



# **LIST OF MEMBER QUESTIONS AND ANSWERS**

Member questions and answers for the Council Meeting of the London Borough of Lewisham to be held on Wednesday 19 January 2022.

## **MEMBER QUESTION NO. 1**

### **Priority 1**

Question asked by: Rachel Onikosi

Relevant Directorate: Chief Exec's

Member to reply: Councillor Kevin Bonavia

### **Question**

I've been very impressed with the number of training sessions offered to elected Councillors as development opportunities especially those sessions designed to help ensure members deliver more effectively as civic and community leaders.

Could the Council please commit to more of these sessions particularly centred around:

- The seven (7) principles of Public Life (The 'Nolan principles')  
(I) Selflessness, Integrity (II), (Objectivity (III), Accountability (IV), Openness (V), Honesty (VI) & Leadership (VII)
- Effective leadership styles
- Different types of leadership styles
- Handling conflict and disagreement whilst still maintaining authority, effectiveness & composure

### **Reply**

The Council aims to ensure that all Members have access to the training and development opportunities they need to fulfil their responsibilities to the local community and provide clear leadership for, and effective scrutiny of, local council functions. The elected Mayor and Councillors have the democratic mandate to provide leadership across Lewisham, representing the people who live, work and study here; and it is important that elected Members understand, and are supported in the development of, their roles and responsibilities.

The Council can commit to delivering further member development sessions for councillors and will ensure that the seven principles of Public Life are covered, together with training on effective (and different) leadership styles and handling conflict and disagreement.

Specifically, sessions are planned to take place in May on (a) the member code of conduct, ethics and governance; (b) personal safety, including handling and minimising conflict; and (c) being a community leader. There will also be specific training on effective leadership styles for Cabinet Members, Chairs of committees and ward members later in the year.

## **MEMBER QUESTION NO. 2**

### **Priority 1**

Question asked by: John Paschoud

Relevant Directorate: Corporate Resources

Member to reply: Councillor Paul Bell

### **Question**

It is apparent that numbers of quite small family dwellings are being converted, often to a poor standard which this Council would not permit if Planning permission was required, into very small 'flats', let at what might be considered excessive rents. Effectively these are Houses in Multiple Occupancy.

For how many individually addressed properties in each ward of Lewisham (please list numbers by ward) are the address held on file for more than 4 and fewer than 10 separate current Council Tax accounts?

What criteria are used to decide that an occupied unit within a property converted into between 5 and 9 units (rather than purpose-built as such) qualifies for collection of Council Tax?

### **Reply**

Small HMOs do not require planning permission in most wards (apart from Downham, Whitefoot, Bellingham and Grove Park where an article 4 Direction is in place). However, the Council are updating the HMO evidence base to build a case for a new article 4 Direction to bring all HMO under planning controls and part of that evidence gathering will include reviewing council tax records. The current position is that we have 366 properties that fall into the referred category. More recent properties that fall into this category are harder to identify as the housing support will now be paid through universal credit rather than housing benefit so we would not necessarily hold information on them,. However, these occupants will be liable for council tax and we assume they will claim council tax reduction and will therefore be identifiable through these claims.

The VOA (Valuation Office Agency) defines self-contained unit as 'a building, or part of a building, which has been constructed or adapted for use as separate living accommodation.' A self-contained unit can mean both a living space that is separate from other accommodation, and also living accommodation that is connected to, and sharing an access with, adjoining accommodation. When considering whether any living accommodation is a self-contained unit, the VOA takes several key points into account, such as the physical characteristics and layout, the physical identity of the accommodation, access and the provision of standard facilities. For example a tenant that rents 1 room with bathroom facilities but shares kitchen with other tenants would be subject to Council Tax as the VOA would deem it a self-contained unit.

### **MEMBER QUESTION NO. 3**

#### **Priority 1**

Question asked by: Jacq Paschoud

Relevant Directorate: Children & Young People

Member to reply: Councillor Chris Barnham

#### **Question**

Lewisham prides itself on its recognition and provision for people on the Autistic Spectrum. In the light of the Private Members Bill going through Parliament regarding the need for those with Down's Syndrome to have their unique needs met, what is being done to make Lewisham the best place to Live work and Learn for citizens with Down's Syndrome?

