

# MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 26 May 2020 at 7.00 pm

PRESENT: Councillors Bill Brown, Sakina Sheikh, Peter Bernards, Juliet Campbell, Patrick Codd, Liam Curran, Jim Mallory, Joan Millbank, John Muldoon and Luke Sorba

**ALSO PRESENT:**

Under Standing Order

Councillors Carol Howard, Mark Ingleby, Jacq Pashoud, John Pashoud, and Sopie McGeevor.

**Presenting Officers**

Chief Executive, Executive Director of Housing, Regeneration & Environment, Head of Highways & Transport, Transport Policy and Development Manager, and Head of Business and Committees.

No apologies for absence was received.

**1. Minutes**

RESOLVED that the Minutes of the last meeting held on 5 May 2020 be confirmed as an accurate record.

**2. Declarations of Interests**

The meeting noted personal interests declared by Councillor Joan Millbank as follows:

- (a) Item 3 – the Covid-19 report – declared that she is associated with Lewisham local collaborative;
- (b) Item 5 – report on the key decisions – declared that she is a Trustee of the New Crossgate Trust.

**3. Scrutiny of the Council's Covid-19 Response**

The Panel received a report introduced by the Chief Executive about the Council's response to the COVID-19 outbreak, and expressed an appreciation to the workforce and Members for embracing the "One Council" approach adopted by Lewisham.

In response to question during the presentation of the report, the Chief Executive gave an assurance to the Panel that the efforts employed to address the crisis were consistent with aspects of Council's corporate priorities about the protection of the health and wellbeing of residents, particularly the most vulnerable. However, the easing of the lockdown could be challenging due to concerns that surges of infections that might occur. The Chief Executive stated that the scale and pace of the work had been unprecedented but the benefits from lessons learnt in the last few weeks, and those to be developed would be captured to harness

and showcase the Council's resilience in working with its partners to deliver to residents.

The Panel noted the report, and welcomed information that the Council was also contributing to the wider London arrangements by learning and sharing experiences with other local authorities, with a view to enhance its resilience to sustain capacity for timely delivery and response.

The Chair, Councillor Bill Brown, expressed a concern about the lack of clarity of funds to be reimbursed by the government in light of its promise that councils should provide whatever was necessary to support local people during the Covid-19 crisis. The concern expressed by the Chair was echoed by other Members of the Panel, including Councillor Jim Mallory, Chair of the Public Accounts Select Committee, who stated that he had no question at the present time on the matter due to inadequate information.

Councillor Mallory stated that it was however right to inform the meeting that he had received an assurance from the Acting Director of Finance and Section 151 Officer that the Council would prepare separate budget headings for money spent on Covid-19 related items and other existing service. Nevertheless, a published communication strategy would have enabled local people to see what would be involved in the process. Councillor Mallory informed that he would attend Mayor and Cabinet meeting on 10 June 2020 to express his views about the uncertainty and potential gaps in the Council's finances that could occur if the government's refunds were insufficient.

The meeting moved into a question and answer session. The Chief Executive and the Executive Director of Housing, Regeneration and Environment responded as follows:

1. **The Council's Recovery Group**

It was confirmed that work to implement the Group was underway. The details would be submitted to Members when completed. A strand of the work required the Council to provide an interim 'lessons-learned' report to inform the London-wide arrangement. Internally, efforts would focus on improvement opportunities against achievements as a means of identifying what the Council would continue to do going forward.

- **Actions:** information about the types of community involvement and consultation processes to be employed should be communicated to the Panel. The Panel to receive regular updates about the work of the Group upon implementation.

2. **The Council's Covid-19 Objectives**

The Panel was advised that collaborative efforts across departments and with partnering agencies and Members were fundamental in providing critical and non-critical services to residents during the crisis. It was stated that the Council aimed to utilise experiences from 'lessons-learned' in dealing with the crisis before rolling out peer reviews about its resilience

and emergency planning undertakings. Thus, objective monitoring would focus on the internal processes, rather than externally validated activities.

- **Action:** The Panel to receive progress on objectives at subsequent meetings.

3. **Government Reimbursement**

The Officers stated that no confirmation had been received about the amount of money the government was willing to reimburse local authorities for dealing with Covid-19 crisis. Messages on the matter had been fluid their interpretations but Lewisham was following current guidance by keeping a forensic record of legitimate costs for monthly submission to the government. It was stated that a report to be considered at the next Mayor and Cabinet meeting on 10 June 2020 would provide the latest data on the Council's Covid-19 spending activities.

