

LONDON BOROUGH OF LEWISHAM

MINUTES of that part of the meeting of the MAYOR AND CABINET, which was open to the press and public, held on WEDNESDAY, 18 APRIL 2007 at LEWISHAM TOWN HALL, CATFORD, SE6 4RU at 6.00 p.m.

Present

The Mayor (Steve Bullock)(Chair); Councillor Alexander (Vice-Chair); Councillors Best Fitzsimmons, Klier, Massey, Onuegbu, and Wise.

Also Present

Councillors Anderson, Cross, Fletcher, Houghton, Johnson, Luxton, Milton, and Walton

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1	<u>Declarations of Interests</u> (page There were no declarations of interest.	
2	<u>Minutes</u> (page RESOLVED that the Minutes of that part of the meetings of the Mayor and Cabinet, which were open to the press and public, held on 7 March 2007 and 14 March 2007 be confirmed and signed.	
3	<u>Corporate Plan 2007/08</u> (page and appendix at page RESOLVED that: (i) the Corporate Plan be referred to the Council; and (ii) authority be delegated to the Chief Executive to make any necessary amendments arising out of the production of the Corporate Plan and the need to include comment and commentary on the performance data as it becomes available before the document is sent, in accordance with statutory requirements, to Full Council for 23rd May and publication by 30th June 2007.	Chief Executive
4	<u>Consultation on Adult Social Care: Eligibility and Charging</u> (page and appendix at page	

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RESOLVED that

(i) the consultation schedule at Annex A be agreed which provides details of the planned consultation events and the consultation methods that will be employed, and lists the stakeholders who will be consulted;

(ii) the draft documents that are attached at Annex B be approved to form the information pack that will be issued as part of consultation and provide details of the proposed changes to the Fair Access to Care eligibility criteria and policy on charging;

(iii) the comments made by the members of the Healthier Communities Select Committee at their meeting on 22 March 2007 be noted;

(iv) authority be delegated to the Executive Director for Community Services to finalise the detailed arrangements for the consultation process; and

ED Community Services

(v) to note that officers will prepare a report on the outcome of the consultation which will be presented to the Healthier Communities Select Committee and to Mayor and Cabinet after the summer recess. This allows a three month consultation period, although this timescale can be extended if required.

ED Community Services

5 Customer Services Strategy (page and appendix at page

RESOLVED that:

(i) the Customer Services Strategy as set out at Appendix One be adopted; and

ED Customer Services

(ii) the development and funding for a business case as set out in section 7 of the report be agreed.

6 Excalibur Bungalow Estate – Decent Homes through stock transfer (page and appendix at page

Councillor Houghton, a ward councillor, read out a statement

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from a local resident and made a presentation on behalf of Bungalow Estate residents. The Executive Member for Customer Services and the Mayor acknowledged the important funding issues raised by Councillor Houghton and called for very effective communication to take place with the residents on all aspects of the stock transfer.

RESOLVED that:

(i) the extended and final deadline for the completion of transfer for the estate, as outlined in paragraph 4.4 of the report and the history of the transfer process for Excalibur, which lead to the extension be noted;

(ii) the timescales for the completion of transfer, as outlined in paragraph 4.4 be noted;

(iii) the outcome of the RSL selection process for Excalibur be noted;

(iv) officers' recommendations on the preferred RSL bidder as resulting from the landlord selection process be agreed;

(v) the Council pursues stock transfer of the properties on Excalibur estate to London and Quadrant Housing Trust's (L&Q) ownership, as set out in paragraph 10.5; and

ED Customer Services

(vi) that officers work with L&Q, the selected RSL, residents and their supporting Independent Tenant Advisor (ITA) to develop the stage one offer document over the next 6 months, as set out in paragraph 11.2.8.

