



# AGENDA

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## MAYOR AND CABINET

**Date: WEDNESDAY, 22 JUNE 2011 at 6.00 pm**

**Committee Rooms 1 & 2  
Civic Suite  
Lewisham Town Hall  
London SE6 4RU**

**Enquiries to: Kevin Flaherty  
Telephone: 0208 314 9327 (direct line)  
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### **MEMBERS**

Mayor Sir Steve Bullock	(L)
Councillor Best	(L)
Councillor Egan	(L)
Councillor Fitzsimmons	(L)
Councillor Klier	(L)
Councillor Maslin	(L)
Councillor Millbank	(L)
Councillor Onuegbu	(L)
Councillor Smith	(L)
Councillor Wise	(L)

**Members are summoned to attend this meeting**

**Barry Quirk  
Chief Executive  
Lewisham Town Hall  
Catford  
London SE6 4RU  
Date: June 14 2011**



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

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# Agenda Item 1

MAYOR AND CABINET		
<b>Report Title</b>	Declarations of Interests	
<b>Key Decision</b>		Item No. 1
<b>Ward</b>		
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: 22 June 2011

## **Declaration of interests**

Members are asked to declare any personal interest they have in any item on the agenda.

## **Personal interests**

There are two types of personal interest :-

- (a) an interest which you must enter in the Register of Members' Interests\*
- (b) an interest where the wellbeing or financial position of you, (or a "relevant person") is likely to be affected by a matter more than it would affect the majority of inhabitants of the ward or electoral division affected by the decision.

\*Full details of registerable interests appear on the Council's website.

("Relevant" person includes you, a member of your family, a close associate, and their employer, a firm in which they are a partner, a company where they are a director, any body in which they have securities with a nominal value of £25,000 and (i) any body of which they are a member, or in a position of general control or management to which they were appointed or nominated by the Council, and (ii) any body exercising functions of a public nature, or directed to charitable purposes or one of whose principal purpose includes the influence of public opinion or policy, including any trade union or political party) where they hold a position of general management or control,

If you have a personal interest you must declare the nature and extent of it before the matter is discussed or as soon as it becomes apparent, except in limited circumstances. Even if the interest is in the Register of Interests, you must declare it in meetings where matters relating to it are under discussion, unless an exemption applies.

## **Exemptions to the need to declare personal interest to the meeting**

You do not need to declare a personal interest where it arises solely from membership of, or position of control or management on:

- (a) any other body to which you were appointed or nominated by the Council
- (b) any other body exercising functions of a public nature.

In these exceptional cases, unless your interest is also prejudicial, you only need to declare your interest if and when you speak on the matter .

### **Sensitive information**

If the entry of a personal interest in the Register of Interests would lead to the disclosure of information whose availability for inspection creates or is likely to create a serious risk of violence to you or a person living with you, the interest need not be entered in the Register of Interests, provided the Monitoring Officer accepts that the information is sensitive. Where this is the case, if such an interest arises at a meeting, it must be declared but you need not disclose the sensitive information.

### **Prejudicial interests**

Your personal interest will also be prejudicial if all of the following conditions are met:

- (a) it does not fall into an exempt category (see below)
- (b) the matter affects either your financial interests or relates to regulatory matters - the determining of any consent, approval, licence, permission or registration
- (c) a member of the public who knows the relevant facts would reasonably think your personal interest so significant that it is likely to prejudice your judgement of the public interest.

### **Categories exempt from being prejudicial interest**

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

### **Effect of having a prejudicial interest**

If your personal interest is also prejudicial, you must not speak on the matter. Subject to the exception below, you must leave the room when it is being discussed and not seek to influence the decision improperly in any way.

### **Exception**

The exception to this general rule applies to allow a member to act as a community advocate notwithstanding the existence of a prejudicial interest. It only applies where members of the public also have a right to attend to make representation, give evidence or answer questions about the matter. Where this is the case, the member with a prejudicial interest may also attend the meeting for that purpose. However the member must still declare the prejudicial interest, and must leave the room once they have finished making representations, or when the meeting decides they have finished, if that is earlier. The member cannot vote on the matter, nor remain in the public gallery to observe the vote.

## **Prejudicial interests and overview and scrutiny**

In addition, members also have a prejudicial interest in any matter before an Overview and Scrutiny body where the business relates to a decision by the Executive or by a committee or sub committee of the Council if at the time the decision was made the member was on the Executive/Council committee or sub-committee and was present when the decision was taken. In short, members are not allowed to scrutinise decisions to which they were party.

# Agenda Item 2

MAYOR AND CABINET		
<b>Report Title</b>	Minutes	
<b>Key Decision</b>		Item No.2
<b>Ward</b>		
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: 22 June 2011

## Recommendation

It is recommended that the minutes of that part of the meeting of the Mayor and Cabinet which were open to the press and public, held on 1 June 2011 (copy attached).

## 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, 1 JUNE 2011 at LEWISHAM TOWN HALL, CATFORD, SE6 4RU at 6.00 p.m.

### Present

Councillor Smith (Deputy Mayor and Chair), Councillors Best, Egan, Klier, Maslin, Millbank, and Onuegbu.

Apologies for absence were received from The Mayor and Councillors Fitzsimmons and Wise.

<u>Minute No.</u>		<u>Action</u>
1.	<u>Declarations of Interests</u> (page  There were none.	
2.	<u>Minutes</u>  RESOLVED that the minutes of that part of the meeting of the Mayor and Cabinet, which was open to the press and public held on May 11 2011, be confirmed and signed.	
3.	<u>Outstanding References to Select Committees</u> (page  The Cabinet received a report on issues which had previously been considered that awaited the responses requested from Directorates.  RESOLVED that the report be received.	
4.	<u>Report Back On Matters Raised By The Overview And Scrutiny Business Panel</u> (page  <i>Call-in of Mayoral Decision – Prioritisation of Transport Schemes</i>  In the absence of the Mayor, the original decision maker, this item was deferred to the June 22 meeting.  <i>Library Service – asset transfer proposals and provision of community library facilities - Item 4 Mayor &amp; Cabinet 11 May 2011</i>  The Cabinet Member for Community Services, Councillor Chris Best responded to the reference from the Business Panel.	Head of Committee

Minute No.

Action

She said that in terms of monitoring, meetings were taking place daily. Although the new arrangements for libraries had only been in place for one day, all openings and closings had went well. The council was working closely with Eco Computers to manage the buildings. Council library staff were undertaking outreach work. Councillor Best expressed confidence for the future operation of the libraries.

She stated that an established communications strategy was in place and the council had been very clear regarding its offer. She promised there would be an all party briefing in due course on community libraries. She believed the Council's communications strategy had been very robust.

In conclusion, the Deputy Mayor observed that the Cabinet Member's report indicated that the suggestions made by the Business Panel seem to have already been acted upon and that a response in that vein be provided.

RESOLVED that a response be provided to the Business Panel advising the Panel that their comments on the library service had been received and noted. Head of Committee

5. Safer Lewisham Strategy 2011 - 2014 (page

RESOLVED That

(i) the 3 year strategy for the partnership to deal with crime and disorder in Lewisham be approved, and

(ii) the Strategy be presented to Council on 29 June 2011. ED Community

6. Matters referred by the Public Accounts Select Committee – Review of Adaptations (page

RESOLVED That

(i) the views and recommendations of the Committee be received;

(ii) the Executive Director for Customer Services be asked to respond to the Review's recommendations; and ED Customer



Minute No.

Action

7. Management Report – April 2011 (page

Councillor Klier asked if staffing reductions had led to any changes and was informed by the Executive Director for Children and Young People that it was too early to tell.

Councillor Millbank asked officers to consider the introduction of comparators over several years as she believed they might provide a useful overview.

Councillor Best indicated there was an ongoing concern about adult social care data management and she asked that the text be refreshed to reflect the continuing problems.

RESOLVED That the report be noted.

8. Service Plan for Food Law Enforcement (page

RESOLVED that the Food Law Enforcement Plan for 2011-2012 be approved for submission to Council. ED Customer

9. Appointment of Governors (page

RESOLVED that the following persons be appointed as School Governors: ED CYP

Mr Thomas Kyriakoudis	Elfrida
Ms Katryn Rosse	Fairlawn
Ms Elizabeth Smith	John Ball
Mr Martin Jopp	John Stainer
Ms Sandra Lashley	John Stainer
Ms Lorraine Johnson	Lee Manor
Dr Robert Massey	Lee Manor
Mr Andrew Russell	Sedgehill
Mr Henry Sullivan	St Joseph's Catholic Primary

Minute No.

Action

10. Taxicard scheme – Re-instatement of ‘double-swiping’

The Deputy Mayor said he was very pleased to support this change and acknowledged the modest saving involved would not have offset the disadvantage.

Councillor Egan sought an assurance that service users would be informed and was told by the Executive Director for Resources representative that as the change could not be implemented until early July, there would be time to make users aware of the change.

Councillor Best reminded the Cabinet that the Mayor had made a commitment in February to review the impact of public service cuts on the disabled. The Cabinet agreed that the review findings should be considered as soon as practicable and if possible, before the August recess.

ED Community

RESOLVED That that the use of ‘double-swiping’ be reinstated as part of the Lewisham Taxicard scheme with effect from 1 July 2011.

The meeting ended at 6.29pm.

Chair

# Agenda Item 3

MAYOR & CABINET		
<b>Report Title</b>	Outstanding References to Select Committees	
<b>Key Decision</b>	No	Item No. 3
<b>Ward</b>		
<b>Contributors</b>	Head of Business and Committee	
<b>Class</b>	Part 1	Date: 22 June 2011

## 1. Purpose of Report

To report on items previously reported to the Mayor for response by directorates and to indicate the likely future reporting date.

## 2. Recommendation

That the reporting dates of the item shown in the table below be confirmed.

Report Title	Author	Date Considered by Mayor & Cabinet	Scheduled Reporting Date	Slippage since last report
Review of Mutualism March 23 2011 – Public Accounts Select Committee	ED Regeneration and ED Resources	March 23 2011	July 13 2011	yes
Key housing issues arising from the Localism Bill and other new initiatives – Housing Select Committee.	ED Customer	April 20 2011	July 13 2011	no

Review of Damp and Mould in Social Housing – Housing Select Committee	ED Customer	April 20 2011	July 13 2011	no
Review of Adaptations - Public Accounts Select Committee	ED Customer	June 1 2011	September 14 2011	no

**BACKGROUND PAPERS and AUTHOR**

Mayor & Cabinet minutes, March 23 2011 and April 20 2011 and June 1 2011 available from Kevin Flaherty 0208 314 9327.

<b>MAYOR and CABINET</b>		
<b>Report Title</b>	Report Back On Matters Raised By The Overview And Scrutiny Business Panel	
<b>Key Decision</b>	No	Item No. 4
<b>Ward</b>		
<b>Contributors</b>	Head of Business and Committee	
<b>Class</b>	Open	Date: 22 June 2011

## **Purpose of Report**

To report back on any matters raised by the Overview & Scrutiny Business Panel following their consideration of the decisions made by the Cabinet in the absence of the Mayor on 1 June 2011.

The Overview and Scrutiny Business Panel agreed that the following references be made to the Mayor.

### **1. Safer Lewisham Strategy**

Business Panel noted the Cabinet's decision. The Panel agreed that because of all the changes that the government intend to make in the way crime and disorder is tackled during the lifetime of this strategy, the Safer Lewisham Strategy should be kept under review.

### **2. Taxicard Scheme – Re-instatement of 'double swiping'**

Business Panel noted the Cabinet's decision. The Panel were concerned that there were still not enough information for both users and Taxi cab drivers to use and operate the service effectively. It was noted that there had been complaints from users, especially wheelchair users.

The Panel expressed concern regarding the accuracy of the information supplied by London Councils in December 2010 and whether this has been rectified for future decision making.

The Panel agreed to request that the Deputy Mayor make representations to the Chair of the London Councils' Transport and Environment Committee about the need for clarity in operating the scheme, especially information to users of taxicard about taxis and boroughs that accept double swiping, perhaps the taxicard should be marked for users in boroughs that accept double swiping, consideration

about how best to accommodate wheelchair users and the importance of this scheme to be extended to all parts of London.

The Business Panel recommended the Deputy Mayor undertake a taxicard journey with a wheelchair user to inform these representations.

### **3. Leisure Management Sign Off Sheet**

Business Panel noted the Cabinet's decision. The Panel discussed the need for a feedback mechanism for both Business Panel and Mayor and Cabinet.

The Panel requested that the Mayor instruct officers to:

- i. publish the minimum standard of Key Performance Indicators that have been agreed. To ensure that they and all non commercially sensitive aspects of the Contract are made publicly available.
- ii. bring back a summary of the final, formally agreed contract to both Mayor and Cabinet, and Business Panel.

<b>MAYOR AND CABINET</b>		
<b>Report Title</b>	Matters Raised by Overview & Scrutiny Business Panel Call-in of Mayoral Decision – Prioritisation of Transport Schemes	
<b>Key Decision</b>	Yes	Item No. 4a
<b>Ward</b>	All	
<b>Contributors</b>	Chief Executive (Senior Committee Manager)	
<b>Class</b>	Part 1	Date: 22 June 2011

### 1. Summary

This report informs the Mayor and Cabinet of a call-in and associated comments agreed by the Overview & Scrutiny Business Panel on May 17 in accordance with Paragraph 14 of the Overview and Scrutiny Procedure Rules.

### 2. Purpose of the Report

To inform the Mayor of the reasons agreed for the call-in and to ask him to reconsider a decision made on the Prioritisation of Transport Schemes.

### 3. Recommendation

The Mayor is requested to respond to the call-in made by the Overview & Scrutiny Business Panel as described in paragraph 5 below:

### 4. Background

4.1 At a meeting of the Mayor & Cabinet held on May 11 2011 the Mayor considered a report entitled 'Prioritisation of Transport Schemes'.

4.2 The Mayor considered an officer report and

*Resolved that:-*

*(i) the following allocation of the revenue traffic management budget for 2011/12 of £75,000 be approved:*

*(1) £20,000 for new waiting and loading restrictions.*

*(2) £5,000 for footway parking.*

*(3) £10,000 for the maintenance, data collection and re-siting of Speed Indicator Devices.*

*(4) £10,000 for traffic flow and speed surveys.*

*(5)£25,000 for small scale traffic schemes.*

*(6)£5,000 for the completion of 2010/11 schemes.*

*(ii) if any funding is identified via S106 or other external sources, items from the priority list are investigated and treated;*

*(iii) officers report back next year on additional small scale traffic scheme requests received and action taken in respect of the 2011/12 programme;*

*(iv) the small scale traffic schemes carried out in 2010/11 be noted;*

*(v) the £100,000 allocated to the Borough in 2011/12 (to be spent on "Local Transport" priorities of their choice) is used to carry out a further £80,000 of small scale traffic schemes, as set out in Appendix A, and that £20,000 be used to assist in the development of future traffic schemes*

4.3 In accordance with the Constitution, this decision was notified to all members of the Business Panel within 2 days of being made.

## **5. Overview & Scrutiny Business Panel – Reasons for Call-in**

5.1 The Overview and Scrutiny Business Panel considered the Mayor's decision, the original officer report, and the response to the Mayor on the reference by Perry Vale Assembly.

5.2 Following the presentation from the Director of Programme Management & Property, and the Service Group Manager, Transport Policy & Highways the Business Panel resolved to call in the Mayor's decision asking him to reconsider his decision based on the following:

- i. In light with the report 'Matter Referred by the Perry Vale Assembly' which was a response to the Assembly's referral that went to Mayor & Cabinet on 20 April 2011. The Panel was not convinced all the necessary information was presented to the Mayor for consideration, for him to make an informed decision. The Panel felt that if the Mayor had considered the report in addition to the response to Perry Vale Assembly as an appendix, that went to Mayor & Cabinet on 20 April, Perry Vale might have been included in the list of schemes.
- ii. The Panel supports the schemes identified in general in Appendix A of the report and would not want to delay the current timetable.

## **6. Legal Implications**

6.1 The Council's Constitution provides that where the Overview & Scrutiny Business Panel requests that the Mayor reconsider a decision it shall not become effective until he has done so. There may be no further call-in of the decision.



6.2 It is essential that a decision is made on a consideration of all relevant considerations and ignoring irrelevancies. On this basis a decision must not be one which no reasonable authority could come to.

## **7. Financial implications**

7.1 The current budget is fully committed with those schemes proposed in Appendix A of the Mayor & Cabinet report of 11th May 2011 with which officers have been instructed to proceed. Any additional schemes such as those outlined for further assessment in the Perry Vale Assembly Report would require additional funding.

### **BACKGROUND PAPERS**

Matters referred by Perry Vale Assembly 20 April, Mayor & Cabinet papers  
<http://councilmeetings.lewisham.gov.uk/mgConvert2PDF.aspx?ID=2708>

Prioritisation of Transport Schemes 11 May Mayor & Cabinet papers  
<http://councilmeetings.lewisham.gov.uk/mgConvert2PDF.aspx?ID=3015>

If you have any queries on this report, please contact Olga Cole Senior Committee Officer, 0208 314 8577 or Kevin Flaherty, Head of Business and Committee, 0208 314 9327

# Agenda Item 5

<b>Chief Officer Confirmation of Report Submission</b>			
<b>Report for:</b>	<b>Mayor</b>	<input type="checkbox"/>	
	<b>Mayor and Cabinet</b>	<input checked="" type="checkbox"/>	
	<b>Mayor and Cabinet (Contracts)</b>	<input type="checkbox"/>	
	<b>Executive Director</b>	<input type="checkbox"/>	
<b>Information</b>	<b>Part 1</b>	<input checked="" type="checkbox"/>	<b>Part 2</b>
			<input type="checkbox"/>
			<b>Key Decision</b>
			<input type="checkbox"/>

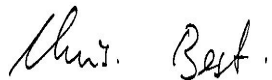
<b>Date of Meeting</b>	22 June 2011
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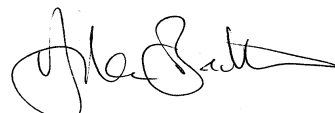
<b>Title of Report</b>	Proposal to close Kirkdale Centre, Community Education Lewisham
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<b>Originator of Report</b>	Helen Hammond	<b>46189</b>
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
<b>Financial Comments from Exec Director for Resources</b>	✓	
<b>Legal Comments from the Head of Law</b>	✓	
<b>Crime &amp; Disorder Implications</b>	✓	
<b>Environmental Implications</b>	✓	
<b>Equality Implications/Impact Assessment (as appropriate)</b>	✓	
<b>Confirmed Adherence to Budget &amp; Policy Framework</b>	✓	
<b>Risk Assessment Comments (as appropriate)</b>		
<b>Reason for Urgency (as appropriate)</b>		

Signed  Cabinet Member  
 Date 8/6/11

Signed  Executive Director  
 Date 10/6/11

### Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET			
<b>Report Title</b>	Proposal to close Kirkdale Centre, Community Education Lewisham		
<b>Key Decision</b>	Yes	Item No.	5
<b>Ward</b>	All		
<b>Contributors</b>	Executive Director for Community Services		
<b>Class</b>		Date:	22 June 2011

## 1 Summary

- 1.1 Community Education Lewisham (CEL) is part of the Community Services Directorate and provides the Council's adult and community learning service. CEL offers a wide range of adult learning across the borough and currently operates out of four designated sites: Brockley Rise, Granville Park, Kirkdale Centre and Grove Park.
- 1.2 The Skills Funding Agency (SFA) has announced that the skills budget for adult learning will reduce by 25% over the next four years from September 2011, and there will also be reform of the Adult Safeguarded Budget.
- 1.3 This reduction in SFA support has necessitated a review of the CEL operation with a view to identifying savings which will protect learning provision and ensure the most effective and efficient use of its assets.

## 2. Purpose

- 2.1 Following the report to Mayor and Cabinet on 23 March 2011, CEL has now completed its consultation on the proposal to close Kirkdale Centre as an adult education site with effect from July 2011. The purpose of this report is to inform Mayor and Cabinet of the response to this exercise and to recommend the closure of the Kirkdale Centre.

## 3. Recommendations

The Mayor is recommended to:

- 3.1 Note the funding position for CEL as detailed in Paragraph 5
- 3.2 Note the responses to the consultation, the implications of the closure on learners and the suggested mitigating actions.
- 3.3 Consider the reference report from the Healthier Communities Select Committee which is attached as an addendum.
- 3.4 Agree to close the Kirkdale Centre from July 2011.

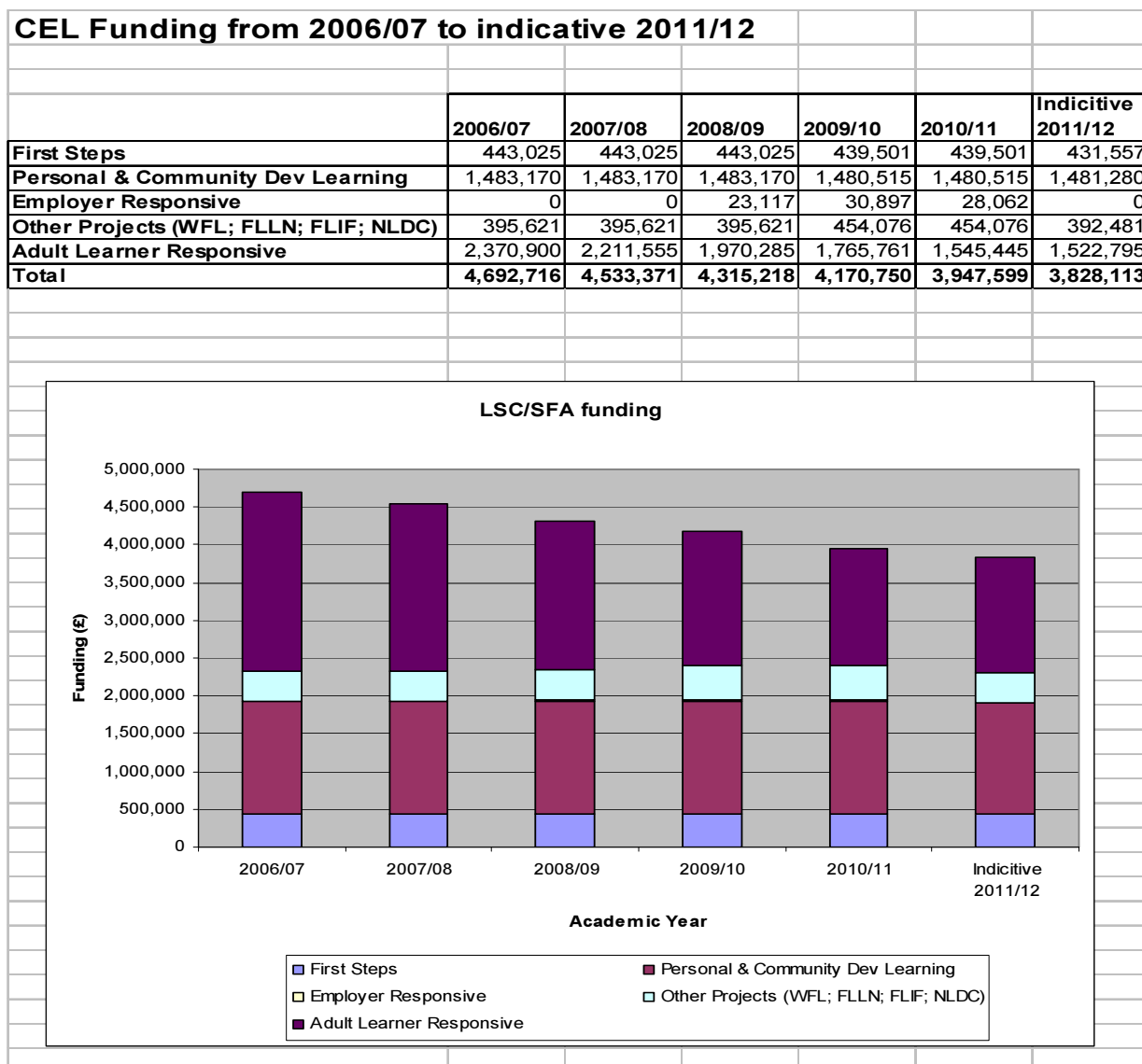
## **4. Policy Context**

- 4.1 *Shaping our future* – Lewisham’s Sustainable Community Strategy, establishes the Council’s and the Lewisham Strategic Partnership’s vision for Lewisham and its citizens, “*Together, we will make Lewisham the best place in London to live, work and learn.*” Underpinning this vision are six priority outcomes that describe sustainable communities in Lewisham and provide a clear picture of what citizens and services can deliver together.
- 4.2 The work of CEL contributes to the delivery of these priority outcomes, primarily *Ambitious and achieving – where people are inspired and supported to fulfil their potential* and its commitment to encourage and facilitate access to education, training and employment opportunities for all citizens. In addition, the benefits of Adult Education means that CEL plays an important supporting role for other priority outcomes including *Empowered and responsible – where people can be actively involved in their local area and contribute to supportive communities* and *Dynamic and prosperous – where people are part of vibrant localities and town centres well-connected to London and beyond.*
- 4.3 CEL also supports the Council’s corporate priority to deliver services that support *Active, Healthy Citizens* and *Strengthen the local economy.*
- 4.4 In 2009/10, the Mayor’s Commission on Libraries and Learning was established to identify and respond to opportunities and challenges faced by the borough in developing library and adult learning services. The Commission made a number of recommendations including the establishment of a partnership to review provision and establish a clear direction for adult learning in the borough and actions to ensure that vulnerable residents and the ‘hard-to-reach’, including those with learning difficulties and disabilities were supported to learn.

## **5. CEL funding**

- 5.1 CEL offers a wide range of adult learning across the borough. Services are designed to welcome adults, including those who may not otherwise take part in education or training. Courses provide accessible entry routes for new or returning learners and good progression routes. As well as acquiring new knowledge and skills, many learners develop confidence, motivation and raised aspirations, as well as gaining health and social benefits.
- 5.2 CEL receives funding from the SFA to provide adult education. This constitutes the bulk of CEL’s income – over 80% in 2010/11. Fee income brings in around £400k to £500k per annum.

5.3 The SFA funding comes in designated funding streams and has dropped by 18% since 2006/07. Figure 1 - shows the different elements of the funding and the year-on-year reductions.



(Fig 1 – CEL Funding from 2006/07 to 2011/12)

5.4 The SFA has announced that over the period of the spending review, up to 2014-15, the skills budget for adults will reduce by a further 25%. Specific details of Lewisham’s settlement have not been provided but a 25% reduction in the relevant funding elements would represent approximately £625,000 less for Lewisham.

5.5 In addition, the SFA has announced that there will be major reform of the Adult Safeguarded Budget. This is the budget that provides funding for non-accredited learning and changes will be for implementation in September 2012

5.6 For 2011/12, the SFA has reduced the funding for English for Speakers of Other Languages (ESOL) classes. These classes had previously received a higher funding amount per taught hour. This additional

funding will now be removed from 2011/12 and further reduces the funding available to CEL.

- 5.7 Major changes to funding eligibility are planned based on an expectation that individuals will make a greater contribution towards the cost of their learning. It is proposed that concessionary fees will only be available to learners who are on an employment seeking benefit, i.e. job seekers allowance or employment support allowance. This change may mean that CEL will get less funding from the SFA for some of its learners.
- 5.8 Lewisham has a good reputation across London for the breadth of its adult learning provision, and has always sought to protect the service from the impact of cuts in SFA funding. Over recent years the service has minimised the impact of funding reductions on the number of courses run and has already secured major savings in support services.
- 5.9 In 2010/11 the Council put £250,000 into the baseline budget to offset the year-on-year savings required by the SFA. This level of funding will be maintained for the forthcoming academic year. However, in light of the financial constraints on the Council's budget, it would not be viable to increase this level of support.
- 5.10 To meet the reduction in funding while maintaining service provision, steps have already been taken to reduce central costs. These include the withdrawal of crèche provision from Autumn 2010 – yielding total in year savings of £277,564 and the reduction of the Management Information Systems Team – total full year saving £109,595.
- 5.11 Since SFA funding is calculated upon the number of courses and the number of learners, there is a limit in the amount of reductions in the course offer that can be made. CEL has previously reduced the number of courses on offer in each centre and course delivery hours have also reduced over the period. In addition, the service has limited the use of off-site provision. It is therefore difficult to find more savings from within the learning budget while still meeting the requirements of the funding agreement with the SFA.
- 5.12 A decrease in course provision and learner numbers has also contributed to a restructuring of curriculum management which will result in savings of £233,929 in annual staffing costs.
- 5.13 Further reductions in spending will need to be found for the next academic year to ensure that CEL remains within its funding and can continue to offer a wide range of adult learning courses in the borough. Since the service has already reduced its course provision, the focus of these reductions will need to be made in non-teaching costs in order to minimise the impact on learner provision. Consideration has therefore been given to the operational and staffing costs incurred by the four sites from which CEL courses are currently provided.

5.14 In light of the proposed changes to funding, it is likely that further savings will need to be found from the CEL budget in future years. However, we are unable to anticipate fully future funding allocations and their possible impact.

## 6. Proposal to close Kirkdale Centre

6.1 A major cost to the CEL budget is the staffing and operational costs incurred in supporting the extended opening hours of the four sites: Brockley Rise; Granville Park; Grove Park and Kirkdale Centre (including business support) currently account for approximately 18% of the gross cost of the service.

6.2 The following chart detail the hours that the sites are currently staffed

	Hours sites are staffed						
	Mon	Tues	Weds	Thurs	Fri	Sat	Sun
Brockley Rise	06.45 – 22.00				06.45 – 16.15	08.45 – 15.45	
Granville Park	06.45 – 22.00				06.45 – 16.15	08.45 – 15.45	
Grove Park	06.45 – 22.00	06.45 – 17.15	06.45 – 22.00	06.45 – 17.15	06.45 – 13.15		
Kirkdale	06.45 – 16.15	06.45 – 22.00	06.45 – 16.15	06.45 – 22.00	06.45 – 13.15		

6.3 The following chart details the usage of each site and provides comparisons of the costings incurred to deliver courses at each site.

Centre	Usage			Costs	
	No. of Courses	Learners	% Room usage (36 week year)	CEL costs Per Course	CEL and property costs Per Guided Learning Hour
Brockley Rise	364	1866	64.5%	£695	£1,157
Granville	181	866	61.8%	£1,033	£1,569
Grove Park	101	566	62.7%	£1,673	£2,337
Kirkdale	106	564	59.6%	£1,755	£2,557

6.4 Kirkdale is a small centre and has both the highest premises cost per guided learning hour and highest premises costs per course of the four centres.

6.5 Kirkdale has considerable limitations in terms of the layout of the building and this affects the number and type of courses that can be offered there. Several of the teaching rooms are not fit for purpose, and access for learners with disabilities is limited as the building is not fully DDA compliant. There is provision for wheelchair access and a disabled toilet on the ground floor but the upper floor is only accessible

by stairs. Not all of the centre is therefore currently usable despite CEL funding the full running costs of the building.

6.6 The limitations of the building and the relatively high costs of maintenance and improvement works indicate that Kirkdale is the least cost effective of the four sites

6.7 Initial costing (see table below) show that the CEL costs associated with each Centre. Full year savings of £136k would be achievable on budgets held by Community Services with a further £85k on budgets held by Regeneration.

CEL Costs (£000)	Brockley Rise	Granville	Grove Park	Kirkdale	Total
Premises Staff	75	69	62	66	<b>272</b>
Café Staff	36	3	22	19	<b>80</b>
Café income/costs	9	-1	-6	-1	<b>-17</b>
Other premises costs	16	7	8	4	<b>35</b>
Site Management	17	17	17	17	<b>68</b>
Business Resources staffing	118	92	66	81	<b>357</b>
<b>Total CEL Costs</b>	<b>253</b>	<b>187</b>	<b>169</b>	<b>186</b>	<b>795</b>

Property Services costs (£000)	168	97	67	85	<b>417</b>
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<b>Total CEL and Property Services Costs (£000)</b>	<b>421</b>	<b>284</b>	<b>236</b>	<b>271</b>	<b>1,212</b>
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6.8 **Brockley Rise** is the largest centre and offers the widest range of provision. There is good accessibility and evacuation facilities for learners with learning difficulties and disabilities. There are many specialist rooms to enable teaching across the curriculum. Resources have significantly improved over the last few years and all suitable rooms now have interactive whiteboards to improve and enhance the teaching and learning experience.

6.9 **Granville Park** is a site that was purpose built in 2007 for the provision of Adult Learning. There are a range of specialist rooms and workshops alongside large teaching rooms. An ICT suite has just been installed at Granville and a successful internet café and a family learning base room were opened at Granville Park in September 2010. There is excellent accessibility and evacuation facilities for learners with learning difficulties and disabilities.

6.10 **Grove Park** provides courses across the curriculum range and has excellent accessibility for learners with disabilities. All accommodation is on the ground floor with additional ramp access where needed. There are excellent ground floor evacuation facilities from both ends of the building. There are several specialist rooms which include art rooms and a cookery room which provides a range of popular and oversubscribed classes in food preparation and nutrition.



- 6.11 A refurbishment of one specialist classroom over recent months has allowed a further general use teaching room to be created. This room will be used to improve teaching facilities for learners with learning difficulties and disabilities.
- 6.12 The layout, size and suitability for multiple usage of the classrooms are an important factor at Grove Park. This is reflected in the fact that the average class size at Grove Park is 11.2 learners. This is the highest number any of the centres and means that these classes offer the most economical use of funding.

## **7. Consultation Activity**

- 7.1 Consultation related to the proposal for the closure of the Kirkdale Centre comprised a number of different activities. Learners and residents have made their views known through existing avenues of consultation and engagement for example through council questions and direct correspondence with the Council. In addition, Lewisham has undertaken specific consultation activity with the wider public and with learners and interested parties from each of the neighbourhoods potentially affected by this proposal.
- 7.2 Details of this consultation and the public meetings and learner forums were publicised at all CEL sites and information was sent out to libraries, local community centres, local voluntary organisations and local surgeries and health centres. CEL learners were also directly contacted by letter and by phone. However, there were some delays in the letters being received by learners due to staffing problems in the post room at Laurence House. (Summary of Consultation process (Appendix 1)).
- 7.3 There were two public meetings held in Sydenham (7<sup>th</sup> April 2011) and Perry Vale (9<sup>th</sup> May 2011) Wards. The consultation was also an agenda item at both Forest Hill and Perry Vale Local Assemblies meetings on 30<sup>th</sup> March and 19<sup>th</sup> May respectively. 56 people attended the Sydenham public meetings. The Perry Vale meeting was attended by one CEL tutor as there had been some problems with informing people of the date of this meeting due to the extended Easter break and additional bank holidays. The consultation was discussed at six learner forums spread across the four CEL centres.
- 7.4 58 learners completed and returned the comment slip – a summary of their comments is attached as Appendix 3. Comment forms were completed and returned by learners who attended learner forums and public meetings and were also available from reception areas in all CEL buildings.
- 7.5 Letters and e-mails: As of 20<sup>th</sup> May 2011 28 pieces of correspondence had been received by the Council in relation to this proposal. There were documented replies to all letters and e-mails (Appendix 4).

- 7.6 There was an online petition :  
[http://www.ipetitions.com/save\\_kirkdale\\_learning\\_institute/](http://www.ipetitions.com/save_kirkdale_learning_institute/)  
which received 164 signatures and a paper petition of nearly 600 signatures was submitted to the Cabinet Member for Community Services by the closing date of 20 May. (Appendix 5)
- 7.7 The consultation and supporting evidence was available on-line at:  
[http://lewisham-consult.limehouse.co.uk/portal/community\\_services/cultural\\_services/kirkdale?tab=files](http://lewisham-consult.limehouse.co.uk/portal/community_services/cultural_services/kirkdale?tab=files). From 30<sup>th</sup> March. The information was updated as and when new documentation was produced.
- 7.8 The consultation process was subject to scrutiny by the Healthier Communities select committee on 8<sup>th</sup> June 2011.
- 7.9 Healthier Communities Select Committee has commented on the proposal to close the Kirkdale Centre and a separate report will be placed before Mayor and Cabinet.

## **8. Responses to consultation**

- 8.1 The following summarises the questions and responses received from all of the consultation routes. Across all sources a number of similar issues and concerns were raised.
- 8.2 All respondents to the consultation emphasised the value of the learning experience that CEL provides. Positive comments were made about the breadth of the offer available via CEL, the contrast between what is available in Lewisham compared to other London Boroughs and the impact on learners' lives.
- 8.3 Many expressed concern about the severe cuts to funding for Adult Learning that the SFA have announced. There was a recognition that CEL will have to implement major changes in order to work within this reduced budget
- 8.4 It was recognised that that introducing shorter opening hours at each site would not yield the required level of savings and would limit the breadth of the course offer.
- 8.5 Some respondents queried whether the closure of Kirkdale for Adult Education was the most effective way to make cost savings. Alternative suggestions included closing Grove Park.
- 8.6 Particular concern was expressed about the loss of the specialist workroom at Kirkdale. There was doubt as to whether the facilities at Granville Park would be as good when the classes transferred there. The cost of the fit-out was questioned too and the difficulty of bringing bulky items to Granville where there is no parking.

- 8.7 If Kirkdale closes it is likely that Kelvin Grove Primary School will make use of the building to increase their capacity. Many wanted to know whether it would be possible to share the space with the school thereby reducing running costs.
- 8.8 Respondents questioned whether learners would be able to relocate to another centre due to increased travel costs and to the increased time and effort involved.
- 8.9 Concern was expressed about the lack of parking at Granville and the lack of space in the Brockley Rise car park if classes transferred to these centres.
- 8.10 It was asked whether the savings to other services due to the offer at Kirkdale had been taken into account. Giving older people and people with disabilities the opportunity to learn and be active reduces the burden to health and other services.
- 8.11 Comments were made questioning the organisation and the integrity of the consultation. People questioned whether the consultation would make any difference to the ultimate decision. They also expressed concern about the timescale and the amount of notice received about the forums and public meetings.
- 8.12 It was asked whether it would be possible for CEL to generate income by working in partnership with business, for example renting out office space at Kirkdale centre.