4. **Business Grants**

The Panel heard that 3400 businesses were earmarked as eligible for the support. To date, 2800 businesses had received grants up to a total of £37m. The Council's intentions included plans to pay individual visits the remaining 600 to inform about the financial aid available to assist with impact of constrains to their businesses during the current crisis.

5. **Community Outreach activities**

It was confirmed that twenty members of staff from across departments and Lewisham Homes were involved in community outreach activities. Some of the work included telephone calls to residents. Physical welfare checks were also made to vulnerable residents at care homes within social distancing guidelines.

- **Action:** The Panel to receive data about the breakdown of category of staff involved in the work.

6. **Parks and open spaces**

The Panel was advised that protocols issued by the government for members of the public to use parks and open spaces were clear at the initial stages of the lockdown. Thus, reports from staff assigned on patrols informed that the majority of people were behaving well, and self-distancing appropriately. However, since the rules became relaxed, there had been reports of people gathering during unsocial hours and doing inappropriate things. In the last eight weeks, some enforcement staff were attacked and abused in parks, and the police and relevant Cabinet Member were briefed about the incidents. Notwithstanding that, the police and Council were focusing on a community-based approach as opposed to enforcement, with a view to remind and encourage members of the public to apply self-discipline when using parks and open spaces.

Specific to a concern by Councillor John Paschoud, the Officers stated that the Council was aware of the risks around the lake in Beckenham Place Park, particularly during the summer months. Thus, steps had been taken to increase staff patrols in the area. It was confirmed that breaches and

breakages to fencing in and around Beckenham Place Park were corrected in a timely fashion, and signage directions had been updated as part of safety measures implemented by the Council.

7. **Shielding List**

The Panel was advised that the Council was receiving daily updates from the National Health Services (NHS) and local General Practitioners (GP) about clinically vulnerable residents on the shielding list. It was stated the majority of those on the list had been contacted. However, it would be difficult to maintain currency of data because of shifts in individuals' needs over time. Notwithstanding that, the Council's outreach engagement team would continue to undertake routine follow-up phone calls to residents to offer advice. Adjustments would be made to care support packages where appropriate. Those residents who no longer required the support would be removed from the list.

8. **Public awareness of free Covid-19 Hubs in Lewisham**

It was stated that the free Covid-19 hubs erected in the north and south of the borough existed primarily to provide advice to residents. "Frequently-asked questions" provided to call-centre staff to assist them to make referrals when dealing with residents contained information about the hubs.

- **Action:** Officers to publish information about the existence of the hubs on the Council's website to increase public awareness of the advice service.

9. **Information about Covid-19 deaths and symptoms**

The Panel received confirmation that Lewisham does not have the third highest Covid-19 deaths in London. It was stated that the number of deaths in care homes as a result of Covid-19 was below the London average. As at 8 May 2020, the official national statistics figures for recorded deaths in Lewisham was 15.

10. **Development of Care Homes Support Plan**

The Panel noted that there was no uniform distribution of care homes across London. The Officers confirmed that the Director of Public Services was leading the work on developing Lewisham's Care Homes Support Plan (CHSP) in partnership with the Clinical Commissioning Group and other health colleagues. The Council had also been engaging with care home owners and managers on a regular basis in the last 10 weeks, as there were specific questions that only they could answer in regard to their clients' needs.

The Panel was further advise by the Officers that amongst other things, the CHSP would set out what the 1.6m allocated to Lewisham would be spent on, with information on an assessment of whether the money would be enough to meet demands in regard to infection control, testing, personal protective, workforce, clinical support and related provisions.

It was confirmed that the draft CHSP would be signed-off for implementation by the Chief Executive and published in light of the

government's expectations, so that the public are kept informed about the work. Members could also request a copy of the CHSP if required.

- **Action:** To confirm whether consultations with trade unions took place during the development of Lewisham's CHSP.

11. **Private care provision**

The Panel was advised that carers working for residents who were financing their own social care support should be Care Quality Commission (CQC) qualified as an assurance of patients' safety. Thus, if it was known that such staff were not appropriately registered, the Council would take action to request compliance with CQC requirements.

12. **Rough sleepers**

The Panel was advised that since the Covid-19 crisis, residents classified as 'rough sleepers' continued to be housed in temporary accommodation, and that the government had agreed to cover some of the costs associated with the arrangements. The Officers stated that as with most councils across London, Lewisham would be challenging the government to continue the support, with a view of provide a longer-term housing solution for those residents.

