



## Scrutiny Committees

### Report title: Budget Cuts report

**Date:** November 2020

**Key decision:** No

**Class:** Part 1

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

**Contributors:** Executive Director for Corporate Resources, Executive Director for Children and Young People, Executive Director for Community Services, and Executive Director for Housing, Regeneration and Public Realm

### Outline and recommendations

The purpose of this report is to present Members with officers; draft proposals for cuts identified to date. These cuts are needed to address a persistent service overspending pressure of £10m and the budget gap identified in the medium term finance strategy of at least £40m over the next three years. The majority, £10m overspend and £24m of cuts, are needed for the 2021/22 Budget.

The proposals presented in the report total £26.9m, of which £15.0m are towards the gap in 2021/22. At this stage the focus has to be on the gap for the next financial year. This leaves a potential gap, depending on the local government funding for next year, of £18.9m for 2021/22. Further proposals will need to be brought forward in January to address this remaining budget gap for the 2021/22 Budget in February.

Members of the Scrutiny Committees are recommended to:

- Note the alignment of the budget build process with the Council's COVID-19 recovery planning, uncertain financial context, and thematic approach to making these Budget cuts.
- Review and comment on these draft cuts proposals and present their feedback to the Public Accounts Select Committee to add their own and refer onto Mayor & Cabinet.

## Timeline of engagement and decision-making

26 February 2020 – Budget report to Council

10 June 2020 – Council's response to COVID-19 – financial update report to M&C

9 July 2020 – First 2020/21 financial monitoring report to M&C

7 October 2020 – Financial stabilisation and medium term budget update report to M&C

### 1. Summary

- 1.1. The purpose of this report is to present Members with officers' draft proposals for cuts identified to date. These cuts are needed to address a persistent service overspending pressure of £10m and the budget gap identified in the medium term finance strategy of at least £40m over the next three years. The majority, the £10m overspend and £24m of cuts, are needed for the 2021/22 Budget.
- 1.2. The proposals presented in the report total £26.9m, of which £15.0m are towards the gap in 2021/22. At this stage the focus has to be on the gap for the next financial year. This leaves a potential gap, depending on confirmation of the local government funding for next year, of £18.9m for 2021/22. Further proposals will need to be brought forward in January to address this remaining budget gap for the 2021/22 Budget in February.
- 1.3. The process of identifying further cuts sits in the context of a decade of austerity in which cuts of £190m have already been made, £150m reducing spending and £40m reallocated to meet emerging risks and pressures between 2010 and 2020. Given the Council's focus on protecting the most vulnerable and those in need, the budgets for key front line services, in particular social care, have not reduced by the same extent as other services across the Council. This position is not a sustainable one going forward.
- 1.4. To address the current overspend, in-year savings and tighter spending controls have been implemented which should help address the position at the margins but not deal with it in its entirety. In developing proposals to address the MTFS budget gap a thematic approach has been taken this year. This recognises the different ways of working now common practice due to Covid, helps develop more collaboration to explore new opportunities, and breaks away from previous 'siloes or salami' cut rounds to build a new 'one Council' culture.
- 1.5. The thematic approach to date has identified £15.0m of the £34m of cuts needed, leaving a potential budget shortfall of £18.8m for 2021/22. Following the extensive officer and member discussions, there remain a number of ideas which continue to be explored for their potential to bring forward further cuts proposals in January in time for the Budget in February. By then the government will have hopefully confirmed their funding intentions for local government next year, both for business as usual and the continuing impact of the Covid pandemic.
- 1.6. The scrutiny committees are invited to review and comment on the proposals set out in this report and its supporting appendices. This feedback will be collated by the Public Accounts Select Committee (PASC) and referred onto M&C for decisions on the cuts at their 9 December meeting.

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## 2. Recommendations

- 2.1. Members of the Scrutiny Committees are recommended to:
  - 2.1.1. Note the alignment of the budget build process with the Council's COVID-19 recovery planning, uncertain financial context, and thematic approach to making these Budget cuts.
  - 2.1.2. Review and comment on these draft cuts proposals and present their feedback to the Public Accounts Select Committee to add their own and refer onto Mayor & Cabinet.

## 3. Policy Context

- 3.1. The Council's strategy and priorities drive the Budget with changes in resource allocation determined in accordance with policies and strategy. The Council launched its new Corporate Strategy in 2019, with seven corporate priorities as stated below:

### Corporate Priorities

- **Open Lewisham** - Lewisham will be a place where diversity and cultural heritage is recognised as a strength and is celebrated.
- **Tackling the housing crisis** - Everyone has a decent home that is secure and affordable.
- **Giving children and young people the best start in life** - Every child has access to an outstanding and inspiring education, and is given the support they need to keep them safe, well and able to achieve their full potential.
- **Building and inclusive local economy** - Everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
- **Delivering and defending health, social care and support** - Ensuring everyone receives the health, mental health, social care and support services they need.
- **Making Lewisham greener** - Everyone enjoys our green spaces, and benefits from a healthy environment as we work to protect and improve our local environment.
- **Building safer communities** - Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

### Values

- 3.2. Values are critical to the Council's role as an employer, regulator, securer of services, and steward of public funds. The Council's values shape interactions and behaviours across the organisational hierarchy, between officers, and members, between the council and partners and between the council and citizens. In taking forward the Council's Budget Strategy, we are guided by the Council's four core values:
  - We put service to the public first.
  - We respect all people and all communities.
  - We invest in employees.
  - We are open, honest, and fair in all we do.
- 3.3. Very severe financial constraints have been imposed on Council services with cuts to be made year on year on year, and this on-going pressure is addressed here in this report, incorporating further budget cuts for 2020/21.

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## 4. Background

- 4.1. Over the past seven months, the Council's business, and the day to day lives of Lewisham's residents, has been turned on its head. In March 2020, Council activity simultaneously ground to a halt and ramped up in equal measure. With "non-critical" services wound down almost overnight and a new, urgent focus on "critical services", the Council's leadership team, members and vast range of services faced new demands, challenges, pressures and opportunities.
- 4.2. The pace, scope and scale of change has been immense: the pandemic has demanded agility, creativity, pace, leadership, organisational and personal resilience, strong communications and an unerring focus on the right priorities. Within the Council, the impact of the COVID-19 pandemic is felt acutely across all of our service areas and we are grappling with real challenges in how we keep services running for our residents and how we protect the most vulnerable. Across the borough, residents are looking afresh at our borough, their neighbourhoods, and seeing where they live through new eyes.
- 4.3. While we do not yet fully understand what all of the long-term implications of COVID-19 will mean for the borough, there have been many clear and visible impacts of the pandemic on our residents, Lewisham the place and also the Council. We know that coronavirus has disproportionately affected certain population groups in Lewisham, matching patterns that have been identified nationally and internationally: older residents, residents born in the Americas & the Caribbean, Africa or the Middle East & Asia, and residents in the most deprived areas of the borough have considerably higher death rates. We know that more Lewisham residents are claiming unemployment benefits compared to the beginning of this year and that food insecurity has increased in the borough.
- 4.4. The Council's finances have also been severely affected by the ongoing pandemic. The cost of coronavirus for Lewisham is estimated to be £67m this year and rising. Despite government promises early in the pandemic, up to £20m remains unfunded in this financial year with further budget pressures for future years. Officers have taken management action to make in-year savings of £5.4m as well as introducing additional spending controls. We must now begin the long, difficult process of identifying cuts of at least £40m for the next three years (to April 2024) with £24m to be cut in 2021/22 alone plus tackling the continuing overspend estimated at £10m.
- 4.5. Infection rates continue to increase (in our borough, across London and the UK as a whole) and the whole country is again facing severe restrictions with new national lockdown measures starting on the 5 November for a 28 day period, subject to review. We must be fully prepared for potential further tightening measures in Lewisham, further deaths and additional impacts on council services and current working arrangements. We now face the challenge of needing to simultaneously respond to the pandemic, plan for the long-term recovery of the place and set a balanced budget, setting the financial basis for the internal recovery of the Council in the coming years. While it seems clear that the Council will have to rely on its reserves for some of the impact of COVID-19, reserves by their nature once used are gone. They cannot therefore also be relied on to delay or avoid the difficult budget task of bringing spending into line with available resources.