## **9. Consideration of impact**

- 9.1 Having considered the consultation findings, officers have concluded that no recommendation or alternative has been made that would result in the required level of savings. However, officers have identified specific actions that will maintain a significant proportion of the courses and meet some of the concerns that learners have expressed.

### **Course provision**

- 9.2 CEL will continue to provide 96% of the courses currently offered at the Kirkdale Centre at one of its other three centres as there are suitable rooms, including specialist workshops and unused capacity at the other CEL sites.
- 9.3 The majority of classes will be relocated to Brockley Rise as it is the nearest site to Kirkdale. Those classes that need specialist workshop facilities will be relocated to the existing specialist workshop at Granville site as there is a lack of suitable space at Brockley Rise.
- 9.4 CEL is not planning to offer courses in woodwork for 2011/12. These courses have had small learner numbers during the last two years and

are therefore not currently financially viable. It may be possible to reintroduce these courses in a different way in future academic years.

### **Specialist rooms**

- 9.5 There is significant capacity in the existing specialist workroom at Granville Park which also currently offers glasswork and jewellery courses. CEL will be able to improve the facilities in this workshop to fully accommodate the classes that will move from Kirkdale. The workroom at Granville provides a large well equipped resource and there are considerable economic advantages in bringing together the course offer which is currently being delivered in both Kirkdale and Granville.
- 9.6 The Granville Park workshop will be reconfigured and equipment and resources will be moved from Kirkdale to Granville over the summer period to ensure that a fully functioning workroom will be ready for the start of the new academic year in September 2011. There are ample storage facilities at Granville Park which will help to respond to the concerns regarding moving items between classes and the shortage of storage space.
- 9.7 CEL is currently identifying space at Brockley Rise which could be reconfigured to provide a suitable workroom facility. The aim is to provide a specialist workroom at Brockley Rise which will provide additional learning opportunities. This development will be dependent on identifying funding to meet the costs of this work. Site visits have taken place with suitable suppliers and detailed financial costings are awaited for this work.
- 9.8 There would be considerable practical and financial difficulties in maintaining the workroom at Kirkdale as a stand alone facility. There are major issues that would need to be considered such as access, safety and security, as well as the financing required for the necessary building works.

### **Co-location of services**

- 9.9 There would be a number of issues to resolve regarding co-location primarily around the level of capital investment and building works required to enable adult learning to co-exist in a primary school setting.
- 9.10 Kelvin Grove School have offered CEL the use of the workroom up until Easter 2012. Unfortunately, CEL is unable to respond to this offer. The workroom at Granville needs to be reconfigured and re-equipped during the summer recess to be ready to deliver courses from September 2011. In order to enable these works it will be essential to relocate the equipment from Kirkdale. There are also concerns about this option from a teaching and learning aspect as learners would have limited access to CEL staff. The workroom is not large enough to

accommodate any more than one class at a time and there are concerns about safety and security.

- 9.11 Kelvin Grove School and a number of other local organisations have expressed interest in developing some element of adult and family learning provision in the future. While this would not help to meet the budget demands on CEL, it would help to ensure that some adult education provision could continue to be provided either from this site or in this local area. Community Services are willing to discuss alternative sites in the local area where adult education could be delivered.

### **Travelling to other centres for classes**

- 9.12 There are good transport links to Granville and Brockley Rise but it is recognised that there may be additional transport costs incurred by some individuals. Currently 30% of learners at Kirkdale also attend classes at other sites. As identified in the Equalities Impact Assessment, the Council will contact users who may find changing centres more challenging and offer them advice as to how they can continue to access their courses.

### **Parking**

- 9.13 In response to the concerns that residents raised in relation to the lack of parking at Granville, CEL has met with the manager of the local Tesco store to see if they would be willing to provide some designated parking. Tesco offer three hours free parking, however they are unable to provide any designated parking. There is on street pay and display parking outside the building at Granville.

### **Alternative sources of funding reductions and the potential for income generation**

- 9.14 A number of respondents queried why Grove Park centre could not be closed instead of Kirkdale. The layout, size and suitability for multiple usage of the classrooms are an important factor at Grove Park. The average class size at Grove Park is 11.2 learners which is the highest number at any of the centres and means that these classes offer the most economical use of funding.
- 9.15 Substantial building works would be required to alter the physical layout of the Kirkdale Centre in order to create separate office space which could be available for rental to business. This would not allow CEL to make the required saving.

## **10. Financial implications**

- 10.1 Grant funding for CEL has already reduced and is expected to reduce further (see para 5.2). The report considers an option for reduction in

spend to match the drop in funding through the closure of Kirkdale and identifies why a reduction in hours would not be feasible.

- 10.2 Over recent years the service has minimised the impact of funding reductions on the number of courses run and has already secured major savings in support services. This report proposes that this principle of protecting learning budgets be extended to include a reduction in the cost of premises.
- 10.3 Buildings (including business support) currently account for approx 18% of the gross cost of the service. Kirkdale is a small centre and has both the highest premises cost per guided learning hour and highest premises cost per course of the four main centres.

## **11. Legal implications**

- 11.1 Section 15B of the Education Act 1996 enables a local authority to secure the provision for their area of full-time or part-time education suitable to the requirements of persons who have attained the age 19, including provision for persons from other areas. This includes the power to secure the provision of training, including vocational, social, physical and recreational training and of organised leisure time occupation which is provided in connection with the provision of such education or training.
- 11.2 In this context “organised leisure time occupation” means leisure-time occupation, in such organised cultural and recreative activities as are suited to their requirements, for any persons over compulsory school age who are able and willing to profit by facilities provided for that purpose.
- 11.3 In exercising its functions under section 15B of the Education Act 1996 a local authority must have regard to the needs of persons with learning difficulties.
- 11.4 In considering possible changes to the current adult education provision on offer the local authority is required to carry out proper and appropriate consultation and any eventual change to provision must be a reasonable exercise of the local authority’s powers.
- 11.5 Any eventual change in adult education provision must be made having regard to any contractual entitlement and/or legitimate expectation for the continuation of current adult education provision. It will therefore be necessary for any decision on proposed changes to be mindful of those considerations.

## **12. Crime and Disorder Implications**

- 12.1 There are no crime and disorder implications arising from this report.

### **13. Equalities Implications**

- 13.1 CEL is one of the providers of adult education in Lewisham. It offers accessible entry routes for new or returning learners as well as progression routes that are used by learners to further their skills and education. In addition, CEL provides a range of informal learning activities.
- 13.2 Low levels of basic skills is often a characteristic of deprived communities and can prevent people from finding employment and fulfilling their potential. 41.6% of Lewisham residents are educated to NVQ Level 4 and above, which means they have a higher national diploma or degree level qualifications. 56.2% have NVQ Level 3 and above which is equivalent to at least 2 A Levels or an advanced GNVQ. 68.8% have NVQ Level 2 and above which is the equivalent of 5 or more GCSEs at grades A-C or an intermediate GNVQ. 77.6% have NVQ Level 1 and above, which equates to less than 5 GCSEs at grades A-C or a foundation GNVQ. 15.8% of Lewisham residents hold other qualifications such as foreign qualifications, while 6.6% have no formal qualifications at all. 13,700 people aged 16 and over in Lewisham are unemployed. This equates to 9.4% of the economically active population and compares to 8.0% across London and 7.0% for Great Britain.
- 13.3 The profile of learners accessing CEL provision is predominantly female (79.7%). When analysed by age categories it is clear that provision is not disproportionately weighted to any particular age group. 86.8% of adult learners accessing CEL are working age (16-65) with the remaining 13.2% aged over 65. The latter figure is higher than the borough profile for people aged 65 and over, but reflects the number of older and retired people interested and with the time and capacity to develop new interests and skills. Half of CEL users are from a White ethnic background and half from a BME background. One in five CEL users identify themselves as having a disability or learning difficulty which is a higher proportion than the population average. Information on the other protected characteristics (sexual orientation, religion/belief, gender reassignment, pregnancy/maternity and marriage/civil partnership) is not currently collected by the service.
- 13.4 As part of the consultation activity, officers have conducted a full Equalities Impact Assessment on the options proposed, analysing what impact the potential changes might have on different equalities groups/protected characteristics. The EIA is attached to this report at appendix 6.
- 13.5 The overall assessment is that the proposal to close Kirkdale will not have a disproportionately adverse impact across protected characteristics and will not lead to unlawful discrimination.
- 13.6 There are suitable rooms and unused capacity at other CEL sites to enable the relocation of most of the course provision from Kirkdale. In

terms of provision, the Council will continue to provide 96% of the courses currently offered at the Kirkdale Centre at one its three other centres. The majority of classes will be relocated to Brockley Rise as it is the nearest site to Kirkdale. Classes that need specialist workshop facilities will be relocated to the Granville site as there is a lack of suitable space at Brockley Rise. The Granville Park workshop will be reconfigured and equipment will be moved to Granville over the summer period to ensure that a fully functioning workroom will be ready for the start of the new academic year in September 2011.

- 13.7 While the majority of learners will have less far to travel if they decide to access provision at Brockley instead of Kirkdale, it is clear that some individuals will have further to travel and that for those with restricted mobility or who do not feel confident changing their routines this could present a disadvantage. There is also anecdotal evidence that those accessing basic skills courses are less likely to continue accessing services when they are moved to another centre. There are good transport links to Granville and Brockley Rise. In addition to help mitigate against this, the Council will contact users who may find changing centres more challenging and offer them advice as to how they can continue to access their courses.
- 13.8 In conducting the consultation, officers have ensured that CEL users and wider stakeholders have had the opportunity to consider the equalities implications of any changes to the service. Any equalities issues raised during the consultation have been considered and reflected in this consultation report. To ensure that the consultation exercise is comprehensive and takes into account any potential impact upon protected characteristics, officers will ensure that all users have the opportunity to make their views known. Where necessary consultation information was produced in different formats to ensure that it is accessible. Consultation activity has been publicised to equalities groups.
- 13.9 A full Equalities Impact Assessment will be conducted around any proposals to reorganise the support and operational staffing structure.

#### **14. Environmental Implications**

- 14.1 There are no environmental implications arising from this report.

#### **15. Conclusion**

- 15.1 In order to identify the necessary savings to enable the continued delivery of a wide range of courses CEL is requesting the authority to close the Kirkdale centre with effect from the end of July 2011.

#### **16. Background Documents**

BIS Department for Business Innovation and skills  
*Skills for Sustainable Growth* Nov 2010



BIS Department for Business Innovation and skills  
*Further Education – New Horizon: Investing in Skills for sustainable  
growth* Nov 2010

If there are any queries on this report please contact Helen Hammond,  
Service Manager, Community Education Lewisham, 020 8314 6189.

## APPENDIX 1

### CONSULTATION TIMETABLE Kirkdale Centre – March to May 2011

Date		Event	Attendance (if applic.)
March 30 <sup>th</sup>		Start of Consultation	
March 30 <sup>th</sup>	From 7.30pm	Forest Hill Assembly meeting, Honor Oak Christian Fellowship, 39 Honor Oak Road, London SE23 3SH	
Letters were sent out March 31 <sup>st</sup>		Letter from CEL to learners and staff which included documentation on the consultation, information on how to respond electronically and a comment slip for replies.	over 5000 addresses
April 4 <sup>th</sup>	12.15pm to 1pm	Learner Forum Kirkdale	33
April 4 <sup>th</sup>	3pm to 4pm	Staff forum Kirkdale	22
April 5 <sup>th</sup>	12.15pm to 1pm	Learner Forum Grove Park	17
April 6 <sup>th</sup>	12.15pm to 1pm	Learner Forum Granville Park	19
April 7 <sup>th</sup>	12.15pm to 1pm	Learner Forum Brockley Rise	17
April 7 <sup>th</sup>	From 7pm	Public meetings for Perry Vale and Sydenham wards, Naborhood Centre, 44a Sydenham Road, London SE26 5QX	56
May 9 <sup>th</sup>	From 7pm	Public meeting, Forest Hill Methodist Church and Centre, Normanton Street (off Perry Hill), London SE23 2DS This was an additional meeting which was not included in the information which was sent out before Easter.	1
May 10 <sup>th</sup>	12.15pm to 1pm	Learner Forum Kirkdale	7
May 10 <sup>th</sup>	4pm to 5pm	Learner Forum Kirkdale	7
May 19 <sup>th</sup>	from 7.30pm	Perry Vale Assembly meeting Forest Hill School, Dacres Road, SE23 2XN	
May 20 <sup>th</sup>		End of Consultation Period	

### Summary of the responses

The following summarises the questions and responses received from all of the consultation routes. Across all sources a number of similar issues and concerns were raised.

#### 1. **Reducing Services and Facilities**

There was a general understanding of the financial pressures on services across Lewisham from those that attended meetings or responded to the consultation through other routes. However, many queried whether the closure of Kirkdale for adult education was the most effective way to make cost savings. Alternative suggestions included closing Grove Park instead.

#### 2. **Funding**

Many expressed concern about the cuts to funding for adult education and were not aware that CEL is funded directly from central government, rather than by Lewisham Council. Adult education is valued by all who attended meetings or responded to the consultation by other means. Positive comments were made about the breadth of the offer available via CEL, the contrast between what is available in Lewisham compared to other London Boroughs and the impact on learners' lives.

#### 3. **Co-locating services**

If Kirkdale closes it is likely that Kelvin Grove Primary School will make use of the building to increase their capacity. Many wanted to know whether it would be possible to share the space with the school thereby reducing running costs.

#### 4. **Travelling to other centres for classes**

Respondents questioned whether learners would be able to relocate to another centre due to increased travel costs and to the increased time and effort involved.

#### 5. **Parking**

Concern was expressed about the lack of parking at Granville and the lack of space in the Brockley Rise car park if classes transferred to these centres.

#### 6. **Specialist rooms**

There was particular concern expressed about the loss of the specialist workroom at Kirkdale. There was doubt as to whether the facilities at Granville Park would be as good when the classes transferred there. The cost of the fit-out was questioned too and the difficulty of bringing bulky items to Granville where there is no parking.

#### 7. **Wellbeing**

It was asked whether the savings to other services due to the offer at Kirkdale had been taken into account. Giving older people and people

with disabilities the opportunity to learn and be active reduces the burden to health and other services.

**8. Validity of the consultation**

A number of comments were made questioning the organisation and the integrity of the consultation. People questioned whether the consultation would make any difference to the ultimate decision. They also expressed concern about the timescale and the amount of notice received about the forums and public meetings.

**9. Potential for income generation**

It was asked whether it would be possible for CEL to apply for funding from other sources or generate income in partnership with business rather than cut services.

Summary of Learners' Comments

This information is compiled from the comment forms which were completed and returned by learners who attended learner forums and public meetings.

Summary	No. of comments received
<p><b>Continue classes</b>            I hope that English and Maths is continued. I feel that science should be introduced to CEL.</p> <p>I come to English class to improve my everyday life. I need to use this service.</p> <p>I come to English class to improve my everyday life. When I go to my children's school I can understand the teachers.</p> <p>I am enjoying my course and would like to continue studying in this centre and do more hours.</p> <p>I am enjoying my course and want to continue studying in this centre.</p> <p>I was looking forward to more time in adult education, live locally and want to use the Kirkdale Centre. Please do not cut back this opportunity.</p> <p>The closure of Kirkdale retirement class will be a great disappointment to myself and fellow students who greatly enjoy the various pursuits. We have been enjoying for the last twenty years.</p> <p>Having been coming to the retirement class for the last twenty years I will be very upset at the closure of these premises.</p> <p>The closure of Kirkdale will be a great loss. I hope the cuts will not result in there being no classes for the elderly. Too much of restricted resources is devoted to young people. Daytime classes for older people have great benefits in keeping the elderly active physically and mentally and therefore they make less demands on other social services.</p> <p>It is a great disappointment in closing. It's the company – after 12 years – it's like a little community.</p> <p>I do hope we can still come to this retirement class. It is so good for me being an old age person, it is an outing for me and meet my friends and our teacher is so good and very helpful. I have been coming to classes for 20 years and it is easy to come to.</p> <p>These facilities are invaluable. Please don't close any of them.</p> <p>Communities need adult education – even more in the light of redundancies, unemployment and an ageing population. People need to keep active and motivated. I have been in adult education for over 35 years and know its value.</p> <p>Thank you for writing to let me know the reason for the closure of the adult education centre at Kirkdale. I am concerned that with only 3 centres open in September the range of classes plus costing may have an equally difficult impact on students and I am worried about the possible rise in fees.</p>	<p>15</p>

<b>Summary</b>	<b>No. of comments received</b>
<p>I think the centre should stay open. It's very useful for my short course. Young students need to develop their English. The government should think before closing down centres.</p>	
<p><b>Costs</b>            CEL has not planned the cost of the move.</p> <p>CEL says costs of maintaining Kirkdale are high but if the school takes over they will still be high.</p> <p>I fear this building will be left to rot and then become a costly renovation job in the future.</p> <p>I see there is mention of it being used by Kelvin Grove School. How can the limitations and cost of running make it unsuitable and too costly for adults yet suitable and not too costly for young children. I understand the need to cut costs and this might mean cutting services but is there no other way of saving money?</p>	3
<p><b>Disability</b>            You say the building is not fit for disabled people but it is ideal for disabled people.</p> <p>Why not make the ground floor disabled toilet unisex? There is space for a separate entrance to the women's toilet.</p> <p>Now the crèche is no longer in operation, this could become another classroom for disabled learners.</p> <p>In my class we have two members with disabilities who manage to get themselves to the top floor every week.</p>	4
<p><b>Education</b>            I am very upset and disappointed that the government is cutting a lot of funding. I do not agree with this because everyone should have the right to a free education.</p>	1
<p><b>Late notice of meetings</b>            The letter giving details of meetings was received late.</p> <p>Why was my letter was posted to me second class on 2 April? I received it on the afternoon of 7 April.</p> <p>My letter arrived today (6 April) when as a Grove Park student the learner forum was on 5 April.</p> <p>As the information regarding the forums was not received until 7 April, it didn't really give me an opportunity to attend.</p>	4
<p><b>Meeting dates and length of consultation</b>            There were not enough alternative meeting dates. If you really wanted our views you would have discussed other options with us.</p> <p>You are not serious about consulting learners.</p> <p>CEL has not allowed a reasonable length of time for the issue of possible closure to be absorbed and discussed by both tutors and learners.</p>	3
<p><b>Not close site</b>            The Kirkdale site should not close.</p>	2

<b>Summary</b>	<b>No. of comments received</b>
I don't think any of the centres should close. Adult education offers adults better opportunities to better themselves.	
<p><b>Not listening</b> You don't listen to students.</p>	1
<p><b>Parking</b> You say that Brockley Rise is well served by buses and has a car park but the car park is always full.</p> <p>There is no parking at Granville Park – Tesco car park always full and unsafe at night.</p> <p>Consider total lack of parking at Granville – necessary as large stained glass panels cannot be transported on public transport.</p> <p>Kirkdale has adequate parking at the centre and in the surrounding streets. It is difficult for me to carry my equipment any distance.</p>	4
<p><b>Programme planning</b> CEL has not planned for increased learner intake.</p>	
<p><b>Share facilities</b> The local school does not need the entire building space – CEL could share.</p>	1
<p><b>Travel</b> Kirkdale learners will not travel to other centres.</p> <p>Students at Kirkdale who live close by will not all have easy access by public transport to Granville – my journey would be a 40 minutes ride and 20 minutes walk each way</p> <p>The London Overground network has opened up possibility of more learners at Kirkdale.</p> <p>I think it is fair to say that this side of the borough has very little in the way of adult education. Residents will have to travel either by car or public transport to Brockley or Lewisham, extra time will have to be found to get to their class, more cost to the environment from fuel, more cost to the residents too.</p>	4
<p><b>Understand decision</b> I think it is a shame for the learners who live near Kirkdale that it is closing but I understand the dilemma in having to cope with government cuts in funding and respect your attempts to deal with this in a fair way. I value my classes at Brockley Rise greatly and appreciate the good service normally provided by CEL.</p> <p>I fully sympathise with Kirkdale students whose classes are threatened. However, I understand the logic of this. CEL appears to be more determined to continue with as many classes as possible.</p> <p>I attended the learner forum today and heard different views about the closure of Kirkdale Centre which is very sad. Senior staff and clients were talking about the social services and the skill centre and about equipment needed for staff and clients which was very interesting. Best wishes for the Kirkdale staff for the future.</p> <p>I have only just received notice and so have missed most of the meetings but I do agree that closing Kirkdale seems to be the most sensible solution.</p>	7

<b>Summary</b>	<b>No. of comments received</b>
<p>Lewisham has always provided an excellent evening (and now day) course service and I for one have benefited greatly from pottery classes inasmuch as I got a job in occupational therapy in a large mental health unit.</p> <p>I am very sorry to hear about the closing of Kirkdale Centre for the people that go there it must be very depressing but I am so glad we do have a few that will remain open. I only hope that those people who go to Kirkdale will benefit from those that remain open.</p> <p>I think it is a wise decision to close Kirkdale to save costs.</p> <p>If cuts are being made there does not seem to be too much choice. As long as there are classes running we have to understand the situation. I hope there will be room for people who want to continue to practice art.</p>	
<p><b>Usage</b></p> <p>Kirkdale is not under-used – you cancelled a highly successful class and substituted with class that closed due to poor attendance.</p> <p>CEL say Kirkdale is under-occupied so why have they not thought of renting out space to off site tutors</p> <p>I twice enrolled on courses at Kirkdale but on both occasions they did not run due to lack of support. I have enjoyed courses at all the other three centres.</p> <p>The “plug was pulled” on Grove Park and Kirkdale crèches, causing a loss of students.</p>	4
<p><b>Workshop</b></p> <p>It will be very costly to update for specialist jewellery classes.</p> <p>The workshop is really amazing. Sunny, well equipped and quiet.</p> <p>The Kirkdale workshop facilities are of a higher standard than Granville.</p> <p>Is there any way the workshop could remain as a stand alone venue with independent access?</p> <p>I am not convinced that the workshop can be transferred to Brockley Rise.</p>	5



## APPENDIX 4

### Summary of Comments from iCasework

Case No.	Date received	Details
139764	22/03/2011	Please do not close Kirkdale. The facilities there are important.
139779	22/03/2011	Please do not close Kirkdale. The facilities there are important.
139780	22/03/2011	Please do not close Kirkdale. The facilities there are important.
139781	22/03/2011	Please do not close Kirkdale. The facilities there are important.
139785	22/03/2011	Please do not close Kirkdale. The facilities there are important.
139787	22/03/2011	Please do not close Kirkdale. The facilities there are important.
139788	22/03/2011	Please do not close Kirkdale. The facilities there are important.
148193	23/03/2011	<p>I have been going to the Silversmithing classes at Kirkdale Centre for the past 3 years, 2 of them with my daughter. I am very shocked and unhappy to learn today that the closure of the Centre is being discussed at the Council Meeting tonight, with a 4 week consultation period - which will be while the Centre is closed. The timescale allows for no real discussion or exploration of the issues, it is unreasonably short. I understand that Kelvin Grove are seeking the building so they can have a 3 year intake: with no capital funding for school premises, this seems an unlikely scenario and would seem to indicate that the building would be left empty for a significant time, if this proposal is accepted. The building has historical interest, and it would not be helpful to the area if it is left unused. The Silversmithing class and other Jewellery classes I have attended are extremely popular, and there are always people who wish to attend but are unable to as it is oversubscribed. The facilities are good, with specialised benches, drills and soldering equipment - these are necessary for skilled craftsmanship. It has enabled many people to learn the skills that have led them into work, and become able to support themselves. Most importantly, there are no other Silversmithing classes anywhere else in Lewisham Borough. I appreciate that this is a time of financial constraint, but I urge you to re-think this proposal. The consultation period needs to be extended to enable the public to become aware of the proposals, and to share their views. It is important that Lewisham ensures that Silversmithing courses continue in Lewisham, and the appropriate facilities are provided, as in Kirkdale. All the students at Kirkdale will have paid for courses on the understanding that they will continue, and at that Centre, until the end of the Summer term. I oppose the plan to close Kirkdale Centre. If unfortunately, this proposal is agreed, there is no obvious justification for closing the Centre down before the end of the Summer Term, and I would hope this is successfully opposed, in the interests of not just the students but all the local residents.</p>
148197	23/03/2011	<p>There are many good and valid reasons to stop the closure of Kirkdale: Kirkdale has a wonderful workshop - I have been lucky enough to be a learner at the workshop - it has wonderful light, a great ambience and good facilities, including good storage for work in progress (an important factor when considering the weight of carrying glass and other materials/ equipment to and from classes - especially for the elderly or those who do not drive). Although Granville Park workshop does have storage, this is limited and should all classes move there this will be highly overstretched resulting in asking learners to take most of their work home every week. Kirkdale is the only workshop with specialist jewellery facilities which will be difficult to transfer over to Granville Park. We have already lost the lovely workshop at Grove Park Centre, and once these specialist workshop facilities are taken away they are extremely unlikely to be replaced. Lewisham has good facilities for workshop classes - please do not let us lose them!! Two workshops (Granville and Kirkdale) allow much greater scope for timetabling classes - reduce this down to one workshop and the prospective number of classes which can be run is immediately halved, resulting in immediate loss of learners. Workshop classes are</p>

Case No.	Date received	Details
		<p>entirely different types of classes to more 'academic' classes, and as such their provision is very important. They are done for fun, and the acquirement of specialist skills, possibly leading on to a new career, they provide a myriad of advantages to those who take them - manual dexterity, mental stimulation, social interaction, relaxation, a sense of achievement at completion of a project, better quality of life, ....the list is endless. Although not all result in a qualification this does not make them inferior courses, as the advantages they provide cannot be quantified, but are hugely valuable to individuals and to the community. Please don't let us lose another workshop! Kirkdale is in a totally different part of the borough to Granville Park - it attracts a different type of learner from a different 'catchment' area - I know for certainty that these learners will not all automatically switch over to Granville Park (this has happened recently - one of the learners at Kirkdale decided not to continue with their learning as the journey to Granville for the course they wanted was just too far). Kirkdale classes run at slightly different times - Kirkdale runs from 7.30pm whereas Granville runs from 7pm - the earlier start time will just be too early for many learners who work (and who will be paying full price - learners we do not want to lose!!!). Kirkdale has its own car park - car parking is a huge issue for learners at Granville Park - especially for courses which run during the day when all parking spaces are either residents only or metered (and these spaces are in short supply), again this is particularly an issue when learners have a lot to carry in for a class and cannot park close to the building (I have had learners absent from class and then explain the following week that they had driven to Granville Park, had been totally unable to find anywhere to park and had ended up going home again - a ridiculous situation!). Some learners will be reluctant to come to Granville Park during the evening as it is in a part of the borough which they feel is a threatening area and they are not prepared to go there after a certain time of day, especially if they rely on public transport to get there and home again. Lifelong learning is a valuable asset for Lewisham - many of its residents do not possess high levels of functional skills (literacy, numeracy, ICT) and Community Education provides a great opportunity to give them the skills they need for a better, more productive, less deprived life. Practical workshop classes can help to develop these skills alongside the specialist skills taught, along with increasing confidence. Where academic courses may be intimidating to some learners, more practical classes may appeal and by limiting the numbers of practical workshop classes offered we reduce the opportunity to reach areas of the community we may otherwise reach.</p>
141127	04/04/2011	Dear Lewisham Council staff and Councillors. Thank you for your letter dated 28th March about the proposed closure of the Kirkdale centre. My main question is: exactly why are Lewisham Council not using its considerable financial reserves
141132	28/03/2011	The above constituted group has now had 2 meetings and much discussion. We have the following questions to ask, but in the interests of all concerned require clear, honest answers, hopefully free of prevarication and dissembling.
141170	30/03/2011	X is writing to express her dissatisfaction with proposals to close the Kirkdale Centre.
141388	06/04/2011	The service user is unhappy that the Kirkdale centre in Sydenham may close.

Case No.	Date received	Details
141487	06/04/2011	Thank you for the opportunity to put my views about the future of CEL to you. I am unable to attend a learner forum, because they are all taking place during the day. Would it be possible to have some evening meetings when there are future forums? It seems sensible to me to close Kirkdale as a cost saving. The letter says that "most of on the CEL budget is spent running and staffing for sites". May I suggest possible cost savings in staffing and running Brockley Rise-the only site I know. Firstly, the enrolment system needs to be improved. It should practically all be able to be done through a website, thus reducing administration time. In the past I've found it difficult to enrol by phone (reaching someone, knowing the course codes) or on another occasion in person-the card reader was broken-did I have cash? Another in our class enrolled 2 weeks ago but still does not appear on the register. Another was told they had paid already when they hadn't. There's also uncertainty about maximum class numbers and many forms to fill in. It all seems a bit chaotic. I've been to classes in Bromley where I've enrolled on line and quickly signed in when I arrive. Secondly, check the heating. My classroom is far to hot, lots of heat is wasted-we have to open the only openable window. Whether other rooms are like this I don't know. I go to Brockley Rise for an unaccredited class called "Singing and Performing" which I thoroughly enjoy. We have been made aware of the changes made by the SFA and the impact of them on our and other classes. I, myself, am not on benefit, but am worried that those who are may no longer be able to afford the class, which may then no longer be able to run because of reduced numbers. It would be sad to lose the class.
141838	28/03/2011	Lack of information distributed regarding the Kirkdale consultation.
141846	21/03/2011	Writing to ask of the Mayor can prevent the closure of the Kirkdale Centre.
141852	06/04/2011	Complaining about late arrival of information about Kirkdale consultation meetings.
141858	04/04/2011	Complaining about the possible closure of the Kirkdale Centre and worry about cancellation of her classes.
141859	06/04/2011	Complaining about the closure of Kirkdale, the "jargon" used in correspondence and a problem contacting us by telephone - having to put in an extension number which he did not know.
141869	04/04/2011	How many classes are we looking to move to other centres? Where will these classes be moving to? How many learners will be effectively be relocated?
141877	24/03/2011	Complaining about the closure of the Kirkdale Centre.
141991	12/04/2011	Complaining about the sheer waste of money spent on posting letters giving notice of public meetings regarding proposed closure of Kirkdale. The letter was dated 28 March, it was postmarked 4 April and not received by her until 6 April.
142719	15/04/2011	X is complaining about her letter giving details of meetings regarding the proposed closure of the Kirkdale Centre arriving too late.
142723	13/04/2011	X is unable to attend any of the sessions and so has expressed her disagreement about the proposed closure of the Kirkdale Centre in writing.
143030	20/04/2011	I am writing regarding the proposed closure of the Kirkdale Centre. I attended the recent consultation meeting on 07 April in Nabors Hall and did not feel that I received satisfactory answers to the queries I raised. I am writing now to ask for answers
143073	19/04/2011	X has copied her feedback to the proposals for closing Kirkdale to Cllr Best. She makes the following comments: re poor attendance, she points out that the highly successful art appreciation/history classes were withdrawn.

<b>Case No.</b>	<b>Date received</b>	<b>Details</b>
143375	26/04/2011	X is writing on behalf of herself and Y about their disappointment of the proposed closure of the Kirkdale Centre.
143411	26/04/2011	You promised at the Kirkdale consultation meetings that you would put up on the website and in the libraries data about the funding for CEL that we could study. You also mentioned about the dates of the scrutiny meetings. I have tried to access all this

## APPENDIX 5

There was an online petition :

[http://www.ipetitions.com/save\\_kirkdale\\_learning\\_institute/](http://www.ipetitions.com/save_kirkdale_learning_institute/)

which received 164 signatures and a paper petition of nearly 600 signatures was submitted to the lead councillor by the closing date of 20 May

The wording of the petition was:

'We, the undersigned, object most strongly to the proposal to close the Kirkdale Learning Institute in July 2011.

Whilst we are aware of both the financial situation facing Lewisham Council and the need for an increase in primary school places in the borough we feel that alternatives to closure, such as sharing part of the premises with the adjoining school, should be thoroughly explored.

We urge the Mayor, Councillors and officers to explore this possible solution before cutting provision for adult education in this part of the borough. In the current challenging financial situation lifelong learning is more important than ever – and once the specialist facilities and workshops at Kirkdale are gone it will be impossible to replace them.'



Information	X
Action	
Consultation	

## Community Education Lewisham – Equalities Impact Assessment

March 2011

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### Summary

This document is an Equalities Impact Assessment (EIA) of the proposal to close the Kirkdale Centre. It considers how the proposal might affect different groups in society. It also outlines the activity that the Council will take to ensure that equal opportunities are promoted and that no group is faced with disproportionate discrimination.

This EIA summarises the role and activity of Community Education Lewisham (CEL). It also details the qualitative and quantitative information that has informed the Council's assessment of the equalities implications.

The overall assessment of this EIA is that the proposal to close the Kirkdale centre will not have a disproportionately adverse impact on any protected characteristic and will not lead to unlawful discrimination. In terms of provision, the Council can continue to provide 96% of the courses currently offered at the Kirkdale Centre at one its three other centres. The EIA recognises that some individuals will have further to travel and that for those with restricted mobility or who do not felt confident changing their routines this could present a disadvantage. To mitigate this negative impact the Council will contact users who may find changing centres more challenging and offer them advice as to how they can continue to access their courses.

### Introduction

CEL has been reviewing its service provision in view of the funding reductions from the Skills Funding Agency (SFA). SFA have announced that the skills budget for adult learning will reduce by 25% over the next four years from September 2011, and there will also be reform of the Adult Safeguarded Budget.

The ongoing reduction in SFA support has necessitated a review of the CEL operation with a view to identifying savings which will protect learning provision and ensure the most effective and efficient use of its assets.

## **What is an Equalities Impact Assessment?**

An EIA is a tool that helps organisations to systematically analyse a change in strategy, policy or service and identify what effect, or likely effect, it will have on different groups in the community. In line with requirements in the Equality Act 2010, this EIA consider the potential for discrimination as well as any positive or negative impacts upon the following 'protected characteristics': gender; disability; age; race; sexual orientation; religion/belief; pregnancy/maternity; marriage/civil partnership; and gender reassignment. In addition, the EIA considers whether the proposal might contravene human rights. By conducting an EIA, organisations can consider what good practice could be shared or what measures might need to be taken to address any adverse impact.

The EIA provides the answers to the following questions:

- Could the proposed changes to the service and the way it is delivered affect some groups in society differently?
- Will the proposed changes disproportionately affect some groups more than others?

Lewisham's diversity is one of its strengths and the Council is committed to supporting inclusive and cohesive local communities. This commitment is held at the highest levels, in partnership with other local public sector agencies. *Shaping our future* – Lewisham's Sustainable Community Strategy establishes '*Reducing inequality – narrowing the gap in outcomes for citizens*' as an overarching principle for all activity in the borough. EIAs support this principle by identifying how the Council's services and its interactions with citizens can actively promote equal opportunities and avoid direct and indirect discrimination.

## **Background to Community Education Lewisham**

Lewisham has a strong adult education economy provided through Goldsmiths, University of London, Professional and Community Education and through Lewisham College.

Community Education Lewisham (CEL) has been operating for over 20 years and provides local communities with a range of courses aimed at people aged 19 and over.

Over 1,000 courses are offered, covering nine areas of learning

- Health, Public Services and Care
- Agriculture, Horticulture and Animal Care
- Information and Communication Technology
- Retail and Commercial Enterprise
- Leisure, Travel and Tourism
- Arts, Media and Publishing
- Languages, Literature and Culture
- Preparation for Life and Work

- Business Administration and Law

Courses provide accessible entry routes for new or returning learners and progression routes that are used by learners to further their skills and education. In addition, CEL currently provides a range of informal learning activities with a range of providers. In recent years, the Family Learning offer has grown considerably and CEL-led learning opportunities are now delivered in some primary schools, children's centres, libraries and community centres as well as from its current four main sites.

In 2009/10 the Mayor's Commission on Libraries and Learning was established to identify and respond to opportunities and challenges faced by the borough in developing library and adult learning services. The Commission made a number of recommendations including the establishment of a partnership to review provision and establish a clear direction for adult learning in the borough and actions to ensure that vulnerable residents and the 'hard-to-reach', including those with learning difficulties and disabilities were supported to learn.

In relation to premises, the Commission recommended that the Council should undertake further work, including cost-benefit analysis, to ensure that its buildings could deliver the future programme requirements, rationalising accommodation and providing suitable alternatives where appropriate.

### **Equalities elements of the service**

There are six million adults in Britain without basic skills. Low levels of basic skills are often a characteristic of deprived communities and can prevent people from finding employment and fulfilling their potential.

Lewisham is the 28<sup>th</sup> most deprived local authority in England for income deprivation. Three super output areas (SOAs) are in the worst 10% and 51 of its 166 SOAs (31%) are in the bottom 10 – 20%, Evelyn, New Cross, Downham and Bellingham have the highest concentrations of deprivation. 24% of households have no adult in employment.

- 41.6% of Lewisham residents are educated to NVQ Level 4 and above, which means that they have a higher national diploma or degree level qualifications.
- 56.2% have NVQ Level 3 and above which is equivalent to at least two A levels or an advanced GNVQ.
- 68.8% have NVQ Level 2 and above which is the equivalent of five or more GCSEs at grades A-C or an intermediate GNVQ.
- 77.6% have NVQ Level 1 and above, which equates to less than five GCSEs at grades A-C or a foundation GNVQ.
- 15.% of Lewisham residents hold other qualifications such as foreign qualifications.
- 6.6% have no formal qualification at all.

Adult education providers, like CEL, provide opportunities for adults who may not otherwise participate in education or training. As well as acquiring new



knowledge and skills, many learners develop confidence, motivation and raised aspirations as well as gaining health and social benefits. CEL also recognises the role that informal learning plays in social inclusion and community engagement.

Impacts on equality and diversity are considered in all aspects of curriculum planning. The curriculum is broad and accessible and reflects CEL's commitment to widening participation and extending learning.