ED Customer Services

7 Grove Park – Offer Document (page

RESOLVED that

(i) the high level of resident and stakeholder consultation and engagement in the stock transfer be noted;

(ii) to note the formal consultation process involved with stock transfer and that this report is primarily concerned with the first stage of the process, the formal offer

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document to residents as set out in paragraph 8.2;

(iii) the timetable outlined in paragraph 15 be agreed;

(iv) the 'offer document', consisting of a summary (which will be sent to tenants and leaseholders), a tenants offer document, the tenancy agreement and leaseholder document be sent to tenants and leaseholders for their consideration.

(v) a further report be presented to the Mayor to decide whether to proceed to ballot following consideration of responses to the Offer document as noted in paragraph 8.7; and

(vi) to note WG Grace Community Centre at present does not feature as part of the stock transfer proposals.

8 Relocation of Travellers Site (page

The Executive Director for Regeneration's representative pointed out the operative date in paragraph 6.1 of the report should read September 2008 and not May 2008.

RESOLVED that:

(i) consultation with Travellers and local residents be commenced on the use of Laurence House Lorry Park site or the Church Grove site as being the preferred replacement site for Thurston Road.

(ii) officers be instructed to undertake further work on the potential site layouts, planning requirements and potential costs of each site; and

(iii) Mayor and Cabinet consider a further report on 20 June 2007 on the outcome of the consultation process and the further work referred to above.

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9 Development Policies & Site Allocations, The Preferred Options Report (page and

RESOLVED That the Development Policies & Site Allocations DPD, Preferred Options Report, for statutory public consultation be recommended to Council for approval with officers being authorised to make all necessary editing amendments prior to publication.

10 Nursery, Primary, Secondary and Sixth Form Admissions Arrangements and School Admissions - Limits For 2008/9 (page)

The Executive Director for Children and Young People tabled an erratum document which modified Appendix 3, Admissions Criteria for Lewisham community secondary schools, section 4, page 14, first sentence to read 'All distances will be measured in a straight line, using digital mapping software or Ordnance Survey maps of the area, from the home to the main school entrance'.

RESOLVED that:

(i) the nursery, primary, secondary and sixth form admission arrangements set out in the appendices be agreed. ED CYP

(ii) admission limits for the academic year 2008/9, including the revised numbers for Lewisham Bridge and St Michael's CE primary schools, as set out in the appendices, be agreed. ED CYP

11 Approval of Lewisham Building Regulations Charges - Scheme No 5, 2007(page)

RESOLVED that

(i) the Lewisham Building Regulations Charges Scheme No 5, 2007 be approved; and

(ii) authority be delegated to the Executive Director Customer Services to determine the building regulation charges annually, for the ED Cust Serv

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next three years, in accordance with the Building (Local Authority Charges) Regulations 1998.

12 Enforcement and Implementation of the Smoke Free Regulations made under the Health Act 2006 (page

RESOLVED that

(i) the Executive Director for Customer and the Head of Business Regulatory Services be given delegated authority for the implementation of the 'smoke-free legislation' contained within the provisions of Part 1 of the Health Act 2006 and related statutory regulations; and

(ii) the necessary budgetary adjustments are made to take account of the allocated funding package which has been made available by the Government to Lewisham Council to cover the costs of implementing the 'smoke free legislation'.

13 Matter referred by the Sustainable Development Select Committee - Rail Development Review (page

A presentation was made by the outgoing Chair of the Select Committee, Councillor Johnson.

RESOLVED that

(i) the views of the Sustainable Development Select Committee as set out in section 4; and the detailed report be noted; and

(ii) the Executive Director for Regeneration be asked to feedback on progress in relation to responses arising from the issues indicated.

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14 Matter referred by the Safer & Stronger Communities Select Committee - Safer Neighbourhood Teams Review (page

A presentation was made by the Vice Chair of the Select Committee, Councillor Walton.

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RESOLVED that

(i) the views of the Safer Stronger Communities Select Committee as set out in section 4; and the detailed report be noted;

(ii) relevant Executive Directors be asked to feedback on progress in relation to responses arising from the issues indicated.