## 5. Lewisham's Recovery from COVID-19

- 5.1. Lewisham's recovery from coronavirus will be underpinned by the following anchoring

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principles which will be at the heart of all decision-making, planning and action over the coming months:

- Tackling widening social, economic and health inequalities;
  - Protecting and empowering our most vulnerable residents;
  - Ensuring the Council's continued resilience, stability and sustainability;
  - Enabling residents to make the most of Lewisham the place; and
  - Collaborating and working together with our communities and partnership across the borough.
- 5.2. Recovery will mirror the Council's successful response structure, with two perspectives: internal (the Council's recovery) and external (the Borough's recovery).
- 5.3. The Council's internal recovery is to be driven by the lessons learned from responding to COVID-19, the known and emerging impacts on our communities and the need to deliver transformation at the scale needed to meet the current financial challenge. The 2021/22 budget-setting process is the first step in a three-year internal transformation programme to deliver cuts of at least £40m as set out on the Medium Term Financial Strategy (MTFS). Given the scale of the challenge and the ongoing impact of and learning from responding to COVID-19, officers have adopted a different approach this year, where cuts are made strategically, across the Council, with a focus on transformation, not salami slicing.
- 5.4. Cuts have been identified according to six strategic budget themes, underpinned by the recovery principles above. They are:
- Productivity;
  - Joint working;
  - Service reconfiguration;
  - Asset realisation;
  - Commercial approach; and
  - Better demand management.
- 5.5. Officers will be applying a programme management approach to deliver the strategic budget proposals as set out in the MTFS, if agreed. Officers will be supported to ensure that the proposals identified are realistic and taken through the new Programme Management Office (PMO) assurance and governance processes, giving rigour to the structure and delivery of the individual projects.
- 5.6. This internal recovery approach is inherently linked to the 'external' recovery of the borough, the recovery of Lewisham the place. For Lewisham, a post-pandemic future could bring opportunities and it is vital our communities are able to make the most of what's on their doorstep. We look ahead to a huge opportunity to 'build back better' in partnership with our communities and partners and neighbours, to support community development and resilience, to nurture and develop Lewisham's vibrant cultural scene, to promote a sustainable and thriving local economy, to tackle health inequalities, to achieve a fairer, zero-carbon future, and to support our borough's children and young people. The borough's long-term recovery will be led by the Mayor along with Councillors, as the borough's community leaders, who will shape and drive priorities for recovery across Lewisham.

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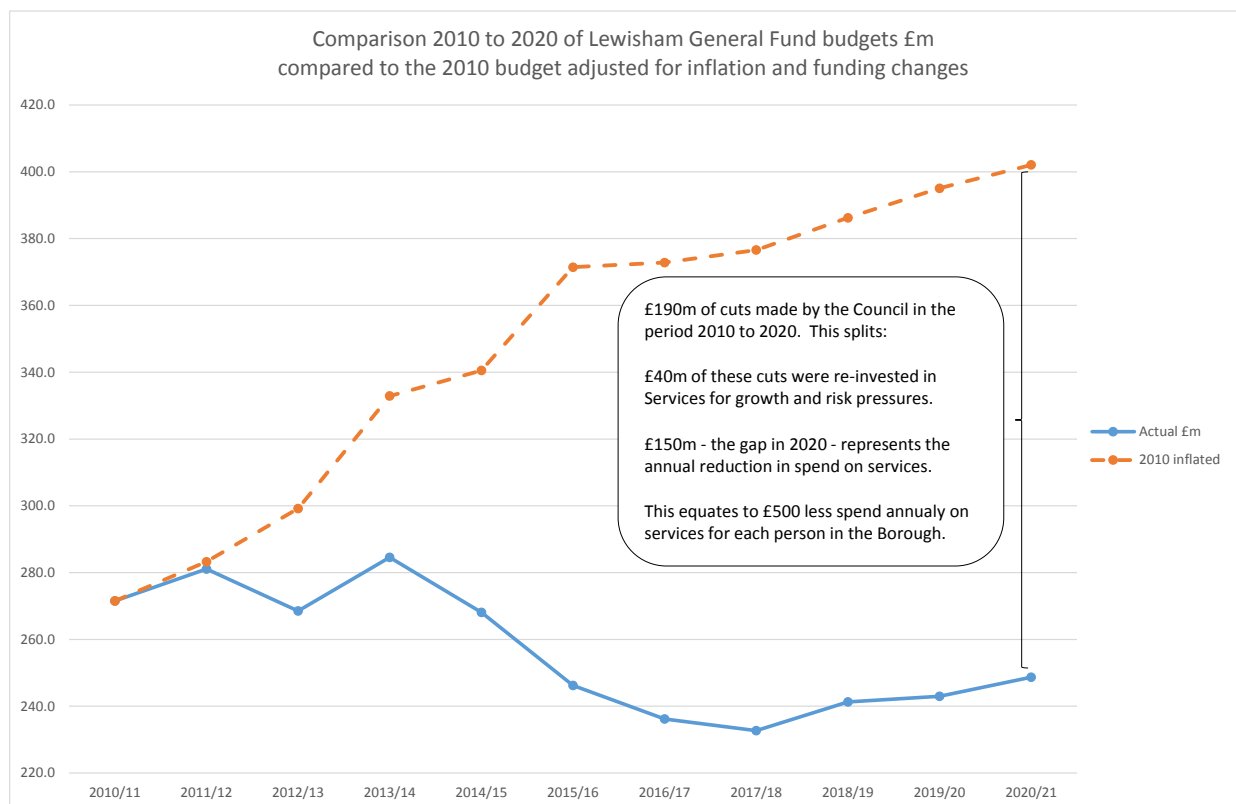
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## 6. Financial Context

### Decade of austerity

- 6.1. This cuts report comes on the back of a decade of austerity in terms of reduced funding for local government services. In Lewisham the Council's spending power has been reduced by 26% in real terms while the population has grown by over 30,000 over that time period or 12%, increasing the demand for services. This has led to reduced service provision, leaner practices in terms of support, and more risk for the Council as it seeks to maintain good customer service and quality services.
- 6.2. Or put another way, as shown in the graph below, the Council is now able to spend the equivalent of £500 less per person in the Borough (£150m / 300,000). At the same time the share of the Council's net general fund budget (i.e. that realised from business rates and council tax) has seen the share from local council tax payers rise from 34% in 2010 to 48% in 2020.