CEL takes active steps to work with different elements of the local community and specifically those groups that are under-represented or who may otherwise struggle to access its provision. Recently CEL ran a very successful partnership project with two voluntary sector organisations, Catch-22, which is a youth support organisation and Parent Support Group. The target group were teenagers who were at risk of entering the criminal justice system and who had been identified as vulnerable by the Police or the Youth Offending Team. Approximately half of the adults who were involved with the initial project have progressed to courses within CEL.

The Neighbourhood Learning in Deprived Communities project in Lewisham has been running successfully for over six years. It is a partnership between CEL, Lewisham College and the Lewisham Voluntary Sector Training Network (LVSTN). The project is based in Deptford, Evelyn Ward, which is one of the 10% most deprived wards in the country, but works across the borough fulfilling need as necessary.

Supported learning provision for adults with learning difficulties and disabilities works in partnership across the borough and has delivered learning at Heather Close which is a supported living home and Greenvale School which is a school for disabled young people. CEL has continued to work in partnership with NHS Lewisham to deliver Arts Lift and MindLift programmes.

### **What information does this EIA call upon?**

The assessments made in this EIA are based upon both qualitative and quantitative information as to how both the service and Kirkdale centre is used. By drawing upon a range of statistical and consultation information, the Council is well-placed to assess how this change to the service might affect specific groups in the community.

The sources of information that inform this EIA include demographic information on the borough, as well as Lewisham learner profiles. The latter record personal information on each learner, including their address, gender, age, ethnicity and disability.

This statistical information is complemented by information from previous consultation exercises, previous EIAs and learner feedback. A summary of the key equalities information from each of these documents is provided below:

**Mayor's Commission:** As part of the commission, focus groups were carried out with people who use CEL's accredited learning, people who use CEL's non-accredited learning and people who rarely or never use CEL's services. Additional focus groups were also conducted with people with a visual impairment and people who are Deaf or Hard of Hearing. The focus groups considered: the value of adult learning; access and venues for adult learning; the potential to co-locate adult learning with other services; and which organisations could provide adult learning services.

These focus groups identified a number of issues including the value of CEL in supporting vulnerable adults particularly older people who have learning difficulties and people with mental health difficulties. Some people with learning difficulties noted that they value CEL's non-accredited provision since it allowed them to learn at their own pace. Many people who had a visual impairment and who were Deaf or Hard of Hearing said that they did not feel able to fully access CEL provision. Some learners also noted that some of the CEL buildings were not wheelchair accessible.

**Consultation around the proposed closure of the centre:** - Consultation related to the proposal for the closure of the Kirkdale Centre comprised a number of different activities. Learners and residents have made their views known through existing avenues of consultation and engagement, for example through council questions and direct correspondence with the Council. In addition Lewisham has undertaken specific consultation activity with the wider public and with learners and interested parties from each of the neighbourhoods potentially affected by this proposal.

All respondents to the consultation emphasised the value of the learning experience that CEL offered across the borough. Kirkdale is highly valued by all those who use the centre but there was also a recognition that the physical limitations of the building had contributed to a reduced course offer which meant that the centre was considerably underused with low learner numbers.

Some learners raised concerns about transport difficulties and costs in relocating to another centre. Currently 30% of learners at Kirkdale also attend classes at other sites.

**Information from previous EIAs:** A previous EIA conducted as part of the CEL reorganisation in 09/10 identified the need for continued training for staff and particularly those with front-line responsibilities to ensure raised awareness of the needs of students from minority groups. In addition, the EIA identified actions for the service to:

- Review and update procedures and systems in relation to student/customer needs and early identification of additional needs to facilitate a positive learning experience
- Monitor take up by learners and success by key equal opportunities criteria and by postcode.
- Carry out and review regular service user satisfaction surveys to measure improvements in customer service.

All of these actions have been completed and the information continues to inform CEL's provision of services and the shape of its curriculum.

## **Equality Impact Assessment**

Adult learners in Lewisham are predominantly female. In terms of ethnicity, half of Lewisham's adult learners are in the White Ethnic group and 50% from BME groups. Within this category the majority of learners are from a Black or Black British-Caribbean background, followed by Black or Black British-African. This means that CEL has a higher proportion of BME learners than the overall population in Lewisham. The percentage of adult learners who identify themselves as having a disability or learning difficulty is higher than the overall borough profile (20.8% compared to 14.2%). Any change in the service is therefore likely to have a proportionally greater impact upon people with these protected characteristics.

The service does not currently monitor its learners' religion and belief, sexual orientation, marriage or civil partnership status, pregnancy/maternity status or gender reassignment status. It is therefore difficult to assess whether a change in the service will disproportionately affect people with these protected characteristics.

### **Gender**

The majority of CEL learners are female, which reflects a national trend of more women accessing adult education than men. There is little disparity between the gender profile for all Lewisham learners (79.7% Female, 20.3% Male) and the gender profile for learners at Kirkdale (78.8% Female, 21.2% Male).

### **Race/Ethnicity**

Kirkdale serves a higher proportion of White British learners than the overall Lewisham learner profile (47% compared to 37%) and a lower proportion of BME learners (39.6% compared to 49.5%). A higher number of individuals from the White British ethnic group are likely to be affected by these changes than those from a BME background.

### **Age**

Kirkdale serves a higher proportion of older learners (55 – 64 and 65+) than the Lewisham profile in both accredited and non-accredited courses. The closure of this facility may therefore have a higher impact upon this group.

During the consultation on the proposed changes, a number of comments were made as to the accessibility of alternative provision and how asking people to travel further may disadvantage them. This may be particularly relevant to older people.

At present, many rooms and sections of the Kirkdale centre are not DDA compliant. There is no DDA access to the men's toilets which are on the second floor and a stairlift has to be used to access the ladies' toilets and the café. There is provision for wheelchair access and a disabled toilet on the ground floor but the upper floor is only accessible by stairs.

## **Disability**

Kirkdale serves a lower proportion of learners with a learning disability or difficulty than the Lewisham average (17.4% compared to 20.8%). The closure of this facility will not have a disproportionate impact on this group. Nonetheless the Council recognises that accessing alternative provision at another centre could present particular difficulties to those Kirkdale learners who have impaired mobility or who are not confident when operating outside their set routines.

## **Sexual orientation/Religion and belief/Gender reassignment/Pregnancy and Maternity/Marriage and Civil Partnership**

Information is not currently collected on these protected characteristics for CEL learners. However, there are no elements of the proposed changes to this service or closure of the facility which would discriminate against people on these grounds.

## **Human rights**

The implications of this proposal on Human Rights have been assessed using the flow chart in 'Human rights: human lives: A handbook for public authorities.' This proposal does not interfere with human rights.

## **Overall assessment and mitigation**

The overall assessment is that the proposal to close Kirkdale will not have a disproportionately adverse impact across protected characteristics and will not lead to unlawful discrimination.

There are suitable rooms and unused capacity at other CEL sites to enable the relocation of most of the course provision from Kirkdale. In terms of provision, the Council can continue to provide 96% of the courses currently offered at the Kirkdale Centre at one its three other centres. The majority of classes will be relocated to Brockley Rise as it is the nearest site to Kirkdale. Classes that need specialist workshop facilities will be relocated to the Granville site as there is a lack of suitable space at Brockley Rise. The Granville Park workshop will be reconfigured and equipment will be moved to Granville over the summer period to ensure that a fully functioning workroom will be ready for the start of the new academic year in September 2011.

While the majority of learners will have less far to travel if they decide to access provision at Brockley instead of Kirkdale, it is clear that some individuals will have further to travel and that for those with restricted mobility or who do not feel confident changing their routines this could present a disadvantage. There is also anecdotal evidence that those accessing basic skills courses are less likely to continue accessing services when they are moved to another centre. There are good transport links to Granville and Brockley Rise. In addition, to mitigate this negative impact the Council will contact users who may find changing centres more challenging and offer them advice as to how they can continue to access their courses.

## **Appendix A - Lewisham Borough Profile**

Lewisham has a total population of 264,500 people. 20% of this number are children aged 0 – 15, 71% are people of working age (16 – 64) and 9% are older people aged 65 and over.

50% of residents are male and 50% are female.

55% of Lewisham residents are in the White British ethnic group, 2% are in the White Irish group and a further 8% from Other White backgrounds.

35% of Lewisham residents have a non-White background. 22% of Lewisham's population are in the Black or Black British ethnic group, 6% Asian or Asian British, 4% Mixed and 3% Chinese or Other Ethnic Group.

14.2% of working age people in Lewisham are categorised as disabled.

61% of Lewisham residents state that they are Christian, 5% Muslim and 4% other religions. 20% of Lewisham residents state that they have no religion and further 10% would rather not say.

At present, there is no recognised measure of sexual orientation in Lewisham. A recent survey in London showed that 92.3% of respondents identified as heterosexual/straight, 2.2% as gay/lesbian/bisexual and 0.6% as other. 4.2% said they did not know or refused to answer and 0.6% did not respond at all.

In the overall Index of Multiple Deprivation, Lewisham's average score was 31.04, making it the 39<sup>th</sup> most deprived of all local authorities (with 1 being the most deprived and 354 the least). Lewisham is, therefore, within the 20% most deprived local authorities in the country.

**Annex B – Comparison of Lewisham Adult Learner profile to the Kirkdale learner profile**

	Lewisham - all CEL users	Lewisham – accredited	Lewisham non-accredited	Kirkdale	Kirkdale accredited	Kirkdale non-accredited
<b>Number</b>	7032 (100%)	2797 (38%)	4235 (60.2%)	895 (100%)	322 (36%)	573 (64%)
<b>Gender</b>						
Female	79.70%	73.70%	83.80%	78.80%	73.60%	81.70%
Male	20.30%	26.30%	16.20%	21.20%	26.40%	18.30%
<b>Age</b>						
16 – 24	5.90%	8.40%	4.30%	6.50%	10.90%	4.00%
25 – 34	21.60%	25.50%	19.10%	16.40%	25.50%	11.30%
35 – 44	25.40%	28.30%	23.40%	22.90%	29.50%	19.20%
45 – 54	21.60%	25.30%	19.10%	22.20%	21.40%	22.70%
55 – 64	12.30%	7.90%	15.20%	16.40%	9.30%	20.40%
65+	13.20%	4.50%	18.50%	15.40%	3.40%	22.20%
<b>Ethnicity (of those known)</b>	6539 known	2620 known	3919 known	844 known	302 known	542 known
White British	34.40%	30.90%	36.70%	44.40%	32.60%	51.00%
White Irish	1.90%	1.40%	2.30%	2.10%	1.90%	2.30%
White Other	10.10%	9.90%	11.20%	10.50%	8.70%	11.50%
BME	49.50%	67%	60.30%	37.30%	50%	29.80%

<b>Disability/Learning difficulty</b>						
Yes	20.80%	32.60%	13%	17.40%	24%	13.60%
No	65%	52.50%	73.20%	68.10%	59.30%	73.10%
No information	14.20%	14.90%	13.80%	14.40%	16.50%	13.30%





## APPENDIX A

### Learner Information - Overall

Borough	Learners	Enrolments	Learner %	Average distance (miles)
Bexley	24	31	0.60%	6.46
Bromley	133	186	3.34%	3.13
Croydon	35	46	0.88%	4.43
Greenwich	191	246	4.80%	2.92
Lambeth	46	67	1.16%	3.80
Lewisham	3145	4339	79.04%	1.40
Southwark	241	324	6.06%	2.27
Wandsworth	8	11	0.20%	5.93
Other *	29	31	0.73%	16.22
Unrecognised postcode	127	480	3.19%	
<b>Total</b>	<b>3579</b>	<b>5761</b>		<b>1.77</b>

\* Other = Other boroughs with less than 10 enrolments

Age Range	Learners	Enrolments	Learner %
Under 25	177	254	4.95%
25-34	702	1120	19.61%
35-44	835	1312	23.33%
45-54	804	1348	22.46%
55-64	458	751	12.80%
65-74	415	710	11.60%
75+	182	260	5.09%
Unknown	6	6	0.17%
<b>Total</b>	<b>3579</b>	<b>5761</b>	

Gender	Learners	Enrolments	Learner %
Male	770	1153	21.51%
Female	2809	4608	78.49%
<b>Total</b>	<b>3579</b>	<b>5761</b>	

	Learners	Enrolments	Learner %
Disability	559	1048	15.62%
Learning Difficulty	351	689	9.81%

Wards in LBL	Learners	Enrolments	Learner %	Average distance (miles)
Bellingham	163	225	5.18%	1.42
Blackheath	124	165	3.94%	1.62
Brockley	154	220	4.90%	1.66
Catford South	172	226	5.47%	1.58
Crofton Park	245	349	7.79%	0.68
Downham	119	163	3.78%	1.80
Evelyn	97	129	3.08%	2.25
Forest Hill	226	318	7.19%	0.97
Grove Park	173	239	5.50%	1.70
Ladywell	187	281	5.95%	1.35
Lee Green	179	244	5.69%	1.60
Lewisham Central	186	238	5.91%	1.28
New Cross	97	138	3.08%	2.33
Perry Vale	249	351	7.92%	0.94
Rushey Green	242	341	7.69%	1.18
Sydenham	258	339	8.20%	1.39
Telegraph Hill	145	204	4.61%	1.80
Whitefoot	129	169	4.10%	1.61
<b>Total</b>	<b>3145</b>	<b>4339</b>		<b>1.40</b>

## Learner information – overall (continued)

<b>Ethnicity</b>	<b>Learners</b>	<b>Enrolments</b>	<b>Learner %</b>
11 Asian or Asian British - Bangladeshi	28	57	0.78%
12 Asian or Asian British - Indian	39	67	1.09%
13 Asian of Asian British - Pakistani	20	27	0.56%
14 Asian or Asian British - any other Asian background	126	189	3.52%
15 Black or Black British - African	401	611	11.20%
16 Black or Black British - Caribbean	604	939	16.88%
17 Black or Black British - any other Black background	126	216	3.52%
18 Chinese	71	135	1.98%
19 Mixed - White and Asian	13	34	0.36%
20 Mixed - White and Black African	29	61	0.81%
21 Mixed - White and Black Caribbean	55	93	1.54%
22 Mixed - any other Mixed background	39	61	1.09%
23 White - British	1288	2129	35.99%
24 White - Irish	68	110	1.90%
25 White - any other White background	358	556	10.00%
98 Any other	237	361	6.62%
99 Not known/not provided	77	115	2.15%
<b>Total</b>	<b>3579</b>	<b>5761</b>	

<b>Misc.</b>	<b>Learners</b>	<b>Learner %</b>
1 enrolment	2306	64.43%
2 enrolments	770	21.51%
3 enrolments	288	8.05%
4 enrolments	127	3.55%
5 or more enrolments	88	2.46%
No. of learners studying at 1 centre only	3036	84.83%
No. of learners with enrolments at other centres	543	15.17%
2 centres	469	13.10%
3 centres	63	1.76%
4 centres	11	0.31%

## Learner Information – Brockley Rise

Borough	Learners	Enrolments	Learner %	Average distance (miles)
Bexley	8	11	0.43%	7.68
Bromley	53	78	2.84%	3.57
Croydon	23	31	1.23%	3.86
Greenwich	50	78	2.68%	4.44
			0.00%	
Lambeth	22	33	1.18%	3.36
Lewisham	1410	2132	75.56%	1.30
Southwark	114	169	6.11%	1.83
Sutton	2	2	0.11%	7.85
			0.00%	
			0.00%	
Unrecognised postcode	184	307	9.86%	
Other	15	18	0.80%	21.78
<b>Total</b>	<b>1866</b>	<b>2841</b>		<b>1.75</b>

Age Range	Learners	Enrolments	Learner %
Under 25	84	120	4.50%
25-34	382	560	20.47%
35-44	449	708	24.06%
45-54	401	618	21.49%
55-64	255	370	13.67%
65-74	229	370	12.27%
75+	66	95	3.54%
Unknown			0.00%
<b>Total</b>	<b>1866</b>	<b>2841</b>	

Gender	Learners	Enrolments	Learner %
Male	407	569	21.81%
Female	1459	2272	78.19%
<b>Total</b>	<b>1866</b>	<b>2841</b>	

	Learners	Enrolments	Learner %
Disability	334	558	17.90%
Learning Difficulty	208	343	11.15%

Wards in LBL	Learners	Enrolments	Learner %	Average distance (miles)
Bellingham	85	127	6.03%	1.09
Blackheath	37	57	2.62%	2.27
Brockley	78	128	5.53%	1.61
Catford South	68	106	4.82%	1.51
Crofton Park	179	269	12.70%	0.35
Downham	35	47	2.48%	2.48
Evelyn	34	53	2.41%	2.81
Forest Hill	98	151	6.95%	0.79
Grove Park	43	74	3.05%	2.88
Ladywell	85	147	6.03%	1.21
Lee Green	62	91	4.40%	2.14
Lewisham Central	64	83	4.54%	1.64
New Cross	49	73	3.48%	2.38
Perry Vale	144	222	10.21%	0.57
Rushey Green	132	204	9.36%	0.88
Sydenham	104	135	7.38%	1.37
Telegraph Hill	76	118	5.39%	1.55
Whitefoot	37	47	2.62%	1.93
<b>Total</b>	<b>1410</b>	<b>2132</b>		<b>1.30</b>

## Learner information – Brockley Rise (continued)

<b>Ethnicity</b>	<b>Learners</b>	<b>Enrolments</b>	<b>Learner %</b>
11 Asian or Asian British - Bangladeshi	10	23	0.54%
12 Asian or Asian British - Indian	22	38	1.18%
13 Asian of Asian British - Pakistani	14	21	0.75%
14 Asian or Asian British - any other Asian background	43	57	2.30%
15 Black or Black British - African	205	278	10.99%
16 Black or Black British - Caribbean	367	547	19.67%
17 Black or Black British - any other Black background	74	119	3.97%
18 Chinese	22	46	1.18%
19 Mixed - White and Asian	5	14	0.27%
20 Mixed - White and Black African	14	29	0.75%
21 Mixed - White and Black Caribbean	32	50	1.71%
22 Mixed - any other Mixed background	25	38	1.34%
23 White - British	690	1058	36.98%
24 White - Irish	40	59	2.14%
25 White - any other White background	174	282	9.32%
98 Any other	90	129	4.82%
99 Not known/not provided	39	53	2.09%
<b>Total</b>	<b>1866</b>	<b>2841</b>	

<b>Misc.</b>	<b>Learners</b>	<b>Learner %</b>
1 enrolment at BR	1279	68.54%
2 enrolments at BR	366	19.61%
3 enrolments at BR	132	7.07%
4 enrolments at BR	47	2.52%
5 or more enrolments at BR	42	2.25%
No. of learners with enrolments at other centres	434	23.26%
1 enrolment at another centre	306	16.40%
2 enrolments at another centre	82	4.39%
3 enrolments at another centre	28	1.50%
4 or more enrolments at another centre	18	0.96%

## Learner information – Grove Park

Borough	Learners	Enrolments	Learner %	Average distance (miles)
Bexley	6	7	1.06%	4.89
Bromley	33	39	5.83%	2.89
Croydon	3	4	0.53%	4.98
Greenwich	44	49	7.77%	1.86
Havering	1	1	0.18%	13.82
Lambeth	5	6	0.88%	6.25
Lewisham	414	515	73.14%	1.77
Southwark	17	19	3.00%	4.74
Sutton	0	0	0.00%	0.00
Tower Hamlets	0	0	0.00%	0.00
Wandsworth	1	1	0.18%	8.43
Unrecognised postcode	42	43	7.42%	N/A
<b>Total</b>	<b>566</b>	<b>684</b>		<b>2.06</b>

Age Range	Learners	Enrolments	Learner %
Under 25	31	34	5.48%
25-34	73	94	12.90%
35-44	111	126	19.61%
45-54	123	152	21.73%
55-64	86	102	15.19%
65-74	93	118	16.43%
75+	49	58	8.66%
Unknown	0	0	0.00%
<b>Total</b>	<b>566</b>	<b>684</b>	

Gender	Learners	Enrolments	Learner %
Male	114	126	20.14%
Female	452	558	79.86%
<b>Total</b>	<b>566</b>	<b>684</b>	

	Learners	Enrolments	Learner %
Disability	128	151	22.61%
Learning Difficulty	85	94	15.02%

Wards in LBL	Learners	Enrolments	Learner %	Average distance (miles)
Bellingham	23	28	5.56%	2.16
Blackheath	30	34	7.25%	2.30
Brockley	11	14	2.66%	3.11
Catford South	32	35	7.73%	1.49
Crofton Park	9	10	2.17%	2.72
Downham	30	40	7.25%	0.92
Evelyn	5	5	1.21%	4.30
Forest Hill	13	15	3.14%	3.58
Grove Park	73	90	17.63%	0.42
Ladywell	18	20	4.35%	2.67
Lee Green	52	66	12.56%	1.26
Lewisham Central	18	27	4.35%	1.58
New Cross	8	15	1.93%	3.89
Perry Vale	14	17	3.38%	2.91
Rushey Green	22	24	5.31%	2.01
Sydenham	16	21	3.86%	3.29
Telegraph Hill	11	15	2.66%	3.55
Whitefoot	29	39	7.00%	1.09
<b>Total</b>	<b>414</b>	<b>515</b>		<b>1.77</b>

## Learner information – Grove Park (continued)

<b>Ethnicity</b>	<b>Learners</b>	<b>Enrolments</b>	<b>Learner %</b>
11 Asian or Asian British - Bangladeshi	8	11	1.41%
12 Asian or Asian British - Indian	5	6	0.88%
13 Asian of Asian British - Pakistani	1	1	0.18%
14 Asian or Asian British - any other Asian background	15	19	2.65%
15 Black or Black British - African	56	67	9.89%
16 Black or Black British - Caribbean	70	80	12.37%
17 Black or Black British - any other Black background	18	20	3.18%
18 Chinese	5	5	0.88%
19 Mixed - White and Asian	6	6	1.06%
20 Mixed - White and Black African	1	1	0.18%
21 Mixed - White and Black Caribbean	8	11	1.41%
22 Mixed - any other Mixed background	8	10	1.41%
23 White - British	262	321	46.29%
24 White - Irish	25	29	4.42%
25 White - any other White background	40	48	7.07%
98 Any other	31	41	5.48%
99 Not known/not provided	7	8	1.24%
<b>Total</b>	<b>566</b>	<b>684</b>	

<b>Misc.</b>	<b>Learners</b>	<b>Learner %</b>
1 enrolment at GP	471	83.22%
2 enrolments at GP	79	13.96%
3 enrolments at GP	11	1.94%
4 enrolments at GP	3	0.53%
5 enrolments at GP	2	0.35%
No. of learners with enrolments at other centres	211	37.28%
1 enrolment at another centre	116	20.49%
2 enrolments at another centre	50	8.83%
3 enrolments at another centre	22	3.89%
4 or more enrolments at another centre	23	4.06%

## Learner information – Granville Park

Borough	Learners	Enrolments	Learner %	Average distance (miles)
Bexley	8	11	0.92%	5.89
Bromley	11	13	1.27%	4.37
Croydon	7	9	0.81%	6.63
Greenwich	85	91	9.82%	2.29
Havering	0	0	0.00%	N/A
Lambeth	7	10	0.81%	5.48
Lewisham	622	782	71.82%	1.61
Southwark	59	64	6.81%	3.01
Sutton	0	0	0.00%	N/A
Tower Hamlets	1	1	0.12%	2.32
Wandsworth	2	2	0.23%	6.79
Unrecognised postcode	57	58	6.58%	
Other	7	7	0.81%	N/A
<b>Total</b>	<b>866</b>	<b>1048</b>		<b>1.98</b>

Age Range	Learners	Enrolments	Learner %
Under 25	47	56	5.43%
25-34	182	208	21.02%
35-44	236	281	27.25%
45-54	220	270	25.40%
55-64	101	125	11.66%
65-74	65	90	7.51%
75+	13	16	1.50%
Unknown	2	2	0.23%
<b>Total</b>	<b>866</b>	<b>1048</b>	

Gender	Learners	Enrolments	Learner %
Male	175	202	20.21%
Female	691	846	79.79%
<b>Total</b>	<b>866</b>	<b>1048</b>	

	Learners	Enrolments	Learner %
Disability	111	143	12.82%
Learning Difficulty	78	99	9.01%

Wards in LBL	Learners	Enrolments	Learner %	Average distance (miles)
Bellingham	17	21	2.73%	2.54
Blackheath	47	61	7.56%	0.36
Brockley	41	48	6.59%	1.10
Catford South	32	38	5.14%	1.76
Crofton Park	23	27	3.70%	1.86
Downham	19	27	3.05%	2.90
Evelyn	39	52	6.27%	1.86
Forest Hill	18	22	2.89%	2.83
Grove Park	17	20	2.73%	2.41
Ladywell	54	74	8.68%	0.93
Lee Green	45	63	7.23%	0.97
Lewisham Central	71	81	11.41%	0.78
New Cross	31	41	4.98%	1.72
Perry Vale	31	35	4.98%	2.58
Rushey Green	45	60	7.23%	1.51
Sydenham	31	41	4.98%	3.40
Telegraph Hill	32	37	5.14%	1.74
Whitefoot	29	34	4.66%	2.37
<b>Total</b>	<b>622</b>	<b>782</b>		<b>1.61</b>

## Learner information – Granville Park (continued)

<b>Ethnicity</b>	<b>Learners</b>	<b>Enrolments</b>	<b>Learner %</b>
11 Asian or Asian British - Bangladeshi	5	5	0.58%
12 Asian or Asian British - Indian	9	10	1.04%
13 Asian of Asian British - Pakistani	2	2	0.23%
14 Asian or Asian British - any other Asian background	38	47	4.39%
15 Black or Black British - African	126	154	14.55%
16 Black or Black British - Caribbean	159	187	18.36%
17 Black or Black British - any other Black background	36	44	4.16%
18 Chinese	25	28	2.89%
19 Mixed - White and Asian	3	3	0.35%
20 Mixed - White and Black African	11	16	1.27%
21 Mixed - White and Black Caribbean	12	15	1.39%
22 Mixed - any other Mixed background	8	8	0.92%
23 White - British	255	323	29.45%
24 White - Irish	5	6	0.58%
25 White - any other White background	104	117	12.01%
98 Any other	57	67	6.58%
99 Not known/not provided	11	16	1.27%
<b>Total</b>	<b>866</b>	<b>1048</b>	

<b>Misc.</b>	<b>Learners</b>	<b>Learner %</b>
1 enrolment at GR	721	83.26%
2 enrolments at GR	119	13.74%
3 enrolments at GR	17	1.96%
4 enrolments at GR	7	0.81%
5 enrolments at GR	2	0.23%
No. of learners with enrolments at other centres	257	29.68%
1 enrolment at another centre	136	15.70%
2 enrolments at another centre	60	6.93%
3 enrolments at another centre	32	3.70%
4 or more enrolments at another centre	29	3.35%



## Learner information – Kirkdale

Borough	Learners	Enrolments	Learner %	Average distance (miles)
Bexley	2	2	0.35%	8.33
Bromley	30	43	5.32%	3.76
Croydon	2	2	0.35%	2.26
Greenwich	6	7	1.06%	4.82
Havering	1	1	0.18%	12.75
Lambeth	12	15	2.13%	2.90
Lewisham	424	551	75.18%	1.83
Southwark	47	59	8.33%	2.35
Sutton	1	1	0.18%	7.80
Tower Hamlets	1	1	0.18%	4.96
Wandsworth	2	3	0.35%	7.44
Unrecognised postcode	36	32	6.38%	
<b>Total</b>	<b>564</b>	<b>717</b>		<b>2.13</b>

Age Range	Learners	Enrolments	Learner %
Under 25	23	26	4.08%
25-34	89	116	15.78%
35-44	124	146	21.99%
45-54	138	164	24.47%
55-64	93	128	16.49%
65-74	70	99	12.41%
75+	27	38	4.79%
Unknown	0	0	0.00%
<b>Total</b>	<b>564</b>	<b>717</b>	

Gender	Learners	Enrolments	Learner %
Male	123	149	21.81%
Female	441	568	78.19%
<b>Total</b>	<b>564</b>	<b>717</b>	

	Learners	Enrolments	Learner %
Disability	82	97	14.54%
Learning Difficulty	50	62	8.87%

Wards in LBL	Learners	Enrolments	Learner %	Average distance (miles)
Bellingham	22	32	5.19%	1.97
Blackheath	7	7	1.65%	3.46
Brockley	13	17	3.07%	3.58
Catford South	17	19	4.01%	2.72
Crofton Park	26	34	6.13%	1.87
Downham	13	16	3.07%	3.70
Evelyn	4	4	0.94%	4.02
Forest Hill	78	105	18.40%	0.64
Grove Park	13	16	3.07%	4.44
Ladywell	15	20	3.54%	3.22
Lee Green	10	12	2.36%	3.86
Lewisham Central	8	9	1.89%	3.17
New Cross	4	4	0.94%	3.45
Perry Vale	52	68	12.26%	1.07
Rushey Green	24	29	5.66%	2.26
Sydenham	91	123	21.46%	0.69
Telegraph Hill	16	21	3.77%	3.53
Whitefoot	11	15	2.59%	3.58
<b>Total</b>	<b>424</b>	<b>551</b>		<b>1.83</b>

## Learner information - Kirkdale (continued)

<b>Ethnicity</b>	<b>Learners</b>	<b>Enrolments</b>	<b>Learner %</b>
11 Asian or Asian British - Bangladeshi	6	8	1.06%
12 Asian or Asian British - Indian	4	4	0.71%
13 Asian of Asian British - Pakistani	1	1	0.18%
14 Asian or Asian British - any other Asian background	21	26	3.72%
15 Black or Black British - African	49	62	8.69%
16 Black or Black British - Caribbean	60	77	10.64%
17 Black or Black British - any other Black background	20	22	3.55%
18 Chinese	12	14	2.13%
19 Mixed - White and Asian	4	8	0.71%
20 Mixed - White and Black African	7	11	1.24%
21 Mixed - White and Black Caribbean	10	12	1.77%
22 Mixed - any other Mixed background	4	5	0.71%
23 White - British	253	336	44.86%
24 White - Irish	10	10	1.77%
25 White - any other White background	58	67	10.28%
98 Any other	31	38	5.50%
99 Not known/not provided	14	16	2.48%
<b>Total</b>	<b>564</b>	<b>717</b>	

<b>Misc.</b>	<b>Learners</b>	<b>Learner %</b>
1 enrolment at KC	450	79.79%
2 enrolments at KC	89	15.78%
3 enrolments at KC	13	2.30%
4 enrolments at KC	10	1.77%
5 enrolments at KC	2	0.35%
No. of learners with enrolments at other centres	186	32.98%
1 enrolment at another centre	100	17.73%
2 enrolments at another centre	48	8.51%
3 enrolments at another centre	21	3.72%
4 or more enrolments at another centre	17	3.01%



<b>Mayor and Cabinet</b>			
<b>Report Title</b>	Comments of the Healthier Communities Select Committee on the Proposal to close the Kirkdale Centre		
<b>Key Decision</b>	No	<b>Item No.</b>	5 (Addendum)
<b>Ward</b>	All		
<b>Contributors</b>	Healthier Communities Select Committee		
<b>Class</b>	Part 1	<b>Date</b>	22 June 2011

## **1. Summary**

- 1.1 This report informs the Mayor and Cabinet of the comments and views of the Healthier Communities Select Committee, arising from discussions held on the officer report "Proposal to close the Kirkdale Centre, Community Education Lewisham" considered at their meeting on 25 May 2011.

## **2. Recommendation**

- 2.1 The Mayor is recommended to consider the views of the Healthier Communities Select Committee as set out in section three of the report prior to taking any decisions.

## **3. Healthier Communities Select Committee Views**

- 3.1 On 8 June, the Healthier Communities Select Committee considered a report outlining the details of the consultation exercise undertaken on a proposal to close the Kirkdale Centre for adult education classes. The report also detailed the outcomes of the consultation process.
- 3.2 The Healthier Communities Select Committee makes the following comments:
- 1) The Committee notes its disappointment that the full report prepared for Mayor and Cabinet, and proposed recommendations, were not made available to them at their meeting for full pre-decision scrutiny, as had been anticipated by the Committee following discussions at its meeting on 27 April 2011.
  - 2) The Committee is further disappointed that a full Equalities Impact Assessment and all relevant financial information about the CEL funding and budget allocation were not available to them, to inform their consideration of the proposal.
  - 3) The Committee recommends that the Mayor instructs officers to use their best endeavours to consider the option of splitting the use of the building between Kelvin Grove School and CEL.

#### **4. Financial Implications**

- 4.1 There are no financial implications arising out of this report per se, although the financial implications of accepting the Committee's recommendations will need to be considered.

#### **5. Legal Implications**

- 5.1 The Constitution provides for Select Committees to refer reports to the Mayor and Cabinet, who are obliged to consider the report and the proposed response from the relevant Executive Director; and report back to the Committee within two months (not including recess).

### **BACKGROUND PAPERS**

Proposal to close Kirkdale Centre, CEL – Officer Report to Healthier Communities Select Committee (27.03.11)

Minutes of the Healthier Communities Select Committee (27.04.11)

If you have any queries on this report, please contact Salena Mulhere, Scrutiny Manager (0208 3143380), or Kevin Flaherty, Head of Business & Committee (0208 3149327).

# Agenda Item 6

<b>Chief Officer Confirmation of Report Submission</b>			
<b>Report for:</b>	<b>Mayor</b>	<input type="checkbox"/>	
	<b>Mayor and Cabinet</b>	<input checked="" type="checkbox"/>	
	<b>Mayor and Cabinet (Contracts)</b>	<input type="checkbox"/>	
	<b>Executive Director</b>	<input type="checkbox"/>	
<b>Information</b>	<b>Part 1</b>	<input checked="" type="checkbox"/>	<b>Part 2</b>
			<input type="checkbox"/>
			<b>Key Decision</b>
			<input type="checkbox"/>

<b>Date of Meeting</b>	22 June 2011
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<b>Title of Report</b>	Section 75 report - Formalising Joint Commissioning, arrangements for Adult Mental Health and Social Care
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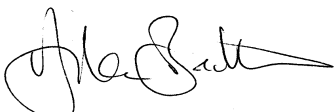
<b>Originator of Report</b>	Eleanor Davies	49860
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
<b>Financial Comments from Exec Director for Resources</b>	✓	
<b>Legal Comments from the Head of Law</b>	✓	
<b>Crime &amp; Disorder Implications</b>	✓	
<b>Environmental Implications</b>	✓	
<b>Equality Implications/Impact Assessment (as appropriate)</b>	✓	
<b>Confirmed Adherence to Budget &amp; Policy Framework</b>	✓	
<b>Risk Assessment Comments (as appropriate)</b>		
<b>Reason for Urgency (as appropriate)</b>		

Signed  Executive Member

Date 8/6/11

Signed  Executive Director

Date 10/6/11

## Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

<b>MAYOR AND CABINET</b>			
<b>Report Title</b>	Section 75 report - Formalising Joint Commissioning, arrangements for Adult Mental Health and Social Care		
<b>Key Decision</b>	Yes	Item No.	6
<b>Ward</b>	All		
<b>Contributors</b>	Executive Director, Community Services, Head of Law, Executive Director for Resources		
<b>Class</b>	Part 1	Date: 22 June 2011	

## **1. Summary**

- 1.1 This paper makes the recommendations to update the current Mental Health Section 31 agreement during 2011/12 in light of 2006 changes to the 1999 Health Act. It is recommended that the current Section 31 agreement is updated to form a scheduled within the overarching Section 75 Agreement currently in place between LBL and Lewisham Primary Care Trust which aligns health and social care budgets under the management of the Council.

## **2. Purpose**

- 2.1 The purpose of this report is to seek the Mayor's approval of the proposal to include Adult Mental Health within the overarching section 75 Agreement agreed between Council and Lewisham Primary Care Trust approved by Mayor and Cabinet on 10<sup>th</sup> June 2010 and signed on 23<sup>rd</sup> December 2010. This will significantly enhance fully integrated joint commissioning arrangements for adult social care and health between Lewisham Council and Lewisham Primary Care Trust, under the strategic leadership of the Council, in order to enhance opportunities to achieve a wide range of benefits for local adult service users and their carers.

## **3. Recommendations**

- 3.1 The Mayor is recommended to:

i) Approve continued participation by the Council in a revised Section 31 agreement for the commissioning and provision of Adult Mental Health Services to form part of the overarching Section 75 agreement between the Council and Lewisham Primary Care Trust.

ii) Approve for the Council to enter into a management agreement with South London and Maudsley NHS Foundation Trust (SLaM) to support the clinical delivery of services as a result of extracting SLaM from the existing Section 31 agreement when updating it to a Section 75 agreement.

iii) Delegate authority to the Executive Director for Community Services to oversee and progress this work. This will involve officers from the council and PCT gaining legal advice, to ensure that contracting arrangements are fit for purpose within the new structure.

iv) Note that a separate report is brought to Mayor and Cabinet to cover Children and Young People Commissioning which will cover the same legal format as the overarching Section 75 Agreement.

#### **4. Background**

4.1 Mental Health Commissioning is part of the Lewisham Joint Commissioning Unit. The Joint Commissioning Unit has now been established as a recognised and a specific entity under a section 75 Agreement between the Council and Lewisham Primary Care Trust, which aligns health and social care budgets under the leadership of the Council. This development represented a major work stream (in Partnership with Lewisham Primary Care Trust) of the Council's Modernisation and Transformation programme which looked to bring together health and social care commissioning, procurement and brokerage under a single management system in order to strengthen the identity, focus and value to be gained from the commissioning functions.

4.2 2010/2011 was the first operational year of the Lewisham Joint Commissioning Unit structure. Due to the unique pooled budget arrangements within Adult Mental Health Commissioning this area was not included within the overarching Joint Commissioning Section 75 Agreement. It was agreed to update the Mental Health Section 31 Agreement separately.