13. **Hospital appointments**

It was stated that questions about reduction of appointments in hospitals would be best answered by officials at the Lewisham and Greenwich Trust. However a letter to the Council from Lewisham and Greenwich's Trust Accountable Officer confirmed that efforts were ongoing to support campaigns aimed at encouraging residents at risk of strokes and heart attacks to visit hospitals, including children who had fallen ill.

14. **Local dentists and opticians**

The Panel was advised that staff working in the Council's Public Health Team would be providing financial advice, guidance, support and training in hygiene and related matters if needed by local opticians and dentists when they re-open their services to members of the public.

15. **Mental health**

The Panel received confirmation that the Council had been mindful of the impact on individuals' mental health and wellbeing, not just as a result of the general impact of Covid-19. Thus, in addition to the package of support for Lewisham's workforce and partners, the Council would be playing a key role in a Mental Health Prevention summit organised by the National Health Services to take place on 2 June 2020. A key outcome planned for the upcoming summit would be a 12-months targeted programme of prevention aimed at people experiencing the impact of Covid-19 on their mental wellbeing who have not had a need to access to such a service prior to the crisis. Thus, it was likely that issues relating to the disproportionate impact of Covid-19 on Black and Minority Ethnic communities, the current rise in domestic violence, loss of jobs, uncertainty created by self-isolation and related matters would be addressed at the summit.

- **Actions:** To report back about the proposed 12-month programme that would be delivered at the summit that is to take place on 2 June 2020. To provide information of number of reported cases of BAME individuals sanctioned in Lewisham as a result of Covid-19 outbreak.

#### 4. **Key Decision Plan**

Councillor Sakina Sheikh enquired whether it was possible for Members of the Panel to receive prior information in relation to “Learning Disability Services - Request for Specific Contract Extensions”. Councillor Sheikh was of a view that the process would enable pre-scrutiny for comments and suggestions prior to a decision on the proposals.

In response, the Head of Business and Committees stated that things had moved on since the publication of the agenda. It was stated that the decision would no longer be made at a meeting of the Mayor and Cabinet, but by the Director of Community Services. Thus, Members of the Overview and Business Panel would be required to undertake post-decision scrutiny of the decision.

#### 5. **Decisions Made by Mayor on 13 May 2020 - open session**

RESOLVED that decisions by the Mayor and Cabinet on 13 May 2020 be noted.

#### 6. **Decision by the Executive Director of Housing, Regeneration and Environment on 15 May 2020**

The report relating to the implementation of temporary measures to support safer walking and cycling in response to the Covid-10 pandemic was introduced to the Panel by the Head of Highways and Transport.

The Panel noted the report and welcomed measures to protect the safety of pedestrians, car users and cyclists on the roads. It was recognise that there was a need to respond the challenges in order to provide a safe environment for residents

The meeting noted questions and concerns expressed by Members, and responses to those by the Executive Director of Housing, Regeneration and Environment, the Head of Highways, and the Transport Policy and Development Manager.

The Chair of the Panel reminded the meeting that the consideration was a pre-decision scrutiny of the decision to be taken by the Executive Director of Housing, Regeneration and Environment.

##### 1. **Use of the common-place approach**

Councillor John Muldoon asked about the why the Council opted for the common-place approach as a channel when developing the measures, and about its robustness of being able to capture and interpret data. In

response the Officers advised the Panel that a secured procured contract with the provider meant that the approach had been tried and tested. It was compatible with the Council's highways databases. Thus, it was sensible to use it as a platform to promote the urgency of the decision required to implement the temporary measures during the current crisis.

2. **Inadequate Scrutiny of decision to be made**

Whilst appreciating the urgency of the decision required, Councillor Liam Curran stated that the fact remained that the time was insufficient to undertake effective scrutiny on the decision to be made. The majority of Members present at the meeting shared a similar view to that of Councillor Curran. Councillor Luke Sorba added that care should be taken not to set a precedent about lack of adequate consultation in contravention of the Council's corporate strategy for public involvement in decision-making. Councillor Joan Millbank was however of a view that the decision to be made was urgent in the usual situation. Thus, she was satisfied with safeguards in place that the measures were temporary.

Councillor Sophie McGeevor, Cabinet Member for Environment and Transport echoed the view expressed by Councillor Millbank, clarifying to the Panel that the aim was not to by-pass statutory consultation processes, but that it was important to expedite the decision in order to capture the emergency opportunity posed by the Covid-19 crisis.