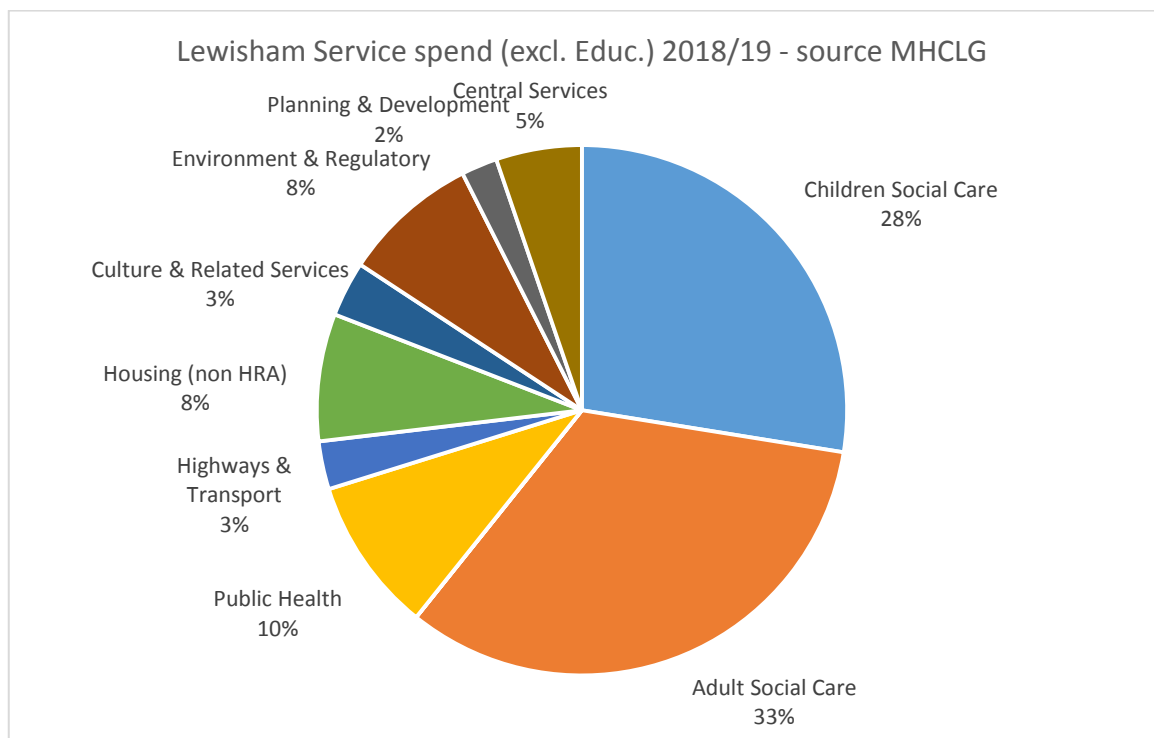
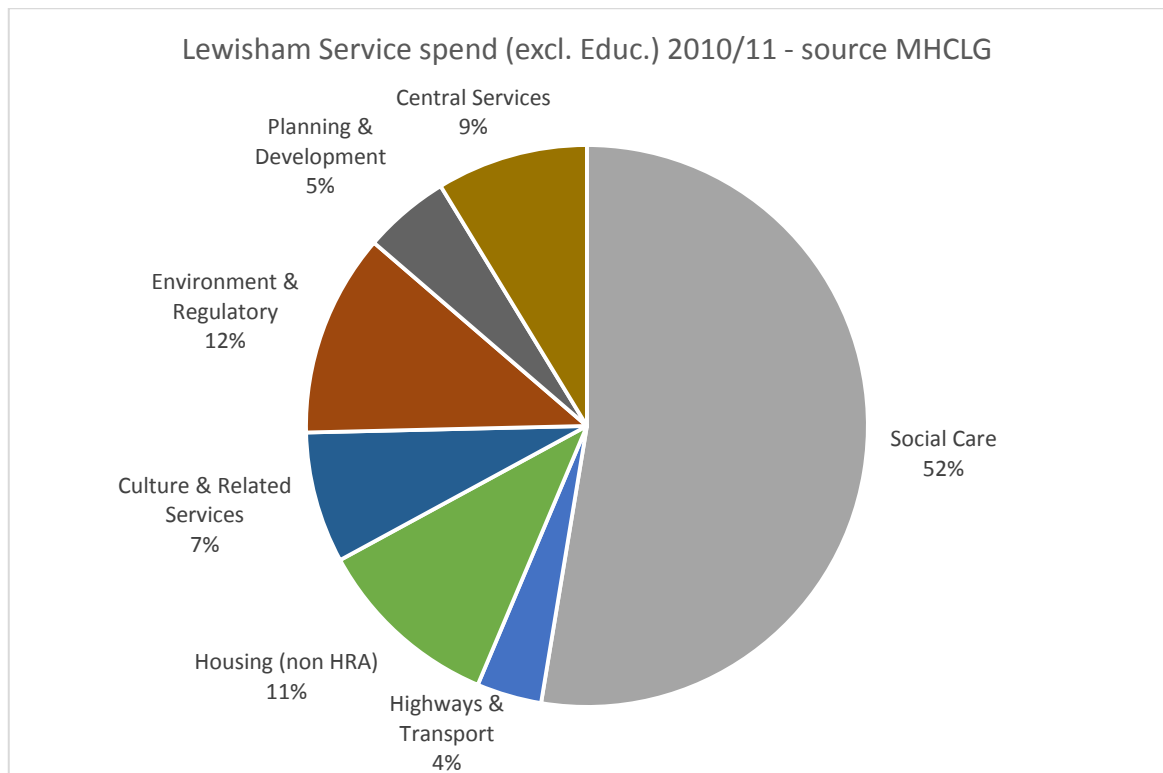


- 6.3. Over this period the Council had also seen its spending choices focused on protecting those front line services for which the most vulnerable in our communities are dependent. In particular, through the children and adult social care services the Council is responsible for. This is shown by comparing the two pie charts below which present the proportion of the Council spend by service area – 2010/11 compared to 2018/19 (the latest published data).

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6.4. In 2010/11 52% of the Council's general fund service spend was on social care. By 2018/19 that had increased to over 70% across adult and children social care services and including the new public health responsibilities. More detailed income and expenditure analysis and benchmarking is being undertaken for the social care areas of spend and will be shared in due course as further context.