#### **5. Policy Context**

5.1 The continued operation of jointly commissioned adult health and social care services is being proposed in order to deliver better, and value for money, services for adults with health and/or social care needs. As such it will contribute to delivery of the sustainable community strategy priorities to enable residents to live healthy, active and enjoyable lives, and to the council priorities around caring for adults and older people and inspiring efficiency, effectiveness and equity.

#### **6. Conditions Under The Current Section 31 Agreement**

6.1 The current agreement was established under a Section 31 Agreement in accordance with the Health Act 1999, first approved by Mayor and Cabinet on 11<sup>th</sup> December 2002. The main agreement was tripartite between Lewisham Primary Care Trust, London Borough of Lewisham and South London and Maudsley NHS Foundation Trust (SLaM). Contained within it was a bi lateral management agreement between London Borough Lewisham and SLaM. The purpose of the agreement was to benefit service users. SLaM is commissioned



to provide an integrated health and social care service to holistically assess and meet the needs of service users. The result is efficient delivery of services with resources being applied according to need rather than theoretical responsibility. As such, response to pressure can be quicker and more effective.

- 6.2 The Section 31 Agreement also specifies the establishment of a Pooled Budget for the commissioning of Adult Mental Health Services. In 2010/11 the respective contributions from the PCT and LBL to the pooled budget for Mental Health are £43,694,000 and £10,735,900 giving a total Pool of £54,429,900.
- 6.3 Parties have operated the pool to create flexibility and a 'whole system' approach, which avoids service users being shunted between the NHS and Social Service dependent on which organisation holds statutory responsibility. The impact has been a more seamless service for users, and appears to have led to a reduction in complaints. It has also enabled financial decisions to be based on overall needs, rather than sub sections of particular budgets. Savings made in one area have been reinvested across the system. This has given immediate benefits to service users, through improved provision of individual placements, as well as longer-term benefits through the development of new services, which better meet needs.

## 7. Financial Contributions for 2010/11

- 7.1 The respective contributions from the PCT and LBL to the pooled budget for Mental Health are £43,694,000 and £10,735,900, giving a total Pool of **£54,429,900**.

### 7.2 Source of Funds

	Lewisham PCT SLAM SLA £'000	Lewisham PCT Other SLA's £'000	Lewisham PCT Total £'000	London Borough Lewisham £'000	Total Pooled Budget £'000
LBL - Social Care & Health			0	7,759.4	<b>7,759.4</b>
LBL - Other Government Grants			0	1,937.9	<b>1,937.9</b>
LBL - Fees & Charges			0	623.9	<b>623.9</b>
Lewisham Primary Care Trust Development Funding	37,092	6,602	43,694	414.7	<b>44,108.7</b>
<b>Total Source of Funds</b>	<b>37,092</b>	<b>6,602</b>	<b>43,694</b>	<b>10,735.9</b>	<b>54,429.9</b>

### 7.3 Application of Funds

	Lewisham PCT SLAM SLA £'000	Lewisham PCT Other SLA's £'000	Lewisham PCT Total £'000	London Borough Lewisham £'000	Total Pooled Budget £'000
Community Opportunity Service (COS)	803		803	759.8	<b>1,562.8</b>
Community Homecare	5,801		5,801	2,718.4	<b>8,519.4</b>
Residential and Nursing Homes			0	204.7	<b>204.7</b>
			0	4,617.3	<b>4,617.3</b>

Other Placements	4,906		4,906	531.8	<b>5,437.8</b>
Central Services	582		582		<b>582.0</b>
Ladywell	7,878		7,878		<b>7,878.0</b>
Drugs	1,112		1,112		<b>1,112.0</b>
Medical	3,140		3,140		<b>3,140.0</b>
Psychology	1,615		1,615		<b>1,615.0</b>
Rehabilitation	2,681		2,681		<b>2,681.0</b>
Other External NHS Trusts		70	70		<b>70.0</b>
Forensic/ MDO's	509	5,644	6,153	655.5	<b>6,808.5</b>
Joint Working and Voluntary Sector		888	888	137.5	<b>1,025.5</b>
Corporate & Capital Charge					
Overheads	8,065		8,065	1,110.8	<b>9,175.8</b>
<b>Total Application of Funds</b>	<b>37,092</b>	<b>6,602</b>	<b>43,694</b>	<b>10,735.9</b>	<b>54,429.9</b>

#### 7.4 Financial Position at Year end 2010/11

7.5 The year end position for the overall Pooled Budget in 2010/11 was an overspend of **£10k**. The detail of this is shown in the table below:

#### 7.6 Year end position of each element of the pool:

<b>ORGANISATION</b>	<b>YEAR END VARIANCE Under(-) / Over(+)</b>
London Borough Lewisham	0
Lewisham PCT	- 38,000
SLAM	+ 48,000
<b>Net</b>	<b>+ 10,000</b>

7.7 Parties agreed that the remaining net pressure of £10K will be met from monies previously brokered in the Pool.

#### 7.8 Financial Position at Year-end 2009/10

7.9 The year end position for the overall Pooled Budget in 2009/10 was an overspend of **£433,000**. The detail of this is shown in the table below:

#### 7.10 Year end position of each element of the pool:

<b>ORGANISATION</b>	<b>YEAR END VARIANCE Under(-) / Over(+)</b>
London Borough Lewisham	+ 78,600
Lewisham PCT	- 116,600
SLAM	+ 471,000
<b>Net</b>	<b>+ 433,000</b>

7.11 Parties have agreed that the remaining net pressure of £433,000 will be met from monies previously brokered in the Pool.

### 8. Updating the Current Section 31 Agreement

8.1 There is pressing need to update the Mental Health Pooled Budget arrangements for a variety of reasons:

- To ensure that the Adult Mental Health Agreement is consistent with the overarching Section 75 agreement between London Borough Lewisham and NHS Lewisham (Primary Care Trust)
- To extract SLaM as a partner in the agreement - it is inconsistent to have a Foundation Trust as party to the agreement and does not allow for activity based contracting.
- The current agreement is out of date and does not reflect either the national policy frameworks (Section 75 of the 2006 Health Act replaces Section 31 of the 1999 Health Act) or the local governance arrangements
- The current management agreement is not fit for purpose in the current environment and there are significant risks to this sitting outside commissioning and contractual frameworks.
- It will be necessary to update the management agreement between London Borough of Lewisham and SLaM to support the clinical delivery of services
- Consideration needs to be given to expanding the Partnership to Mental Health Older Adults.
- There is need for clarity as to whether budgets are truly pooled and audited as such, or just aligned.
- The financial arrangements whereby application of under and overspends are negotiated between parties have worked effectively historically, but greater specificity is required in future. This is particularly important in the context of an increasingly challenging financial climate where clarity is needed as to which organisation pressures and savings are attributed.

## **9. The Purpose Of Updating The Current Section 31 Agreement**

9.1 Updating the section 31 agreement will ensure that the Council is able to:

- Accommodate any changes arising from the proposed overarching strategic commissioning Section 75 partnership agreement between the Council and the PCT, for example to the governance arrangements
- Provide greater clarification between commissioner and provider elements of the agreement.
- Respond to the change in legal status as SLaM are now a Foundation Trust.
- Enter into an activity based contract with SLaM
- Enable the financial contribution of the Council and the Lewisham Primary Care Trust to be pooled in a manner that is recognised as such by auditors, with clear agreement about percentage input and percentage risk to overspend.

## **10. Reasons Why The Council Should Agree To Continue To Commission Adult Mental Health And Social Care Services Jointly With Lewisham Primary Care Trust Under The Overarching Section 75 Agreement**

- 10.1 The development of jointly commissioned adult health and social care services is being proposed in order to deliver better, and value for money, services for adults with health and/or social care needs. As such it will contribute to delivery of the Sustainable Community Strategy priorities to enable residents to live healthy, active and enjoyable lives, and to the council priorities around caring for adults.
- 10.2 In order to achieve a true pool, there will need to be agreement from Senior Finance colleagues as to what is a proportionate financial input and risk borne by each party. It is vital that parties sign up to the principle that a pooled budget is only effective when the benefits are realised by both parties. If this principle cannot be agreed then aligned budgets are the alternative option.
- 10.3 Effective Pooled Budget and commissioning arrangements will focus on prevention, early intervention and meeting the needs of people in the least invasive way. Working in this manner, the same overall financial allocation can be used to provide a greater range of services, or to meet the same needs at lower cost. This often involves a greater “social care” rather than health care input, as such the proportion of spend may change over time. This shift needs to be considered when agreeing proportionate input and risk share as the council will effectively be providing services, which, under different service provision arrangements it would not be obliged to provide. Consequently, the commissioning organisations need to consider how this financial shift and saving/ service development will be managed over the life of the Pooled arrangements.

#### **10.4 Benefits of a Pooled Budget to service users**

- 10.5 The purpose of the agreement was to benefit service users. SLaM is commissioned to provide an integrated health and social care service to holistically assess and meet the needs of service users. The result is efficient delivery of services with resources being applied according to need rather than theoretical responsibility. As such, response to pressure can be quicker and more effective.
- 10.6 The benefits of a pooled budget are:
- Flexibility and a ‘whole system’ approach, which avoids the possibility of service users being shunted between the NHS and Social Service (or the voluntary sector) depending on which organisation holds statutory responsibility for a particular aspect of care.
  - A more seamless service for users, which appears to have led to a reduction in complaints.
  - Reduction of lengthy discussions about responsibility and funding for placements and services, as well as the bureaucracy involved in allocating percentage costs for individual placements.
  - Effective Pooled Budget and commissioning arrangements will focus on prevention, early intervention and meeting the needs of people in the least invasive way.

- A "joined up" approach, which enables financial decisions to be based on overall needs, rather than sub sections of particular budgets. This allows savings made in one area to be reinvested across the system, bringing immediate benefits to current service users, by improved provision of individual placements, as well as longer-term benefits through the development of new services, which better meet needs.
- The strategic commissioning process addresses the corporate priority "caring for adults and older people" and the "healthy, active and enjoyable" strategic priority in the Sustainable Community Strategy

### **10.7 Benefits of a Pooled Budget to London Borough of Lewisham**

- Department of Health Finance Mapping has shown NHS Lewisham to be the 4<sup>th</sup> highest PCT contributor to Mental Health in London and in addition has demonstrated that there is clear financial benefit to LBL to remain part of the Lewisham Mental Health Pooled Budget.
- Brokerage accrued from previous years has absorbed LBL overspend thus ensuring that there is no further pressure to the Adult Social Care budget
- Greater cost effectiveness and value for money can be achieved through alignment insofar as commissioners have greater flexibility to respond to need and services can be provided for individuals at the lowest cost rather than in accordance to budget lines.
- Commissioning in this way will give greater strength to commissioning as commissioners will be responsible for a larger sum of money and will prevent the provider playing off different income streams against each other. This is particularly important in the current financial climate where decommissioning elements of services may become necessary.
- The Pooled Budget is responsible for the delivery of £600k savings target required by the Council by 2013/14. This is done as a partnership piece of work with Lewisham Primary Care Trust and SLAM. Clear savings plans have been drawn up for 2011/12 and 2012/13 to realise the Council savings required.
- There will be no surprises. By agreeing to budgets jointly and openly, neither organisation should face unexpected pressures arising from disinvestment by the other organisation(s).
- The risks associated with budgets are borne by the whole system regardless of genesis; no one party will bear an unexpected or disproportionate share of financial risk.
- The capacity for innovative practice increases dramatically.
- The act of committing to a pool, particularly through Section 31, demonstrates the commitment of each party to the client group being supported.
- Management overheads are reduced enabling more resource to be released to commission / deliver services. There are 2 Working Time Equivalent posts committed to Mental Health Commissioning. LBL fund 0.5 of one of these two posts.

### **10.8 The implications of not agreeing to funds within the pooled budget.**

- None of the benefits noted in point 10.4 – 10.7 will be realised.

- Breach of Section 31 Agreement, as notification of termination requires six months notice.
- Disaggregating health and social care provision, which would be a significant retrograde step, resulting in the loss of benefits outlined above.
- Breach of Foundation Trust Contract with SLAM, a legally binding document, which requires 12 months notice of change

**11. How the council will ensure that it does not unintentionally acquire additional financial risks.**

11.1 It is recommended that the management of the Pooled Budget will remain in accordance with the Section 31 partnership agreement between the London Borough of Lewisham, Lewisham Primary Care Trust and SLAM for the commissioning and provision of integrated adult mental health services.

11.2 The Section 31 Agreement states *“Whenever an overspend is projected whether within the initial Commissioning Pooled Fund or the Adult Mental Health Integrated Budget the relevant Partners shall agree how to manage the overspend in order to achieve financial balance and the Partners shall keep the position under review. The Partners shall act in good faith and in a reasonable manner in agreeing the management of the overspend. In particular, each Partner shall notify the other Partners forthwith of any projection of an overspend. The relevant Partners shall then prepare a joint plan for the management of the overspend, where possible, within the financial limits set out in the source and application of Funds Statement for the relevant Financial Year”* (Section 31 Agreement, 16.2.1). It is recommended that this management for any overspend continues for 2010/11 under a revised agreement.

**11.3 Governance arrangements for managing the financial risks**

11.4 The Mental Health Partnership Board, will ensure that all organisations are kept up to date of the financial position and risks. The key monitoring mechanism is a senior level budget-monitoring group with representatives from the PCT, LBL and SLAM (Pooled Budget meeting). This will continue to meet monthly to receive integrated budget reports and agree on any management action necessary to achieve financial balance. The financial position and forecast will be reported to each meeting of the Mental Health Partnership Board, which is a subsidiary Board of the Adult Joint Strategic Commissioning Board.

**11.5 Future recommendations for financial contribution to the Pooled Budget**

11.6 An options appraisal for input to the pooled budget is detailed below:

Option	Advantages	Disadvantages
--------	------------	---------------

1. <b>Maintain current levels of input</b>	<b>Easy to operate and implement. Unlikely to adversely impact on timescales for signing the SLAM contract</b>	<b>This may not accurately reflect the current spend of each organisation</b>
2. Wait for outcome of sector service line reporting to determine financial input	Likely to give accurate data on spend and services purchased	Unlikely to be available for 1 <sup>st</sup> April
3. Wait for outcome of Programme Budgeting report determine financial input	Should accurately capture health spend	Unclear whether social care spend will be accurately captured. Timeframe for this work yet to be determined but will not be available for 1 <sup>st</sup> April 11
4. Task finance colleagues (Neil Lall and Robert Mellors) to put forward recommendation based on detailed knowledge of the budgets	May be more sophisticated than maintaining current levels of input and should be achievable by 1 <sup>st</sup> April	Requires organisational sign up to the process and possible reliance on key people rather than processes.
5. Maintain current levels of input and agree timescales to review and revise contingent on emerging financial information	Addresses both short terms and longer terms issues. Likely to be fairest	Will require more input, which may or may not be proportionate to the financial values under consideration. Greater risk of delays and hiccoughs in the process
6. Any combination of the above		

11.7 This paper recommends Option 1.

### 11.8 The recommendation for risk share between LBL and NHS Lewisham

11.9 The risk share options on a Pooled Budget to manage year end over and under spends are as follows:

Option	Advantages	Disadvantages
1. Risk is shared according to financial input	Clear and transparent. Fully supports the principles of a pooled budget	If financial input is not appropriately agreed/ aligned in the first instance, the relative advantage or disadvantage to parties is compounded.
2. Risk share is negotiated at the end of each financial year	Straightforward to write into documentation	This is the current position and is not considered sufficiently clear and robust, particularly within the current climate
3. Risk is agreed on the basis	Potential more	Complex and reliant on advice of

of another calculation as proposed by finance colleagues	accurate	key individuals
4. Risk share is managed according to the statutory responsibility of organisations	Clear to operate	Inconsistent with the principles of the Pooled Budget and disincentivises joint working to the extent that this could undermine the potential benefits of the Pool

11.10 It is recommended that the initial agreement uses Option 1)the current financial contribution) and that this is reviewed and revised according to a timetable signed up to by parties at the outset.

11.11 Any overspend of savings will be attributed to parties in the proportion of their financial input- whether they are “traditionally” health or social care savings.

## 12. Financial Pressures On The Adult Mental Health Pooled Budget.

12.1 At the start of the 2010/11 financial year, there were recurrent pressures on the Pooled Budget against legal and contractual commitments. The significant contributory factors were:

12.1.1 **Residential placements:** An increase in acuity resulted in higher unit costs for individual placements. This was partially offset through the impact of the Residential Advisory Group, which ensured that the numbers of placements remained static, and indeed reduced slightly.

12.1.2 **Supported living placements:** There was an increase in numbers of Supported Living Placements, which helped to contain numbers of residential placements.

12.1.3 **Mentally Disordered Offender Placements:** Increasing numbers of prison referrals, with a 14 day NHS London best practice target for admission into Medium Secure Services contributed to this pressure. In addition, the High Secure Accelerated Discharge Programme has resulted in the need for additional Medium Secure Placements for people who would previously have received services in High Secure facilities.

12.1.4 **No recourse to public funds and Overseas visitors:** There are significant number of people in Lewisham that require care who do not have recourse to Public Funds or are Overseas visitors.

12.1.5 **Acuity of Inpatient care:** Increased acuity of people on inpatient wards has led to increased staffing costs.

12.1.6 **Transitional patients from CAMHS to Adult services:** A number of high cost placements have been required for individuals transitioning from CAMHS services, The cost of one of these accounts for approximately 25% of the total overspend.



12.1.7 Other pressures identified by the Pool are:

- Implementing the Personalisation Agenda and Direct Payments
- Legal Costs associated with the Mental Health Act 2007
- National disinvestment plans affecting both NHS Lewisham and London Borough of Lewisham

## 12.2 Future disinvestment

12.3 Nationally NHS and social care services face considerable operational and financial challenges over the coming years as the Government sets ambitious plans to reduce the national deficit.

## 12.4 Savings required 2010/11 – 2013/14

PCT	LBL	Provider efficiency savings required by the Department of Health
10/11 - £250k in year		
11/12 - £1.5m	11/12 - £200k	11/12 - 4%
12/13 - £1.5m	12/13 - £200k	12/13 - 4%
13/14 - £1.5m	13/14 - £200k	13/14 - 4%
<b>Total PCT savings = £4.5m</b>	<b>Total LBL savings = £600k</b>	<b>Total savings = 12% - some £6m</b>

12.5 Total savings required by 2013/14 from all parties = minimum £12m

12.6 Managing the clinical financial pressures on the Adult Mental Health Pooled Budget be managed.

12.7 Members of the Pooled Budget considered that these pressures outlined in 2010/11 could be absorbed within the monies available to the Pool as a result of brokerage from previous financial years. This brokerage was achieved by stringent financial management and non recurrent savings.

12.8 Delivering financial balance on the Pooled Budget for mental health in 2010/11 remains challenging. Although there has historically been new investment in services (Assertive Outreach, Early Intervention, Crisis Resolution/Home Treatment) and successful re-investment of existing monies following service reviews, most of the re-investment, that is likely to be possible at this stage, has already been undertaken. Pressures arising from transition from Children's services, Medium Secure Placements and increasing acuity are all projected to have a financial impact. In this context, long term actions plans are being developed and implemented in 2009-10 with the aim of ensuring a balanced

Pooled Budget in future years. This includes a monthly planning meetings with SLaM to review all service provision.

- 12.9 London Borough of Lewisham and Lewisham PCT re-entered into a three year contract with SLaM on 1<sup>st</sup> April 2010 using the national standard NHS contract. As part of this contract a risk share was agreed with SLaM. This agreement states that risk will sit 40:60 Commissioners to SLaM respectively for both over and underspend across the totality of the Adult Mental Health Pooled Budget. By ensuring that the risk share is across the entire budget and not just budget lines that create high overspend SLaM are encouraged to robustly manage all budget lines to minimise overspend.

#### **12.10 Managing the required efficiencies and savings from Adult Mental Health.**

- 12.11 Lewisham Primary Care Trust and London Borough of Lewisham recognise how challenging navigating the financial climate will be over the coming three to five years. There will be considerable difficulty in meeting savings targets however we are keen to work in partnership with our providers to use these challenges as an opportunity to transform the way we deliver treatment, care and support to those with mental health problems.

- 12.12 In order to manage the London Borough of Lewisham and NHS Quality, Innovation, Productivity and Prevention (QIPP) Mental Health efficiencies a series of seminar events have been held. The first seminar took place on 30th September 2010. The seminar was attended by some 40 people led by Joint Commissioning with the two lead MH GPs, lead SLaM clinicians and management and LBL staff.

- 12.13 A second open Mental QIPP meeting was held at the 11th Lewisham Mental Health Stakeholder Event open to all members of the general public attended by some 250 people. The event was coordinated by Lewisham Mental Health Partnership Board (MHPB) of Lewisham Primary Care Trust, SLaM Lewisham Adult Services and LBL. Again some 40 people attended the second event including GPs, service users, cares, voluntary sector and SLaM staff.

- 12.14 The plans to achieve the agreed savings have also been presented at the following meetings:

- Mental Health Partnership Board
- Mental Health Commissioning Executive
- NHS Lewisham Clinical Commissioning Executive Committee
- South London and Maudsley NHS Foundation Trust (SLaM) Core Contract meeting
- LBL Community Services Directorate Management Team Meeting
- NHS Lewisham Senior Management Team Meeting
- NHS Lewisham and LBL Adult Joint Strategic Commissioning Group
- NHS Lewisham and LBL Adult Joint Strategic Partnership Board
- Mayor and Cabinet when LBL savings are required
- NHS Lewisham Board for PCT savings

- All Mental Health voluntary sector providers commissioned
- Joint Consultative Forum – SLaM led patient and voluntary sector forum
- Healthier Communities Select Committee on 3<sup>rd</sup> March 2011.

12.15 In addition to discussions about the plans to achieve the required savings, this stakeholder consultation also identified the following broad Mental Health commissioning intentions :

- **Ensuring a stepped care pathway and treatment model is adopted** in order that such service users are treated in the most appropriate care setting
- **Ensuring appropriate placements are made** in order that service users are treated in the least restrictive environment
- **Ensuring people are supported to maximise their independence.** To support rehabilitation by personalising service provision
- **Maximising support in Primary Care** including transferring secondary care caseloads where clinically appropriate
- **Investing in the voluntary sector** to deliver current provision that does not require a secondary care provider
- **Ensuring services are delivered in line with local needs assessment** considering borough demographics

12.16 Further detail outlined below:

12.16.1 **Appropriate level of provider Corporate Overheads**

- Ensure that provider Corporate Overheads are in line with procurement guidelines following historical allocation of monies.

12.16.2 **Appropriate referral route to secondary care**

- Ensure a stepped care model is applied in Primary Care before referral to secondary care services is permitted.
- Referral criteria with guidelines to be produced in order to prevent inappropriate referrals to secondary care services
- Encourage referrals to Improving Access to Psychological Therapies (IAPT) where clinically appropriate instead of secondary care

12.16.3 **Discharge low level common mental illness to Primary Care (without psychosis Payment by Results clusters 1-3)**

- Explore inappropriate use of secondary care provision.
- Deliver training to support primary care to manage this client group

12.16.4 **Appropriate use of specialist services**

- Service development in progress to commission more cost effective services within secondary care services to reduce referral rate to specialist, increase appropriate provision in secondary care, maintain equality in resource allocation and improve equity across the borough. Priority areas are ADHD, Autism/Asperger's and Personality Disorders.

- Develop a panel for all Outpatient Specialist services in line with the inpatient Tertiary Referral Panel and consistent with Lambeth and Southwark.

12.16.5 **Effective forensic care pathway**

- Subject to Ministry of Justice requirements further implement the triage model whereby a separate provider assess all prison referrals to ensure a robust assessment takes place in order that an appropriate placement is commissioned instead of patients automatically entering Medium Secure services.
- Actively review all placements and length of stay

12.16.6 **Effective residential pathway**

- Ensure recovery focused care pathway with step down support as clinically appropriate
- Actively review all placements and length of stay
- Explore a cross borough placement management system
- Explore a cross borough pricing tool

12.16.7 **Take forward 2009 review of Communities Opportunities Service (COS)**

- Reconfigure COS provision with a stronger emphasis on Occupational Therapy, Employment/Education and Social inclusion functions.
- Based on needs analysis recommend that services are delivered by a voluntary sector provider where appropriate
- Review further areas to reconfigure and decommission as appropriate

12.16.8 **Review of inpatient provision at the Ladywell Unit**

- Review number of beds
- Review Length of Stay
- Ensure maximum support by Home Treatment Team and Residential services to ensure prompt discharge when clinically appropriate

12.16.9 **Review all voluntary sector provision**

- Ensure that services are value for money and in line with current needs assessment.
- Contracts have been in place for a number years and require benchmarking against other providers.

12.16.10 **Review Mental Health Promotion delivery and activity**

- Explore options of decommissioning this service as possible duplication of function by Public Health team

12.16.11 **Review all after care support post discharge from hospital (Section 117)**

- Discharge all patients off 117 where clinically appropriate as historically not actively reviewed.

### 13. Financial Implications

13.1 This report recommends changes to the joint budgeting arrangements for mental health, with the current tri-partite arrangement (Council, PCT, SLaM) being dissolved. The proposal is to integrate mental health into the existing s75 arrangement between the Council and Lewisham PCT, with the Council lead commissioning. There would also be a management agreement between the Council and SLaM.

13.2 Various aspects of these new arrangements have not yet been agreed in detail (e.g. treatment of over- and underspends) and the report recommends that the Executive Director of Community Services should have delegated authority to agree the details (in conjunction with the Executive Director of Resources).

13.3 The Council's proposed contribution to the joint mental health budget in 2011/12 is as shown below :

<u>Source of Funds</u>	London Borough Lewisham £'000
LBL – Adult Social Care	9340.7
LBL – Supporting People	711.7
LBL - Fees & Charges	91.5
Lewisham Primary Care Trust Development Funding	414.7
<b>Total Source of Funds</b>	<b>10,558.6</b>

<u>Application of Funds</u>	London Borough Lewisham £'000
Community Opportunity Service (COS)	659.8
Community	2,726.1
Homecare	204.7
Residential and Nursing Homes	4,034.9
Other Placements	532.2
Central Services	
Ladywell	
Drugs	
Medical	
Psychology	
Rehabilitation	
Other External NHS Trusts	
Forensic/ MDO's	655.5
Joint Working and Voluntary Sector	137.5
Corporate & Capital Charge Overheads	1,607.8
<b>Total Application of Funds</b>	<b>10,558.6</b>

## **14 Legal Implications**

- 14.1 Section 75 of the NHS Health 2006 Act (“the Act”) and the Regulations under it allow local authorities and Primary Care Trusts to integrate their respective functions. This Section replaced S31 of the Health Act 1999 under which the current tri-partite agreement between the Council , the PCT and the Maudsley Foundation Trust which was entered into in 2003 provided for joint arrangements for the delivery adult mental health services in the London Borough of Lewisham .
- 14.2 The flexible arrangements under the Act enable the health and local authority partners to contribute identifiable sums into a pooled fund to be spent on agreed designated services, to delegate commissioning of a service to one lead organization and to join together their staff, resources, and management structures to integrate the provision of a service from managerial level to the front line. Responsibility is retained by each partner to ensure that their respective legislative duties are met
- 14.3 The new S75 Agreement for the provision of adult social and health services provides that the Council is the lead commissioner for the services on behalf of itself and the PCT and that the Council would be the host partner in respect of any Pooled Fund that might be agreed in relation to the services or that might be established throughout the term of the Agreement.
- 14.4 This S75 Agreement allows for variations and the adult mental health services can be varied into it. The services to be commissioned from the Maudsley Foundation Trust would need to be set out and any existing agreement between the Council and the Trust jointly and the Trust or the PCT or the Council separately with the Trust could be incorporated into the new amended S 75 Agreement.
- 14.5 As indicated in the body of the Report , amendments will be required to reflect the fact that the Maudsley Foundation Trust will no longer be a commissioner and provider under the same Agreement which will require changes amongst other things to the governance structure and financial protocols.
- 14.6 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new public sector equality duty (the equality duty or the duty), replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. The new duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

As is set out at paragraph 16 of this Report the proposal to amend the S75 Agreement is to incorporate existing adult mental health services with no proposed withdrawal of services or amendment of services to the detriment of any particular group it should therefore not breach the equality duty.

## **15. Crime And Disorder Implications**

- 15.1 There are a significant number of people requiring Mental Health Services in Lewisham, who present via the criminal justice route (i.e. court and court diversion, prison, probation) who have not previously been known to Mental Health Services. This situation arises due to the health guidance, *Establishing the Responsible Commissioner- Guidance for PCT commissioner on the application of the legal framework on PCTs secondary care commissioning responsibilities* (April 2006), which states that:
- 15.2 *“For prisoners not registered with a GP, and for whom a previous address cannot be determined, usual residence should be interpreted as being in the area in which the offence he/she is detained was committed. Or, if detained pending trial, the area in which the offence for which he/she is charged was committed”* (63, April 2006)
- 15.3 Consequently, an individual who has had no previous contact with local mental health service, who may be of no fixed abode, or whose residence is unclear may be considered the responsibility of the borough in which their index offence was committed. It is therefore difficult for local services to predict demand.
- 15.4 There are increasing numbers of prison referrals. As the Mental Health Act cannot be applied in prison, individuals requiring treatment need to be transferred to Mental Health Services. The current best practice target of a 14 day transfer to mental health Medium Secure Bed reinforces the need to admit quickly. High placement costs, a minimum of £150,000 year, frequently up to £200,000 year, mean that it can be difficult to provide accurate financial forecasts on a volatile budget. Since 2003, Lewisham has spent £797,000 on people previously unknown to mental health services within the borough.

## **16. Equalities Implications**

- 16.1 A joint equalities action plan for mental health services has been developed within the framework of the corporate strategies of both London Borough of Lewisham, Lewisham Primary Care Trust and SLaM.
- 16.2 There is a low risk of adverse equalities implications as a result of the proposal to update the Section 31 Agreement. This is because the proposal is to integrate existing services, with no presumption that any services should be withdrawn or amended to the detriment of any particular group of service users.
- 16.3 There are no staffing implication, and there are therefore no equalities implications associated with this.

16.4 The proposals have the capacity to improve equality of access and opportunity. By ensuring that services are commissioned from a better understanding of needs, these proposals could help to ensure that both existing and new inequalities are identified and tackled more effectively.

## 17. Environmental Implications

17.1 There are no environmental implications arising from this report

## 18. Conclusion

18.1 This paper makes the recommendations to update the current Mental Health Section 31 agreement during 2011/12 to a Section 75 agreement in light of 2006 changes to the 1999 Health Act. It is recommended that this Section 75 agreements sits under the overarching Section 75 Agreement currently in place between LBL and Lewisham Primary Care Trust which aligns health and social care budgets under the management of the Council and that risk share between LBL and Lewisham Primary Care Trust is reviewed.

18.2 This updated agreement that will provide a financial framework for Adult Mental Health services in Lewisham. The various pressures, contract variations and National Service Framework developments will require close joint budget monitoring through 2011/12 to ensure that statutory service requirements are met.

### Background Papers

Health Act Flexibilities	Social Care and Health Select Committee 13 <sup>th</sup> March 2003
Health Act Flexibilities	Mayor and Cabinet 11 <sup>th</sup> December 2002
Health Act Flexibilities – Mental Health	Mayor and Cabinet 23 <sup>rd</sup> April 2003
Formalising Joint Commissioning, arrangements for Adult Social Care and Health	Mayor and Cabinet 2 <sup>nd</sup> June 2010
Mental Health Section 31 Report 2009/10	Mayor and Cabinet 15 <sup>th</sup> September 2010

If there are any queries on this report, please contact Eleanor Davies, on 020 8314 9860 or [eleanor.davies@nhs.net](mailto:eleanor.davies@nhs.net)



<b>Chief Officer Confirmation of Report Submission</b>			
<b>Cabinet Member Confirmation of Briefing</b>			
Report for:	<b>Mayor</b>	<input type="checkbox"/>	
	<b>Mayor and Cabinet</b>	<input checked="" type="checkbox"/>	
	<b>Mayor and Cabinet (Contracts)</b>	<input type="checkbox"/>	
	<b>Executive Director</b>	<input type="checkbox"/>	
Information	<input type="checkbox"/>	Part 1 <input checked="" type="checkbox"/>	Part 2 <input type="checkbox"/>
			Key Decision <input type="checkbox"/>

<b>Date of Meeting</b>	22 June 2011
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<b>Title of Report</b>	Lewisham's responsibilities as a 'Lead Local Flood Authority' under the Flood and Water Management Act 2010
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<b>Originator of Report</b>	Executive Director for Regeneration	<b>46931</b>
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	✓	
Legal Comments from the Head of Law	✓	
Crime & Disorder Implications		✓
Environmental Implications	✓	
Equality Implications/Impact Assessment (as appropriate)	✓	
Confirmed Adherence to Budget & Policy Framework	✓	
Risk Assessment Comments (as appropriate)	✓	
Reason for Urgency (as appropriate)		

Signed: \_\_\_\_\_  \_\_\_\_\_ Executive Member

Date: \_\_\_\_\_ 09/06/11 \_\_\_\_\_

Signed: \_\_\_\_\_  \_\_\_\_\_ Director/Head of Service

Date \_\_\_\_\_ 07/06/11 \_\_\_\_\_

**Control Record by Committee Support**

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

<b>MAYOR AND CABINET</b>		
<b>Report Title</b>	Lewisham's responsibilities as a 'Lead Local Flood Authority' under the Flood and Water Management Act 2010	
<b>Key Decision</b>	No	Item No. 7
<b>Ward</b>	All	
<b>Contributors</b>	Executive Director for Regeneration	
<b>Class</b>	Part 1	Date: 22 June 2011

## **1. Summary**

- 1.1 This report provides information and advice to the Mayor and Cabinet following the recently enacted Flood and Water Management Act 2010 (the Act) and the Flood Risk Regulations 2009. It sets out the Council's strategic role and associated responsibilities as a 'Lead Local Flood Authority' and it outlines the process for compliance with the requirements and duties of the Act.

## **2. Recommendations**

- 2.1 The Mayor and Cabinet are recommended
- to note the requirements of the Act
  - to endorse the Preliminary Flood Risk Assessment and Surface Water Management Plan (at Appendices 1 & 2)
  - to note that the Council will be obliged to publicise the impact of these new responsibilities and may need to manage residents' concerns, as the Preliminary Flood Risk Assessment will place information in the public domain about potential flood risk for a large number of properties (see 5.7)
  - to delegate to the Executive Director for Regeneration, responsibility for taking forward actions identified through the Preliminary Flood Risk Assessment
  - to delegate to the Executive Director for Regeneration, authority to determine the level of capacity and resources required to fulfil the Council's obligations under the Act, and report back to Mayor and Cabinet later in the year on how the allocated funding of £143.5k for 2011/12 has been utilised (see 8.3).

## **3. Policy context**

- 3.1 *Shaping our future*, Lewisham's Sustainable Community Strategy for 2008-2020, sets out a vision for Lewisham;-

‘Together, we will make Lewisham the best place in London to live, work and learn’

*Shaping our future* includes the priority outcome:-

**Empowered and responsible** – where people can be actively involved in their local area and contribute to supportive communities.

3.2 In addition, the Council has ten corporate priorities which support delivery of the Sustainable Community Strategy. The alleviation of flood risk for residents and businesses, together with the multi-agency work to prepare for, and cope with extreme weather events contributes to the achievement of three of the Council’s corporate priorities:-

- **Community leadership and empowerment** – develop opportunities for the active participation and engagement of people in the life of the community.
- **Clean, green and liveable** – environmental management, cleanliness and care for roads, pavements and a sustainable environment.
- **Inspiring efficiency, effectiveness and equity** – ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community.

#### **4. Background**

4.1 Following the severe floods of 2007, the Government commissioned Sir Michael Pitt to undertake a review of all the issues and actions associated with this extreme weather event. His report in December 2008 produced 92 recommendations, 15 of which the Government acted on immediately.

4.2 The Pitt Review stated that “the role of local authorities should be enhanced so that they take on responsibility for leading the co-ordination of flood risk management in their areas.”

4.3 The Department for Environment, Food and Rural Affairs (Defra) followed up on the report and the first draft of the Flood and Water Bill was produced. This was widely consulted on and many issues were raised about how the proposals could be financed. Part of the concept of the Bill was that lead local flood authorities would be set up to co-ordinate all local flood related activities.

4.4 Part of the Flood and Water Management Act 2010 commenced on 1 October 2010, following its Royal Assent in April 2010.

#### **5. Lead local flood authority**

5.1 The term ‘lead local flood authority’ (LLFA) refers to a Unitary or County Council and a LLFA should bring together all relevant bodies to

help manage local flood risk. The important roles played by highways authorities and water companies are also recognised in the Act and these bodies together with the Environment Authority, are identified as risk management authorities. The Act encourages the relevant authorities to co-operate with each other in exercising functions. It also empowers a lead local flood authority or the Environment Agency to require information from others needed for their flood risk management functions.

5.2 As an LLFA, Lewisham has a number of new strategic responsibilities and is currently required to undertake the following:

- Preparation of a preliminary flood risk assessment (PFRA).
- Develop, maintain, apply and monitor a strategy for local flood risk management in the area.
- Co-operation with other relevant authorities on the role.

5.3 There are a number of other specific duties which are likely to come into force including:

- The establishment and maintenance of a register of structures which may have a significant effect on flood risk in its area, with details of their ownership and state of repair
- Undertaking surface water management plans (SWMPs)
- Co-ordinating partnership activity
- Mapping and registering significant assets/features
- Designating third party assets/features
- Running oversight and scrutiny committees
- Administering consents regarding private changes to ordinary watercourses
- Managing local resilience forums

## **6. Flood risk management strategies**

6.1 The Environment Agency is required to develop a National Flood Risk and Coastal Risk Management Strategy (FCRM) for the management of all sources of flood risk for England. Public consultation on this closed on 16 February 2011 and it will be approved by the Secretary of State and laid before Parliament.