As Foetal Alcohol Spectrum Disorder is an even more common cause of neurological/intellectual impairment how are the needs of people with this distinctive condition being addressed in education and social care?

#### **Reply**

We are seeking to use learning from developing our Autism pathway to ensure that Lewisham is the best place to live, work and learn for citizens with Down's Syndrome. SEND pathways map the journey of the child/young person from identification of their needs to adulthood. The pathway outlines how and when professionals from education, health, social care and other partners will work with them and their families to plan to meet their needs, support transitions in their life and help them fulfil ambitions.

We have established a Down's Syndrome working group with parents and carers to look at our provision, understand their experiences and help us to develop the Down's Syndrome pathway. We are extending this work to consult with children and young people to hear about their aspirations. Our pathway will include consideration of how we assess the likely social care needs of people with Down's Syndrome and plan provision accordingly, which is very much in the spirit of the Private Members Bill.

In Lewisham, the majority of primary aged children with Down's syndrome attend mainstream schools, with many parents expressing a preference for specialist provision at secondary transfer. We have a specialist EP for children and young people with Down's syndrome and the Specialist Teacher (specific learning difficulties) team support individual schools to meet needs. Our pathway design will focus particularly on secondary aged children and young people with Down's Syndrome, building on the excellent pathway devised by Greenvale School and supporting their transition to adulthood.

With regards to Foetal Alcohol Spectrum Disorder (FASD), research shows that early identification and intervention can significantly improve an affected child's development and life. Our maternity, midwifery and health visiting services are all equipped to identify and support expectant mothers at risk as early as possible and in identifying children on the spectrum; referring to community paediatricians and supporting families to understand the needs of their children.

We take an individual approach to meeting the needs of children with FASD as the spectrum is broad and needs can vary significantly. Education, Health and Social Care assessment and planning are used necessary to co-ordinate planning and provision. Where needs are complex, the family may be allocated a designated social worker from the Disabilities Team. The Specialist Teacher (specific learning disabilities) Team support schools and settings to meet the needs of individual children and young people.

## **MEMBER QUESTION NO. 4**

### **Priority 1**

Question asked by: Alan Smith

Relevant Directorate: Housing, Regeneration & Public Realm

Member to reply: Councillor Patrick Codd

### **Question**

Whilst I recognise that as a species, we overproduce red meat I would like to understand the basis for the decision to only serve vegan food at council events. To help me, and Lewisham tax payers can you provide answers to the following.

- Was this decision based on a business case showing best value, and if so, can you provide me with the report?
- Given that a significant amount of the protein in vegan food is nut based, can you assure me that there will be provision for those who cannot, or do not, eat nuts?
- Vegans form less than 3% of the population, but in Lewisham Muslims form 6.4% of the population, what provision is being made to ensure that the food meets Halal standards?
- Can you ensure me that all the products used come from sustainable sources and that we will only use:-
- Palm oil (used in vegan block and many other foods) that's production has not caused deforestation and consequential threats to bio-diversity.
- Olive products and almonds that have not been grown in areas acquired through land confiscation, settlement building and the transfer of Israeli nationals to the Occupied Territory, as defined by the UN.
- That any Avocados have not been produced in areas where water is being extracted illegally, leading to localised droughts as is the case in Mexico, the largest producer, and other South American countries.
- Is the Mayor aware that a significant amount of pre-prepared vegan food is super-processed and contains up to double the amount of trans fats and sugars of other processed foods?

### **Reply**

The corporate policy of only vegan food served at events on corporate sites was adopted as part of the Climate Emergency Action Plan agreed by Mayor and Cabinet on 11 March 2020.

This policy was developed in recognition of the significant environmental impacts associated with food production, consumption and waste<sup>1</sup> and in particular the disproportionately higher greenhouse gas emissions associated with meat, dairy and eggs<sup>2</sup>. The action was included under the 'Leading By Example' theme within the Action Plan.

It should be noted that there are a very small number of events on corporate sites that involve catering, particularly since the COVID19 pandemic<sup>3</sup>, and the policy does not signal any move to initiate any additional catering services at corporate sites.

