compact with the third sector in 2001. The compact seeks to support a positive relationship between the sector and key statutory partners. It includes expectations around the management of grant aid as well as broader partnership working principles. The compact was further developed in 2010 with the addition of guidelines for commissioning with the third sector in recognition of the important contribution that the third sector should play in identifying needs as well as potentially delivering service solutions. The Council also recognises the importance of the sector with a specific Cabinet Member for the Community Sector.

Since May 2010 the Council has had to cut over £165 million from its budget. This reflects the impact of public sector austerity. The scale of change means that government funding for local authorities will have been reduced by 63% over the decade from 2010 to 2020. At the same time as managing these reductions, Lewisham has been faced with growth and pressures from taking on additional devolved responsibilities, a growing population, and general inflation. Both of these pressures – funding reductions and rising cost of services – are expected to continue into the 2020s.

Lewisham Council anticipates needing to make a further £30 million reduction to its controllable budget over the next two years. For this reason the council has been undertaking a fundamental review of all its budgets including that for the main grants programme but this work will not conclude until later in 2018.

Notwithstanding the above, and despite the fact that the third sectors role within the commissioning of local public services has grown, the council recognises that there continues to be a need for grant aid investment for the following reasons:

- A recognition of the importance of maintaining an independent sector that can act as a critical friend to challenge public sector policy and delivery.
- A recognition of the key role that the sector plays in building civic participation, providing a voice for seldom heard residents and providing community intelligence.
- A recognition of the great diversity of the sector and the need to engage with small and emerging groups as well as large established organisations.
- A recognition of the sector's potential to take risks and innovate which does not sit easily within commissioning frameworks.
- A recognition that third sector organisations have been key delivery partners within Lewisham, including for a wide range of targeted short term initiatives. Grant aid provides a level of security for organisations ensuring that there is a strong sector able to address local need, attract additional resources and be ready to work in partnership with us.
- A recognition that grant aid allows the sector to demonstrate the borough's endorsement of their work to other funders.

As such we will shortly be releasing a consultation to seek the views of residents and the sector regarding priorities and our proposed approach with a view to this informing our approach once overall budgets are decided.

**LONDON BOROUGH OF LEWISHAM**

**COUNCIL MEETING**

**18 JULY 2018**

**Question by Councillor Hordijenko**  
**of the Cabinet Member for Parks, Neighbourhoods and Transport**

**Question**

Please could you provide an update on the ownership of Elm Lane Sports Ground and its associated buildings and any plans there are in the pipeline for the ground?

**Reply**

Elm Lane Playing Fields and the associated pavilion are a Council asset that falls within the Children and Young People directorate portfolio. It is currently managed by the Estate and Contracts Management team within Regeneration and Place.

The playing fields are used by schools during the week and for community based football at weekends. The pavilion houses the associated changing facilities, along with a local boxing club. There is also some additional under-utilised space that has in the past been used as a nursery.

The current plans are for the site to continue to be used for school and community sport, and we are exploring the potential for new nursery provision within the pavilion as well.

**QUESTION No. 4**  
**Priority 1**

**LONDON BOROUGH OF LEWISHAM**

**COUNCIL MEETING**

**18 JULY 2018**

**Question by Councillor Curran**  
**of the Mayor**

**Question**

Given local concerns about non-adherence to planning conditions related to the construction of the new buildings at Our Lady and St Philip Neri Primary School in Sydenham, can the cabinet member advise what is being done to ensure that the planning permission is being adhered to?

**Reply**

Planning department and Children and Young People directorate officers are involved in ongoing dialogue regarding a remedy for the current situation. It is anticipated that a planning application will be submitted in due course, in order to regularise / address the situation.

At this stage it is not possible to confirm exactly what form of development will ultimately be within that planning application, as the matter remains under discussion.

The planning application that will be the output of those discussions will then be the subject to the normal public consultation and decision making processes, where all parties will be able to give their views, and given the level of interest in the development, a decision is likely to be made by a Planning Committee.

**QUESTION No. 5**  
**Priority 1**

**LONDON BOROUGH OF LEWISHAM**

**COUNCIL MEETING**

**18 JULY 2018**

**Question by Councillor Copley**  
**of the Mayor**

**Question**

In light of SGN giving notice of its intention to demolish the historic Bell Green gas holders by using a planning loophole, will you give consideration to issuing an Article 4 Direction to remove permitted development rights from locally listed buildings in Lewisham?