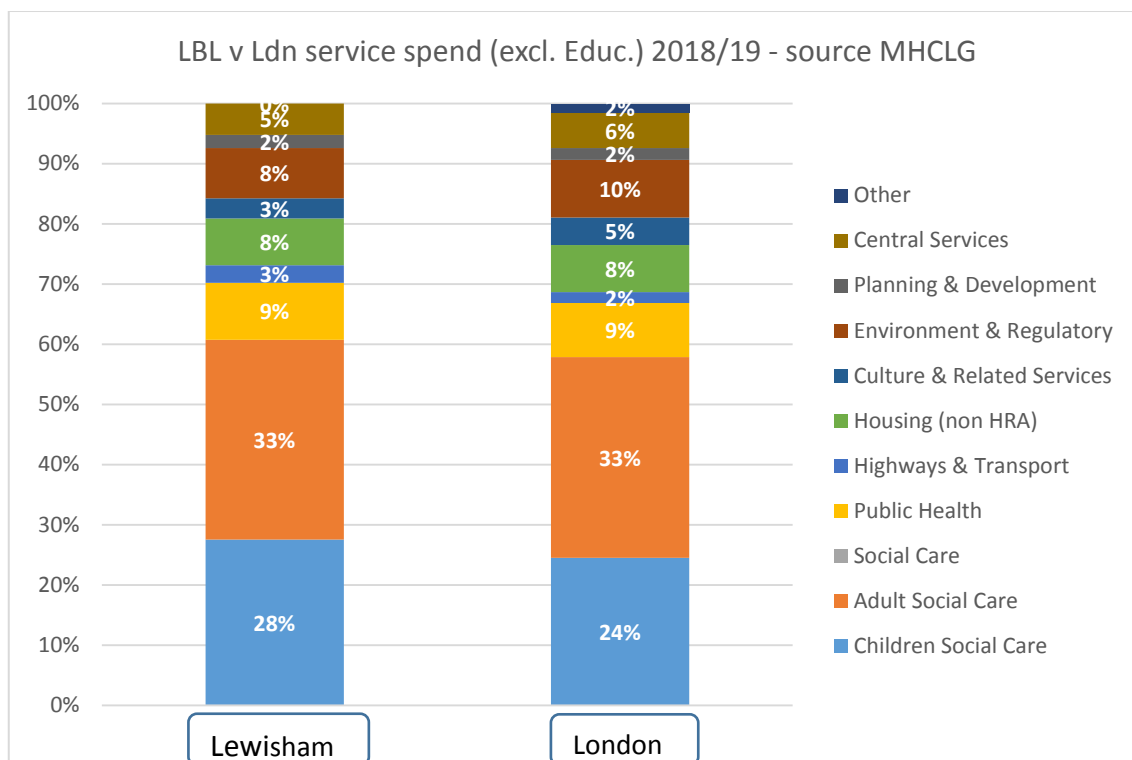
6.5. This position is not unique to Lewisham as can be seen when comparing the 2018/19 position to that of the combined position for other London Boroughs in the bar chart below.

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### COVID-19 and overspending in 2020/21

- 6.6. The impact of COVID-19 has been significant in terms of additional costs and lost income. At the end of September with evidence of the second wave emerging, the impact for this year was estimated at £67m and rising. To date the committed government support still does not cover the full impact, with a gap for the Council of near £20m in this financial year and £12m through the collection fund built into future years. This includes £7.5m of cuts which are at risk as they are still to be delivered in full and were part of the 2021/20 budget cuts of £16.6m. The full detail of these cuts and their current status is explored in the financial monitoring report at M&C on the 11 November. These cuts will still have to be made as the Council recovers from COVID-19 or, if not, alternatives found and added to the future year cuts gap. Any shortfall this year, and indeed into next year, will have to be met from cuts or reserves.
- 6.7. There are also currently three recurring areas where services are overspending, even after their base budgets were significantly adjusted in setting the 2020/21 Budget. They are children social care, environment services, and technology & digital services. At the same time measures have had to be taken by all services to improve the overall outturn forecast.
- 6.8. The work to find in-year savings and preserve cash to limit the hit to reserves while the Council responds to Covid and identifies and agrees Budget cuts is underway. Over the summer agency recruitment controls were introduced and £5.4m of in-year one-off savings were identified. From October tighter spending and recruitment controls have also been introduced to extend the restrictions on any non-essential spend.

### Looking forward - MTFS

- 6.9. The Medium Term Financial Strategy (MTFS), agreed by M&C on the 7 October as part of the financial stabilisation and budget update report, identified an anticipated funding gap over the next three years of at least £40m with £24m for 2021/22. Added to this there is growing evidence that the base Budget retains a persistent £10m

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overspend in key service areas.

- 6.10. This leaves the Council, subject to the delayed Comprehensive Spending Review (CSR) and Local Government Finance Settlement (LGFS), preparing to identify and implement up to £34m of cuts in 2021/22 to be able to set a balanced budget. Not only is the Council obliged to set a balanced budget there is limited room for manoeuvre in terms of using reserves to do this. The Council's reserves will be needed to address the immediate impact of the COVID-19 health pandemic and potentially prolonged slow economic recovery on the Council's finances without further support from government, as well as any shocks arising from the likely 'no deal' exit from the EU.

## 7. Thematic Approach and Cuts Proposals

### General

- 7.1. The approach to developing the officers' draft proposals for cuts this year was intentionally more strategic and collaborative. Not only at the officer level with more collective working at Executive Director and Director level across Directorate boundaries but also with Members through a series of sessions on each theme to discuss and collect as many perspectives and ideas as possible. This section sets out by theme:
- a general description of the theme and ground covered;
  - a summary of the ideas which continue to be developed but are not as yet formed proposals; and
  - a list of the proposals by these with supporting detail accessed via the navigation sheet at Appendix 1 and detailed proposals in the Appendices 2 to 7.
- 7.2. In summary the cuts proposed for the next three years by theme are:

Theme	2021/22 £'000	2022/23 £'000	2023/24 £'000	Total
A. Productivity	3,797	3,700	100	<b>7,597</b>
B. Joint working	1,821	1,608	0	<b>3,429</b>
C. Service Reconfiguration	677	375	60	<b>1,112</b>
D. Assets Realisation	889	151	557	<b>1,597</b>
E. Commercial Approach	1,897	890	20	<b>2,807</b>
F. Demand Management	5,970	1,880	2,500	<b>10,350</b>
<b>TOTAL</b>	<b>15,051</b>	<b>8,604</b>	<b>3,237</b>	<b>26,892</b>

<b>Target (at least £40m)</b>	24,000	12,000	11,000	<b>47,000</b>
<b>Overspend</b>	10,000	-	-	<b>10,000</b>
<b>Shortfall</b>	<b>-18,950</b>	<b>-3,396</b>	<b>-7,763</b>	<b>-30,109</b>

- 7.3. With cuts of over £40m, it is inevitable that some services will be reduced or stopped. This may amount to a pause so they can be revisited at a future date, funding permitting. However, within the anticipated financial resources for the Council in the near term there is not the funding to maintain current levels of service.
- 7.4. The cuts across the themes have also been reviewed to ensure that where services are being reduced or stopped the impact of doing so is assessed, mindful in particular of the risk of cost shunts to other services. This includes an assessment of the equality implications.

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- 7.5. The cuts proposals are itemised by theme below with the full supporting detail in the proforma provided in the appendices to this report.