As the question indicates, catering and food choices can give rise to a range of complex issues. Procurement of catering is expected to follow the Council's procurement policies including Lewisham's Procurement Handbook and the Sustainable Procurement Code of Practice for Contractors, Suppliers and Service Providers, which includes requirements in relation to social, environmental and economic outcomes. The Council has also published guidance on healthy eating <https://lewisham.gov.uk/myservices/socialcare/health/diet-and-exercise/healthy-eating> and promotes the NHS Eatwell Guide <https://www.nhs.uk/live-well/eat-well/the-eatwell-guide/> which includes specific advice on vegetarian and vegan diets.

- 1) The International Panel on Climate Change Special Report on Climate Change and Land (August 2019) Chapter 2 Land Climate Interactions <https://www.ipcc.ch/srccl/chapter/chapter-2/> "Agriculture, forestry and other land use (AFOLU) is a significant net source of GHG emissions (high confidence), contributing to about 23% of anthropogenic emissions of carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O) combined as CO<sub>2</sub> equivalents in 2007–2016"
- 2) In 2021 London Councils and the University of Leeds published data on consumption emissions at a local authority level across London <https://beta.londoncouncils.gov.uk/news/2021/consumption-based-emissions-london-boroughs-have-reduced-not-fast-enough-meet-emission>. In Lewisham emissions associated with food and drink accounted for 11.4% of the total for the borough, with meat, dairy and eggs 70% of the emissions (the majority of which is meat). See table 6.5 from the recent report to Overview and Scrutiny Committee on a Greener Lewisham (November 2021) <https://councilmeetings.lewisham.gov.uk/documents/s91270/Item3GreenerFutureClimateChange301121.pdf>
- 3) The launch of Lewisham's Borough of Culture in November 2021 was held at the Rivoli Ballroom rather than a corporate site but followed the policy with vegan food and drink provided by local caterers the Lewisham Refugee Café and Anthea's Kitchen.

## **MEMBER QUESTION NO. 5**

### **Priority 1**

Question asked by: James-J Walsh

Relevant Directorate: Children & Young People

Member to reply: Councillor Chris Barnham

### **Question**

Ensuring every child gets a good education, appropriate to their needs, is core to Lewisham Labour's values... as such 'What progress is being made in helping Lewisham schools to reduce permanent exclusions?'

### **Reply**

Permanent exclusion from school is a serious sanction, which should be used only as a last resort. Only the headteacher of a school can exclude a child and this must be on disciplinary grounds. The decision to permanently exclude a child should only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the child to remain in school would seriously harm the education or welfare of the child or others

The number of permanent exclusions affecting Lewisham children has been a significant concern in recent times. In 2015/16 we had 78 permanent exclusions. This was then the highest in London. Concern about this was why we pledged in our 2018 manifesto to work with parents and schools to reduce exclusions.

I am very pleased to be able to say that our schools have made significant progress in reducing permanent exclusions.

The most recent published government figures show that in 2019/20 there were no permanent exclusions for Lewisham primary schools (significantly better than national and London averages). For Lewisham secondary schools, the number of exclusions in 2019/20 had reduced to 11. This represents a reduction in permanent exclusions by 85% since 2015/16. Locally collected data for 2020/21 indicates that this progress has been maintained.

We must pay tribute to the collaborative approach of our schools and the local authority, aiming to keep all children so far as possible in mainstream education, and avoid last-resort measures.

We should not of course underestimate the pressures that our schools and children continue to face, amplified by the effects of the pandemic, and the associated



disruption to education. Accordingly, it will remain a high priority to continue to work with schools to reduce the impact of exclusions on Lewisham pupils. In particular reducing exclusions for Black Caribbean pupils continues to be a priority, and is an important focus of the Lewisham Race Equality Strategy.

## **MEMBER QUESTION NO. 6**

### **Priority 1**

Question asked by: Alan Hall

Relevant Directorate: Corporate Resources

Member to reply: Councillor Amanda De Ryk

### **Question**

What action has been taken to address the concerns of Quaker Social Action reports on funeral poverty since November last year?

### **Reply**

The Quaker Social Action report referred to information being made available informing relatives on how to apply for support through a public health funeral. However, these are only provided for by local authorities when someone dies and there is nobody available to arrange the funeral, they are not made available for relatives to access if they are unable to afford the costs of a funeral.