**Reply**

The Prior Notification by SGN has understandably raised strong feelings by members of the public and elected members of the Council. I personally regret the decision by SGN to demolish the Bell Green gas holders, however unlike a normal planning application, failure to determine the Prior Notification within the six week statutory period would have meant the gas holders could have been removed without any further controls being imposed by the Council. In these circumstances it was not possible to delay a determination beyond the six week period in order to consider an Article 4 Direction in this case.

If an Article 4 Direction had been imposed with immediate effect, this would have exposed the Council to the potential for a substantial claim for compensation from the owners of the site for reduction in land value as a result of the impact of the Article 4 Direction.

I have written to SGN to see what can be done to safeguard the gas holders as part of any forthcoming planning application.

In addition I will ensure that the Council looks at the future use of Article 4 Directions on Locally Listed Buildings outside Conservation Areas as part of the Heritage Strategy and Action Plan currently being prepared.

**LONDON BOROUGH OF LEWISHAM**

**COUNCIL MEETING**

**18 JULY 2018**

**Question by Councillor Hall**  
**of the Mayor**

**Question**

Will the Mayor join me in supporting safe standing at football grounds?

**Reply**

There has been a government announcement to carry out analysis of evidence relating to the all-seater policy. This will be commissioned by the Department for Digital, Culture, Media and Sport. The all-seater policy has been in place for 25 years. The Sports Grounds Safety Authority (SGSA) is keen to see an evidence based approach to ensure any changes to policy are carefully considered with spectator safety as a priority.

I will review the findings of this analysis and ensure that the Council, as a regulator of safe standing, considers the latest safety and technical advice on this important issue.

**LONDON BOROUGH OF LEWISHAM**

**COUNCIL MEETING**

**18 JULY 2018**

**Question by Councillor Curran**  
**of the Mayor**

**Question**

Please advise how policy is applied to enforce planning conditions and how is the policy applied if they are broken?

**Reply**

Planning decisions are made primarily on the basis of planning policy as set out within the Development Plan (the London Plan and Lewisham's own Core Strategy / Local Plan). This policy is applied in the same way to prospective and retrospective development proposals. The consideration of enforcement action is nuanced however, by a further consideration as to whether enforcement action is 'expedient' having regard to the development plan and all other material considerations.

National Planning Policy Guidance provides the following explanation of enforcement powers and considerations:

<https://www.gov.uk/guidance/ensuring-effective-enforcement>

The Council's agreed approach to unauthorised development is explained on the following webpage:

<https://www.lewisham.gov.uk/myservices/planning/Unauthorised-development/Pages/Case-priorities.aspx>

**LONDON BOROUGH OF LEWISHAM**

**COUNCIL MEETING**

**18 JULY 2018**

**Question by Councillor Copley**  
**of the Cabinet Member for Housing**

**Question**

How many new council homes have been:

- a) granted planning permission;
- b) started;
- c) completed

In the London Borough of Lewisham since May 2014?

**Reply**

Since 2014, the New Homes Better Places Programme was implemented with a view to building the first Council homes in Lewisham in a generation. By the end of the last administration we delivered on our commitment to get 500 units into Planning. The full breakdown is as follows:

<b>Project Status</b>	<b>Number of New Council Homes</b>
Planning Submission	0
Awaiting Planning Consent	213
Awaiting Start-On-Site	85
On Site	112
Completed Schemes	91
<b>Total</b>	<b>501</b>

Addressing London's housing crisis is crucial a key priority and we will now be seeking to deliver 1,000 new social homes for help meet the needs of our residents.

**LONDON BOROUGH OF LEWISHAM**

**COUNCIL MEETING**

**18 JULY 2018**

**Question by Councillor John Paschoud**  
**of the Cabinet Member for School Performance**

**Question**

What curriculum support for specific subjects do we provide or facilitate for schools in Lewisham?

What are the possible subject gaps, at primary and secondary levels, that the Cabinet Member can identify, where (in particular smaller) schools may benefit from collective availability of resources, expertise or specialist equipment?