### A – Productivity

- 7.6. Over the past three years the Council has been on a significant journey to improve the availability, flexibility and security of its technology infrastructure. This was further given a boost with the rapid and successful move at the start of the COVID-19 response to getting all staff online and able to work remotely and across different services.
- 7.7. The investments to make these changes were also about seeking to streamline decision making and automate more transactional work to make processes more efficient and capture a productivity gain. The theme focuses on how these benefits are being tracked and where necessary identify where fewer resources are now needed.
- 7.8. This theme is not limited to productivity from technology. It also considers where working practices and related human resources policies and governance arrangements can be updated to help staff and teams better collaborate and integrate to provide better more streamlined services for users.
- 7.9. The individual proposals put forward for this theme (see details at Appendix 2) are:

Ref	Title	2021/22 £'000	2022/23 £'000	2023/24 £'000	Total £'000
A-01	Staff productivity - arising from new ways of working (including learning from the Covid 19 pandemic), better collaboration and a return on IT investment	3,000	3,000	0	6,000
A-02	Hybrid roles – across enforcement activities	0	50	50	100
A-03	Corporate Transport arrangements	100	150	50	300
A-04	Process automation in Revenues and Benefits	60	100	0	160
A-05	Revenues and Benefits - additional process automation	400	0	0	400
A-06	Revenues and Benefits - Generic roles	0	400	0	400
A-07	Housing (non-HRA) - Productivity gains	202	0	0	202
A-08	Reduction in office paper usage	35	0	0	35
	<b>Theme total</b>	<b>3,797</b>	<b>3,700</b>	<b>100</b>	<b>7,597</b>

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- 7.10. In addition; a number of opportunities continue to be explored and developed and may be brought forward in a future cuts round. They include:
- 7.10.1. Review and refresh internal HR policies and procedures to ensure the talent framework includes the tools to help officers operate effectively, attract and recruit the best candidates, and support a culture where people feel able to bring their best and real self to work every day and thrive in a business like environment.
  - 7.10.2. Extend and embed a workforce management approach to enable all to access and manage knowledge, share and develop transferable skills, and provide clear development opportunities for staff.
  - 7.10.3. Make better use of shared spaces with partners and the community to open up and provide aligned, accessible, and engaging places to provide services and build shared experiences.
  - 7.10.4. Extend the work with partners, in particular those in the Education sector, to develop and provide the training and learning opportunities that will support Lewisham residents' access rewarding active employment, including openings to work for the Council.

### **B – Joint working**

- 7.11. The Council continues to listen and consult with its partners to understand how the impacts of COVID-19 and the resulting economic and community changes are driving different needs and expectations for Council services going forward.
- 7.12. This theme explores and pushes the boundaries of how we currently work differently within the Council but also how we work with our residents, our communities, our voluntary sector, anchor institutions and strategic partners. As well as addressing the immediate financial challenge this work will also lay the foundations for longer term successful working.
- 7.13. The Council will make a commitment to explore how we continue to work not just with our anchor institutions, but with other universities to tackle the skills shortages in Lewisham for social workers, planners, teachers and other hard to recruit to professions on the creation of work placements to attract students to Lewisham. Although this will not realise savings during this Medium Term Financial Plan, working closely with further and higher education institutions to attract skilled people can only improve the productivity of our workforce.
- 7.14. The biggest strand of this theme is working closer with our health partners and redressing the balance of how services are funded going forward. We will prioritise the assessment of care packages so those with the most complex of needs and those most likely to be eligible for support from health services receive it. This will apply to care packages for children and adults.
- 7.15. We recognise that our voluntary sector partners have been played a strong role in providing support to our community to reduce the pressure on council services, for example reducing social isolation of our vulnerable adults and supporting their wellbeing. We will continue to seek efficiencies in the delivery of the Civic Events programme through working in partnerships with other organisations, seeking match funding wherever possible.
- 7.16. The individual proposals put forward for this theme (see details at Appendix 3) are:

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Ref*	Title	2021/22 £'000	2022/23 £'000	2023/24 £'000	Total £'000
B-02	Strategic recharging	600	600	0	1,200
B-04	Smoking cessation service	221	0	0	221
B-05	Recharge OT and housing officer costs to the Disabled Facilities Grant	425	0	0	425
B-06	Cuts to the main grants programme	0	800	0	800
B-07	Review of Council run events	70	30	0	100
B-08	Review the Power of Attorney service	160	0	0	160
B-09	Reduction in the discretionary award of concessionary fares	300	0	0	300
B-10	Reduction in local assemblies service	45	178	0	223
	<b>Theme total</b>	<b>1,821</b>	<b>1,608</b>	<b>0</b>	<b>3,429</b>

\*some references are missing from the sequence. This is because some proposals initially in development are not yet ready to be presented as fully costed cuts but may come forward in subsequent rounds.

- 7.17. In addition; a number of opportunities continue to be explored and developed and may be brought forward in a future cuts round. They include, with some overlap to other themes:
- 7.17.1. Looking to consolidate the use of the public estate in Lewisham, co-working with partners from a smaller foot print to save costs and extend joint working in support of changing and more agile working practices experienced through the COVID-19 pandemic.
- 7.17.2. Review the direct and indirect (e.g. discounted rents) support provided to the voluntary and community sector, and ensure scarce resources are effectively shared to help the reduced investment the Council can support to go as far as possible.
- 7.17.3. Reassess the commissioning of services with the Public Health budget to capture cultural shifts (e.g. greater use cheaper online sexual health services) and, where consistent with outcomes, direct the budget at the community level through Council services to support prevention and rehabilitation and reduce costly clinical intervention.

### **C – Service reconfiguration**

- 7.18. Extending the productivity theme above, there will be opportunities to change how the Council engages with customers and delivers services. For example; our front door services are now largely operating online and via the call centre with appointments available where necessary. There are also opportunities, through better collaborative

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working, to review how different services serving the same customers might better come together to do this.

- 7.19. In addition to the approach to engagement with external customers, this theme also looked at the relationships and role of corporate functions supporting frontline delivery. This is the theme that has probably received the most attention in previous years as a means to protecting front line services. Nonetheless, there are significant benefits from having a stronger strategic focus on customer service and digital changes which will, when coordinated via the PMO, provide opportunities to realise further savings and strengthen the organisation's culture.
- 7.20. The individual proposals put forward for this theme (see details at Appendix 4) are:

Ref*	Title	2021/22 £'000	2022/23 £'000	2023/24 £'000	Total £'000
C-01	Redesign of the CYP Joint Commissioning service.	140	0	0	140
C-02	Adult Learning and Day Opportunities	50	100	0	150
C-03	Reduction in the use of agency social workers.	215	215	0	430
C-05	Housing (non-HRA) - service review	127	0	0	127
C-07	Review Short breaks provision.	65	50	50	165
C-08	IT - mobile telephony review	80	10	10	100
	<b>Theme total</b>	<b>677</b>	<b>375</b>	<b>60</b>	<b>1,112</b>

\*some references are missing from the sequence. This is because some proposals initially in development are not yet ready to be presented as fully costed cuts but may come forward in subsequent rounds.

- 7.21. In addition; a number of opportunities continue to be explored and developed and may be brought forward in a future cuts round. They include, with some overlap to other themes:
- 7.21.1. Develop waste minimisation strategy with operational changes (using less resources) but also policy and education push to support better customer practice, e.g. through recycling collection points to reduce cost of collection and support more local disposal.
- 7.21.2. Better integrated services across Directorates and working with housing with a view to the customer / family journey to deliver less costly and better outcomes for the more vulnerable residents (e.g. care leavers).
- 7.21.3. Invest in more use of common IT platforms with likeminded partners to achieve improved performance and economies of scale as well as ensuring easier development.
- 7.21.4. Improved contact points for residents linked to customer services and digital strategy to reduce data handling, improve the customer experience, and better align mutually supportive services (including improving the Council's website as window to services).

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7.21.5. Review commissioning activities across the Council and consider a more consolidated, rather than individual Directorate, approach to improve commercial skills, market intelligence and build service resilience.

**D – Asset realisation**

7.22. As well as looking at the revenue budget considerations, it is important that the Council also reviews its assets and capital programme to maximise efficiencies where possible. With changing ways of working and different service delivery mechanisms the Council may no longer require the same asset base. From this work there could be running cost savings and there may be some one-off receipts that could be used to invest in transformation plans and outcomes which take longer to realise. These changes need to be balanced with the need for the majority of the cuts currently anticipated next year.