15 Matter referred by the Healthier Communities Select Committee - Provision of Hydrotherapy Facilities in Lewisham

A presentation was made by the outgoing Vice Chair of the Select Committee, Councillor Milton

RESOLVED that

(i) the views of the Healthier Communities Select Committee as set out in section 4 be noted; and

(ii) the Executive Directors for Community Services and Children and Young People be asked to advise accordingly in relation to responding to the issues as indicated.

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16 Governance Arrangements - BSF

RESOLVED that

(i) the Council participate as a member of the company established as a Local Education Partnership in Lewisham (LEP), and to take shares in that company representing the investment set out in the financial implications accompanying this report at paragraph 15;

(ii) Cllr Heidi Alexander be nominated by the Council to serve as the Council's nominated director on the Board of LEPCO;

(iii) that an observer be appointed to the Board of Directors and the appointment be considered at a future meeting;

Head of Law

(iv) agree the composition of the Strategic

Partnering Board as set out in Paragraph 9.

17

Matter referred by the Blackheath, Lee Green & Lewisham Central Area Forum – Oral Update by the Head of Law

The Head of Law made the following statement “On 20 March 2007 the Blackheath, Lee Green and Lewisham Central Area Forum met. On that date it considered the proposed Loampit Vale development and following it, a request was produced for referral to the Mayor & Cabinet in accordance with the provisions of the Council’s constitution. It was intended by the Council that that Area Forum request would be submitted to the next Mayor & Cabinet meeting, i.e., this evening’s meeting.

However, on 3 April, prior to dispatch of the papers for this evening’s meeting, I received an email from Mary Paul threatening judicial review of the Council’s decision in relation to the Loampit Vale development if the Council did not take certain actions in relation to that decision. That letter requested a response in less than two days, so on behalf of the Council I replied that the Council would respond within a reasonable time, namely within 14 days – which accords with the pre-action protocol governing judicial review proceedings. I have fulfilled the assurances given on behalf of the Council and have provided a comprehensive response to Ms Paul and the solicitors representing her.

In that response the Council has pointed out that if the School Organisation Committee considers that the circumstances are such that the proposal to establish a new school on the site of the existing Ladywell Leisure Centre should not be implemented the Council will, at that stage, wish to consider whether the change in circumstances impacts upon its decision to redevelop Loampit Vale in the way decided upon in March 2007, and what, if any, further steps should be taken by the Council.

As many of the issues raised by the Area Forum are matters raised in the pre-action protocol letter, it is anticipated that the Area Forum request will be considered in due course, and subject to the outcome of the SOC deliberations, possibly in the same report. However, it was inappropriate for a report on the Area Forum report to be considered prior to the Council’s response to the pre-action letter.

My response to Ms Paul and her solicitors is a detailed one, which it is not appropriate to explore thoroughly at this point,

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though the issue of the Area Forum request and any changed circumstances following the SOC decision, whatever that may be, will be reported at the appropriate moment to the Mayor and Cabinet.”

18 Exclusion of the Press and Public (page

RESOLVED that that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule 12(A) of the Act:-

- 101 Minutes
- 102 Chrysalis PFI
- 103 Consultation with Travellers
- 104 Governance Arrangements – BSF – Financial Implications

The following is a summary of the items considered in the closed part of the meeting:

Item 101 Minutes

The minutes of the closed meeting held on were agreed as a correct record.

102 Chrysalis PFI4 – Outline Business Case

The Mayor agreed:

- (i) to note the submission of the Chrysalis PFI4 Outline Business Case to Communities and Local Government (CLG).
- (ii) to authorise the Executive Director for Regeneration, on the advice of the Executive Director for Resources and the Head of Law be authorised to agree minor changes to the OBC with the department for CLG.

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ED Resources/
Head of Law

Item 103 Relocation of Travellers' Site

The Mayor & Cabinet received a report parallel to the report on the open agenda. It set out commercially confidential

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information related to the re-provision of the Travellers' site.

Item 104 Governance Arrangements – BSF – Financial Implications

The Mayor & Cabinet received a report parallel to the report on the open agends setting out commercially confidential financial implications of the report on

The meeting ended at 7.07pm.

Chair