Public health funerals tend to be undertaken where the coroner has contacted us as nobody has claimed responsibility for the body ie no NOK, relative etc meaning there wouldn't be anyone we could or should contact. When we undertake searches on the deceased person's property, we do look for details of relatives and would notify them of the details of the funeral as a matter of course.

For families and relatives who are unable to pay for the funeral, financial support is available from the Department of Work and Pensions. Funeral Expenses Payment can help pay for some of the costs of the following:

- burial fees for a particular plot
- cremation fees, including the cost of the doctor's certificate
- travel to arrange or go to the funeral
- the cost of moving the body within the UK, if it's being moved more than 50 miles
- death certificates or other documents

You can also get up to £1,000 for any other funeral expenses, such as funeral director's fees, flowers or the coffin although the payment will not usually cover all of the costs of the funeral.

The website is currently in the process of being updated in line with the report's recommendations to provide information on council's legal duties and Government guidelines on public health funerals, as well as making it clear online that family and/or friends are able to attend the funeral and that the cremated remains can be collected if wished. See here:

<https://lewisham.gov.uk/myservices/birthsdeathsmarriagescp/deaths/paying-for-a-funeral>

## **MEMBER QUESTION NO. 7**

### **Priority 2**

Question asked by: John Paschoud

Relevant Directorate: Corporate Resources

Member to reply: Councillor Kevin Bonavia

### **Question**

Lewisham Council launched our website on 3rd October 1995 - one of the first local authorities in Britain to recognise this means of communication as 'the future' and take such a step. In 2022 we are increasingly expecting residents and service users to rely on our website as the first and preferred channel by which to contact us about a growing number of services - with all of the efficiencies that can bring for us to achieve better value for money, and the convenience of 24/7/365 availability for people with busy lives.

In the six month period (of approximately 4,383 hours) between 1st July and 31st December 2021, for how long in total was the full main Lewisham Council website unavailable for public access?

Please can you provide a list of all outages of which you are aware during this period with the date, time, duration and diagnosed probable cause of each?

How does this compare for reliability with the websites of other London boroughs for the same period in figures collected by SOCITM, the Local Government Association, London Councils or other independent bodies?

### **Reply**

These are the known website outages in the specified time period 1st July to 31st December:

18th September - 8.37pm - 11.28am (19th) UPS (uninterrupted power source) partial power failure in Brent Civic Centre datacentre which caused a DMZ (demilitarised zone) switch to go down

11th October - 7.13pm - 08.25am – One of the website content management servers had an “an application compile” error message. Rebooting the server resolved the issue

26th October - 3.15 -3.30pm (fibre optic low power issue on one of the BT inter-datacentre (Brent to Croydon links) - BT Openreach said this was caused by fibre disturbance issues.

1st November - 2.41pm - 3.16pm (Root cause was never identified, we did not fix anything - believe to be external issue)

4th December - 1.56am - 9.21am (SQL – Structured Query Language - Database issue)

20th December - 3.37pm - 4.15pm (Single web server in load balanced pool experienced high CPU (central processor unit) usage. A second server has been added into the load-balanced pool - there has been no reoccurrence since)

Total downtime = 36 hrs 56 mins

Percentage availability between July 1st and December 31st = 99.16%

We do not hold benchmark information for other Local Authorities, but under the terms of our Inter Authority Agreement with Brent and Southwark, the agreed availability level for the website is 99%. The target performance levels are reviewed periodically as determined by the Joint Management Board.

## **MEMBER QUESTION NO. 8**

### **Priority 2**

Question asked by: Alan Smith

Relevant Directorate: Housing, Regeneration & Public Realm

Member to reply: Councillor Paul Bell

### **Question**

Can the cabinet member tell me how much progress has been made in implementing an article 4 direction on the Corbett estate in Catford South?

The area has seen a massive increase in the number of properties being converted into HMO's and whilst some of this is much needed and well managed low cost accommodation, we are seeing an increase in the use of HMO's as non-commissioned exempt run by a small number of large operators who can charge up to £960 p/m per room.

This article is well worth a read.