How does what we provide as a LA compare, in different subjects, with the offering from other LAs responsible for school performance?

What does the CM think we could do in this respect to support and improve the achievements of children in our schools?

**Reply**

There is no doubt that schools need access to high quality and current subject support. They may need different support at different times depending on their need and improvement priorities. Currently we hold subject leader meetings for secondary school subject leaders. These meet at least termly. From September 2018 these will be coordinated by the ATLAS teaching school.

Subject expertise is a key part of Lewisham Secondary Challenge – our programme to support our secondary schools in their drive to improve standards. This is funded by £750k in DfE grant, and forms a part of the wider Lewisham Learning partnership. This is a school-led school improvement partnership, supporting all Lewisham schools which has begun its work over the last year, with a strong focus on English and Maths. I very much hope that we will see some early fruits of this approach soon.

The next step is developing ‘subject hubs’ – schools which are centres of excellence for subjects. These will serve primary and secondary subject teachers/leads. This

approach is working well in a number of other boroughs' school-led school Improvement partnerships. It enables the sharing of good practice and (for relatively modest funding) ensuring that there is up to date subject expertise in the borough. This is a sustainable model.

Although there is a London network of heads of school improvement, there is not London-wide information on the extent to which councils have retained subject specific expertise. In general LAs have reduced their school improvement teams, including the subject specific support that was provided in the past because of reductions in government funding and in particular the abolition of the Education Services Grant. School-led improvement approaches like Lewisham Learning are stepping into this gap and are increasingly recognised in educational research as a successful model, recognising that the most up to date and innovative subject expertise is in schools.

**LONDON BOROUGH OF LEWISHAM**

**COUNCIL MEETING**

**18 JULY 2018**

**Question by Councillor Curran**  
**of the Cabinet Member for Parks, Neighbourhood and Transport**

**Question**

Will the Cabinet member advise if TfL could be prevailed upon to ensure that all the traffic lights, including pedestrian crossings, are synchronised to ensure the minimisation of traffic queues?

**Reply**

TfL operate and maintain all the traffic signals in the Borough. In high priority areas, TfL operate an enhanced system which synchronises and optimises signals within a defined area. This system, called SCOOT (Split Cycle Offset Optimisation Technique), involves a significant upfront cost as well as ongoing management, however there are tangible benefits to the efficient flow of traffic through a given area. The Council has lobbied for the roll-out of this system across the Borough, and Lewisham Town Centre has recently been included in the system. The Council will continue to press TfL on this important issue.

**LONDON BOROUGH OF LEWISHAM**

**COUNCIL MEETING**

**18 JULY 2018**

**Question by Councillor Curran**  
**of the Mayor**

**Question**

Will the Council review the decision to exclude the curtilage and stable block of The Baring Hall Hotel from its renewal of Asset of Community Value status due to it being based on incorrect information?

**Reply**

The decision to list the Baring Hall Hotel as an Asset of Community Value was based on the evidence submitted with the application, supplementary evidence that was provided following a request for clarification from the applicant and a site visit to view the asset. The full decision notice is attached below.

My understanding is that the legislation does not allow for an appeals process for the nominating body for applications for Assets of Community Value. The Council can only review decisions within the parameters of the legislation.

**The Baring Hall Hotel, 368 Baring Road, Grove Park, London, SE12 0DU**  
**Application from The Baring Trust dated 12<sup>th</sup> January 2018**

I have reviewed all paperwork received as part of the application, including the additional evidence and information requested on 28 February 2018 and received on 8<sup>th</sup> March 2018.

The legislation provides that an asset satisfies the definition of an asset of community value if:

- the local authority decides that the actual main, current use of the building or land is to further the social wellbeing or social interests of the local community and it is realistic to think that there can continue to be a main use of the building or land which will further the social wellbeing or social interests of the local community; or
- in the opinion of the local authority there is a time in the recent past when the actual and main use of the building or land furthered the social wellbeing or social interests of the local community and, it is realistic to think that there is a time in the next five years when there could be a main use of the building or land that would further the social wellbeing or social interests of the local community.

The Baring Hall Hotel is currently in use as a public house, the first limb of the above test therefore applies to the Baring Hall Hotel.