7.23. Through this significant strategic theme the Council can unlock social, economic and financial benefit from its considerable landholdings within Lewisham. The council has extensive landholdings across the Borough – ranging across a broad base of office, commercial and service/operational estate. The Executive Management Team (EMT) has commissioned work to explore the potential to utilise some parts of the asset base in a measured and sensitive way to release value that can help address the budget gap. It should be stressed at the outset that this review in no way seeks to sell core parts of the service and operational estate – nor to sell strategic assets. The shared challenge has been to re-purpose under-used parts of the Council’s asset/estate base in a way that ‘unlocks’ value over time. The approach has focused on three strands:

7.24. Rationalisation of the Catford Campus and establishing a Public Service Hub – sets out a route to securing a swift and positive consolidation of several public sector partners to Laurence House and the Former Town Hall, delivering early on the strategic aims set out in the Draft Catford Town Centre Framework. This proposal will also provide the platform from which to secure a new employment support offer and capacity as well as securing the valuable economic prize/footfall coming from 300/400 Public Sector workers in the town even in the changed circumstances with more working from home. In the short term some running costs are also assumed to be saved from mothballing some other sites.

7.25. Housing and development income – presents a route to achieving around £500k pa by presenting a development package of sites that could achieve a net rental return to the Council from around 250 new homes.

7.26. Other asset savings and income – the aim here is to review and reduce the costs associated with little-used buildings. Where possible we will seek to re-purpose some property for better/immediate outcomes towards short term Temporary Accommodation and similar uses where it saves us money. We will seek to reduce reliance on costly external Guardian contracts. We will also seek opportunities for income from filming at several of the Borough’s beautiful/unusual properties.

7.27. The individual proposals put forward for this theme (see details at Appendix 5) are:

Ref	Title	2021/22 £'000	2022/23 £'000	2023/24 £'000	Total £'000
D-01	Generating greater value from Lewisham’s asset base	0	0	500	500
D-02	Business Rates Revaluation for the estate	40	40	20	100



Ref	Title	2021/22 £'000	2022/23 £'000	2023/24 £'000	Total £'000
D-03	Facilities management general cost reduction	50	0	0	50
D-04	Operational estate - security	100	0	0	100
D-05	Operational estate - mothballing premises	0	50	0	50
D-06	Catford Campus - Estate Consolidation	674	11	12	697
D-07	Meanwhile use – Temporary Accommodation	25	25	25	75
D-08	Miscellaneous - income generation	0	25	0	25
	<b>Theme total</b>	<b>889</b>	<b>151</b>	<b>557</b>	<b>1,597</b>

7.28. In addition; a number of opportunities continue to be explored and developed and may be brought forward in a future cuts round. They include, with some overlap to other themes:

7.28.1. The potential to achieve further collaboration, better outcomes and cost-sharing through further voluntary/service hubs supporting a broad base of community needs. We will be doing this work across the Council's service and operational estate – but also in close liaison with key partners.

7.28.2. Reviewing the costs and outcomes achieved by any third parties involved in operating our estate – particularly Guardians and estate management of assets in Catford and other areas.

7.28.3. Review and being clear about areas of rent subsidies to ensure equity and aid understanding – being clear where a low or peppercorn rent is a clear measure of support or substitution for grant support.

### **E – Commercial approach**

7.29. PASC's investigations over the past few years, have demonstrated that as well as traditional methods of looking after the Council's finances, councils can and do develop new ideas and innovations to produce income and create value. Services functioning well from a financial perspective are more able to be responsive to the needs of those using their services.

7.30. Commercialisation is about more than just chasing financial returns. The focus with this approach at this time is improving services and ensuring that resources are available to protect the most vulnerable. 'Thinking commercially' is a mind-set that prioritises the best use of resources – whether financial or otherwise. In an organisation such as the Council, a commercial mind-set with a public sector ethos becomes an important part of its culture.

7.31. The Council has been championing the development of greater commercial understanding and rigour in its service offering. This has been around achieving

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greater social value as well as financial return from engaging in such activities. This work, through this theme, assesses the culture and approach to considering risk and reward in the Council's commercial dealings and collection of debt. It also reviews how sales, fees and charges are set relative to benchmarks and assesses market potential to ensure rates are set at the optimum level in line with the Council's priorities.

- 7.32. The Council currently runs a number of traded services. The most significant being services to schools, the environmental services for commercial and garden waste, and bereavement services. The Council does not have to be in these business areas as fully as it currently is with options to change how much they support or contribute to core service delivery. As well as linking to the commercial discussion (i.e. cost recovery), there will be questions of strategic policy fit and risk that continued delivery of these services can be assessed against.
- 7.33. The Council has a number of key commercial partners, some significant contracts for key line of service delivery and systems, and uses a large number of smaller local contractors for a variety of work. In total, the Council spends over £200m annually with third parties. This theme will review how these contracts are being managed to identify opportunities to improve performance and also to plan further in advance how they may be retendered to ensure the Council has the most opportunity (time and choice) to improve value for money from these service areas.
- 7.34. The individual proposals put forward for this theme (see details at Appendix 6) are:

Ref	Title	2021/22 £'000	2022/23 £'000	2023/24 £'000	Total £'000
E-01	Improved Debt collection	250	250	0	500
E-02	Income from building control	15	15	20	50
E-03	Review discretionary sales, fees and charges and increase to the point of full cost recovery.	150	0	0	150
E-04	Introduce charging for certain elements of self-funded care packages	82	0	0	82
E-05	Traded services with schools	50	50	0	100
E-06	Reduce care leaver costs	200	100	0	300
E-07	Housing – Increased rent for Private Sector Lease (PSL) and Private Managed Accommodation (PMA)	300	375	0	675
E-08	Contract Efficiencies – inflation management	500	0	0	500
E-09	Realising further benefits from the Oracle Cloud Solution and exploiting its functionality as a fully integrated enterprise resource planning solution.	100	100	0	200

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Ref	Title	2021/22 £'000	2022/23 £'000	2023/24 £'000	Total £'000
E-10	Increase funeral charges	250	0	0	250
	<b>Theme total</b>	<b>1,897</b>	<b>890</b>	<b>20</b>	<b>2,807</b>

7.35. In addition; a number of opportunities continue to be explored and developed and may be brought forward in a future cuts round. They include, with some overlap to other themes:

7.35.1. Extending possible traded services, for example arboreal or garden services with in-house parks service.

7.35.2. Identifying areas for more extensive enforcement to improve general environment – e.g. fly tipping and littering, estate agent boards not removed etc.

7.35.3. Ensuring services are open to and seeking out grant support and other investment partners to support council service delivery in the Borough.

7.35.4. Continuing to strengthen the commercial skills in those letting contracts and commissioning services to secure the best value for money.

#### **F – Better demand management**

7.36. As much as the Council has a significant number of statutory services to deliver it also has discretion about how it does so. This enables services to ensure the value for money of provision within the overarching responsibility for stewardship of the public pound. Aligned with this, preventative work can lead to better outcomes for less cost in the long run compared to the need for crisis intervention.

7.37. For the Council's largest services (in budgetary terms), in particular adult and children social care but also environment services when considering levels of waste, how this translates into demand management around when users are engaged with the support they are offered has the potential for promoting greater independence with significant positive budget impacts.