6.2 The Flood and Water Management Act – most of which came into force on 1 April 2011 and the Flood Risk Regulations 2009 have placed a range of new duties and responsibilities on local authorities, the Environment Agency and other partners. The principal duty for Lewisham will be to develop, maintain, apply and monitor a local flood risk management strategy which covers flood risk from surface water run-off, groundwater, and ordinary watercourses (including lakes and ponds).

- 6.3 The Act will require Lewisham's local Flood Risk Management Strategy to be an assessment of risk which incorporates a Preliminary Flood Risk Assessment required by the Flood Risk Regulations 2009, as well as the maps and plans for flood risk areas.
- 6.4 The GLA 'Drain London' Project – with funding from Defra - has been working to help London boroughs manage and reduce surface water risk by improving knowledge of the surface water drainage systems and identifying areas at greatest risk of flooding. The aim was to find ways to tackle the problem of surface water flooding in London by establishing ownership of London's drainage assets, assessing the condition of these assets and securing a better understanding of the risk from surface water flooding so that boroughs and the GLA could better plan to manage and improve drainage assets and mitigate the risk from this type of flooding.
- 6.5 The main outcome for the Drain London Project is that each London borough will have a Surface Water Management Plan that will contain the Preliminary Flood Risk Assessment and a Flood Risk Management Plan. Drain London was originally formed following the GLA's Regional Flood Risk Appraisal in 2006 which identified surface water flood risk as poorly understood and recorded, even though this was the type of flooding most likely to affect London
- 6.6 Halcrow - an international company which specialises in planning, design and management services for developing infrastructure – are consultants for the 'Drain London' Project. Lewisham is also involved in the Drain London Partnership and is part of Group 6 which involves the boroughs of Lewisham, Greenwich, Bexley and Bromley. Halcrow has worked with officers from each of these boroughs to prepare their Preliminary Flood Risk Assessments and Surface Water Management Plans. Copies of Lewisham's documents may be seen at Appendices 1 & 2.
- 6.7 There is a concern that some of the mapping outputs may be misinterpreted. Drain London's work not only maps flood risk throughout the borough but also identifies and prioritises areas at flood risk so the LLFA can develop flood risk management plans. These mapping outputs will be public documents and will reflect data and modelling not previously available. This may raise concern amongst residents and businesses.
- 6.8 The first review cycle of the Preliminary Flood Risk Assessment will be led by the London Borough of Lewisham and must be submitted to the Environment Agency by the 22nd of June 2011. Lewisham's Preliminary Flood Risk Assessment and Surface Water Management Plan will inform the local Flood Risk Management Strategy and the future update of the Strategic Flood Risk Assessment (SFRA) and other high level documents, such as the Thames Catchment Flood Management Plan (CFMP).

6.9 The local Flood Risk Management Strategy must be produced in consultation with risk management authorities that may be affected by the strategy (i.e. the Environment Agency, Transport for London and Thames Water) as well as the public, and be consistent with the Environment Agency's national strategy. The LLFA will be responsible for ensuring the strategy is put in place but local partners can agree how to develop it in a way that best suits them. The strategy must set out:

- who the risk management authorities are in the area
- what FCRM functions may be exercised by these authorities
- the objectives for managing local flood risk
- the measures proposed to achieve those objectives
- how and when the measures are expected to be implemented; the costs and benefits of those measures, and how they are to be paid for
- the assessment of local flood risk for the purpose of the strategy
- how and when the strategy is to be reviewed and
- how the strategy contributes to the achievement of wider environmental objectives.

6.10 As an LLFA, it is Lewisham's role to forge effective partnerships with adjacent LLFAs and the Environment Agency (this is currently the case with the Drain London Project) as well as other key stakeholders – Thames Water, Network Rail, Transport for London and the Highways Agency.

6.11 The LLFA is required to consult on the strategy with risk management authorities and the public. Resilience and other approaches which minimise the impact of flooding are expected to be a key aspect of the measures proposed.

## **7. Duty to investigate and to maintain a register**

7.1 To ensure greater co-ordination of information and avoid situations where bodies do not accept responsibility, Lewisham as a LLFA anticipates that it will have to:

- investigate flooding incidents in its area (where appropriate or necessary) to identify which authorities or bodies have relevant flood risk management functions and what they have done or intend to do. The LLFA will then be required to publish the results of any investigation and notify any relevant authorities.
- maintain a register of structures or features which they consider to have a significant effect on flood risk in their area, at a minimum recording ownership and state of repair. The register must be available for inspection and the Secretary of State will be able to make regulations about the content of the register and records.

7.2 Lewisham is currently working with Halcrow as part of the Drain London Project to develop the register of flood risk management assets. Once Drain London finishes, each London borough will have to investigate (by 2015) measures to address remaining flood risk problems and develop and maintain a public register for Flood Risk Management Assets.

## **8. Sustainable drainage systems (SuDS)**

- 8.1 Schedule 3 of the Act (which is not yet in force) sets out the new planning process for SuDS, which includes a number of measures designed to implement a change in the way that rainwater drainage is managed and to support the uptake of sustainable drainage systems. The Act establishes a SuDS Approving Body – or SAB which would have responsibility for the approval of proposed drainage systems in new developments and redevelopments, subject to exemptions and thresholds. Approval must be given before the developer can commence construction. Instead of having the automatic right to connect to public sewers, developers now have to seek approval. This is the major change in the legislation; however, there are no changes to the right to connect foul water to the public system
- 8.2 In order to be approved, the proposed drainage system would have to meet new national standards for sustainable drainage. Where planning permission is required, regulations will set a timeframe for the decision so as not to hold up the planning process.
- 8.3 The SuDS Approving Body (SAB) would also be responsible for adopting and maintaining SuDS which serve more than one property, where they have been approved. Highways authorities will be responsible for maintaining SuDS in public roads to meet the national standards. The approval process operates in parallel with the existing planning process.
- 8.4 Sustainable drainage systems on private property, whether they are private or adopted, must be designated by the SAB under Schedule 1 to the Act as features that affect flooding risk. The SAB will also be required to place all approved sustainable drainage systems on the register of structures and features (as a separate category).
- 8.5 The national standards will set out the criteria by which the form of drainage appropriate to any particular site or development can be determined, as well as requirements for the design, construction, operation and maintenance of SuDS. Local authorities are represented on the Project Advisory Board for the development of these National Standards.
- 8.6 The Act, in response to the Pitt review, also makes the right to connect surface water drainage from new developments to the public sewerage

system conditional on the surface water drainage system being approved by the Approving Body.

## **9. Financial implications**

- 9.1 In December 2010, the Secretary of State announced £21 million worth of funding for 2011/12 to help lead local flood authorities protect and support their own communities when managing flood risks. These funds are intended to cover the additional costs for local authorities of putting into place and undertaking new responsibilities under the Act, such as:
- producing risk management plans
  - investigating flooding incidents
  - flood mapping
  - developing flood risk management partnerships
  - supporting community flood awareness groups
  - running oversight and scrutiny committees; and
  - administering consents for private changes to ordinary watercourses.
- 9.2 The funds have been allocated according to the risk each LLFA is expected to need to manage. Funding for 2011/12 will total £21 million rising to £36 million for 2012/13 and subsequent years of this Spending Review period.
- 9.3 The money will be allocated as un-ringfenced Area Based Grant, directly to each local authority who will have complete flexibility to spend the additional funding as they see fit. Lewisham has been allocated £143.5k for 2011/12 and £261.1k for 2012/13 and thereafter.
- 9.4 There is now an opportunity for boroughs to pool resources for delivering their new statutory duties, perhaps based on the Drain London groupings. Sharing resources would increase the resilience and skill base of cross-borough teams and reduce the total cost to each individual LLFA. Establishing strategic flood partnerships based on the existing Drain London groups, aligned to the regional Flood Defence Committee (RFDC) member groupings will also help in organising shared services. These partnerships would have the potential to access capital funding for schemes from the RFDC and would also be able to 'own' and develop the relevant outputs produced on their behalf by Drain London.
- 9.5 Building on the strategic flood risk partnerships could also mean that Lewisham would be able to move quickly, following the mapping and identification of high flood risk areas and critical drainage areas to bid to the RFDC for funding for identified action.
- 9.6 The schemes put forward to the RFDC for capital funding under Defra's *Payments for Outcomes* regime will be decided by members of the RFDC. There is an important direct link between the strategic



partnership groups and the RFDC through the London Councils' members. Firmly establishing the strategic partnerships based on the work of Drain London means that each area group would have direct representation on the decision making committee.

- 9.7 London Councils is in discussion with the Environment Agency to see what type of central support could be provided through RFDC funding, to help manage some central co-ordination of future work following the wind-up of Drain London.

## **10 Crime and disorder implications**

- 10.1 No specific implications have been identified.

## **11. Equalities implications**

- 11.1 The Council will need to undertake an Equalities Impact Assessment as part of the process for developing the local Flood Risk Management Strategy.

## **12. Environmental implications**

- 12.1 Reducing, mitigating and effectively managing flood risk in the Borough will contribute significantly to our multi-agency approach to climate change adaptation, given projections of increased severe weather events.

## **13. Legal implications**

- 13.1 The Council is a Lead Local Flood Authority and Risk Management Authority under the Flood and Water management Act 2010, the "Act". As a lead Local Flood Authority (LLFA) it must develop, maintain, apply and monitor a strategy for local flood risk management in its area called a local flood risk management strategy (LFRMS). The strategy must specify:
- the risk management authorities in the area
  - the objectives for managing local fold risk (including any objectives included in the authority's flood risk management plan prepared in accordance with the Flood Risk Management Plan, prepared in accordance with the Flood Risk Regulations 2009)
  - the measures proposed to achieve those objectives
  - how and when the measures are expected to be implemented
  - the costs and benefits of those measures, and how they are to be paid for
  - the assessment of local flood risk for the purpose of the strategy
  - how and when the strategy is to be reviewed, and
  - how the strategy contributes to the achievement of wider environmental objectives.

- 13.2 This strategy must be in compliance with National Flood and Coastal Erosion Management Strategy published by the Environmental Agency. The LLFA must consult on its LFRMS with the risk management authorities that may be affected by the strategy and the public.
- 13.3 Regulation 10 of the Environmental Protection: the Flood Risk Regulations 2009 places a duty on a LLFA to prepare a preliminary assessment report in relation to flooding in its area. This report is to be reviewed by the Environmental Agency who may recommend modifications. The preliminary assessment report is a report about past floods and the possible harmful consequences of future flooding. The report must be based on all of the following:
- relevant information which is in the possession of the person preparing the report
  - relevant information which is in the possession of the Environmental Agency
  - relevant information which is available to the public.
- 13.4 The floods to be included are those which had significant harmful consequences for human health, economic activity, the environment (including cultural heritage). The report must include information that the person making the report has about the extent and the conveyance route of past floods, and an assessment of the harmful consequences of past floods (Regulation 12 (5)). A LLFA must have regard to any guidance issued by the Environment Agency about the form of the report (Regulation 12 (7)).
- 13.5 A LLFA has a duty to determine whether there is a significant flood risk in its area and identify the part of the area affected by the risk. (Regulation 14). A LLFA is under a duty to review both the preliminary assessment report and its determination and identification of flood risk areas. The first review is to be done before 22 June 2017 and then at intervals of no more than six years.
- 13.6 By virtue of Regulation 19, a LLFA must prepare in relation to each relevant flood risk area a flood hazard map and a flood risk map (both to be reviewed by the Environment Agency). Further, the LLFA has a duty to prepare flood risk management plans in relation to each relevant flood risk area.
- 13.7 Regulation 35 secures the duty of co-operation between relevant flood authorities, namely the Environment Agency and each lead local flood authority.

### **Accompanying documents**

Appendix 1 - Preliminary Flood Risk Assessment

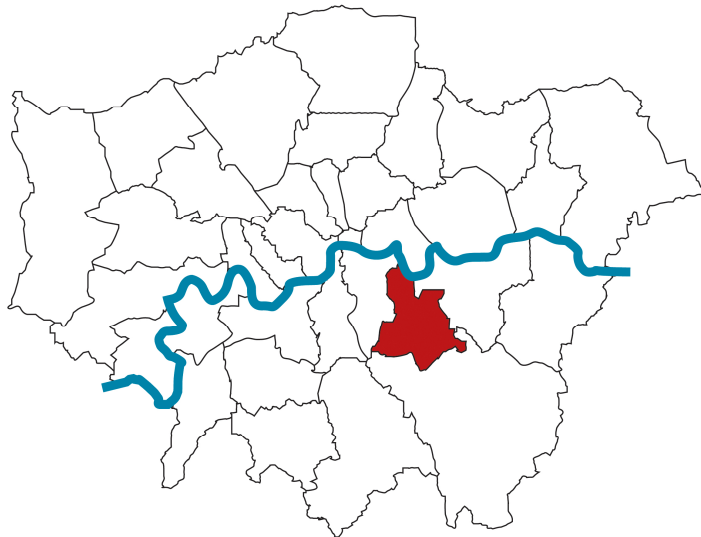
Appendix 2 - Surface Water Management Plan

These may be viewed at the following Internet address:

<http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=139&MId=2004>

For further information about this report, please contact Malcolm J. Smith, Executive Director for Regeneration, 5th floor Laurence House, 1 Catford Road, Catford SE6 4RU – telephone 020 8314 6931.

# PRELIMINARY FLOOD RISK ASSESSMENT



***DRAIN LONDON***

**LONDON  
BOROUGH OF  
LEWISHAM**

**GREATER LONDON AUTHORITY**



## Document Information

<b>Title:</b>	Preliminary Flood Risk Assessment for London Borough of Lewisham
<b>Owner:</b>	Bob Quatresols
<b>Version:</b>	0.4
<b>Status:</b>	Final Draft
<b>Project Number:</b>	WUDLSW
<b>File Name:</b>	PFRA_Halcrow_Report_for_Lewisham_v0.4

### REVISION HISTORY

Summary of Changes	Completed by	Date of Issue	Version
Draft version	Bruno Venturini/Helen Winter	11/03/2011	0.1
Number of properties at risk updated	Helen Winter	25/03/2011	0.2
Final Draft	Bruno Venturini/Helen Winter	13/04/2011	0.3
Updated flooded property counts	Helen Winter	18/04/2011	0.4

### AUTHOR

Name	Organisation and Role
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### RELATED DOCUMENTS

Doc Ref	Document Title	Author	Date of Issue	Version
SWMP	Surface Water Management Plan for London Borough of Bromley	To be completed	April 2011	Draft

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## Executive Summary

The Preliminary Flood Risk Assessment report forms part of the wider Drain London project, which involves the delivery of Surface Water Management Plans (SWMP) and Preliminary Flood Risk Assessments (PFRA) for each of the thirty three London Boroughs. The PFRA has been undertaken to assist the London Borough of Lewisham to meet its duties as a Lead Local Flood Authority, with the delivery of the first stage of the Flood Risk Regulations (2009). These regulations implement the EU Floods Directive in the UK.

The PFRA is a high level screening exercise that compiles information on significant local flood risk (any flood risk that does not originate from main rivers, the sea or large reservoirs) from past and future floods, based on readily available and derivable information. The PFRA also includes the identification of flood risk areas where the subsequent two stages of the Flood Risk Regulations apply; stage two delivers Flood Risk Maps and stage three delivers Flood Risk Management Plans.

This study has not identified any past floods that are considered to have had significant harmful consequences. This is based on the following local definition of harmful consequences: 'Memorable past floods or otherwise registered on a national scale (such as the summer 2007 event) even if only occurring over a relatively small area.'

Future flood risk is estimated to be high in the borough. Based on the Drain London surface modelling outputs, approximately 21,500 properties are estimated to be at risk from flooding during an extreme rainfall event (similar to the 2007 storm event in Hull) with a 1 in 200 annual chance of occurring.

The indicative flood risk areas provided by the Environment Agency have been reviewed based on the local knowledge of past and future floods. The outcome of this review is that the indicative flood risk areas can be used as the flood risk areas, for the undertaking of stages three and four of the regulations.

# Glossary

Term	Definition
Aquifer	A source of groundwater comprising water bearing rock, sand or gravel capable of yielding significant quantities of water.
AMP	Asset Management Plan
Asset Management Plan	A plan for managing water and sewerage company (WaSC) infrastructure and other assets in order to deliver an agreed standard of service.
AStSWF	Areas Susceptible to Surface Water Flooding
Catchment Flood Management Plan	A high-level planning strategy through which the Environment Agency works with their key decision makers within a river catchment to identify and agree policies to secure the long-term sustainable management of flood risk.
CDA	Critical Drainage Area
Critical Drainage Area	A discrete geographic area (usually a hydrological catchment) where multiple and interlinked sources of flood risk (surface water, groundwater, sewer, main river and/or tidal) cause flooding in one or more Local Flood Risk Zones during severe weather thereby affecting people, property or local infrastructure.
CFMP	Catchment Flood Management Plan
CIRIA	Construction Industry Research and Information Association
Civil Contingencies Act	This Act delivers a single framework for civil protection in the UK. As part of the Act, Local Resilience Forums must put into place emergency plans for a range of circumstances including flooding.
CLG	Government Department for Communities and Local Government
Climate Change	Long term variations in global temperature and weather patterns caused by natural and human actions.
Culvert	A channel or pipe that carries water below the level of the ground.
Defra	Department for Environment, Food and Rural Affairs
DEM	Digital Elevation Model
DG5 Register	A water-company held register of properties which have experienced sewer flooding due to hydraulic overload, or properties which are 'at risk' of sewer flooding more frequently than once in 20 years.
DTM	Digital Terrain Model
EA	Environment Agency



<b>Term</b>	<b>Definition</b>
Indicative Flood Risk Areas	Areas determined by the Environment Agency as indicatively having a significant flood risk, based on guidance published by Defra and WAG and the use of certain national datasets. These indicative areas are intended to provide a starting point for the determination of Flood Risk Areas by LLFAs.
FMfSW	Flood Map for Surface Water
Flood defence	Infrastructure used to protect an area against floods as floodwalls and embankments; they are designed to a specific standard of protection (design standard).
Flood Risk Area	An area determined as having a significant risk of flooding in accordance with guidance published by Defra and WAG.
Flood Risk Regulations	Transposition of the EU Floods Directive into UK law. The EU Floods Directive is a piece of European Community (EC) legislation to specifically address flood risk by prescribing a common framework for its measurement and management.
Floods and Water Management Act	Part of the UK Government's response to Sir Michael Pitt's Report on the Summer 2007 floods, the aim of which is to clarify the legislative framework for managing surface water flood risk in England.
Fluvial Flooding	Flooding resulting from water levels exceeding the bank level of a main river
FRR	Flood Risk Regulations
IDB	Internal Drainage Board
IUD	Integrated Urban Drainage
LB	London Borough
LDF	Local Development Framework
LFRZ	Local Flood Risk Zone
Local Flood Risk Zone	Local Flood Risk Zones are defined as discrete areas of flooding that do not exceed the national criteria for a 'Flood Risk Area' but still affect houses, businesses or infrastructure. A LFRZ is defined as the actual spatial extent of predicted flooding in a single location
Lead Local Flood Authority	Local Authority responsible for taking the lead on local flood risk management
LiDAR	Light Detection and Ranging
LLFA	Lead Local Flood Authority
Local Resilience Forum	A multi-agency forum, bringing together all the organisations that have a duty to cooperate under the Civil Contingencies Act, and those involved in responding to emergencies. They prepare emergency plans in a co-ordinated manner.

<b>Term</b>	<b>Definition</b>
LPA	Local Planning Authority
LRF	Local Resilience Forum
Main River	A watercourse shown as such on the Main River Map, and for which the Environment Agency has responsibilities and powers
NRD	National Receptor Dataset – a collection of risk receptors produced by the Environment Agency
Ordinary Watercourse	All watercourses that are not designated Main River, and which are the responsibility of Local Authorities or, where they exist, IDBs
Partner	A person or organisation with responsibility for the decision or actions that need to be taken.
PFRA	Preliminary Flood Risk Assessment
Pitt Review	Comprehensive independent review of the 2007 summer floods by Sir Michael Pitt, which provided recommendations to improve flood risk management in England.
Pluvial Flooding	Flooding from water flowing over the surface of the ground; often occurs when the soil is saturated and natural drainage channels or artificial drainage systems have insufficient capacity to cope with additional flow.
PPS25	Planning and Policy Statement 25: Development and Flood Risk
PA	Policy Area
Policy Area	One or more Critical Drainage Areas linked together to provide a planning policy tool for the end users. Primarily defined on a hydrological basis, but can also accommodate geological concerns where these significantly influence the implementation of SuDS
Resilience Measures	Measures designed to reduce the impact of water that enters property and businesses; could include measures such as raising electrical appliances.
Resistance Measures	Measures designed to keep flood water out of properties and businesses; could include flood guards for example.
Risk	In flood risk management, risk is defined as a product of the probability or likelihood of a flood occurring, and the consequence of the flood.
Risk Management Authority	As defined by the Floods and Water Management Act
RMA	Risk Management Authority
Sewer flooding	Flooding caused by a blockage or overflowing in a sewer or urban drainage system.
SFRA	Strategic Flood Risk Assessment

Term	Definition
Stakeholder	A person or organisation affected by the problem or solution, or interested in the problem or solution. They can be individuals or organisations, includes the public and communities.
SuDS	Sustainable Drainage Systems
Sustainable Drainage Systems	Methods of management practices and control structures that are designed to drain surface water in a more sustainable manner than some conventional techniques.
Surface water	Rainwater (including snow and other precipitation) which is on the surface of the ground (whether or not it is moving), and has not entered a watercourse, drainage system or public sewer.
SWMP	Surface Water Management Plan
TfL	Transport for London
TWUL	Thames Water Utilities Ltd
WaSC	Water and Sewerage Company

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# 1.0 Introduction

## 1.1 What is a Preliminary Flood Risk Assessment?

The PFRA is a high level screening exercise that compiles information on significant local flood risk from past and future floods, based on readily available and derivable information.

Local flood risk is defined as flood risk originating from sources other than main rivers, the sea and large reservoirs and principally meaning flood risk from surface runoff, groundwater and ordinary watercourses. This main definition of local flood risk requires further clarification: a) it includes lakes and ponds, b) it does not consider flooding from sewers unless this is wholly or partly caused by rainwater or other precipitation entering or otherwise affecting the system, c) it does not include flooding from water supply systems (for example burst water mains) and d) it considers the interaction with flooding from main rivers, the sea and sewers.

The main scope of this report is to summarise the work undertaken to comply with Part 2 of the Flood Risk Regulations 2009 (see **Table 1** in **Section 1.3** below and the following link: <http://www.legislation.gov.uk/ukxi/2009/3042/contents/made>).

## 1.2 Background

This study for the London Borough of Lewisham forms part of the wider Drain London project, which is a wider initiative that involves the undertaking of Surface Water Management Plans and Preliminary Flood Risk Assessments for each of the thirty three London Boroughs.

Halcrow Group Ltd is undertaking the SWMP and PFRA for the London boroughs of Bexley, Bromley, Lewisham and Greenwich (Group 6) and for the London boroughs of Camden, Hammersmith & Fulham, City of London, Islington, Kensington & Chelsea and Westminster (Group 3). Other consultants are concurrently undertaking SWMP and PFRA for the other London Boroughs and as part of the same Drain London project working group.

## 1.3 Objectives

The main aim of this study was to undertake Part 2 of the Flood Risk Regulations (FRR) 2009.

The timescales for undertaking Parts 2, 3 and 4 of the FRR 2009 are summarised in **Table 1** below.

**Table 1 – Main requirements of the Flood Risk Regulations 2009 for LLFAs**

<i>FRR 2009 ref.</i>	<b>Description</b>
<i>Part 2</i>	LLFAs to undertake PFRA on local flood risk by <b>22 June 2011</b> , within their administrative boundaries. LLFAs or groups of LLFAs to confirm or to propose alternative Flood Risk Areas from indicative flood risk areas already identified in national datasets by <b>22 June 2011</b> .
<i>Part 3</i>	LLFAs to prepare Flood Hazard and Flood Risk Maps by <b>22 June 2013</b> for the flood risk areas and in relation to local flood risk.
<i>Part 4</i>	LLFAs to prepare Flood Risk Management Plans of the identified flood risk areas by <b>22 June 2015</b> .

**Note 1:** Part 1 of the FRR relates to the General Provisions of the regulations which provide details of commencement, scope and main definitions.

**Note 2:** This table does not cover the tasks undertaken by the Environment Agency to comply with the Flood Risk Regulations in relation to flooding from main rivers, the sea and large reservoirs.

**Note 3:** Parts 3 and 4 have not been undertaken as part of this study.

The key objectives for the PFRA are summarised as follows:

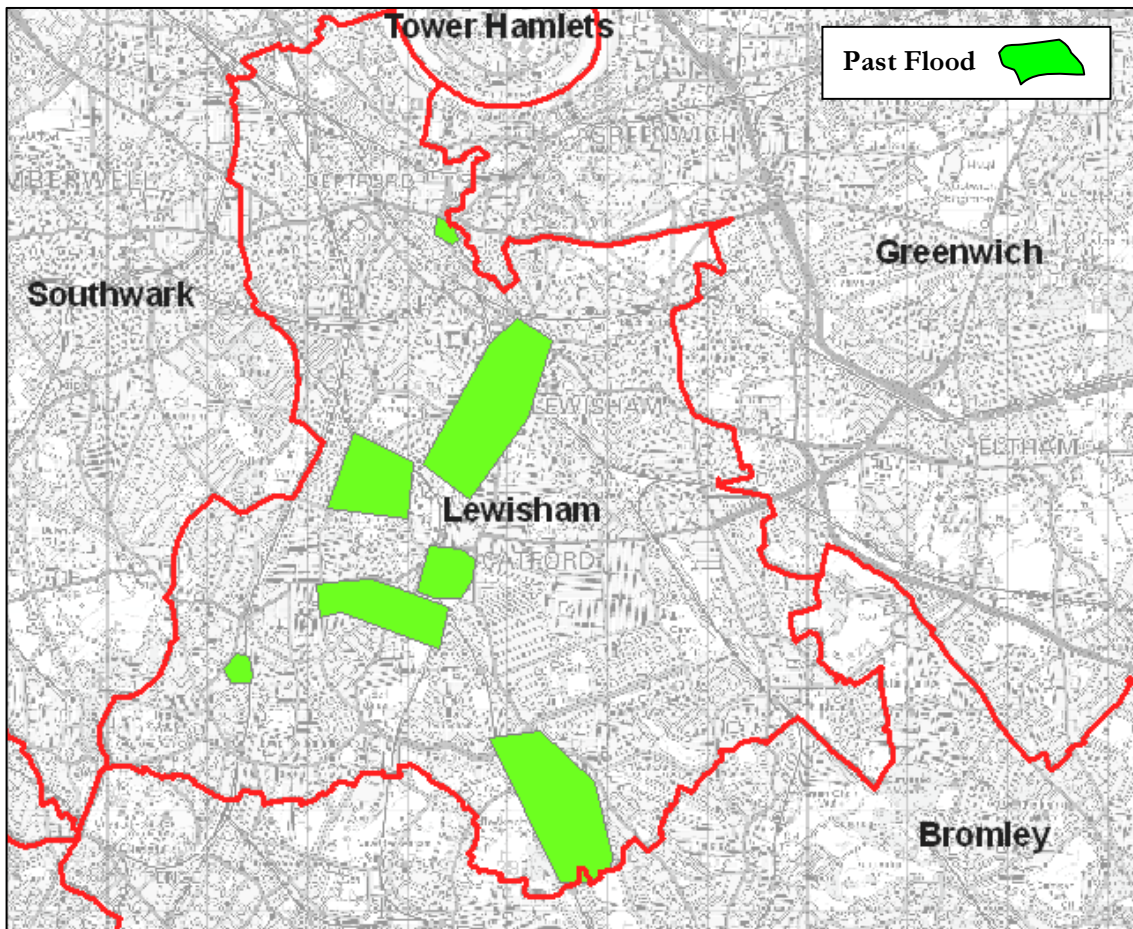
- Identify relevant partner organisations involved in future assessment of flood risk; and summarise means of future and ongoing stakeholder engagement;
- Describe arrangements ongoing collection, assessment and storage of flood risk data and information (see **Section 8.3**);
- Summarise the methodology adopted for the PFRA with respect to data sources, availability and review procedures;
- Assess historic flood events within the study area from local sources of flooding (including flooding from surface water, groundwater and ordinary watercourses), and the consequences and impacts of these events;
- Assess the potential harmful consequences of future flood events within the study area;
- Review the provisional national assessment of indicative Flood Risk Areas provided by the Environment Agency and provide an explanation and justification for any amendments required to the Flood Risk Areas;
- Provide a summary of the systems used for data sharing and storing, and provision for quality assurance, security and data licensing arrangements;
- Provide advice on the next steps required to ensure that the London Borough of Lewisham complies with its role as the LLFA.

1.4

**Study Area**

The study area covers the administrative boundary of the London Borough of Lewisham. It however needs to take account of interactions with adjacent boroughs and in particular if floods are identified as covering more than one borough. **Figure 1.1** shows the study area and the coverage of past floods. These past floods coincide with Local Flood Risk Zones (LFRZs) which have been identified for the Bexley Surface Water Management Plan (SWMP). More detail on these LFRZs can be found in the completed SWMP.

**Figure 1.1 - Study Area and Locations of Past Floods (highlighted in green)**



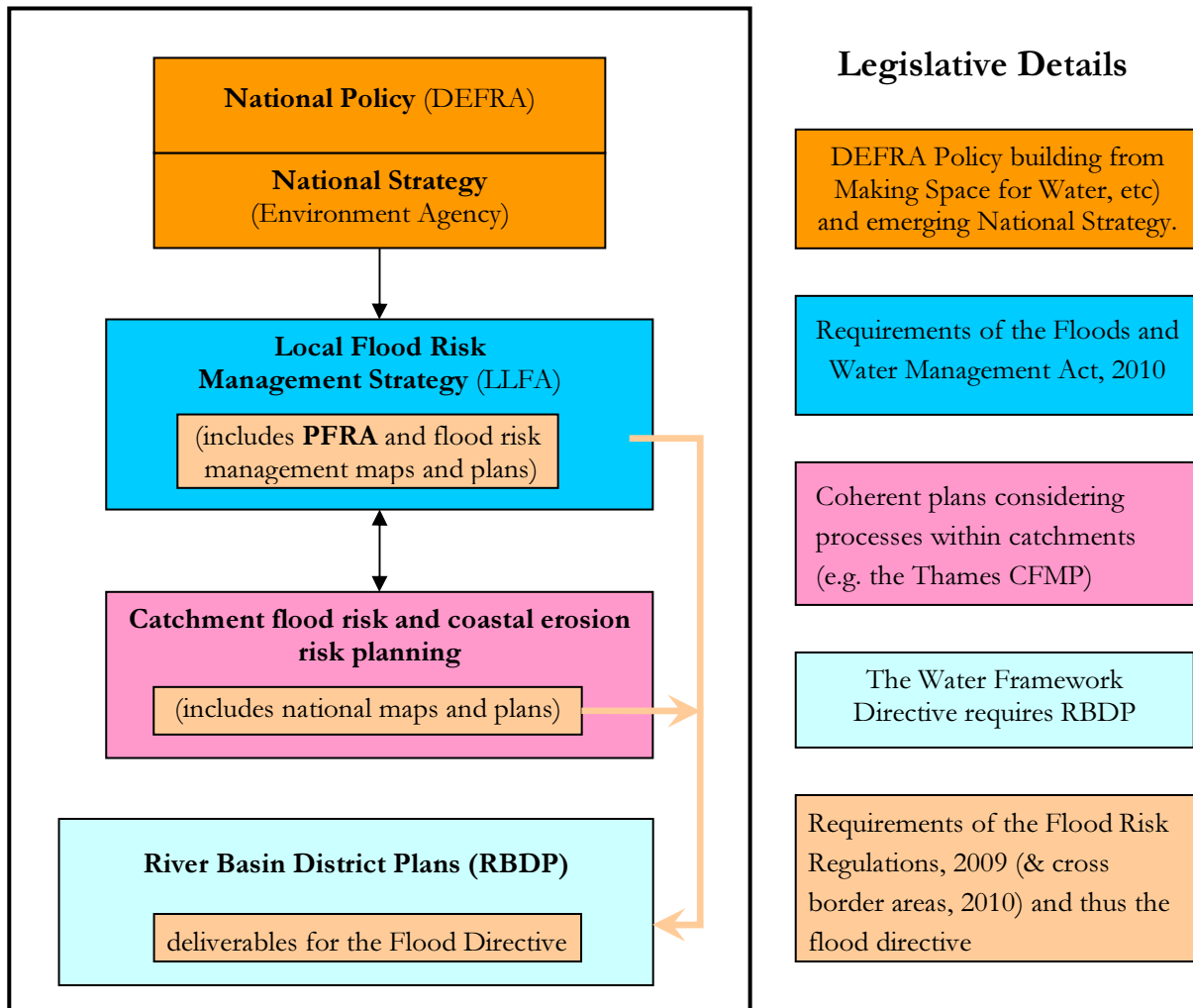


## 2.0 LLFA Responsibilities

### 2.1 Legislative Background

The legislative background showing how the PFRA fits within this context is summarised in **Figure 2.1** below.

**Figure 2.1 – Legislative Background**



CFMP = Catchment Flood Management Plan

The **Floods and Water Management Act** was brought into UK law in 2010 to improve flood risk management and support continuity of water supply. A key feature of the Act is the implementation of recommendations from the Pitt Review into the summer 2007 flooding, thus increasing the emphasis on sources of flooding other than fluvial and tidal, in particular surface water which featured heavily in the 2007 flooding.

The Act gives a number of responsibilities and powers to both the Environment Agency and the Lead Local Flood Authorities. As mentioned in **Section 1.1**, the LLFA are made responsible for local flood risk and main rivers, the sea and large reservoirs are the responsibility of the Environment Agency. The Environment Agency will also be responsible for producing a **National strategy for Flood and Coastal Erosion Risk Management (FCERM)** for England.

The PFRA and SWMP for the London Borough of Lewisham will inform the future Local Flood Risk Management Strategy and the future update of the Strategic Flood Risk Assessment (**SFRA**) and other high level documents, such as the Thames Catchment Flood Management Plan (**CFMP**).

## 2.2

### Leadership and Partnership

As Lead Local Flood Authority, it is the role of the London Borough of Lewisham to forge effective partnerships with the adjacent LLFA and the Environment Agency (this is currently the case with the Drain London project) as well as other key stakeholders – Thames Water, Network Rail, Transport for London and the Highways Agency. Some progress has been made toward establishing these partnerships already, although Network Rail and the Highways Agency have not yet fully engaged with the process. Ideally working arrangements should now be formalised by the LLFA to ensure clear lines of communication, mutual co-operation and management through the provision of Level of Service Agreements (LoSA) or Memorandums of Understanding (MoU).

**Figure 2.2** provides a schematic of the recommended partnership and stakeholder arrangements:

Figure 2.2 – Partnership and Main Stakeholder Schematic Diagram



2.3

**Stakeholder Engagement**

A stakeholder engagement workshop has taken place in March 2011 to clarify roles and responsibilities and to initiate discussions on the way forward for: a) data sharing, b) communication with partners, c) SuDs approval (see **Section 2.5**), d) future approaches to local flood risk and e) public engagement.

In addition to the main partners, the following stakeholders were invited: a) Thames Water, b) Network Rail, c) Transport for London, d) the Highways Agency, e) consultants currently involved in the London Green Grid initiative, f) the fire and rescue service and g) the police service. Those stakeholders that were unable to attend have been provided with details of the outcomes of the workshop and included in subsequent discussions.

2.4

**Public Engagement**

It is recognised that members of the public may also have valuable information to contribute to future cycles of the PFRA by way of flood incident reporting in the interim period, and to local flood risk management. Stakeholder engagement can be of significant benefit to local flood risk management including building trust, gaining access to additional local knowledge and increasing the chances of stakeholder acceptance of options and decisions proposed in future flood risk management plans.

It is important to undertake some public engagement when formulating local flood risk management plans as this will help to inform future levels of public engagement. It is recommended that the London Borough of Lewisham follow the guidelines outlined in the Environment Agency’s ‘Building Trust with Communities’ document which provides a useful process of how to communicate risk including the causes, probability and consequences to the general public and professional forums such as local resilience forums.

## 2.5

### Other responsibilities

Aside from forging partnerships and coordinating and leading on local flood management, there are a number of other key responsibilities that have arisen for Lead Local Flood Authorities from the Flood & Water Management Act and the Flood Risk Regulations. These responsibilities include:

- **Investigating flood incidents** – LLFAs have a duty to investigate and record details of significant flood events within their area (Flood Risk Regulations 2009, Part 2, Section 12).
- **Asset Register** – LLFAs also have a duty to maintain a register of structures or features which are considered to have an effect on flood risk, including details on ownership and condition as a minimum. The register must be available for inspection and the Secretary of State will be able to make regulations about the content of the register and records.
- **SuDS Approving Body** – The Floods and Water Management Act, 2010 establishes a SuDS Approval Body at county or unitary local authority level (in this case the London Borough of Lewisham) to ensure national standards of sustainable drainage are enforced. Developers will be required to gain approval of their proposed drainage systems before they can begin construction, and the SuDS Approving Body will then be responsible for adopting and maintaining SuDs which serve more than one property (other than on public roads which are the responsibility of the Highways authorities).
- **Local Strategy for Flood Risk Management** – LLFAs are required to develop, maintain, apply and monitor a local strategy for flood risk management in its area. The local strategy will build upon information such as national risk assessments and will use consistent risk based approaches across different local authority areas and catchments.
- **Works powers** – LLFAs have powers to undertake works to manage local flood risk, consistent with the local flood risk management strategy for the area.
- **Designation powers** – LLFAs, as well as the Environment Agency have powers to designate structures and features that affect flooding or coastal erosion in order to safeguard assets that are relied upon for flood or coastal erosion risk management.