The Baring Hall Hotel was originally added to the register of Assets of Community Value in January 2013 but this listing expired after 5 years and therefore this application is to renew the listing. At the time of the initial listing the Baring Hall Hotel had been disused following a fire in August 2009 that had forced the public house to close. The application focussed around plans for how the asset could be returned to community use including a public house as well as opening a traditional craft and building skills education centre. Five years later some of these plans have come to fruition but others have failed to be realised.

The 2018 application to nominate the Baring Hall Hotel as an asset of community value included information about use of the asset to further the social wellbeing and/or social interests of the local community in particular:

- The pub has hosted live music, comedy and quiz nights
- The pub is used by local community groups for informal meetings
- Baring Hall Hotel is the only pub and social gathering space in the centre of Grove Park
- There are plans by Grove Park Community Association to develop a heritage trail and literary cycling trail that will feature Baring Hall Hotel.

From looking at the pub's website it is clear that there are:

- Weekly live music events
- Weekly pub quiz
- Two areas of the pub for hire for events

Twenty six individuals and the local MP wrote in support of the application.

The application was not just for the pub building but included the land adjacent to the pub and the stables block. Although there was reference made in the application about the potential future use of the land in relation to proposals being developed for the Grove Park Neighbourhood Plan (which is at pre-submission draft stage), there was only one example given of the land being used to further social value and this was a 2016 Queen's birthday celebration. Photos of a small marquee next to the picnic tables were submitted. Further evidence of the social value of the land and stables block was requested on 28 February 2018. A response was received on 8 March 2018 which referred to the need to retain the land as potential car-park to ensure the continued viability of the public house but did not provide any further examples of actual or previous activity that furthered the social wellbeing or social interests of the local community. A site visit was conducted and it was observed that the land was dominated by abandoned vehicles and a disused fish stall. The area closest to the rear of the public house had rows of picnic tables which were clearly ancillary to the pub but the rest of the land appeared anti-social with litter, rubble and discarded vehicles. There was no evidence that the majority of the land was serving as ancillary space to the public house and the only exception to this was the area of picnic tables.

The evidence provided demonstrates that the main Baring Hall Hotel building has a community value over and above its intrinsic value as a Public House. Information was also provided about the heritage value of the asset including its local listing and information about the history of the site.

Baring Hall Hotel is in a prominent location opposite Grove Park Station with good transport links. The evidence supplied suggests that it has a range of activities in addition to the sale of alcohol to attract customers and add to its financial viability.

However, there was insufficient evidence to demonstrate the land adjacent to the Baring Hall Hotel building (with the exception of the area of picnic tables) furthers the social wellbeing and social interests of the local community. In fact, in its current state it appears to be anti-social. The area to be included on the register is marked on the attached plan and includes the main public house building and an area of ancillary land currently used for picnic tables.

On the basis of the evidence and information supplied as part of the application, I am satisfied that:

- i) the actual and main use of The Baring Hall Hotel namely use as a public house with additional community facilities, furthers the social wellbeing or social interests of the local community and
- ii) it is realistic to think that there can continue to be a main use of the building or land which will further the social wellbeing or social interests of the local community

Accordingly, my decision is that The Baring Hall Hotel should be included in the Council's list of assets of community value.

**LONDON BOROUGH OF LEWISHAM**

**COUNCIL MEETING**

**18 JULY 2018**

**Question by Councillor Curran**  
**of the Mayor**

**Question**

Will the Cabinet member institute a formal policy and process for the renewal of listings of Assets of Community Value as there was not one in place in January 2018?

**Reply**

The legislation requires all listings to be automatically removed after 5 years. Relisting requires a new application and cannot be done automatically as it needs to take into account any change of circumstances. Also the application must come from an eligible body. Given that the process for renewing a listing is the same as making an initial application there is no need for a separate formal policy and process.

The council website includes the following information in the Q&As for Assets of Community Value:

***If an asset is listed, how long does the listing last for?***

*The asset will remain on the list for 5 years, after which it will be removed. However, it can then be re-nominated to go back on the list. An asset can also be removed if, at any time, the local authority no longer considers it to be of community value. Notice of removal is required to be given to the owner, occupant and the community nominee who originally nominated the asset to go on the list.*