In response to questions raised by some Members on the issue, the Chair, Councillor Bill Brown confirmed that it was possible for the Panel to convene in order to undertake post-scrutiny of the temporary measures. However there would be no adverse effect to the implementation timetable. Councillor Brown reiterated the decision to be made was a pre-scrutiny submission, and that he was confident that Officers would note comments and suggestions by Members for consideration.

In light a concern, the Officers gave an assurance to the Panel that the data and information in the report were drawn out from evidence and research. They confirmed that the relevant Cabinet Member was consulted, and that the delegation of the decision to be made by the Executive Director of Housing, Regeneration and Environment was in accordance with the Council's Scheme of Delegation.

The Officers further submitted to the Panel that the Council would be required to implement various Traffic Orders as part of the measures under consideration. Thus, there be opportunities for statutory consultation and wider community engagement.

- **Actions:** Officers to report back on any revisions to work streams, including progress on implementation. Officers to explore texting options to ensure that members of the public who had signed up for information about the Council's services receive update on progress.

3. **School Streets**

Councillor Mark Ingleby welcomed the proposals as an opportunity for cyclists and suggested that Transport for London (TfL) could contribute to the 'Lewisham 21' agenda by undertaking a review of the two lanes on the A21 corridors between Catford and Downham. Councillor Ingleby also suggested that Officers could explore top-tips for school streets that was recently published in a London cyclists' magazine to further support the work.

- **Actions:** Officers to give consideration to the safety of children and other pedestrians when implementing school streets, particularly on busy roads. Officers to liaise with colleagues in the Education department about the selection of school corridor champions. Officers to raise issue about the key corridor on the A21 with TfL and provide an update to the Panel about design opportunities.

4. **Data about traffic activities on Lewisham roads**

Members stated that they were unconvinced about the accuracy of statistical data relating to speeding and dangerous driving incidents on local roads from their personal observation. It was the view of Members that perhaps the figures should have been assessed and presented in in per centages, so that an objective view about driving conditions on Lewisham roads could be made.

- **Action:** Officers to compare data produced by TfL with those in the Council's asset management plan to review measures when assessing the amount of money to be spent on curtailing speeding on Lewisham roads.

5. **Selecting areas for implementing the measures**

In highlighting safety concerns in the Forest Hill areas, Councillor Peter Bernards stated that he was of a view that the starting point for selecting areas to implement the proposed measures should be supported by data about the number of car accidents and cycling fatalities on local roads. Councillor Bernards expressed a disappointment that the prescribed approach had not been followed.

In response questions raised, the Officers clarified to the Panel that the review was not to make an assessment of all the roads, but to prioritise locations that were the busiest, of particularly history of road safety concerns, and those that were correlated with the strategic cycling network.

- **Action:** Officers to discuss specific location of safety concerns around the Forest Hill area with Councillor Peter Bernards.

6. **Parking Bays**

Councillor Bernards expressed a concern that the removal of parking bays in front of small shops could impact adversely on businesses, those with accessibility issues, cyclists, and at and around bus stops. Councillor Jacq Paschoud echoed similar concern to those of Councillor Bernards. Those Members who had questioned the lack of public consultation earlier on at the meeting also expressed the concerns, commenting that residents' involvement was vital at the outset would have been useful because a high proportion of footways in Lewisham were not wide enough to safely accommodate social distancing practices.

In response to questions raised, the Officers advised the Panel that the Council was mindful of securing dedicated disabled bays in designated areas. The Officers informed the Panel that representations made on behalf of Lewisham Pedestrians about social distancing were taken on board. It was confirmed that the Council consulted with the emergency services throughout the development of the temporary measures.

With regard questions about the benefits of the measures, the Officers informed the Panel key workers would be able to get to work in time, there was opportunity to free up footways for pedestrians, capacity for cyclists and those using public transport would be enhanced, and social distancing at queues would be managed effectively. However, measures relating to key corridors were associated with road network pressure points which TfL was responsible for.

**7. Erection of Telecommunications Poles**

In response to questions raised, the Executive Director of Housing, Regeneration and Environment confirmed to the Panel that no decision would be made to erect telecommunication poles in Lewisham without adequate consultation and community engagement.

- **Action:** Officers to confirm community engagement arrangements on the erection of the poles with the Chair of the Panel.

**7. Exclusion of the press and public**

RESOLVED that members of public and press be excluded from the consideration of remaining items on the agenda.

**8. Decisions Made by the Mayor on 13 May 2020 - closed session**

RESOLVED that decisions taken by the Mayor and Cabinet in closed session be noted.

The meeting closed at 9:46pm