## 3.0 Methodology and Data Review

### 3.1 Data Sources

Most of the required data has been made available from the previous stage (Tier 1) of the Drain London project. The key information that was obtained is listed in **Table 3.1** below (a full list of the information is included in the Data Gap and Licensing Report issued by Tier 1 Consultants in October 2010, a copy of which will be provided on project completion):

**Table 3.1 – Summary of Key Drain London Tier 1 Data**

Source	Data/Studies
<b>Environment Agency</b>	Environment Agency Asset Data; Water Studies (including Thames Catchment Flood Management Plan, Thames Catchment Abstraction Management Strategy and Thames River Basin management Plan; Historic flood data (GIS flood event outlines extracted from NFCDD); Geostore data including Main River details, flood data for areas vulnerable to surface water flooding and Digital River Network (DRN) data for London; Numerous fluvial and surface water models located in the Greater London area; London hydrometric data including groundwater level data, rainfall data and river flow data; and Details of Flood Warning Areas in London
<b>London Borough of Lewisham</b>	SFRA report; Flooding records; GIS data for Critical Infrastructure; Gulley locations.
<b>Thames Water</b>	Foul water and surface water sewer network models in GIS format; Sewer Flooding Incident Records by postcode; Pumping station and manhole locations.
<b>Other</b> (Highways Agency, Transport for London, Network Rail, Local flood groups, fire brigade, etc)	Various assets; Flood records; GIS layers for land use types; BGS Susceptibility to Groundwater Flooding

Additional information has been obtained from the borough through an initial site visit followed by a more detailed virtual site visit/workshop of areas at risk of flooding.

The virtual site visits/workshops have proved to be a highly valuable process which involved 'virtual walks' by technical staff from the Environment Agency, borough and Halcrow identifying many local flood risk areas, using a GIS environment and the use of Google Street View for 3D images.

The virtual site visits process involved the overlaying of the following GIS layers: a) OS maps, b) the Thames Water pipe network system, c) the river networks, d) the flood zones, e) groundwater incident records, f) surface water flood incident records, g) local flood risk data from strategic data providers (for example the fire brigade), h) the Environment Agency national Flood Map for Surface Water (FMfSW), i) the Drain London surface water hazard and flood depth maps produced by Halcrow for this borough, j) the SFRA surface water flood depth maps, k) a digital terrain model to identify catchment boundaries and terrain gradients, etc. All this information will be provided on project completion.

The virtual site visits assisted in achieving a number of SWMP and PFRA objectives and these are listed in **Table 3.2** below:

Table 3.2 – Objectives of the Virtual Site Visit

No	Objective	Informs the SWMP	Informs the PFRA
1	Identify the source of flooding of past events (from readily available records)	✓	✓
2	Identify the pathways of past events and better understand the mechanism of flooding	✓	✓
3	Identify the receptors of past events	✓	✓
4	Identify which past events had significant consequences to human health, economic activity and/or the environment	✓ (to a lesser extent)	✓
5	Verify the Drain London surface water map outputs against past events	✓	✓ (to a lesser extent)
6	Compare past events against surface water maps originating from: a) Drain London, b) the SFRA and c) the Environment Agency.	✓ (to a lesser extent)	✓
7	Locally agree surface water information **	✓ (to a lesser extent)	✓
8	Identify the source of flooding of future events (from modelling outputs)	✓	✓
9	Identify the pathways of future events and better understand the mechanism of flooding	✓	✓
10	Identify the receptors of future events	✓ (to a lesser extent)	✓
11	Confirm which future flooding events are considered to be significant, affecting either or a combination of: a) human health, b) economic activity and c) the environment	✓ (to a lesser extent)	✓
12	Consider a number of structural and non structural solutions for each flood risk area	✓	✓ (to a lesser extent)
13	Enhance stakeholder engagement which is considered to be very important for this project	✓	✓

\*\* This is mainly a requirement of the PFRA as more than one modelling output could be available for local flood risk (this is the case for this borough in relation to surface water modelling outputs). It was agreed that the Drain London surface water mapping outputs should be used to inform the PFRA as the outputs better verify past flood events and also because it provides more extended information in relation to flood risk (a range of return period events, flood depth and hazard mapping).

3.2

**Availability**

All available data were collected from key strategic data providers on behalf of the GLA for Tier 1. Data availability for the Borough of Lewisham was relatively extensive, with flood records and GIS data for infrastructure.

Thames Water has provided data on sewer flooding incidents. This data has been used to correlate patterns of sewer flooding but it has been of limited use due to the limited level of detail Thames Water have been able to release. **Map 4.1a** displays this data by number

of incidents per postcode envelope. Sewer flooding information held by the borough has been included in the assessment of historical flooding.

### 3.3

#### Limitations

The data acquired from the strategic providers were all in the required format. The local information provided by the London Borough of Lewisham was in the form of flood incident records in Excel format. This information lacked desirable details such as flood extents.

The analyses to prepare the indicative Flood Risk Areas issued to accompany the final PFRA Guidance were based on the National Receptors Database (NRD) version 1.0 (for the counts of properties and other receptors). Receptor information was prepared for all London Boroughs in December 2010 in order to undertake property counts required for the SWMPs, also using NRD version 1.0. Version 1.1 of the NRD has subsequently been issued and contains modifications and corrections since version 1.0. However, in order to avoid repetition of work, and ensure consistency between the SWMP and the PFRA, it was decided to complete the PFRA using NRD version 1.0.

### 3.4

#### Security, Licensing and Use Restrictions

In addition to the individual organisations licensing agreements, the Data gap and licensing Report from the Tier 1 Stage Consultants list three 'Golden rules' applicable under the Drain London framework:

- Any data received for any use in Tier 2 or 3 of the Drain London programme may not, under any circumstances, be provided to any third party or used for any other purpose whatsoever without the explicit written permission of the data provider;
- All rights to the data are reserved by and to the data provider; and
- The right of the data provider to commercially exploit the data must be protected at all times.

Any information provided to the borough or partners have been through highly secure channels and the management plan for the project has clearly specified a unique location for storing the data.

**Table 3.3**, below, gives an overview of the data restrictions and licensing details for key Drain London Tier 1 data outlined in **Table 3.1**. The full licensing information for the strategic data providers is included in the Data Gap and Licensing Report, October 2010.



**Table 3.3 – Data restrictions and licensing details for strategic data providers**

<b>Organisation</b>	<b>Restrictions on data and licensing agreements</b>
<b>Environment Agency</b>	The use of some data is restricted to the GLA, Local Authorities and their Consultants. Specific data, such as the Indicative Surface Water Flood Risk Areas, are supplied to the consultants via the Local Authorities, as per the Agency’s licensing agreement. This data can only be used for surface water management plans, strategic flood risk assessments of preliminary flood risk assessments.
<b>London Borough of Lewisham</b>	See ‘Golden Rules’ outlined under <i>section 3.4</i>
<b>Thames Water</b>	<ul style="list-style-type: none"> <li>• Necessary precautions must be taken to ensure that all information given to third parties is treated as confidential</li> <li>• The information must not be used for anything other than the purpose stated in the agreement</li> <li>• No information may be copied, reproduced or reduced to writing, other than what is necessary for the purpose stated in the agreement</li> <li>• If Thames Water request, the details of any third party to whom information has been disclosed must sign a confidentiality agreement acceptable to Thames Water</li> <li>• Information is provided without a warranty; therefore Thames Water excludes any liability for any inaccuracy or incompleteness of disclosed information</li> </ul>
<b>Other</b> (Highways Agency, Transport for London, Network Rail, Local flood groups, fire brigade, etc)	Other organisations hold similar agreements for data supplied to the project. A number of organisations, such as fire brigade and Network Rail have no formal agreement in place.

**3.5**
**Quality Assurance**

Data collected were subject to quality assurance measures to monitor and record the quality and accuracy of acquired information and datasets. A data quality score was given, which is a qualitative assessment based on the Data Quality System provided in the SWMP, Technical Guidance document (March 2010). This system is explained in **Table 3.4**.

Table 3.4: Data Quality System from SWMP Technical Guidance (March 2010)

Data Quality Score	Description	Explanations	Example
1	Best available	No better available; not possible to improve in the near future	High resolution LiDAR, river flow data, rain gauge data
2	Data with known Deficiencies	Best replaced as soon as new data is available	Typical sewer or river model that is a few years old
3	Gross assumptions	Not invented but based on experience and judgement	Location, extent and depth of surface water flooding
4	Heroic assumptions	An educated guess	Ground roughness for 2d models

The use of this system provides a basis for analysing and monitoring the quality of data that is being collected and used in the preparation of the PFRA. As mentioned in **Section 3.3** the information provided lacked in level of detail (an average data quality score of 2 was given) which was however then improved as part of the virtual site visits. The relevant data and details of the individual quality scores will be provided on project completion.

## 4.0 Past flood risk

### 4.1 Summary of Past Floods

This **Chapter** focuses on past floods that had *significant harmful consequences* to human health, the local economy, local environmental sensitive areas and cultural heritage. It also report floods with no *significant harmful consequences*.

**Table 4.1** below provides a summary of local past floods, with or without significant harmful consequences (based on Environment Agency guidance), identified by the borough as part of the virtual site visit (see **Section 3.1**) and through historical records. **Map 4.1** provides a visual representation of past floods for different sources of flood risk; it shows flood incident data as well as the past floods listed in **Table 4.1**. The information provided does not include dates when the flood events occurred, as many of these have happened more than once at the same location.

**Table 4.1 – Summary of Past Floods**

Location	Source of flooding (? Indicated uncertainty)	Description: Source, Pathway and Receptor information and Interactions with Other Flooding Sources	Consequence
Lewisham Town Centre (see extents in <b>Map 4.1</b> )	Surface Water/Fluvial/ Groundwater	The town is at the confluence of rivers and has a high water table. It is also the confluence of railway lines that can act as a conduit to flood water in heavy rainfall. There is lots of development in this area.	Flooding to railways, highways and possibly property.
Deptford, South of A2	Surface Water/ Groundwater/ Fluvial/Tidal	Capacity of this system depends on the maintenance of flap valves to the Thames. There is a lot of flooding in this area and has some associated environmental health problems	Flooding to properties - basements
Beckenham Park	Surface Water/Fluvial	This is a site of a potential flood storage reservoir as part of proposed Lewisham and Catford FAS	Flooding to highways
Upper Honor Oak	Surface Water	Connections to Ladywell Stream	Proposed Lewisham and Catford FAS
Marley Road, Carholme	Surface Water	Sewers under capacity. Thames Water Storage tanks are located in the area and could be used to solve the problem	Flooding to highways and property
Pool Court	Surface Water	Drainage in this area is ineffective and requires further investigation	Flooding to highways
Catford Bridge, Catford	Surface Water/Fluvial/ Groundwater	A combination of a high water table in this area and sewers under capacity contribute to flooding in heavy rainfall	Flooding to basements – namely the theatre

Location	Source of flooding (? Indicated uncertainty)	Description: Source, Pathway and Receptor information and Interactions with Other Flooding Sources	Consequence
Spring Brook	Surface Water/Fluvial	Construction project to be complete by end March 2011 to raise flood defences upstream of A21 within the park	Flooding to highways and possibly property
Hither Green	Fluvial/Surface Water/ Groundwater	It is a low spot in the catchment where surface runoff is constrained by the railway embankment and limited drainage capacity. In July 2007 this area flooded up to 1.3m depth and its average depth was 0.4m under a localised rainfall depth of approximately 40mm.	Flooding to highways

4.2

**Significant Harmful Consequences**

The London Borough of Lewisham does not have any past floods with *significant harmful consequences* to report to the EU, based on the following definition of significance (based on Environment Agency guidance):

‘Memorable past floods or otherwise registered on a national scale (such as the summer 2007 event) even if only occurring over a relatively small area.’

**Annex 1** has therefore no local information to report.

An example that fits with the definition above would be the floods in the summer of 2007. This event was characterised by unusually unsettled weather and above average rainfall through the month of July, peaking on 20 July, when an active frontal system deposited more than 100 millimetres (3.9 in) of rain in parts of England in a 24 hour period. The City of Hull experienced extensive surface water flooding effecting approximately 8700 homes.

The above definition of *significant harmful consequence* has been defined locally by the LLFA and it is based on a recent Environment Agency briefing paper on reporting information on past floods (Feb 2011).

Although there are no past floods to report to the EU, the borough has identified one past flood that is considered to be sufficiently important to be distinguished from other past floods with lesser consequences. This is the past floods at Hither Green (see row highlighted in orange in **Table 4.1** above).

The PFRA guidance requires LLFAs to assess flooding from sewers where it is caused by rainwater or other precipitation entering or otherwise affecting the system. The DG5 register from Thames Water was analysed to investigate the occurrence of sewer flooding incidents in the London Borough of Lewisham (see **Map 4.1a**). It was found that there

were approximately 260 properties flooded from sewer flooding events that have been recorded by Thames Water over the past decade, about 30 of which were severely affected.

### 4.3

#### **Interactions with Other Flooding Sources**

Interactions with other flooding sources are shown in the description column of **Table 4.1**. Of particular importance is the interaction of surface water flooding with main rivers along the low lying areas in the vicinity of the River Ravensbourne and the River Quaggy and their tributaries. Surface water in this case is heavily influenced by the water levels in the main rivers.

## 5.0 Future flood risk

### 5.1 Summary of Future Flood Risk

Future flood risk for extreme events is estimated to be high in the borough as it is anticipated in many highly urbanised areas throughout the country.

**Table 5.1** summarises the number of properties at risk of surface water flooding based on the Drain London and the FMfSW model outputs (this information has been copied in **Annex 2** for reporting to the EU).

**Table 5.1 – Number of properties at risk of Flooding**

Location	Drain London 200 year event	Drain London 30 year event	FMfSW 200 year event
Lewisham	21,500	14,750	37,100

In particular, as no schemes have been undertaken at the locations of past floods, unless identified in **Table 4.1**, all these locations can be considered as areas where similar floods could still occur. Much of the flooding of the locations identified in **Table 4.1** are confirmed by the following modelling outputs: a) as part of the Drain London surface water modelling undertaken, b) surface water modelling undertaken as part of the SFRA and c) from the two Environment Agency national datasets. These national datasets are the Areas Susceptible to Surface Water (ASStSWF) and the Flood Map for Surface Water (FMfSW).

### 5.2 Locally Agreed Surface Water Information

A comparison of surface water model outputs from the three sources identified in **Section 5.1** was undertaken as part of the virtual workshops. The agreed conclusion was that the surface water modelling outputs (Drain London model outputs) were most representative of the study area. In most cases the Drain London model outputs tied better to the flooded areas identified in past events when compared to the other model outputs.

**Maps 5.1** and **5.2** provide information of the 1 in 200 year rainfall event depths and hazard grids respectively.

### 5.3 Increased Potential for Elevated Groundwater (iPEG) Mapping

#### 5.3.1

#### *Background*

Large areas within the Drain London area are underlain by permeable substrate and thereby have the potential to store groundwater. Under some circumstances groundwater levels can rise and cause flooding problems in subsurface structures or at the ground surface. The mapping technique described below aims to identify only those areas in which there is the greatest potential for this to happen and in which there is the highest possible confidence in the assessment.

The following four data sources have been utilised to produce the increased Potential for Elevated Groundwater map:

- British Geological Survey (BGS) Groundwater Flood Susceptibility Map;
- Groundwater Emergence Maps (GEMs);
- Groundwater Flood Map; and
- Environment Agency Thames Estuary 2100 (TE2100) groundwater hazard maps.

To produce the iPEG map for consolidated aquifers, an area was defined as having increased potential for elevated groundwater levels if at least two of the three mapping techniques listed above produced a corresponding area. For the permeable superficial deposits, only Band 1 Very High of the BGS and the TE2100 data were used as this was judged to best represent the hazard.

The techniques used to generate the iPEG map produced some small areas of increased potential and some dry islands within increased potential areas. These have not been cleaned in order to best represent the original data.

### 5.3.2

#### *How to Use and Interpret the Map*

The increased Potential for Elevated Groundwater map shows those areas within the Borough where there is an increased potential for groundwater to rise sufficiently to interact with the ground surface or be within 2 m of the ground surface.

Groundwater may become elevated by a number of means:

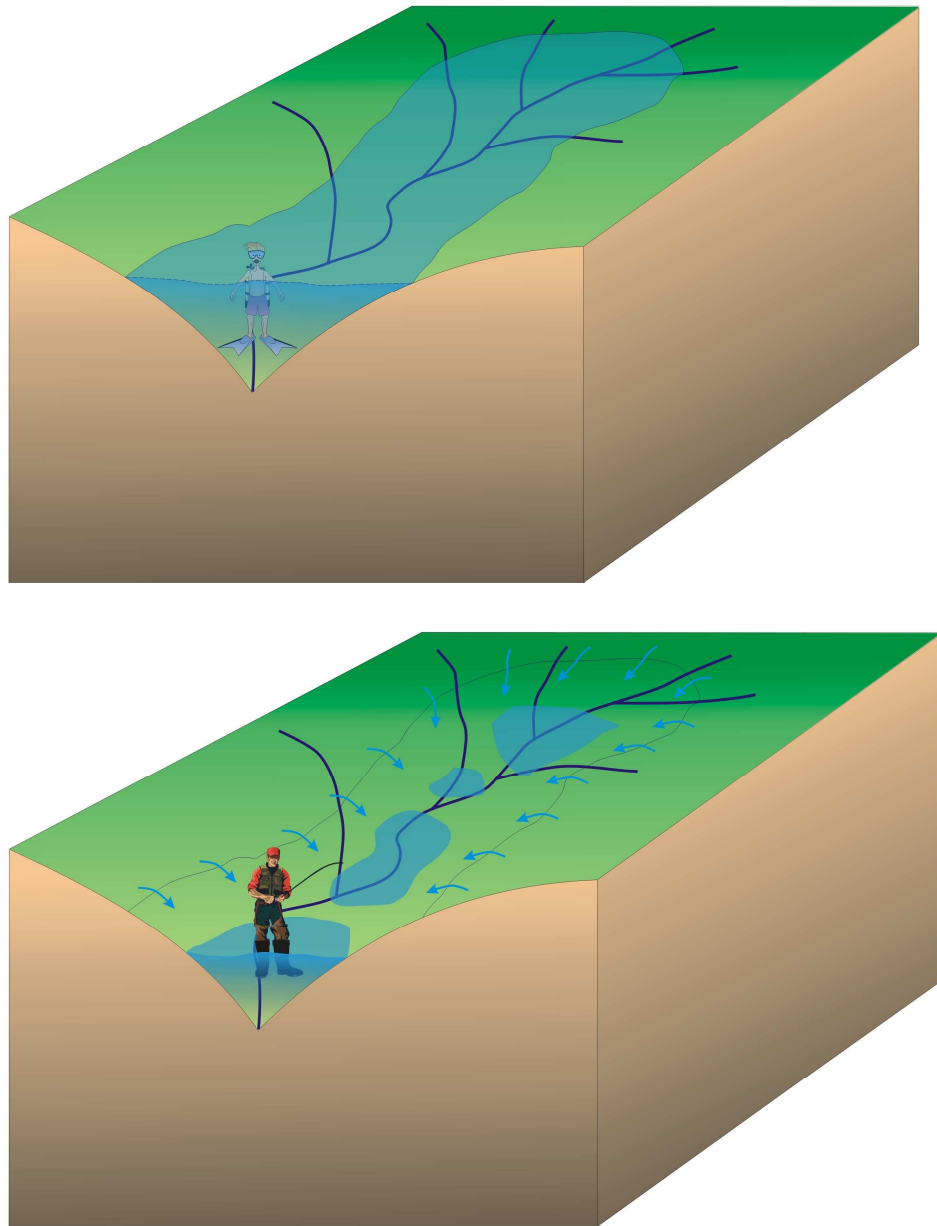
- Above average rainfall for a number of months in Chalk outcrop areas;
- Shorter period of above average rainfall in permeable superficial deposits;
- Permeable superficial deposits in hydraulic continuity with high water levels in the river;
- Interruption of groundwater flow paths; and
- Cessation of groundwater abstraction causing groundwater rebound.

With the exception of groundwater rebound which is not covered, the iPEG map will identify those areas most prone to the mechanisms described above. The map shows those areas considered to have the greatest potential for elevated groundwater. Additional areas within the London Boroughs have permeable geology and therefore could also produce elevated groundwater levels. However, to produce a realistic map, only where there is the highest degree of confidence in the assessment are the areas delineated. This

ensures resources are focused on the most susceptible areas. In all areas underlain by permeable substrate, groundwater should still be considered in planning developments.

Within the areas delineated, the local rise of groundwater will be heavily controlled by local geological features and artificial influences (e.g. structures or conduits) which cannot currently be represented. This localised nature of groundwater flooding compared with, say, fluvial flooding suggests that interpretation of the map should similarly be different. The map shows the area within which groundwater has the potential to emerge but it is unlikely to emerge uniformly or in sufficient volume to fill the topography to the implied level. Instead, groundwater emerging at the surface may simply runoff to pond in lower areas. The localised nature of groundwater flooding and the different interpretation of the maps required is illustrated in the cartoon in **Figure 5.1**.





**Figure 5.1** Cartoon illustrating the difference between fluvial (top image) and groundwater (bottom image) flood mapping.

For this reason within iPEG areas, locations shown to be at risk of surface water flooding are also likely to be most at risk of runoff/ponding caused by groundwater flooding. Therefore the iPEG map should not be used as a “flood outline” within which properties at risk can be counted. Rather it is provided, in conjunction with the surface water mapping, to identify those areas where groundwater may emerge and if so what would be the major flow pathways that water would take.

### 5.3.3

#### ***Results***

The iPEG mapping is presented in **Map 5.3**.

This modelling indicates that elevated groundwater from permeable superficial soils are located in along the centre of the Borough, surrounding the flood plain of the River Ravensbourne. It also shows elevated ground water from consolidated aquifers in the north western corner of the borough around Deptford.

This map has been taken into account when identifying the past and future flood areas.

## 5.4

### **Impact of Climate Change**

**Maps 5.4** and **5.5** provide information of the 1 in 100 year rainfall event, with climate change, depths and hazard grids respectively.

### 5.4.1

#### ***The Evidence***

There is clear and scientific evidence that climate change is happening now. It cannot be ignored.

Over the past century around the UK we have seen sea level rise and more of our winter rain falling in intense wet spells. Seasonal rainfall is highly variable. It seems to have decreased in summer and increased in winter, although winter amounts changed little in the last 50 years. Some of the changes might reflect natural variation; however the broad trends are in line with projections from climate models.

Greenhouse gas (GHG) levels in the atmosphere are likely to cause higher winter rainfall in future. Past GHG emissions mean some climate change is inevitable in the next 20-30 years. Lower emissions could reduce the amount of climate change further into the future but changes are still projected at least as far ahead as the 2080s.

We have enough confidence in the large scale climate models to say that we must plan for change. There is more uncertainty at a local scale but model results can still help us plan to adapt. For example we understand rain storms may become more intense, even if we can't be sure about exactly where or when. By the 2080s, the latest UK climate projections (UKCP09) are that there could be around three times as many days in winter with heavy rainfall (defined as more than 25mm in a day). It is plausible that the amount of rain in extreme storms (with a 1 in 5 annual chance, or rarer) could increase locally by 40%.

### 5.4.2

#### ***Key Projections for Thames River Basin District***

If emissions follow a medium future scenario, UKCP09 projected changes by the 2050s relative to the recent past are (Environment Agency guidance):

- Winter precipitation increases of around 15% (very likely to be between 2 and 32%)

- Precipitation on the wettest day in the winter up by around 15% (very unlikely to be more than 13%)
- Relative sea level at Sheerness very likely to be up between 10 and 40cm from 1990 levels (not including extra potential rises from polar ice sheet loss)
- Peak river flow in a typical catchment likely to increase between 8 and 18%

### **Implications for Flood Risk**

Climate changes can affect local flood risk in several ways. Impacts will depend on local conditions and vulnerability.

Wetter winters and more of this rain falling in wet spells may increase river flooding in both rural and heavily urbanised catchments. More intense rainfall causes more surface runoff, increasing localised flooding and erosion. In turn, this may increase pressure on drains, sewers and water quality. Storm intensity in summer could increase even in drier summers, so we need to be prepared for the unexpected.

Rising sea or river levels may increase local flood risk inland or away from major rivers because of interactions with drains, sewers and smaller watercourses.

There is a risk of flooding from groundwater-bearing chalk and limestone aquifers across the district. Recharge may increase in wetter winters, or decrease in drier summers.

Where appropriate, we need local studies to understand climate impacts in detail, including effects from other factors like land use. Sustainable development and drainage will help us adapt to climate change and manage the risk of damaging floods in future.

#### **5.4.3**

#### ***Adapting to Change***

Past emissions means some climate change is inevitable. It is essential we respond by planning ahead. We can prepare by understanding our current and future vulnerability to flooding, developing plans for increased resilience and building the capacity to adapt. Regular review and adherence to these plans is key to achieving long-term, sustainable benefits.

Although the broad climate change picture is clear, we have to make local decisions against deeper uncertainty. We will therefore consider a range of measures and retain flexibility to adapt. This approach, embodied within flood risk appraisal guidance, will help to ensure that we do not increase our vulnerability to flooding.

## 5.5

### Long Term Developments

It is possible that long term developments might affect the occurrence and significance of flooding. However current planning policy aims to prevent new development from increasing flood risk.

In England, Planning Policy Statement 25 (PPS25) on development and flood risk aims to "ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall."

Adherence to Government policy ensures that new development does not increase local flood risk. However, in exceptional circumstances the Local Planning Authority may accept that flood risk can be increased contrary to Government policy, usually because of the wider benefits of a new or proposed major development. Any exceptions would not be expected to increase risk to levels which are "significant" (in terms of the Government's criteria), but should be recorded here so that they can be reviewed in the future.

## 6.0 Review of Indicative Flood Risk Areas

### 6.1 Extent of Indicative Flood Risk Areas

The Environment Agency map showing the indicative flood risk areas for the Greater London area is provided in **Map 6.1**.

These have been obtained as a result of adopting a consistent and proportionate approach at national level, taking account of: a) the number of people (based on property numbers x 2.34), b) the number of critical services and c) the number of non-residential properties. The national datasets used were: a) the FMfSW, b) the AStSWF (not in London), c) the National Receptor Database (NRD) and d) the Areas Susceptible to Groundwater Flood Map.

An important principle of the method is that the assessment of significance is based on flooding in the order of a 1 in 100 chance in any given year.

The threshold for the significance criteria is set at 30,000 people at risk of surface water flooding.

### 6.2 Review Comments

The indicative flood risk areas have been reviewed within the borough area. These areas cover a large number of the past and future floods identified in **Chapters 4 and 5**. This is not surprising as the Drain London surface water maps provide similar however more accurate extents to the FMfSW. There is no reason therefore to believe that there will be additional areas outside the indicative flood risk areas which will reach the national threshold.

## 7.0 Identification of Flood Risk Areas

### 7.1 Amendments to FRA

Based on the comments in **Section 6.2** no changes are proposed for the Greater London Indicative Flood Risk Areas. All of the Lewisham is assumed to be within the Greater London Indicative Flood Risk Area.

### 7.2 New FRA

The new FRA proposed is therefore the same as the Indicative FRA.

## 8.0 Next Steps

### 8.1 Scrutiny and Review

The scrutiny and review procedures that must be adopted when producing a PFRA are set out by the European Commission. Meeting quality standards is important in order to ensure that the appropriate sources of information have been used to understand flood risk and the most significant flood risk areas are identified. Another important aspect of the review procedure is to ensure that the guidance is applied consistently; a consistent approach will allow all partners to understand the risk and manage it appropriately.

The scrutiny and review procedure will comprise two key steps:

The first part of the review procedure is through an internal Local Authority review of the PFRA, in accordance with appropriate internal review procedures. Internal approval should be obtained to ensure the PFRA meets the required quality standards, before it is submitted to the Environment Agency.

The second part of the review procedure is through the Environment Agency. Under the Flood Risk Regulations, the Environment Agency has been given a role in reviewing, collating and publishing all of the PFRAs once submitted. The Environment Agency will undertake a technical review (area review and national review) of the PFRA, which will focus on instances where Flood Risk Areas have been amended and ensure the format of these areas meets the provide standard. If satisfied, they will recommend submission to the relevant Regional Flood Defence Committee (RFDC) for endorsement. RFDCs will make effective use of their local expertise and ensure consistency at a regional scale. Once the RFDC has endorsed the PFRA, the relevant Environment Agency Regional Director will sign it off, before all PFRAs are collated, published and submitted to the European Commission.

The first review cycle of the PFRA will be led by the London Borough of Lewisham and must be submitted to the Environment Agency by the 22nd of June 2011. They will then submit it to the European Commission by the 22nd of December 2011 using the same review procedure described above.

### 8.2 Data Collection and Management

Data gaps that will require future collection activities are listed as follows:

- 1) A systematic approach to recording local flood risk is recommended, in particular for locations where there are interactions with other sources of flooding and locations where significant hazards have been identified.

There is an opportunity to work with the Environment Agency in developing an integrated system for collecting and managing data, based on the systems that are already in place for fluvial and tidal flooding.

- 2) A better understanding of how the drainage system operates will be gained by obtaining and interrogating the relevant Thames Water models. These models will be critical for the further stages of the SWMP which will also benefit the PFRA.

### 8.3 Incident Recording

As part of the Drain London project the LLFA have been provided with a template spreadsheet for the recording of information in a consistent way. This template follows the principles given in the INSPIRE European Directive (these are listed in the final guidance document for PFRA).

### 8.4 Other Flood Risk Regulation Requirements

Other planned actions that will be required to comply with the Flood Risk Regulations are:

- 1) Development of an action plan on how the borough will perform its duties as the SuDs approval body (approval, adoption and maintenance of SuDs which serve more than one property).
- 2) Links with Flood Risk Assessments and SuDs approvals to be developed as an integrated approach to the approval of SuDs proposals.



## 9.0 References

London Borough of Lewisham Strategic Flood Risk Assessment Level-1, (July 2008) at <http://www.lewisham.gov.uk/NR/rdonlyres/E5919E0D-FBA0-4636-AB7D-40553CD6734A/0/StrategicFloodRiskAssessment.pdf>

London Borough of Lewisham Strategic Flood Risk Assessment (July 2008) Figures 1-5 at <http://www.lewisham.gov.uk/NR/rdonlyres/6285C38A-6FD7-4C53-A679-2E718BF39CA4/0/SFRAFigures15.pdf>

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Defra (2006) Flood and Coastal Defence Appraisal Guidance, FCDPAG3 Economic Appraisal, Supplementary Note to Operating Authorities – Climate Change Impacts. October 2006. Available from <http://www.defra.gov.uk/environment/flooding/documents/policy/guidance/fcdpag/fcd3cl>

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Environment Agency (2010) Preliminary Flood Risk Assessment - Final Guidance (Report – GEHO1210BTGH-E-E). Available from <http://publications.environment-agency.gov.uk/pdf/GEHO1210BTGHe-e.pdf>

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Miller, H.L. (eds.). Summary for Policymakers. Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. 9. Available for download from <http://www.ipcc.ch/ipccreports/ar4-wg1.htm>

The Pitt Review (2008) Learning lessons from the 2007 floods



## **Annex A – Records of past floods and their significant consequences (Preliminary Assessment Spreadsheet)**

Please refer to Annex A of the Preliminary Assessment Spreadsheet which has been supplied alongside this report.



## **Annex B – Records of future floods and their significant consequences (Preliminary Assessment Spreadsheet)**

Please refer to Annex B of the Preliminary Assessment Spreadsheet which has been supplied alongside this report.

## **Annex C – Records of Flood Risk Area and its rationale (Preliminary Assessment Spreadsheet)**

Please refer to Annex C of the Preliminary Assessment Spreadsheet which has been supplied alongside this report.

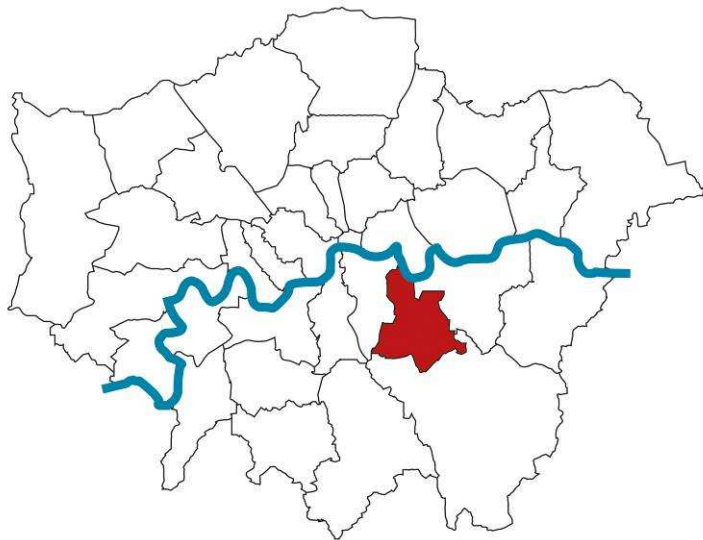
## Annex D – Review Checklist

Please refer to Annex D spreadsheet which has been supplied alongside this report.

## Annex E – GIS Layer of Flood Risk Area(s)

Please refer to Annex E GIS layer which has been supplied alongside this report. This GIS layer is the same as the Environment Agency Indicative Flood Risk Area layer.

# SURFACE WATER MANAGEMENT PLAN



***DRAIN LONDON***

**LONDON  
BOROUGH OF  
LEWISHAM**

GREATER **LONDON** AUTHORITY





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Elliot Gill	Technical Director, Halcrow		
Bob Quatresols	Borough Champion, London Borough of Lewisham		

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### RELATED DOCUMENTS

Doc Ref	Document Title	Author	Date of Issue	Version
PFRA	Preliminary Flood Risk Assessment for London Borough of Bexley	Bruno Venturini/Helen Winter	April 2011	Final Draft

# Executive Summary

<Section to be completed when report finalised>

# Glossary

Term	Definition
AOD	Above ordnance datum
Aquifer	A source of groundwater comprising water bearing rock, sand or gravel capable of yielding significant quantities of water.
AMP	Asset Management Plan
Asset Management Plan	A plan for managing water and sewerage company (WaSC) infrastructure and other assets in order to deliver an agreed standard of service.
AStSWF	Areas Susceptible to Surface Water Flooding
Catchment Flood Management Plan	A high-level planning strategy through which the Environment Agency works with their key decision makers within a river catchment to identify and agree policies to secure the long-term sustainable management of flood risk.
CDA	Critical Drainage Area
Critical Drainage Area	A discrete geographic area (usually a hydrological catchment) where multiple and interlinked sources of flood risk (surface water, groundwater, sewer, main river and/or tidal) cause flooding in one or more Local Flood Risk Zones during severe weather thereby affecting people, property or local infrastructure.
CFMP	Catchment Flood Management Plan
CIRIA	Construction Industry Research and Information Association
Civil Contingencies Act	This Act delivers a single framework for civil protection in the UK. As part of the Act, Local Resilience Forums must put into place emergency plans for a range of circumstances including flooding.
CLG	Government Department for Communities and Local Government
Climate Change	Long term variations in global temperature and weather patterns caused by natural and human actions.
Culvert	A channel or pipe that carries water below the level of the ground.
Defra	Department for Environment, Food and Rural Affairs
DEM	Digital Elevation Model
DG5 Register	A water-company held register of properties which have experienced sewer flooding due to hydraulic overload, or properties which are 'at risk' of sewer flooding more frequently than once in 20 years.
DTM	Digital Terrain Model
EA	Environment Agency

<b>Term</b>	<b>Definition</b>
Indicative Flood Risk Areas	Areas determined by the Environment Agency as indicatively having a significant flood risk, based on guidance published by Defra and WAG and the use of certain national datasets. These indicative areas are intended to provide a starting point for the determination of Flood Risk Areas by LLFAs.
FMfSW	Flood Map for Surface Water
Flood defence	Infrastructure used to protect an area against floods as floodwalls and embankments; they are designed to a specific standard of protection (design standard).
Flood Risk Area	An area determined as having a significant risk of flooding in accordance with guidance published by Defra and WAG.
Flood Risk Regulations	Transposition of the EU Floods Directive into UK law. The EU Floods Directive is a piece of European Community (EC) legislation to specifically address flood risk by prescribing a common framework for its measurement and management.
Floods and Water Management Act	Part of the UK Government's response to Sir Michael Pitt's Report on the Summer 2007 floods, the aim of which is to clarify the legislative framework for managing surface water flood risk in England.
Fluvial Flooding	Flooding resulting from water levels exceeding the bank level of a main river
FRR	Flood Risk Regulations
IDB	Internal Drainage Board
IUD	Integrated Urban Drainage
LB	London Borough
LDF	Local Development Framework
LFRZ	Local Flood Risk Zone
Local Flood Risk Zone	Local Flood Risk Zones are defined as discrete areas of flooding that do not exceed the national criteria for a 'Flood Risk Area' but still affect houses, businesses or infrastructure. A LFRZ is defined as the actual spatial extent of predicted flooding in a single location
Lead Local Flood Authority	Local Authority responsible for taking the lead on local flood risk management
LiDAR	Light Detection and Ranging
LLFA	Lead Local Flood Authority
Local Resilience Forum	A multi-agency forum, bringing together all the organisations that have a duty to cooperate under the Civil Contingencies Act, and those involved in responding to emergencies. They prepare emergency plans in a co-ordinated manner.