7.38. The approach to this theme has been to explore opportunities to focus on volume and cost and the means by which they can be reduced, diverted, or shared. A fundamental principle in adult social care especially is about promoting greater independence for adults, and our ability to better manage demand through preventive action and a range of early help. The council will develop an approach that builds on the evidence available. Most of all the bedrock of adult social care needs to build on the importance of assisting people to maximise their life opportunities and to support greater moves towards independence. We should know the outcomes that different services deliver for our residents and the effectiveness of the interventions that are available need to be measured. So we will be establishing a more rounded and detailed set of performance measures that will enable the impact of a refreshed approach to promoting independence (and managing demand) to be better understood and financial cuts to be delivered. We will also look at shared pathways with our health partners to achieve better outcomes.

7.39. The individual proposals put forward for this theme (see details at Appendix 7) are:

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Ref*	Title	2021/22 £'000	2022/23 £'000	2023/24 £'000	Total £'000
F-01	Adult Social Care Demand management	3,000	0	0	3,000
F-02	Children Social Care Demand management	500	500	1,000	2,000
F-03	Children Service reconfiguration - fostering	0	250	250	500
F-04	Special Guardianship Orders payments	60	0	0	60
F-05	VFM commissioning and contract management – CSC	250	250	0	500
F-06	Adults with learning difficulties and 14 - 25yrs transitions costs	760	0	0	760
F-07	Outsource Adults services - Enablement	0	200	0	200
F-08	Outsource Adults services - Linkline	0	100	0	100
F-09	In house Adults reductions - passenger transport service	600	0	0	600
F-10	In house Early Help service	200	0	0	200
F-11	Front door arrangements in CYP	50	0	0	50
F-12	Housing – No Recourse to Public Funds	300	0	0	300
F-15	Environment - environmental operations review	0	330	0	330
F-16	Environment - new waste strategy	0	0	250	250
F-17	Road safety enforcement	250	250	0	500
F-18	Controlled Parking Zone Extension	0	0	1,000	1,000
	<b>Theme total</b>	<b>5,970</b>	<b>1,880</b>	<b>2,500</b>	<b>10,350</b>

\*some references are missing from the sequence. This is because some proposals initially in development are not yet ready to be presented as fully costed cuts but may come forward in subsequent rounds.

7.40. In addition; a number of opportunities continue to be explored and developed and may be brought forward in a future cuts round. They include, with some overlap to other themes:

7.40.1. Developing a refreshed approach to adult social care based on better managing demand through focusing on promoting independence, with a modernised and

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transformed service delivery model.

- 7.40.2. Extend use of 'lean process review' to children social care to drive similar benefits realisation on back of system investment. This approach is working for adult social care to assist them with realising policy and procedure changes to secure value from investment in upgraded case management system.
- 7.40.3. Develop stronger sufficiency strategies with aligned performance reporting across social care to convert data to information, anticipate demographic risks and opportunities, and better manage demand for services.
- 7.40.4. Continue to explore working with the larger charities and voluntary sector and assess the merits of more use of direct payments for accessing tailored services for children and personal budgets for adult social care needs.
- 7.40.5. Ensure service provision is in place and teams trained and supported to secure the good work to move to early help and prevention at less cost and limit the demand for the expensive intensive intervention settings, other than in the limited cases where they may be needed.

## **8. Timetable and Decisions**

### **Timetable**

- 8.1. The timetable for this round of officer proposals is for this report to be reviewed as pre-scrutiny with feedback, via the PASC, to M&C on the 9 December. The Safer Stronger Committee will also consider the consolidated equalities report (to follow separately) for the cuts report as a whole. The specific scrutiny committee dates are:

11 Nov	Healthier Communities
12 Nov	Sustainable Development
18 Nov	Housing
26 Nov	CYP
1 Dec	Safer Stronger
3 Dec	PASC
- 8.2. Subject to the decisions at M&C on the 9 December and the relevant post-scrutiny period the cuts will be implemented by officers in line with the decision making route (see below). This will allow those proposals agreed to progress, including those requiring consultation, to be concluded before the end of this financial year so that a full year financial effect is achieved for 2021/22.
- 8.3. At the same time, recognising the £18.6m gap for the 2021/22 budget, a second round to develop further officers' proposals for cuts will have commenced. These additional proposals will be presented for pre-scrutiny in January so that they are before M&C in February as part of the Budget report. As such the decisions on the second round of cuts will contribute to the balance budget setting process for 2021/22, culminating with Council in February.

### **Decision making process**

- 8.4. The decision making process for budget cuts depends on the nature of each individual cut being proposed. The decision depends on the scale and impact of the proposal and the actions required to deliver it. For example; a proposal requiring staff consultation can either be reserved by Mayor and Cabinet to themselves or follow the usual delegation for employment matters to the Chief Executive. In either case the decision can only be taken after completion of the consultation and a full report setting out the equalities, legal and financial implications for the decision maker.

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- 8.5. The table below shows the combination of criteria possible for a proposal (the first three rows) with the remaining rows identifying the options for concluding the decision available to Mayor & Cabinet.

#### Options for Decisions

Decision combinations	1	2	3	4	5	6
Key Decision - >£500k and/or specific ward impact	N	Y	Y	N	Y	Y
Public Consultation	N	N	Y	N	N	Y
Staff Consultation	N	N	N	Y	Y	Y
Decision routes for M&C						
M&C agree to consult – proposal to return to M&C for decision			✓	✓	✓	✓
M&C take decision – no consultation required	✓	✓				
Delegate to Exec. Dir. to consult and take decision				✓	✓	
Delegate to Exec. Dir. – no consultation required	✓	✓				
Other – e.g. seek clarification, reject, endorse.	✓	✓	✓	✓	✓	✓

- 8.6. The decision combinations for each proposal are summarised in the navigation sheet at Appendix 1.

## 9. Financial implications

- 9.1. This report is concerned with the cuts proposals to enable the Council to address the future financial challenges it faces. There are no direct financial implications arising from the report other than those stated in the report and appendices itself.

## 10. Legal implications

### Statutory duties

- 10.1. The Council has a variety of statutory duties which it must fulfil by law. The Council cannot lawfully decide not to carry out those duties. Even where there is a statutory duty there is often a discretion about the level of service provision. Where there is an impact on statutory duty that is identified in the report. In other instances, the Council provides services in pursuit of a statutory power, rather than a duty, and though not bound to carry out those activities, decisions about them must be taken in accordance with the decision making requirements of administrative law.

### Reasonableness and proper process

- 10.2. Decisions must be made reasonably taking into account all relevant considerations and

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disregarding all irrelevant matters. These are particular to the service reductions proposed and are set out in the body of the report. It is also imperative that decisions are taken following proper process. Depending on the particular service concerned, this may be set down in statute, though not all legal requirements are set down in legislation. For example, depending on the service, there may be a need to consult with service users and/or others and where this is the case, any proposals in this report must remain proposals unless and until that consultation is carried out and the responses brought back in a further report for consideration with an open mind before any decision is made. Whether or not consultation is required, any decision to discontinue a service would require appropriate notice. If the Council has published a procedure for handling service reductions, there would be a legitimate expectation that such procedure will be followed.

