

LEGAL IMPLICATIONS ON THE REVENUE BUDGET SAVINGS PROPOSALS

CHILDREN & YOUNG PEOPLE DIRECTORATE

CYP 2 – Fostering & Adoption

These payments are entirely discretionary payments made under powers provided by the Children Act 1989. They do not refer to the current scheme of support for Foster Parents, nor to the contractually binding levels of payment made to externally contracted services. They are entirely supplementary to those levels of payment, and as such are decided upon on a case by case basis.

CYP 12 – Connexions

Reduction in the contract service. Contract re-negotiated.

CYP 23 – Benefits & Awards

Student Awards transfer to Central Government. TUPE and/or possible redundancy costs Consultation.

There are no specific legal implications for CYP proposals 1, 3 to 11, 13 to 22 & 24 to 25.

COMMUNITY SERVICES DIRECTORATE

COM 6 – Arts Service and Broadway Theatre

Post deletion and potential redundancy costs. Employment procedures to be followed.

COM 12 – Day Opportunities and Support

Day Services and Home Care savings anticipated by a move to Individual budgets. The move to Individual Budgets is still being piloted. Outcome uncertain as yet. An equality impact assessment will be required, consultation with users and beneficiaries.

There are no specific legal implications for COM proposals 1 to 5, 7 to 11 & 13 to 23.

CUSTOMER SERVICES DIRECTORATE

CUS 1 – Bereavement Services

Section 9 of the Cremation Act 1902 empowers the Council as burial authority to “demand payment of charges or fees, for the burning of human remains in any crematorium provided by them ...”. No Regulations or guidance on the calculation of the fee have been published and the amount of the fee is therefore a matter for the Council to determine.

CUS 3 – Green Scene

The parks contract retendered. The savings are as yet uncertain and the procurement process is ongoing.

There are no specific legal implications for CUS proposals 2 and 4 to 14.

REGENERATION DIRECTORATE

REG 01 – Planning

The nature of the proposed savings have not been identified as they are awaiting the outcome of the service's "service transformation review". Once these have been identified full legal implications can be given.

There are no specific legal implications for REG proposals 2 to 7.

RESOURCES DIRECTORATE

RES 14 – Sustainable Energy

The Council's Carbon Reduction and Climate Change Strategy adopted in July 2008 identifies the Climate Change Innovations Fund as a means of helping Lewisham achieve the lowest level of per capita level CO2 emissions in London, by enabling citizens across the borough to fully contribute to and benefit from a low-carbon economy. The strategy sets out the Council's commitment to use the fund to level additional external funding into the borough to maximise the range of projects and the impact the fund can deliver. Whilst the Council is not under a statutory obligation to provide such a fund, a cut in the fund may impact on what can be achieved in this respect.

There are no specific legal implications for RES proposals 1 to 13 & 15 to 17.