Term	Definition
LPA	Local Planning Authority
LRF	Local Resilience Forum
Main River	A watercourse shown as such on the Main River Map, and for which the Environment Agency has responsibilities and powers
NRD	National Receptor Dataset – a collection of risk receptors produced by the Environment Agency
Ordinary Watercourse	All watercourses that are not designated Main River, and which are the responsibility of Local Authorities or, where they exist, IDBs
Partner	A person or organisation with responsibility for the decision or actions that need to be taken.
PFRA	Preliminary Flood Risk Assessment
Pitt Review	Comprehensive independent review of the 2007 summer floods by Sir Michael Pitt, which provided recommendations to improve flood risk management in England.
Pluvial Flooding	Flooding from water flowing over the surface of the ground; often occurs when the soil is saturated and natural drainage channels or artificial drainage systems have insufficient capacity to cope with additional flow.
PPS25	Planning and Policy Statement 25: Development and Flood Risk
PA	Policy Area
Policy Area	One or more Critical Drainage Areas linked together to provide a planning policy tool for the end users. Primarily defined on a hydrological basis, but can also accommodate geological concerns where these significantly influence the implementation of SuDS
Resilience Measures	Measures designed to reduce the impact of water that enters property and businesses; could include measures such as raising electrical appliances.
Resistance Measures	Measures designed to keep flood water out of properties and businesses; could include flood guards for example.
Risk	In flood risk management, risk is defined as a product of the probability or likelihood of a flood occurring, and the consequence of the flood.
Risk Management Authority	As defined by the Floods and Water Management Act
RMA	Risk Management Authority
Sewer flooding	Flooding caused by a blockage or overflowing in a sewer or urban drainage system.
SFRA	Strategic Flood Risk Assessment

Term	Definition
Stakeholder	A person or organisation affected by the problem or solution, or interested in the problem or solution. They can be individuals or organisations, includes the public and communities.
SuDS	Sustainable Drainage Systems
Sustainable Drainage Systems	Methods of management practices and control structures that are designed to drain surface water in a more sustainable manner than some conventional techniques.
Surface water	Rainwater (including snow and other precipitation) which is on the surface of the ground (whether or not it is moving), and has not entered a watercourse, drainage system or public sewer.
SWMP	Surface Water Management Plan
TfL	Transport for London
TWUL	Thames Water Utilities Ltd
WaSC	Water and Sewerage Company

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## 1.0 Introduction

### 1.1 What is a Surface Water Management Plan?

A Surface Water Management Plan (SWMP) is a plan which outlines the preferred surface water management strategy in a given location. In this context surface water flooding describes flooding from sewers, drains, groundwater, and runoff from land, small water courses and ditches that occurs as a result of heavy rainfall.

This SWMP study has been undertaken as part of the Drain London Project in consultation with key local partners who are responsible for surface water management and drainage in the London area – including Thames Water, the Environment Agency and Transport for London. The Partners have worked together to understand the causes and effects of surface water flooding and agree the most cost effective way of managing surface water flood risk for the long term.

This document also establishes a long-term action plan to manage surface water and will influence future capital investment, maintenance, public engagement and understanding, land-use planning, emergency planning and future developments.

### 1.2 Background

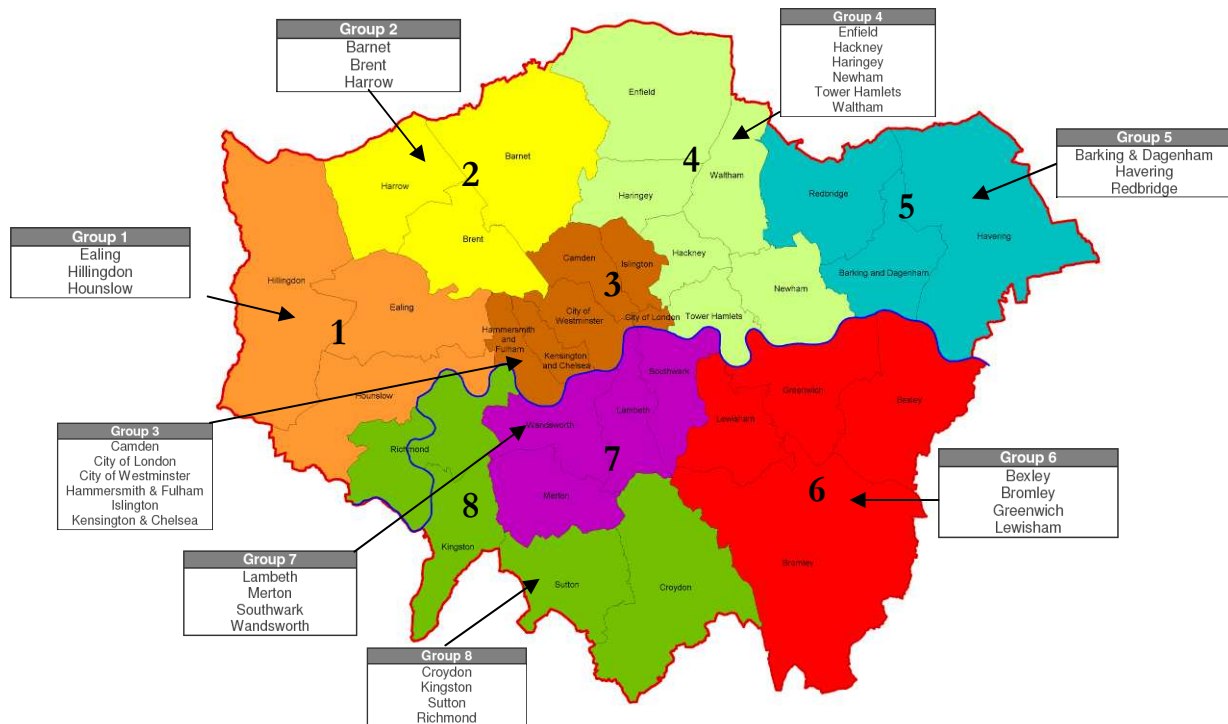
In May 2007 the Mayor of London consulted on a draft Regional Flood Risk Appraisal (RFRA). One of the key conclusions was that the threat of surface water flooding in London was poorly understood. This was primarily because there were relatively few records of surface water flooding and those that did exist were neither comprehensive nor consistent. Furthermore the responsibility for managing flood risk is split between local planning authorities and other organisations such as Transport for London, London Underground, Network Rail and relationships with the Environment Agency and Thames Water and other sources of flood risk were unclear. To give the issue even greater urgency it is widely expected that heavy storms will increase in frequency with climate change.

The Greater London Authority, London Councils, Environment Agency and Thames Water commissioned a scoping study to test these findings and found that this was an accurate reflection of the situation. The conclusions were brought into sharp focus later in the summer of 2007 when heavy rainfall resulted in extensive surface water flooding in parts of the UK such as Gloucestershire, Sheffield and Hull causing considerable damage and disruption. It was clear that a similar rainfall event in London would have resulted in major disruption. The Pitt Review examined the flooding of 2007 and made a range of recommendations for future flood management, most of these have been enacted through the Flood and Water Management Act 2010 (FWMA).

DEFRA recognized the importance of addressing surface water flooding in London and fully funded the Drain London project to produce Surface Water Management Plans

(SWMPs) for each London Borough. Through the subsequent enactment of the FWMA boroughs are also required to produce Preliminary Flood Risk Assessments (PFRA). The Drain London project has been adjusted to deliver both a PFRA and an SWMP for each London Borough. This will be a major step in meeting borough requirements as set out in the FWMA. Another key aspect of the Act is to ensure that boroughs work in partnership with other Local Risk Authorities. Drain London assists this by creating sub-regional partnerships as set out in **Figure 1.1**.

**Figure 1.1 – Drain London Sub-regional Partnerships**



1.3

**Objectives**

The objectives of the SWMP are to:

- Develop a robust understanding of surface water flood risk in and around the London borough of Lewisham, taking into account the challenges of climate change, population and demographic change and increasing urbanisation in London;
- Identify, define and prioritise Critical Drainage Areas, including further definition of existing local flood risk zones and mapping new areas of potential flood risk (see definitions in Section 3.8).
- Make holistic and multifunctional recommendations for surface water management which improve emergency and land use planning, and enable better flood risk and drainage infrastructure investments;

- Establish and consolidate partnerships between key drainage stakeholders to facilitate a collaborative culture of data, skills, resource and learning sharing and exchange, and closer coordination to utilise cross boundary working opportunities;
- Undertake engagement with stakeholders to raise awareness of surface water flooding, identify flood risks and assets, and agree mitigation measures and actions;
- Deliver outputs to enable a real change on the ground rather than just reports and models, whereby partners and stakeholders take ownership of their flood risk and commit to delivery and maintenance of the recommended measures and actions;
- Meet the London Borough of Lewisham's specific objectives as recorded during the development of the SWMP (see further details below);
- Facilitate discussions and report implications relating to wider issues falling outside the remit of this Tier 2 work, but deemed important by partners and stakeholders for effectively fulfilling their responsibilities and delivering future aspects of flood risk management.

Specific aims and objectives were discussed at the various meetings held throughout the development of the SWMP. These are summarised below:

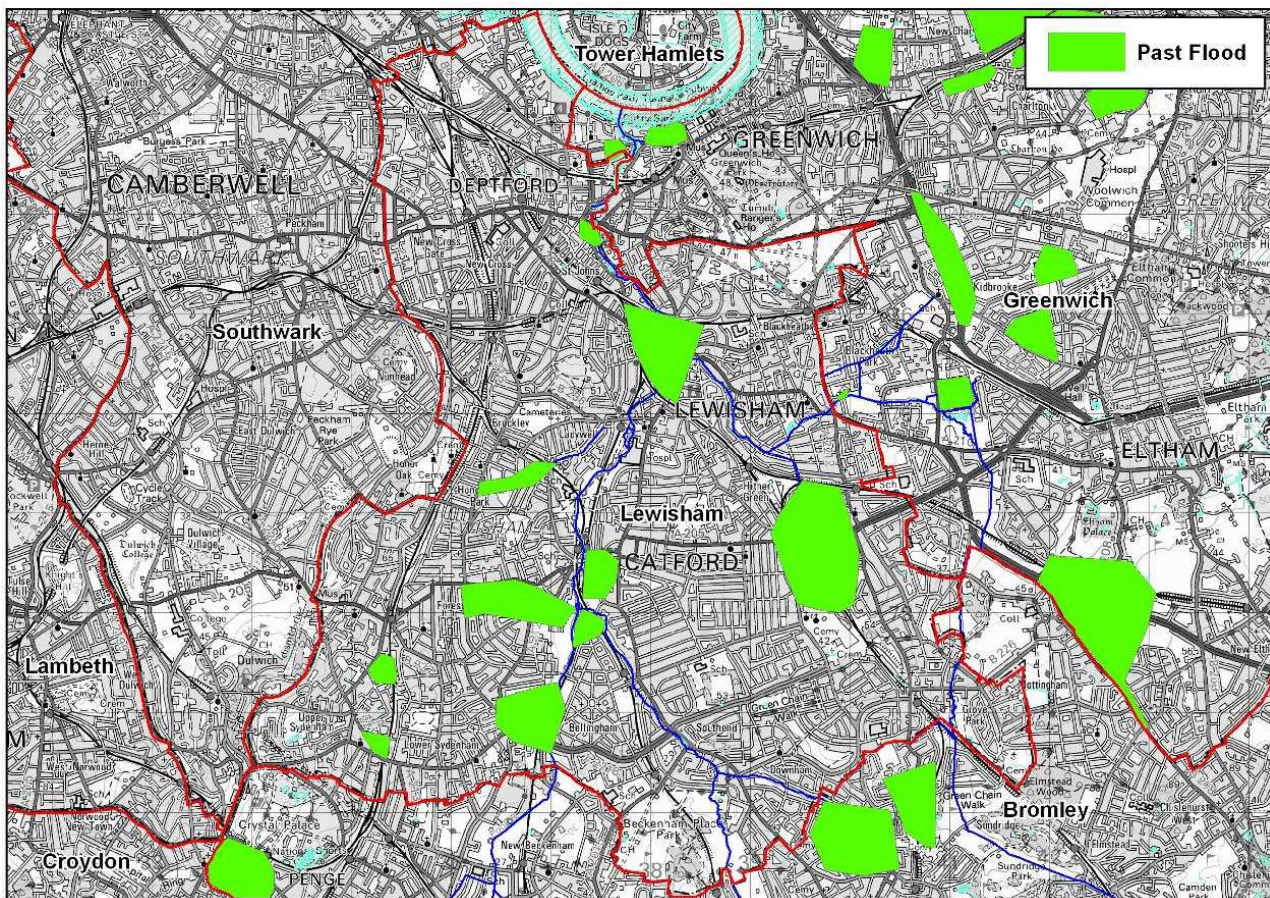
- Ensure where possible the SWMP is consistent with the Strategic Flood Risk Assessment (SFRA) undertaken by the London Borough of Lewisham.
- Develop an action plan that is specific to the London borough (in particular due to its major regeneration objectives) and which builds on Group 6 stakeholder workshops.
- Ensure the SWMP action plan promotes the integration and ownership of the relevant departments within the London borough (those departments that deal with highways, parks, development control, emergency planning, etc).
- Investigate how the SUDS Approval Authority role (as required by the FWMA next year, see **Section 1.7**) could be led at Group 6 level.

## 1.4

### Study Area

The study area covers the administrative boundary of the London Borough of Lewisham in South East London (see **Figure 1.1**). It however needs to take account of interactions with adjacent local planning authorities, as pipe network systems, catchment contributions and flood risk (see for example locations of past floods highlighted in green in **Figure 1.2**) are often not constrained by administrative boundaries.

Figure 1.2 - Study Area and Locations of Past Floods



The **LiDAR Topographic Survey Map (Figure 1.4.1)** shows that the general terrain gradients fall towards the River Thames in a south-north direction, where ground levels vary from around 111m AOD at the highest point, to 0 m AOD in the north of the Borough.

The predominant land uses within the London Borough of Lewisham are shown in the **Land Use Areas Map (Figure 1.4.2)**.

Most of the Borough is developed ranging from sub-urban to heavily urbanised areas (for example Lewisham Town Centre).

Significant infrastructure in the borough include:

- A water treatment works (Thames Water)
- Blackheath Hospital and the University Hospital
- Main line railway stations

The Lewisham Core Strategy, which will be adopted in June 2011, identifies opportunity areas for Deptford Creek/Riverside (with LB Greenwich) and Lewisham/Catford/New Cross as a focus for new housing and jobs. Lewisham and Catford town centres are designated as major centres.

Significant areas of the London Borough of Lewisham are identified as Metropolitan Open Land; notably Blackheath and Beckenham Place Park.

## 1.5 Flooding Interactions

There are separate gravity surface water and foul drainage systems to the south of the borough however it is combined towards the River Thames.

The main flooding interaction between the separate surface water drainage system and the fluvial network system occurs when water levels in the main river system are high enough to stop surface water discharging into them. This causes surface water to back up. Studies of major fluvial floods in the last fifty years in the borough indicate that the surface water component was significant.

The main interaction of the combined sewer system and overland flows occurs at critical locations where the sewers overflow (out of gullies or blown out manhole covers) as a result of the storm event.

## 1.6 Linkages to other plans

The increased focus on flood risk over recent years is an important element of adaptation to climate change. The clarification of the role of London boroughs as Lead Local Flood Authorities (LLFA) is welcomed. The creation of a number of new documents can at times be confusing. Drain London links into all of these:

### Regional Flood Risk Appraisal (RFRA)

This is produced by the Greater London Authority and gives a regional overview of flooding from all sources. The RFRA will be updated in 2012 to reflect the additional information on local sources of flood risk (surface water, groundwater and ordinary watercourses) from Drain London. This may also generate new policies that would be incorporated into the London Plan when it is reviewed.

### Thames Catchment Flood Management Plan (CFMP)

The Thames Catchment Flood Management Plan was published in 2008 by the Environment Agency and sets out policies for the sustainable management of flood risk across the whole of the Thames catchment over the long-term (50 to 100 years) taking climate change into account. More detailed flood risk management strategies for individual rivers or sections of river may sit under these.

The Plan emphasises the role of the floodplain as an important asset for the management of flood risk, the crucial opportunities provided by new development and regeneration to

manage risk, and the need to re-create river corridors so that rivers can flow and flood more naturally.

This Plan will be periodically reviewed, approximately five years from when it was published, to ensure that it continues to reflect any changes in the catchment. There are links to Drain London where there are known interactions between surface water and fluvial flooding.

#### Preliminary Flood Risk Assessment (PFRA)

These are required as part of the Flood Risk Regulations (see details in **Section 1.7**), which implement the requirements of the European Floods Directive. Drain London is producing one of these for each London Borough (LLFA), to give an overview of all local sources of flood risk. In London PFRAs will benefit from an increased level of information relating to surface water from the Drain London SWMPs. Boroughs will need to review these PFRAs every 6 years.

#### Surface Water Management Plans (SWMP)

Drain London is producing one of these for each London Borough (this document). They provide much improved probabilistic 2-dimensional modelling and data on what has been made available at a national scale by the Environment Agency. In addition they contain an Action Plan that has been developed in conjunction with both the London borough of Lewisham and other risk management authorities. This data and actions and associated policy interventions will need to feed directly into the operational level of the London Borough across many departments, in particular into spatial and emergency planning policies and designations and into the management of local authority controlled land.

#### Strategic Flood Risk Assessments (SFRA)

Each local planning authority is required to produce a SFRA under Planning Policy Statement 25 (PPS25). This provides an important tool to guide planning policies and land use decisions. Current SFRAs have a strong emphasis on flooding from main rivers and the sea and are relatively weak in evaluating flooding from other local sources including surface water, groundwater and ordinary watercourses. The information from Drain London will assist in improving this understanding.

#### Local Development Documents (LDD)

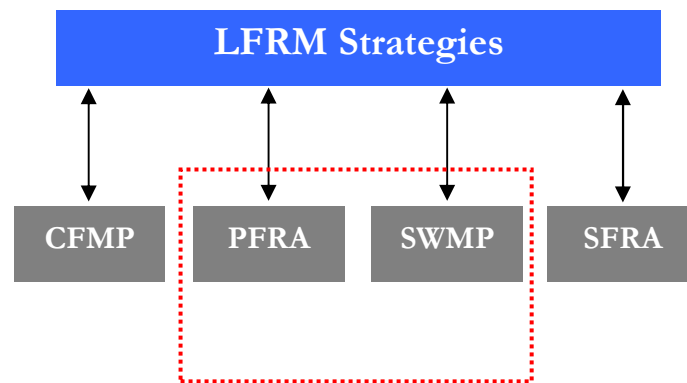
LDDs including the Core Strategy (to be adopted June 2011) and relevant Area Action Plans (AAPs) will need to reflect the results from Drain London. This may include policies for the whole borough or for specific parts, for example Critical Drainage Areas. There may be a particular need to review Area Action Plans where surface water flood risk is a specific issue. A future SFRA update will assist with this as will the reviewed RFRA and any updated London Plan policies. In producing Opportunity Area Planning Frameworks, the GLA and boroughs will also examine surface water flood risk more closely.

Local Flood Risk Management Strategies

The Flood and Water Management Act 2010 (FWMA) requires each LLFA to produce one of these by December 2012. Whilst Drain London will not actually produce these, the SWMPs, PFRA and their associated risk maps will provide the necessary evidence base to support the development of LFRMS. No new modelling is anticipated to produce these strategies.

The schematic diagram in **Figure 1.3** below illustrates how the CFMP, PFRA, SWMP and SFRA link to and underpin the development of a Local Flood Risk Management Strategy.

**Figure 1.3 - The inter-relationship between the current studies and the future Flood Risk Management Strategy**



Strategic Environmental Assessment

The Strategic Environmental Assessment (SEA) Directive (2001/42/EC) is implemented in the UK by ‘The Environmental Assessment of Plans and Programmes Regulations 2004 (Statutory Instrument No.1633)’. Its objective is ‘to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development’.

The flood risk management plans required under the Flood Risk Regulations 2009 fall under the scope of the SEA Directive.

**1.7**

**Existing Legislation**

The Flood and Water Management Act 2010 (FWMA) presents a number of challenges for policy makers and the flood and coastal risk management authorities identified to co-ordinate and deliver local flood risk management (surface water, groundwater and flooding from ordinary water courses). ‘Upper Tier’ local authorities (Lead Local Flood Authorities – LLFA) have been empowered to manage local flood risk through new responsibilities for flooding from surface and groundwater.

The FWMA reinforces the need to manage flooding holistically and in a sustainable manner. This has grown from the key principles within Making Space for Water (Defra, 2005) and was further reinforced by the summer 2007 floods and the Pitt Review (Cabinet Office, 2008). It implements several key recommendations of Sir Michael Pitt's Review of the Summer 2007 floods, whilst also protecting water supplies to consumers and protecting community groups from excessive charges for surface water drainage.

The FWMA must also be considered in the context of the EU Floods Directive, which was transposed into law by the Flood Risk Regulations 2009 (the Regulations) on 10 December 2009. The Regulations requires three main types of assessment / plan:

- 1) Preliminary Flood Risk Assessments (maps and reports for Sea, Main River and Reservoirs flooding) to be completed by Lead Local Flood Authorities and the Environment Agency by the 22 December 2011. Flood Risk Areas, at potentially significant risk of flooding, will also be identified. Maps and management plans will be developed on the basis of these flood risk areas.
- 2) Flood Hazard Maps and Flood Risk Maps. The Environment Agency and Lead Local Flood Authorities are required to produce Hazard and Risk maps for Sea, Main River and Reservoir flooding as well as 'other' relevant sources by 22 December 2013.
- 3) Flood Risk Management Plans. The Environment Agency and Lead Local Flood Authorities are required to produce Flood Risk Management Plans for Sea, Main River and Reservoir flooding as well as 'other' relevant sources by 22 December 2015.

The diagram in **Figure 1.4** illustrates how this SWMP fits into the delivery of local flood and coastal risk management, and where the responsibilities for this lie.

## 1.8

### Peer Review

It is essential for the Drain London Project that SWMPs are consistent and comparable across Greater London. This is to facilitate

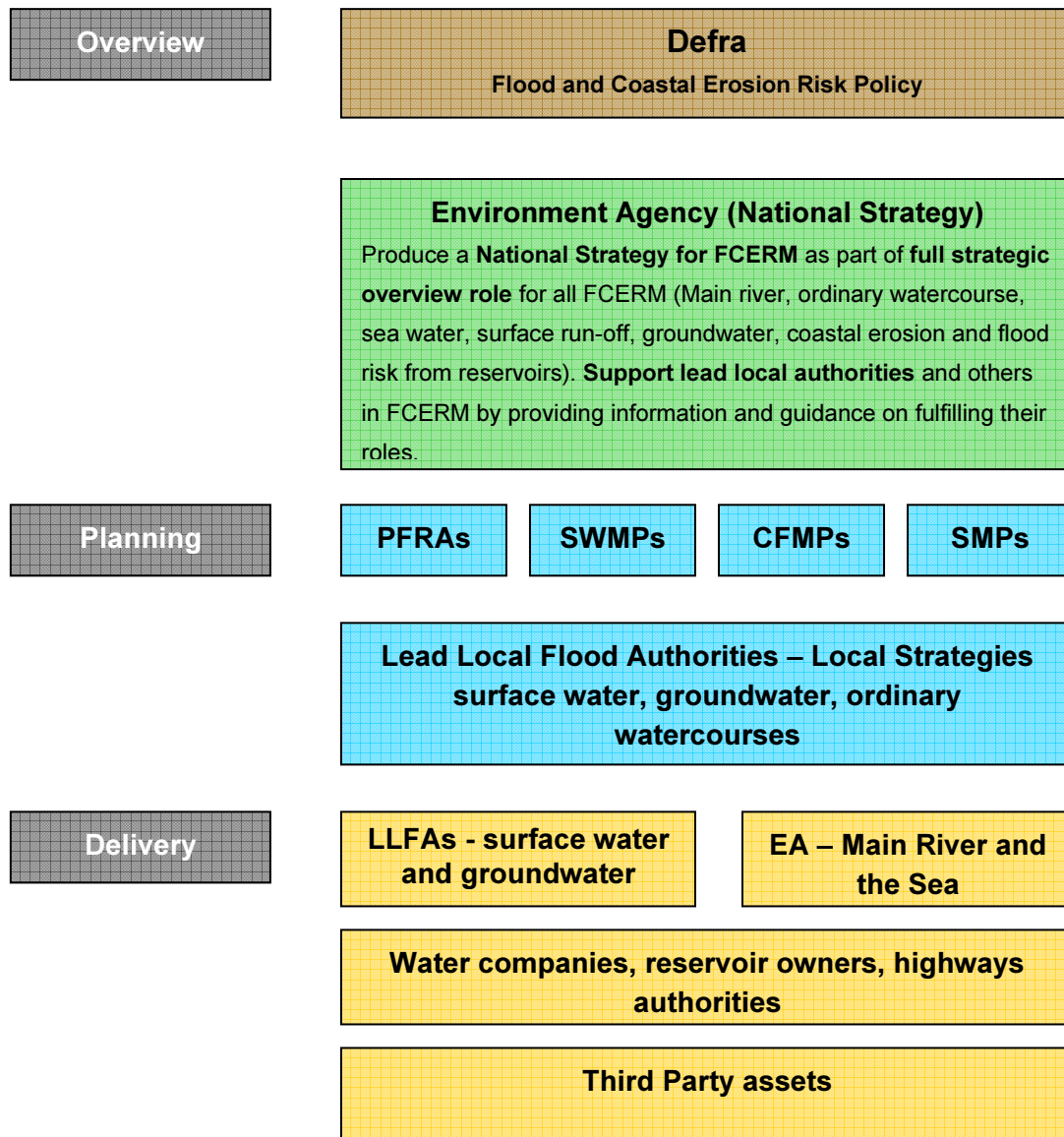
- Fair, transparent and rapid allocation of funds to identified high priority flood risk areas within London
- Collaborative working practices between stakeholders
- Building of local capability (Council officers and consultants doing work in the future will be able to make use of outputs regardless of who produced them for each Borough)

To ensure consistency and comparability between London Borough SWMPs produced, a Peer Review process has been used. The process involved the four consultant teams



working on the Drain London SWMPs independently reviewing each others work. This has ensured that all outputs result from a consistent technical approach, are of a high technical quality and are communicated in the specified formats. The peer review report for this SWMP is included in **Appendix F**.

**Figure 1.4 - Delivery of local FCERM**



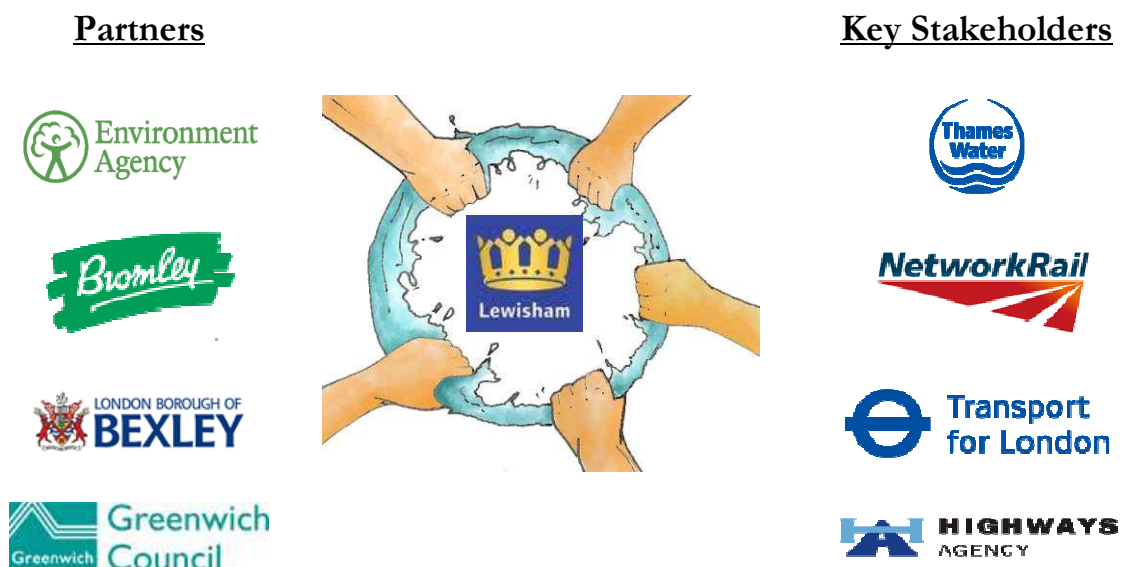
## 2.0 Phase 1 – Preparation

### 2.1 Partnership

As Lead Local Flood Authority, it is the role of the London borough to forge effective partnerships with the adjacent LLFA and the Environment Agency (this is currently the case with the Drain London project) as well as other key stakeholders – Thames Water, Network Rail, Transport for London and the Highways Agency. Some progress has been made toward establishing these partnerships already, although Network Rail and the Highways Agency have not yet fully engaged with the process. Ideally working arrangements should now be formalised by the LLFA to ensure clear lines of communication, mutual co-operation and management through the provision of Level of Service Agreements (LoSA) or Memorandums of Understanding (MoU).

**Figure 2.1** provides a schematic of the recommended partnership and stakeholder arrangements:

**Figure 2.1 - Partnership and Main Stakeholder Schematic Diagram**



### 2.2 Data collection

The collection and collation of strategic level data was undertaken as part of the Tier 1 work and disseminated to Tier 2 consultants by the GLA. Data was collected from each of the following organisations:

- London Borough of Lewisham
- British Airports Authority

- British Geological Survey
- British Waterways
- Environment Agency
- Greater London Authority
- Highways Agency
- London Underground
- Network Rail
- Thames Water
- Transport for London

A comprehensive data set was passed onto Tier 2 consultants and in some cases additional supplementary data was provided by individual organisations.

The key information that was obtained is listed in **Table 2.1** below (a full list of the information is included in the Data Gap and Licensing Report issued by Tier 1 Consultants in October 2010):

**Table 2.1 – Summary of Key Drain London Tier 1 Data**

<b>Source</b>	<b>Data/Studies</b>
<b>Environment Agency</b>	Environment Agency Asset Data; Water Studies (including Thames Catchment Flood Management Plan, Thames Catchment Abstraction Management Strategy and Thames River Basin management Plan); Historic flood data (GIS flood event outlines extracted from NFCDD); Geostore data including Main River details, flood data for areas vulnerable to surface water flooding and Digital River Network (DRN) data for London; Numerous fluvial and surface water models located in the Greater London area; London hydrometric data including groundwater level data, rainfall data and river flow data; and <b>Details of Flood Warning Areas in London</b>
<b>London Borough of Lewisham</b>	SFRA report; Flooding records; GIS data for Critical Infrastructure; <b>Gulley locations.</b>
<b>Thames Water</b>	Foul water and surface water sewer network models in GIS format; Sewer Flooding Incident Records by postcode; <b>Pumping station and manhole locations.</b>
<b>Other</b> (Highways Agency, Transport for London, Network Rail, Local flood groups, fire brigade, etc)	Various assets; Flood records; GIS layers for land use types; <b>BGS Susceptibility to Groundwater Flooding</b>

Additional information has been obtained from the London Borough of Lewisham through an initial site visit followed by a more detailed virtual site visit/workshop of areas at risk of flooding.

The virtual site visits/workshops have proved to be a highly valuable process which involved ‘virtual walks’ by technical staff from the Environment Agency, Borough Council and Halcrow identifying many local flood risk areas, using a GIS environment and the use of Google Street View for 3D images.

## 2.3

### Data Review

The key GIS datasets used for the main stages of the SWMP and the virtual site visits are:

- a) OS maps,
- b) the Thames Water pipe network system,
- c) the river networks,
- d) the flood zones and the historic flood map from the Environment Agency,
- e) flood incident records,
- f) local flood risk data from strategic data providers (for example the fire brigade), g) the Environment Agency national Flood Map for Surface Water (FMfSW),
- g) the Drain London surface water hazard and flood depth maps produced by Halcrow for the London Borough of Lewisham,
- h) a digital terrain model from LiDAR data to identify catchment boundaries and terrain gradients,
- i) Thames Water postcode records of flooding,
- j) the National Receptor Database and
- k) the potential for elevated groundwater maps.

**Appendix A** provides further details of this data and their quality score (see further details in the Appendix).

## 2.4

### Asset Register

Section 21 of the FWMA 2010 sets a duty on each London Borough (LLFA) to maintain a register of structures or features, and a record of information about each of those structures or features, which, in the opinion of the authority, are likely to have a significant effect on flood risk in its area. From 6th of April 2011 all LLFAs have a duty to maintain a register. The legal characteristics of the register and record are outlined below:

**Table 2.2 – Main characteristics of the Asset Register**

	<b>Register</b>	<b>Record (includes details of ownership and condition)</b>
a.	Must be made available for inspection at all reasonable times.	Up to the LLFA to decide if they wish to make it available for inspection
b.	Must contain a list of structures or features which in the opinion of the authority, are likely to have a significant effect on a local flood risk.	For each structure or feature listed on the register, the record must contain information about its ownership and state of repair.
c.	s.21 (2) of the Act allows for further regulations to be made about the content of the register and record. There is currently no plan to provide such regulations therefore their content should be decided on by the LLFA depending on what information will be useful to them.	
d.	There is no legal requirement to have a separate register and record although as indicated above, only the register needs to be made available for public inspection.	

Defra have provided each LLFA with templates to demonstrate what information should be contained in the asset register. Although these templates are not intended as a working tool, they provide a good example of how an asset register might be structured.

Populating the asset register is outside the scope of the Drain London project and is the responsibility of each London Borough. The expectation from Defra is that LLFAs (London Boroughs) will utilise a risk-based approach to populate the register and record which of those structures or features are considered the most significant first.

The London borough will be populating the asset register over this financial year focusing on the most significant assets to begin with.

## 3.0 Phase 2 – Risk Assessment

### 3.1 Intermediate Assessment

The aim of the Phase 2 Intermediate Risk Assessment is to *identify the sources and mechanisms of surface water flooding across the study area* which are achieved through an intermediate assessment of pluvial flooding, sewer flooding, groundwater flooding and flooding from ordinary watercourses along with the interactions with main rivers and the sea. The modelling outputs are then mapped using GIS software.

SWMPs can function at different geographical scales and therefore necessarily at differing scales of detail. **Table 3.1** defines the potential levels of assessment within a SWMP. This SWMP has been prepared at a ‘Borough’ scale, fulfilling the objectives of a second level ‘Intermediate Assessment’.

**Table 3.1: SWMP Study Levels of Assessment [Defra 2010]**

Level of Assessment	Appropriate Scale	Outputs
1. Strategic Assessment	Greater London	Broad understanding of locations that are more vulnerable to surface water flooding. Prioritised list for further assessment. Outline maps to inform spatial and emergency planning.
2. Intermediate Assessment	Borough wide	Identify flood hotspots which might require further analysis through detailed assessment. Identify immediate mitigation measures which can be implemented. Inform spatial and emergency planning.
3. Detailed Assessment	Known flooding hotspots	Detailed assessment of cause and consequences of flooding. Use to understand the mechanisms and test mitigation measures, through modelling of surface and sub-surface drainage systems.

As shown in **Table 3.1** above, the intermediate assessment is applicable across a large town, city or borough. In the light of extensive and severe historical flooding and the results from the over-arching national pluvial modelling suggesting that there are 21,500 properties at risk across the London Borough of Lewisham, it has been considered appropriate to adopt this level of assessment to further quantify the risks.

The purpose of this intermediate assessment is to further identify those parts of the borough that are likely to be at greater risk of surface water flooding and require more

detailed assessment. The methodology used for this SWMP is summarised below. Further detail of the methodology is provided in **Appendix C**.

- A Direct Rainfall approach using InfoWorks CS / TuFLOW software has been selected whereby rainfall events of known probability are applied directly to the ground surface and is routed overland to provide an indication of potential flow path directions and velocities and areas where surface water will pond.
- The outputs of the 2-dimensional pluvial modelling were reviewed at a large scale via the virtual site visits undertaken with key London Borough of Lewisham staff and the Environment Agency.
- In many cases the outputs from the pluvial modelling have been verified against historic surface water flood records.

## 3.2

### **Risk Overview**

#### Surface water flood risk

The 1 in 100 year surface water Map (**Figures 3.2.1a and b**) is suitable to identify broad areas which are more likely to be vulnerable to surface water flooding. This allows the London Borough of Lewisham and its partners to undertake more detailed analysis in areas which are most vulnerable to surface water flooding.

In addition, the map can also be used as evidence base to support spatial planning to ensure that surface water flooding is appropriately considered when allocating land for housing development. It can also be used to assist emergency planners in preparing or updating their Multi-Agency response plans.

The surface water maps from this study show the predicted likelihood of surface water flooding for defined areas. They focus on overland flow paths and surface water flooding at local depressions however they also simulate (less accurately) flooding from sewers, drains, small watercourses and ditches). Due to the coarse nature of the source data used, these are not detailed enough to account for precise addresses. Individual properties therefore may not always face the same chance of flooding as the areas that surround them.

There may also be particular occasions when flooding occurs and the observed pattern of flooding does not in reality match the predicted patterns shown on these maps. We have done all we can to ensure that the maps reflect all the data we possess and have applied our expert knowledge to create conclusions that are as reliable as possible. It is essential that anyone using these maps fully understands the complexity of the data utilised in production of the maps, is aware of the limitations (see **Section 3.3** and **Appendix C**) and does not use the maps in isolation.



Halcrow Group will not be liable if the maps by their nature are not as accurate as might be desired or are misused or misunderstood despite the warnings. For this reason it is not possible to promise that the maps will always be completely accurate or up to date.

#### Fluvial/Tidal flood risk

The Environment Agency flood zones give a good representation of flooding from fluvial and/or tidal flood risk assuming that defences are not in place (see **Figure 3.2.2**). The undefended maps represent a conservative assumption that defences could deteriorate and therefore it may not always be possible to fully rely on them.

Defended maps assuming that the defences are in place and perform as expected can be obtained from the Environment Agency (from flood mapping studies which in most cases involve 1d and 2d river modelling). The Ravensbourne catchment and its tributaries have been fully modelled by the Environment Agency and defended maps are available.