### **Staffing reductions**

- 10.3. If service reductions would result in redundancy, then the Council's usual redundancy and redeployment procedure would apply. If proposals would result in more than 20 but fewer than 100 redundancies in any 90 day period, there would be a requirement to consult for a period of 30 days with trade unions under Section 188 Trade Union and Labour Relations (consolidation) Act 1992. The consultation period increases to 45 days if the numbers are 100 or more. This consultation is in addition to the consultation required with the individual employees. If a proposal entails a service re-organisation, decisions in this respect will be taken by officers in accordance with the Council's re-organisation procedures.

### **Equalities Legislation**

- 10.4. 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.
- 10.5. 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.
- 10.6. 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 in the paragraph above.
- 10.7. 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.
- 10.8. 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

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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 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/advice-and-guidance/equality-act-codes-practice>
- <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

10.9. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- The essential guide to the public sector equality duty.
- Meeting the equality duty in policy and decision-making.
- Engagement and the equality duty: A guide for public authorities.
- Objectives and the equality duty. A guide for public authorities.
- Equality Information and the Equality Duty: A Guide for Public Authorities.

10.10. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

- <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

10.11. The EHRC has also issued Guidance entitled “Making Fair Financial Decisions”.

- <https://www.equalityhumanrights.com/en/advice-and-guidance/making-fair-financial-decisions>. It appears at Appendix 4 and attention is drawn to its contents.

10.12. The equalities implications pertaining to the specific service reductions are particular to the specific reduction.

### **The Human Rights Act**

10.13. Since the introduction of the Human Rights Act 1998 (HRA) the rights set out in the European Convention on Human Rights (ECHR) have been incorporated into UK law and can be enforced in the UK courts without recourse to the European courts.

10.14. Those articles which are particularly relevant in to public services are as follows:

- |            |   |   |
|------------|---|---|
| Article 2  | - | the right to life   |
| Article 3  | - | the right not to be subject to inhuman or degrading treatment   |
| Article 5  | - | the right to security of the person                             |
| Article 6  | - | the right to a fair trial                                       |
| Article 8  | - | the right to a private and family life, home and correspondence |
| Article 9  | - | the right to freedom of thought, conscience and religion        |
| Article 10 | - | the right to freedom of expression                              |
| Article 11 | - | the right to peaceful assembly                                  |

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- Article 14 - the right not to be discriminated against on any ground
- 10.15. The first protocol to the ECHR added
- Article 1 - the right to peaceful enjoyment of property
- Article 2 - the right to education
- 10.16. Some of these rights are unconditional, such as the right not to be tortured or subject to degrading treatment. Others may be limited in finite and well defined circumstances (such as the right to liberty). Others are qualified and must be balanced against the need of the wider community – such as the right to a private and family life. Where there are human rights implications associated with the proposals in this report regard must be had to them before making any decision.

#### **Best value**

- 10.17. The Council remains under a duty under Section 3 Local Government Act 1999 to secure continuous improvement in the way its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. It must have regard to this duty in making decisions in respect of this report.

#### **Specific legal implications**

- 10.18. Members' attention is drawn to the specific legal implications arising in relation to particular proposals set out in the relevant proforma in Appendices 2 to 7 of this report and Appendix 8 which is a summary of specific legal implications for each budget cut proposal.

#### **Equalities Implications**

- 10.19. Detailed policy and equality implications have been appended to this report as Appendix 9.

## **11. Equalities implications**

- 11.1. Proformas included in Appendices 2 to 7 consider the service equalities impact for each proposed cut. This identifies whether the cut is expected to have a high, medium or low impact on service users with protected characteristics, as well as mitigations that can be put in place and whether a full equalities impact assessment is required. A detailed review of the policy and equality implications across all cuts will be appended to this report as Appendix 9 for Safer Stronger and M&C.

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

- 12.1. Section 40 Natural Environment and Rural Communities Act 2006 states that “every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions to the purpose of conserving biodiversity”
- 12.2. The specific climate change and environmental implications identified as arising from the current cuts proposals will require further consideration, however, those flagged as likely to impact positively on our ability to conserve biodiversity are: A-03, A-08, F-15, F-16 and F-18.

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## 13. Crime and disorder implications

- 13.1. Section 17 of the Crime and Disorder Act 1998 requires the Council to have regard to the likely effect on crime and disorder when it exercises its functions, and the need to do all that it reasonably can to prevent crime and disorder in its area.
- 13.2. Whilst there are no specific crime and disorder implications as yet identified as arising from the current cuts proposals, a number of these will require further consideration as to whether these will impact either positively or negatively on our ability to reasonably prevent crime and disorder. These are cuts A-02 (later years), D-04 and F-17.

## 14. Health and wellbeing implications

- 14.1. The specific health and wellbeing implications identified as arising from the current cuts proposals will require further consideration, however, those flagged as likely to impact either positively or negatively on the health and wellbeing of residents or service users are: B-09, C-02, C-07, F-01, F02, and F-06.

## 15. Background papers

### Previous reports setting the financial context

- 26 February 2020 – 2020/21 Budget report to Council
- 10 June 2020 – Council's response to COVID-19 – financial update report to M&C
- 9 July 2020 – First 2020/21 financial monitoring report to M&C
- 7 October 2020 – Financial stabilisation and budget update report to M&C

### Appendices

1. Navigation sheet
2. **A** – Productivity
3. **B** – Joint working
4. **C** – Service reconfiguration
5. **D** – Asset realisation
6. **E** – Commercial approach
7. **F** – Better demand management
8. Specific legal implications – to follow for M&C
9. Summary equalities report – to follow for Safer Stronger and M&C
10. Making fair financial decisions

## 16. Glossary

- 16.1. The glossary below identifies the acronyms used in the report.

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Term	Definition
CPZ	Controlled Parking Zone
CSR	Comprehensive Spending Review
DSG	Dedicated Schools Grant
ECHR	European Convention of Human Rights
EMT	Executive Management Team
FFR	Fair Funding Review
GF	General Fund
GLA	Greater London Authority
HR	Human Resources
HRA	Housing Revenue Account
LGA	Local Government Association
LGFS	Local Government Finance Settlement
M&C	Mayor & Cabinet
MHCLG	Ministry for Housing, Local Government and Communities
MTFS	Medium Term Financial Strategy
PASC	Public Accounts Select Committee
PMO	Programme Management Office
SLT	Senior Leadership Team (EMT plus Directors)
VFM	Value for Money

## 17. Report author and contact

- 17.1. David Austin, Director for Corporate Resources, 020 8314 9114, [david.austin@lewisham.gov.uk](mailto:david.austin@lewisham.gov.uk)
- 17.2. Katharine Nidd, Acting Director for Strategic Finance and Procurement, 020 8314 6651, [Katharine.nidd@lewisham.gov.uk](mailto:Katharine.nidd@lewisham.gov.uk)

## 18. Comments for and on behalf of the Executive Director for Corporate Resources

- 18.1. The financial implications were provided by David Austin, Director for Corporate Resources, 020 8314 9114, [david.austin@lewisham.gov.uk](mailto:david.austin@lewisham.gov.uk)

## 19. Comments for and on behalf of the Director of Law, Governance and HR

- 19.1. The general legal implications were provided by Suki Binjal, Monitoring Officer,

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[suki.binjal@lewisham.gov.uk](mailto:suki.binjal@lewisham.gov.uk) and the specific legal implications concerning individual proposals where required were provided by the Council's principal lawyers.

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