<https://unherd.com/2021/11/the-vultures-behind-londons-housing-crisis/>

### **Reply**

Work has begun on the preparation and update to the HMO evidence base which is borough wide. The initial stage which is still being worked on is an investigation of licensing records.

The current preparation of evidence for any new Article 4 Directions will be a 6 month exercise. However, national government has changed Article 4 rules. Article 4 imposition is now more difficult and requires a minimum of 12 months from when they are officially accepted by national government before they are implemented locally in order to avoid financial compensation claims.

I am also very concerned about the numbers of exempt accommodation units in Lewisham. Below is what is meant by exempt accommodation:-

- Registered Providers providing supported 'Exempt' are exempt from mandatory, selective or additional licensing and HMO management regulations.
- Support provision — there is little/no regulation of care, support or supervision only a requirement to provide 'more than minimal'.
- No local authority regulation powers/resource beyond Benefit regulations, or where statutory nuisances exist
- This type of accommodation is also exempt from Article 4 planning restrictions.
- The issues associated with this type of accommodation cross a number of service areas – its not solely a housing issue.

Lewisham will always stand side-by-side with the most vulnerable in our community. Private profit has no place in the support systems for many residents in exempt accommodation. We need a Labour government so badly to change the exploitative model of capitalism that eats away at the heart and soul of this country.

**MEMBER QUESTION NO. 9**

**Priority 2**

Question asked by: Alan Hall

Relevant Directorate: Community Services

Member to reply: Councilor Chris Best

**Question**

How much has been spent on drug prevention and treatment services in the last four years, particularly for class B drug users? And what is the indicative budget for 2022/3?

**Reply**

Please see overall spend year on year. This covers integrated services, so it is not possible to disaggregate class B drugs. The 2022/23 budget is indicative, particularly given the current process in response to the Council's financial position, uncertainty over the grant allocation for next year, and any potential investment aligned with the government's new drug strategy

Please note, budgets are for drugs (all classes) and alcohol and are not separated.

Budget allocation from the Public Health Grant

2018/19 – £3,993,100

2019/20 – £3,866,100

2020/21 – £3,826,100

2021/22 – £3,765,000

2022/23 – £3,765,000

**MEMBER QUESTION NO. 10**

**Priority 3**

Question asked by: Alan Hall

Relevant Directorate: Community Services

Member to reply: Councillor Patrick Codd

**Question**

Would the cabinet member outline the current policies in relation to tree felling and any proposed changes?

**Reply**

The Lewisham website has a clear statement on it regarding the Council's Policy towards tree removal as follows:

Lewisham Council would only fell a tree if it's absolutely necessary. This means that the tree is dead, diseased or dying and/or poses a significant liability risk (if, for example, the tree is undermining the foundations of a resident's house as determined by a third-party surveyor) and all other options for managing the tree have been exhausted.

There are currently no proposed changes to this policy.



**MEMBER QUESTION NO. 11**

**Priority 4**

Question asked by: Alan Hall

Relevant Directorate: Corporate Resources

Member to reply: Councillor Kevin Bonavia

**Question**

Will the cabinet member please publish the current performance data and rankings of London Borough Councils in relation to Freedom of Information response times?

**Reply**

The Council's own performance times for responding to freedom of information requests (FOIs) for the last 4 years is as below.

The loss of two of the three staff in the council's central team responding to FOIs, related to the wider council's COVID-19 response, has significantly impacted the ability to respond to FOI requests. However, I am determined as we exit the pandemic that we make every effort to improve our performance in this area.

<b>2018/19</b>	<b>Number received</b>	<b>Performance</b>
FOIs	1,497	70%
<b>2019/20</b>		
FOIs	1,733	67%
<b>2020/21</b>		
FOIs	1,590	65%
<b>2021/22</b>		
FOIs	892	42%

Unfortunately, officers were unable to provide a direct comparison with other London boroughs at this time.

**MEMBER QUESTION NO. 12**

**Priority 5**

Question asked by: Alan Hall

Relevant Directorate: Community Services

Member to reply: Councillor Andre Bourne

**Question**

The bust of Archbishop Desmond Tutu by John Houlston was removed from the Civic Suite Foyer a number of years ago because it had been damaged, has the bust been repaired?

**Reply**

The statue is stored in the Civic Suite, and staff have confirmed that it is intact.