#### Groundwater flood risk

As part of the Drain London Project, Potential for Elevated Groundwater maps have been developed to identify where groundwater could be at, or near ground surface (see **Figure 3.2.3** and further details in **Section 3.5**).

### 3.3

#### **Surface Water**

As mentioned in Section xxx, the borough has a separate sewer system to the north (drained by gravity) and a combined pumped sewer system to the north towards the River Thames. In the following sections, the term underground drainage system refers to both of these systems (separated or combined).

In urban developed areas of the borough surface runoff occurs when:

- a) intense rainfall is unable to soak sufficiently into the ground and
- b) the capacity of the underground drainage system is overwhelmed by the intensity of the storm (the capacity of the underground drainage system is limited as it can only cater for relatively small storms of the order of 1 in 10 year return period).

In these conditions surface water builds up and locally floods if the ground terrain is flat or travels according to prevailing terrain gradients. Surface water flooding then occurs at locations where surface water flow paths converge, at local depressions/valleys in the ground or due to overland obstructions.

This is the main mechanism of surface water flooding however it is exacerbated in many cases by partial or full blockages of gullies and/or within the underground drainage system (for example due to pipe collapse or siltation).

The local situation for the London borough of Lewisham implies that for short duration and medium size storms (of the order of 30mm rainfall depth), only shallow flooding would occur. Deep flooding and widespread damages to property and infrastructure are however anticipated for short duration and large size storms (of the order of 100-150mm) as demonstrated by the Drain London surface water mapping. As the Environment Agency does with fluvial and tidal flooding, LLFAs also need also to be concerned with these large size storms (events similar to the Hull and Gloucester storms in 2007).

The surface water modelling undertaken as part of the Drain London project aims at simulating the above overland flood mechanism by allowing for: a) the limited capacity of the combined drainage system (with no blockages) and b) ground infiltration. The outputs of the modelling provide an understanding of the main overland flow routes and how and where surface water flooding could occur.

The modelling undertaken has however limitations which should be taken into account when interpreting potential surface water flooding (see further modelling details in **Appendix C**). The main limitations are described below:

- a) The combined sewers have not been modelled and therefore any variation in network capacity has not been taken into account (instead some of the rainfall has been removed at a constant rate of 6.5mm/hour everywhere).
- b) The modelled topography of the ground is based on a grid of points at a 5m distance between them and therefore any variations within these have not been modelled.
- c) Obstructions such as railway embankments have been modelled however culvert crossings beneath them (unless clearly seen on OS maps) have not been modelled.

- d) the permeability of the ground has been modelled to a certain extent however only by allowing a limited number of soil categories.
- e) the capacity of watercourses has not been modelled and therefore there is a tendency of building up of surface water along the river floodplain.

The LLFA is responsible for the management of surface water flooding and flooding from highway drainage. Flooding of highway drainage occurs due to the limited capacity of the road drains and can be exacerbated by gully blockages.

Thames Water is responsible for flooding from internal blockages in the surface water drainage system, due to pipe collapse or siltation. The reason for this is that Thames Water is responsible for the maintenance of the underground drainage system.

### **3.4 Ordinary Watercourse Flooding**

None of the flooding from ordinary watercourses was considered sufficiently important to be included as past events in Table 4.1 of the PFRA. The reason behind this is that those ordinary watercourses that had significant flooding issues (named as critical ordinary watercourses at the time) have now become main rivers.

It will be important nevertheless that the London borough identifies and digitises these assets in parallel to the task of populating the risk asset registers.

The LLFA is responsible for ordinary watercourses.

### **3.5 Groundwater Flooding**

Groundwater has been a contributing factor to a number of Lewisham's past flooding. Namely, flooding events in Lewisham Town Centre, Catford, Deptford and Hither Green. These areas all lie within the river corridors of the Ravensbourne and Quaggy and as such are subject to high water tables.

Groundwater may become elevated by a number of means: a) above average rainfall for a number of months in Chalk outcrop areas; b) shorter period of above average rainfall in permeable superficial deposits, c) permeable superficial deposits in hydraulic continuity with high water levels in the river, d) Interruption of groundwater flow paths; and e) cessation of groundwater abstraction causing groundwater rebound.

As part of the Drain London project, modelling has been undertaken and has produced the Increased Potential for Elevated Groundwater Maps. **Figure 3.2.3** shows those areas within the London Borough of Lewisham where there is an increased potential for groundwater to rise sufficiently to interact with the ground surface or be within 2 m of the ground surface.

The map shows those areas considered to have the greatest potential for elevated groundwater. It indicates that elevated groundwater from permeable superficial soils are

located in along the centre of the Borough, surrounding the flood plain of the River Ravensbourne. It also shows elevated ground water from consolidated aquifers in the north western corner of the borough around Deptford.

Groundwater flooding is responsibility of the LLFA.

### 3.6

#### **Sewer Flooding**

The SFRA indicates that there are no records of significant flooding from this source. **Figure D5** in **Appendix D** shows the Thames Water sewer flooding records over the past decade for each postcode.

Sewer flooding has different flood mechanisms in separate and combined drainage systems, as described below.

##### Areas with separate drainage systems

At locations where foul water is separate from the surface drainage system, flooding from this source is unlikely unless there is sewer blockage or due to surface water entering the foul sewers which then results in overflowing the system.

Thames Water is responsible for foul flooding, due to internal blockages or surface water unexpectedly entering the sewers and consequent overflowing of the system. Thames water is responsible for the maintenance of the foul sewer system.

##### Areas with combined sewers

Sewer flooding from the combined sewers can occur even for relatively small return period events (of the order of 1 in 2 years return period) at those locations where sewers are relatively high when compared to their toilet connections at basements. This condition means that even partially full sewers could create backflow into toilets and flood basements. To stop this, Thames Water is investing heavily in providing FLIP devices (non-return valves and pumps) at critical locations throughout London.

Overflows from the combined sewers through gullies and manholes (where their covers are blown due to the internal water pressure) into roads, footpaths, etc, can also occur during large storm events. This type of sewer flooding is partially alleviated via overflow pipes that currently take some of the excess flows from the combined system directly into the River Thames.

The responsibilities for managing the above types of flood mechanisms as a result of the Act are summarised in **Table 3.2** below:

**Table 3.2 – Responsibility for Sewer Overflows**

Type of flooding	Responsibility
Overflows from combined sewer as a result of a rainfall event	LLFA *
Overflows from combined sewer as a result of blockage within the combined sewers	Thames Water

\* The PFRA guidance confirms that if flooding of a sewer is originated from a storm event then it falls within LLFA responsibility.

**3.7**

**Other influences**

High water levels in watercourses can result in the backing up of surface water outfalls and potentially result in localised surface water flooding, until river levels recede. The above mechanism of flooding can be exacerbated by higher river levels as a result of partial blockages due to poor watercourse maintenance.

Whilst the Environment Agency and the LLFA are responsible for the management of main rivers and ordinary watercourses respectively, the responsibility for maintaining these watercourses lies with the riparian owners. It will be therefore important to identify the riparian owners for critical assets – those assets which could cause significant flood damages as a result of their failure/blockage during a flood event. The London Borough of Lewisham could be riparian owner of some of these critical assets (culverts, channels, structures, etc) in main rivers and/or ordinary watercourses.

Flooding of basements can be originated from the following flood mechanisms (assuming there is an external low level door entrance to a basement):

- a) direct rainfall accumulating by the basement door entrance and air bricks,
- b) surface runoff which ends overtopping kerbs and/or steps (if any) into a basement entrance,
- c) overflows from the combined sewer system as a result of a rainfall event, which end overtopping kerbs and/or steps (if any) into a basement entrance,
- d) the combined sewer surcharges and backflows through its connection into a basement toilet,
- e) infiltration of water originated from a broken sewer affecting basement walls, a basement entrance and potentially internal flooding,
- f) infiltration of water originated from rainfall ending wetting the basement walls and potentially internal flooding,
- g) a high water table.

The responsibilities for managing the above types of flood mechanisms as a result of the Act are summarised in **Table 3.3** below:

**Table 3.3 – Responsibility of basement flooding**

ID	Type of flood mechanism of basements	Responsibility
a)	Ponding from direct rainfall	LLFA
b)	Surface water overtopping into a basement entrance	LLFA
c)	Overflows from combined sewer overtopping into a basement entrance	LLFA *
d)	Sewer surcharges and backflows into basement toilet	Thames Water
e)	Infiltration of water originated from a broken sewer	Thames Water
f)	Infiltration of water originated from rainfall and wetting of basement walls and potentially result in internal flooding	LLFA (however it is the riparian owner that needs to address this issue, for example by tanking the basement walls)
g)	High water table	LLFA however this is not currently an issue

\* The PFRA guidance confirms that if flooding of a sewer is originated from a storm event then it falls within LLFA responsibility.

### 3.8

#### 3.8.1

### Critical Drainage Areas

#### *General Approach*

A critical drainage area (CDA) is a discrete geographic area and usually a hydrological catchment, where multiple and interlinked sources of flood risk (surface water, groundwater, sewer, main river and/or tidal) cause flooding in one or more Local Flood Risk Zones. Local Flood Risk Zones (LFRZs) are discrete areas/extents of predicted surface water flooding; these are in general shown as dark blue areas of deep flooding in the 1 in 100 year Rainfall Event Flood Depth Map or the dark orange areas in the corresponding Hazard Map (see **Maps 3.2.1a** and **3.2.1b**).

The London Borough of Lewisham has provided information of its priorities in terms of resolving flooding issues in each LFRZ. This information has allowed to better focus this study on the high priority LFRZs. As the prioritisation given is in general in line with the level of confidence that flooding actually occurs, or to the depth an extents shown, at a given location (when compared to modelling outputs), it has been possible to develop the following approach:

Table 3.4 – Critical Drainage Areas and priority Local Flood Risk Zones

LFRZ Priority	Modelling confirmed by flooding occurring at the LFRZ?	Are the modelled flood extents and depths of flooding as expected based on local knowledge and experience?	Approach adopted in this study
Priority 1	Yes	Yes. There is no need for further evidence base prior to undertaking future feasibility studies	Investigate structural and non structural solutions
Priority 2	Yes	No. There is a need for further evidence base (with more accurate recording of new flood events or more detailed site specific modelling) prior to undertaking future feasibility studies	Investigate non structural solutions only
Priority 3	No	No. There is a need for further evidence base to demonstrate that flooding actually occurs at that location	Investigate policy driven non structural solutions only

Structural solutions are physical measures implemented on the ground by the LLFA and/or its partners. Non structural solutions are for example policies (which may result in physical measures implemented by others), improved flood warning, better maintenance regimes, promotion of flood awareness and social change.

As a result of the risk based approach adopted in **Table 3.4**, The CDAs that relate to LFRZs with priorities 2 and 3 are identified as policy areas, where a range of non structural measures are recommended (see **Chapter 4.3.6**). An initial assessment of structural and non structural options was nevertheless undertaken also for priority 2 and 3 areas (see **Appendix E**) and the purpose was to provide the London borough with relevant background information, should further evidence in the future suggests the need to also investigate structural solutions at these locations.

The critical drainage areas identified for the borough and the priority 1 LFRZs are shown in **Figure 3.1** below (for further details see **Figures 3.8.1-3**):

Figure 3.1 – Critical Drainage Areas and Priority 1 Local Flood Risk Zones

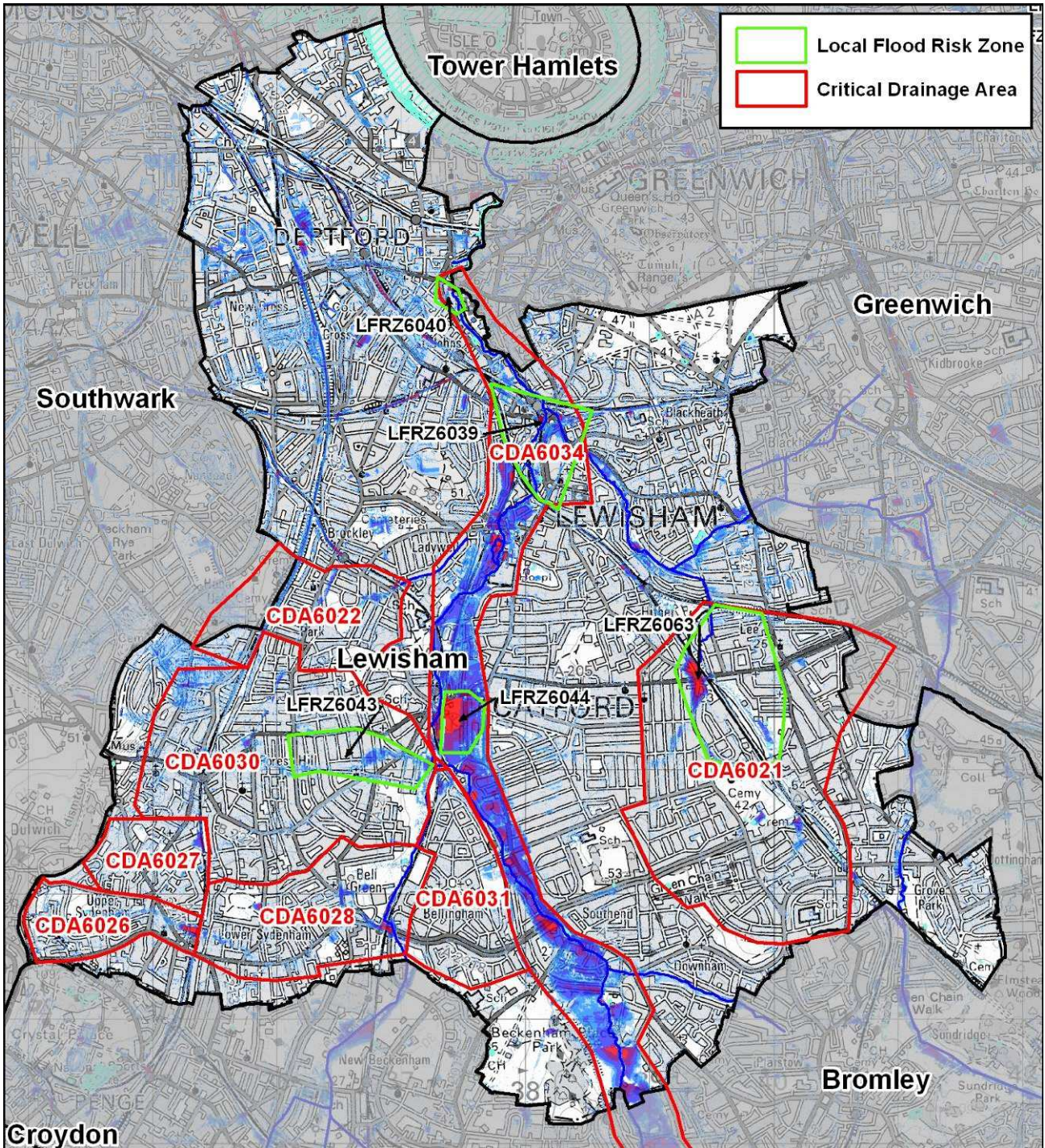


Table 3.5 below shows local flood risk zones that have been identified (verified and not verified) as part of the virtual site visits:



**Table 3.5 – Critical Drainage Areas and Local Flood Risk Zones in the London Borough of Lewisham**

CDA	LFRZ	Site ID	Source of Flooding	LFRZ priority
6026	6036	Upper Sydenham, Kinver Rd	Surface Water	3
6027	6037	Albion Villas	Surface Water	2
6028	6038	Bell Green Sainsbury's	Surface Water	3
6034	6039	Lewisham Town Centre	Surface Water/Fluvial/Groundwater?	1
	6040	Deptford south of A2	Surface Water/Groundwater/Fluvial/Tidal	1
	6044	Catford Bridge, Catford Theatre, Catford Rd	Surface Water/fluvial/Groundwater	1
6022	6042	Upper Honor Oak	Surface Water	3
6030	6043	Carholme Rd	Surface Water	1
6031	6041	Pool Court	Surface Water	2
6021	6063	Hither Green	Fluvial/Surface Water/Groundwater	1

Sections 3.8.2 to 3.8.4 below provide information for priority 1 LFRZ (this information is to be read in conjunction with the 1 in 100 year flood depth **Figures 3.8.1-3**). Chapter 4 provides further information for priority 2 and 3 LFRZ, together with the proposed non structural measures for their corresponding CDAs.

3.8.2

*CDA6034 (LFRZ 6039 - Lewisham Town Centre, LFRZ 6040 – Deptford south of A2 and LFRZ 6044 – Catford)*

These three locations are the subject of major development opportunities and development planning is well advanced. For example an outline application has already gained approval for Lewisham Town Centre.

The surface water model outputs are in general conservative at these locations as when surface runoff accumulates along the Ravensbourne river corridor, the capacity of this watercourse has not been fully included in the modelling work (modelled as ground depressions as opposed to rectangular concrete channels). There are however pathways of overland flooding (for example originated from Eltham road) that converge at Lewisham Town Centre as opposed to being intercepted by the River Ravensbourne or the River Quaggy. The surface water model also indicates overland pathways that contribute to flooding at Deptford and Catford.

The 1 in 100 year flood depth map for this area is shown in **Figure 3.8.1**.

3.8.3

*CDA 6030, LFRZ 6043 – Carbolme Road*

The model results indicate flooding of Carholme Road first, followed by flooding of a number of roads to the east (Blythe Vale, Rathfern Road, Pattenden Road, Catford Hill and Vineyard Close). Beyond this, surface water then reaches main river at the confluence of the rivers Pool and Ravensbourne. For lower return period events regular flooding

occurs at Carholme Road. Thames Water undertook some works along Stanstead Road however it is unlikely that these works have alleviated flooding in the Carholme Road area.

The 1 in 100 year flood depth map for this area is shown in **Figure 3.8.2**.

#### 3.8.4

##### *CDA 6021, LFRZ 6063 – Hither Green*

Surface runoff originates from the south reaches the confluence of the A205 and Springbank Road, at a local depression created by the construction of the railway embankment between Lewisham and Petts Wood. This low depression is drained through: a) a local surface water drainage system that drains northwards towards the River Quaggy and b) through the Hither Green culvert (main river) that also drains northwards and into the River Quaggy. This culvert is connected to the surface water sewers from Springbank Road via a culvert beneath the railway embankment. The entire area is thought to have limited capacity.

Flooding in June 2007 affected Hither Green following a short and intense rainfall event of an approximately magnitude of 30mm. Road flooding was experienced to a depth of 0.5m. The model outputs indicate that flooding could have been significantly deeper with potential risk of life, should a high intensity rainfall event of 100-150mm depth occurred at this location.

The 1 in 100 year flood depth map for this area is shown in **Figure 3.8.3**.

### 3.9

#### **Summary of Risk**

The number of assets at risk of flooding at the priority 1 LFRZ are summarised in the following **Table 3.6** below (similar information for the priority 2 and 3 LFRZ will be provided to the London Borough of Lewisham in spreadsheet format as part of the data handover exercise).

Table 3.6 – Number of assets at risk of surface water flooding for priority 1 LFRZ

CDA6034																		
Local Flood Risk Zone	Infrastructure						Households								Commercial / Industrial			
	Essential		Highly Vulnerable		More Vulnerable		Non-Deprived (All)		Non-Deprived (Basements)		Deprived (All)		Deprived (Basements)		All		Basements Only	
	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep
6039			0	0	4	0	162	73	33	16	97	9	24	6	149	11	63	1
6040			0	0	0	0	4	0	0	0	12	0	0	0	3	1	0	0
6044			1	1	0	0	5	4	0	0	112	55	8	1	26	15	9	3
Total for CDA **	11	0	1	1	4	0	171	77	33	16	221	64	32	7	178	27	72	4
CDA6030																		
Local Flood Risk Zone	Infrastructure						Households								Commercial / Industrial			
	Essential		Highly Vulnerable		More Vulnerable		Non-Deprived (All)		Non-Deprived (Basements)		Deprived (All)		Deprived (Basements)		All		Basements Only	
	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep
6043	3	1	0	0	1	0	430	0	80	0	266	3	40	0	42	1	1	0
Total for CDA **	3	1	0	0	1	0	430	0	80	0	266	3	40	0	42	1	1	0
CDA6021																		
Local Flood Risk Zone	Infrastructure						Households								Commercial / Industrial			
	Essential		Highly Vulnerable		More Vulnerable		Non-Deprived (All)		Non-Deprived (Basements)		Deprived (All)		Deprived (Basements)		All		Basements Only	
	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep	All	> 0.5m Deep
6063	11	1	1	1	1	0	811	122	81	16	0	0	0	0	76	28	4	4
Total for CDA **	11	1	1	1	1	1	811	122	81	16	0	0	0	0	76	28	4	4

\*\* The total number of properties at risk of surface water flooding for this CDA is the addition of the number of properties of its Priority 1 Local Flood Risk Zones identified in this table.

## 4.0 Phase 3 – Options

### 4.1 Objectives

The purpose of Phase 3 is to identify a range of structural and non-structural measures for alleviating flood risk and assess them to eliminate those that are not feasible or cost beneficial. The remaining options are then developed and tested against their relative effectiveness, benefits and costs. The target level of flood protection has been set at 1 in 75 years to align solutions with the likely level of insurance cover available to the general public.

To maintain continuity within the report and to reflect the flooding mechanisms within the borough the option identification has taken place on an area-by-area (site-by-site) basis following the process established in Phase 2. Therefore, the options assessment undertaken as part of the SWMP assesses and short-lists the measures for each CDA and identifies any non-standard measures available.

Phase 3 delivers a high level option assessment for each of the Critical Drainage Areas (CDAs) identified in Phase 2. No monetised damages have been calculated and flood mitigation costs have been determined using engineering judgement, but have not undergone detailed analysis. Costs should be treated at an order of magnitude level of accuracy. The options assessment presented here follows that described in the Defra SWMP Guidance but is focussed on highlighting areas for further detailed analysis and immediate ‘quick win’ actions. Further detailed analysis may occur for high priority Critical Drainage Areas as defined by the Prioritisation Matrix the next Tier (Tier 3) of the Drain London project.

### 4.2 Measures

The range of measures that have been considered to be appropriate for the borough are summarised in the following **Table 4.1**:

**Table 4.1 – Source, Pathway and Receptor Options Available**

Source	Pathway	Receptor
Green Roofs	Increased capacity in drainage systems	Improved weather warning
Soakaways	Separation of foul and surface water sewers	Planning policies to influence development
Swales	Improved maintenance regimes	Temporary or demountable flood defences
Permeable paving	Managing overland flows (in particular sacrificial flooding of car parks, open spaces and other water compatible land uses)	Social change, education and awareness
Rainwater harvesting	Managing overland flows (in particular new pipes through embankments to avoid deep flooding) Land management practices	Improved resilience measures
Detention basins	Managing overland flows (in particular new pipes through embankments to avoid deep flooding)	Improved resistance measures
Ponds and wetlands	Other 'Pathway' measures	Evacuation plans
Partial or full disconnection of roof runoff from sewer system (combined with rainwater harvesting, garden flooding, infiltration or filling of ponds)		Emergency Planning
Green Roofs	Increased capacity in drainage systems	Improved weather warning

### 4.3 Preferred Options

#### 4.3.1 *Introduction for priority 1 LFRZs*

Sections 4.3.3 to 4.3.5 describe the preferred options for priority 1 LFRZs were structural and non structural measures have been investigated in accordance with the range of measures identified in **Table 4.1**.

#### 4.3.2 *Introduction for Policy Areas*

As mentioned in **Section 3.8.1**, the CDAs for priority 2 and 3 LFRZs are investigated as policy areas. An initial assessment of structural and non structural options was nevertheless undertaken (see **Appendix E**), should further evidence in the future in the form of new flood events or more detailed modelling undertaken indicate the need to also investigate structural solutions at these locations.

**Section 4.3.6** describes the preferred non structural options that are common to all policy areas and **Section 4.3.7** provides location specific details of how those common non structural options apply to each policy area.

4.3.3 *CDA6034 (LFRZ 6039 - Lewisham Town Centre, LFRZ 6040 – Deptford south of A2 and LFRZ 6044 – Catford)*

The recommended way forward for the major development proposals is to further investigate the need for flood resilience in new buildings, as part of the detailed planning applications.

In order to assess this potential need for flood resilience (as a mitigation measure against an extreme short intensity rainfall event of the order of 100-150mm rainfall depth), it is recommended that the Thames Water models of the sewers are obtained for Lewisham and also the Environment Agency river model of the Ravensbourne and its tributaries is obtained. The study of the different models and some merging between them will allow a much better estimate of surface water overland pathways, flood extents and flood depths within the new development areas.

Flood resilience will in general only cover the first 0.5m height of buildings in terms of type of materials used, etc. These measures are therefore relatively inexpensive to achieve and will ensure that the best practice recommendations of the companion guide of PPS25 are fully taken into account.

4.3.4 *CDA 6030, LFRZ 6043 – Carholme Road*

The preferred option is to connect the surface water system in the Carholme Road area to the deep sewer along Stanstead Road. There should be sufficient capacity in this sewer to receive additional flows from the Carholme Road area. There may also be a need for increasing the capacity locally in the Carholme Road area. The estimated indicative capital cost for these works is £300,000.

Due to shortages in resources, the London Borough of Lewisham will be working in partnership with the other Group 6 LLFA and Thames Water to deliver these works in year four or five of the SWMP action plan.

4.3.5 *CDA 6021, LFRZ 6063 – Hither Green*

The preferred solution for Hither Green is a combination of provision of storage and increasing the capacity of the local system. If no storage was provided at the same time, it is likely that flood risk will increase downstream. This solution is however complex and relatively expensive as there is a lack of storage availability in the area.

It will be important therefore to undertake a detailed study at this location in partnership with the Environment Agency and Thames water. To achieve this, it is recommended to obtain the Thames Water models of the sewers relevant to this location and the Environment Agency Quaggy model which includes the Hither Green culvert. The costs associated to this solution are of the order of £450,000.

The A205 is an important road and therefore emergency planning needs to take account of a possible future closure of this road as a result of flooding.

Due to shortages in resources, the London Borough of Lewisham will be working in partnership with the other Group 6 LLFA and Thames Water to deliver these works in year four or five of the SWMP action plan.

#### 4.3.6

##### *Common Preferred Non Structural Measures to all Policy Areas*

Common non structural measures are proposed for all policy areas (defined in this case as CDAs where non structural measures are proposed). Location specific requirements on the application of these measures are however also taken into consideration (see **Table 4.2** below).

The planning policy measures in particular should be controlled by requesting that developers produce Flood Risk Assessments (FRAs) if the development falls within the policy area and it is of a certain size. Currently PPS25 requires that FRAs are undertaken for any size of development larger than 1ha. This size threshold could be reduced when a development falls within a policy area and/or a LFRZ.

The common non structural measures proposed within the policy areas are:

- 1) New developments of a certain size to achieve greenfield runoff. For smaller size developments the standard policies of the Major of London apply.
- 2) New extensions to have green roofs or to have a rainfall harvesting method in place for irrigation or flushing toilets.
- 3) Driveways to use permeable paving (for existing and new developments).
- 4) Public awareness (the method to be adopted is at the discretion of the London Borough of Greenwich) at policy area level.

The common non structural measures proposed within the LFRZ are:

- 5) Finished floor level for new properties to be at least 0.3m above the surrounding ground levels.
- 6) Flood resilience measures for new buildings up to 0.3m height above finished floor level.
- 7) Emergency planning needs to investigate the impacts of a temporary closure of roads and consider alternative routes.

- 8) Public awareness a LFRZ level could be beneficial to show affected or potentially affected residents, the range of flood resilient and flood resistance measures available (the method to be adopted is at the discretion of the London Borough of Lewisham).
- 9) Adopt a risk based approach to maintenance (likely to end in an increased maintenance regime within all LFRZ).

It is important that the London Borough of Lewisham considers to also adopt some or all the non structural measures for the CDAs that are not policy areas. For example, such approach will be ideal to mitigate against the effects of climate change.

The proposed timeframe for confirming the non structural solutions in the policy areas (and the CDAs) has been set to year 1 of the action plan.

#### 4.3.7

#### *Location Specific Requirements for the Policy Areas*

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Table 4.2 - Policy areas and preferred non structural measures

CDA	LFRZ	Site ID	Source-Pathway-Receptor Comment	Location Specific requirements (non structural measures 1 to 8 apply to all policy areas and/or their LFRZs).
6026	6036	Upper Sydenham, Kinver Rd	Overland flow down steep gradient. Surface water pools against the railway.	Common measure 9 (maintenance) Adopt a risk based approach to maintenance. Investigate status of railway culvert.
6027	6037	Albion Villas	Overland flow down steep gradient. Surface water pools against the railway.	Common measure 8 (resilience) Public awareness a LFRZ level could be beneficial to show affected or potentially affected residents, the range of flood resilient and flood resistance measures available.
6028	6038	Bell Green Sainsbury's	Interactions with fluvial flooding. Modelling shows surface water runs down towards river corridor.	Further study and modelling required to better understand potential risks in this location.
6022	6042	Upper Honor Oak	Connections to Ladywell Stream.	Common measure 6 (flood resilience): New buildings to be flood resilient to up to 1m height at this location (as opposed to the standard 0.3m).
6031	6041	Pool Court	Manholes surcharging. Highway flooding. Natural dip. Requires more effective drainage. It seems that TW sewer connects directly to river and another goes underneath.	Common measure 6 (flood resilience): New buildings to be flood resilient to up to 1m height at this location (as opposed to the standard 0.3m). Further investigation required into options for this area.

4.4 Preferred Options Summary

Table 4.3 – Preferred options

CDA ID	Scheme Location	Scheme Category	Infrastructure						Households				Commercial / Industrial		Capital Cost Band
			Essential		Highly Vulnerable		More Vulnerable		Non-Deprived (All)		Deprived (All)		All		
			Eliminated (%)	Mitigated (%)	Eliminated (%)	Mitigated (%)	Eliminated (%)	Mitigated (%)	Eliminated (%)	Mitigated (%)	Eliminated (%)	Mitigated (%)	Eliminated (%)	Mitigated (%)	
6021	Hither Green	De-culvert / Increase conveyance	20	0	0	0	0	0	10	10	10	10	10	10	251k - 500k
6030	Carholme Road	De-culvert / Increase conveyance	30	100	0	0	100	100	50	50	50	50	50	50	251k - 500k
6034	Lewisham Town Centre, Catford, Deptford South	Preferential / Designated Overland flow routes	10	10	0	0	0	0	20	20	20	20	20	20	501k - 1m

**4.5****Option Prioritisation**

The Prioritisation Matrix was developed out of the need for a robust, simple and transparent methodology to prioritise the allocation of funding for surface water management schemes across the 33 London Boroughs by the Drain London Programme Board. As such, the prioritisation should be understood in the high-level decision-making context it was designed for. It is not intended to constitute a detailed cost-benefit analysis of individual surface water flood alleviation schemes.

No options have been identified that are likely to be of sufficiently high prioritisation score that could be readily funded by Tier 3 studies at this stage.

## 5.0 Phase 4 – Implementation and Review

### 5.1 Action Plan

An action plan has been developed in consultation with the London Borough of Greenwich separately and as part of a Group 6 workshop, which has been useful in identifying common tasks between LLFAs.

The action plan is subdivided in generic actions, investigation/feasibility/design and flood mitigation actions.

The generic actions are management tasks that the LLFA needs to undertake to fulfil its obligations as an LLFA. The flood mitigation actions relate to the actual implementation of investigations/feasibility studies/designs.

The generic actions have been grouped as follows:

- Communications/Partnerships
- Flood and Water Management Act / Flood Risk Regulations
- Financial/Resourcing/Capacity Building
- Policy Action

**Table 5.1** below provides a summary of the action plan. The complete Action Plan is given in **Appendix I**.

Table 5.1 – Summary of Action Plan

Action Type	ID	Action		Priority Ranking*	Timing	
		What?	How?		Timeframe	Approx. Duration
Communications and Partnership	1	Ensure that action plan is sponsored and driven at director level as the plan involves many functions within the LLFA. Borough Lead to coordinate actions.	Follow it on from meeting with Regeneration Director on 7th April	High	Short	1 week
	2	Internal (politicians, press office, engineers and emergency planning for evacuation plan and asset register) and external (with community groups, EA, water company, TfL, Network Rail, Blue Light Services and London Underground)	Follow from initial work on 22nd March workshop	Medium	Medium	1 week
	3	Develop a robust communication plan (ideally as a group of LLFA).	Work with planning team to focus on development areas	Medium	Medium	1 week
	4	Develop a public awareness plan and engage political stakeholders.	Focused on development areas	Medium	Medium	2 weeks
	5	Identify schemes that will benefit more than one stakeholder, in particular with TWUL.	Focused on development areas	Medium	Medium	2 weeks
	6	Obtain models from TWUL for feasibility and detailed studies.	Focused on development areas	Medium	Medium	2 weeks

### 5.0 Phase 4 – Implementation and Review

Action Type	ID	Action		Priority Ranking*	Timing	
		What?	How?		Timeframe	Approx. Duration
Flood and Water Management Act / Flood Risk Regulations	7	The LLFA has a duty to maintain a local flood risk asset register, including ownership and state of repair. Prioritise work in areas of known flood risk (include overland assets).	Use template provided by DEFRA	Medium	Medium	Ongoing
	8	When required, the LLFA can request relevant information from anyone (partners, stakeholders, flood risk partnerships, the water company, the public, etc).	Triggered by the next flood event	Medium	Medium	1 week
	9	If outside, the LLFA must investigate: a) which risk management authorities have relevant flood risk management functions, and b) whether each of those functions has exercised, or is proposing to exercise, those functions in response to a flood.	Triggered by the next flood event	Medium	Medium	1 week
	10	LLFA to demonstrate that is acting on its duties by developing and maintaining a quality plan (for scrutiny by regional flood risk management authorities)	Regularly maintain and improve/update this Action Plan	Medium	Medium	2 weeks
	11	Identify which functions and who in the LLFA will undertake this role (need also budgeting and resource identification).	Follow Bexley or Southwark lead	Medium	Medium	2 weeks

### 5.0 Phase 4 – Implementation and Review

Action Type	ID	Action		Priority Ranking*	Timing	
		What?	How?		Timeframe	Approx. Duration
Financial/Resourcing/Capacity Building	12	Delivery of the local Flood Risk Management Strategy through the LDF	Initially focus on development areas	Medium	Medium	12 weeks
	13	Council member's approval of PFRA.	Ensure that this takes place prior to the submission on 22nd of June	Medium	Medium	1 week
	14	Ideally the tool should automatically update data from Thames Water and other stakeholders and also collect data from the public.	Arrange a presentation from consultant	Medium	Medium	ongoing
	15	Work with the Environment Agency and other partners to identify all funding streams and produce a funding and partnership strategy.	Identify funding streams in relation to planning development and river restoration works.	Medium	Medium	1 week
	16	Ensure that current Defra funding allocated to each LLFA is not used elsewhere (not ring fenced).	Use letter from GLA to Chief Executive to follow it up with finance	High	Short	1 week
	17	For example, other functions within the LLFA could benefit from local flood risk and SUDS schemes.	Focused on development funding	Medium	Medium	1 week

### 5.0 Phase 4 – Implementation and Review

Action Type	ID	Action		Priority Ranking*	Timing	
		What?	How?		Timeframe	Approx. Duration
Policy Action	18	Champions to ensure that knowledge from Defra workshops and training material is shared within LLFA. Ensure that best practice is shared between Group 6 boroughs.	From capacitation workshops, etc	Medium	Medium	1 week
	19	Identify the time that needs to be allocated to each resource to ensure that the LLFA complies with the regulations and the Act.	Develop resource needs based on this action plan	Medium	Medium	1 week
	20	This can be within the LLFA or shared with an adjoining LLFA. Consider support from the EA via secondments.	Consider joint working with other Group 6 LLFA	Medium	Medium	1 week
	21	LLFA to review policies as a result of the SWMP	As a result of SWMP and PFRA	Medium	Medium	1 week
	22	Policy suggestion: Developers to build flood resilient basements and/or storage to avoid internal flooding	As a result of SWMP and PFRA	Medium	Medium	3 weeks
	23	Generic policy for building on surface water pathways?	As a result of SWMP and PFRA	Medium	Medium	1 week

### 5.0 Phase 4 – Implementation and Review

Action Type	ID	Action		Priority Ranking*	Timing	
		What?	How?		Timeframe	Approx. Duration
	24	Before undertaking repairs to the basements, support property owners with grants to make their basements more flood resilient	As a result of SWMP and PFRA	Medium	Medium	1 week
	25	This will allow to reduce mains water use combined with storing water for flushing toilets (SUDS measure)	As a result of SWMP and PFRA	Medium	Medium	1 week
	26	Policy suggestion: New developments (either all or at least those with more than 20 dwellings) in Critical Drainage Areas to reduce runoff to predevelopment greenfield runoff rates. Section 106 arrangements to contribute towards schemes promoted within the CDA?	As a result of SWMP and PFRA	Medium	Medium	2 weeks



### 5.0 Phase 4 – Implementation and Review

Action Type	ID	Action		Priority Ranking*	Timing	
		What?	How?		Timeframe	Approx. Duration
Investigation / Feasibility / Design	27	Use SWMP mapped outputs to require developers to demonstrate compliance with PPS 25 by ensuring development will remain safe and will not increase risk to others, where necessary supported by more detailed integrated hydraulic modelling. Identify specific requirements (such as flood resilience measures and finished floor level heights above surrounding ground levels).	As a result of SWMP and PFRA	Medium	Medium	2 weeks
	28	Produce a drawing showing colour highlights for different priority areas, in particular within Local Flood Zones. Identify what is critical and not.	Mark this on a map	Medium	Medium	2 weeks
	29	Understand what is critical and not.	Meeting with TWUL as a Group 6 of LLFA	Medium	Medium	1 week
	30	Work closely with the Green Grid projects to maximise benefits for reducing local flood risk.	Arrange a meeting with the project manager	Medium	Medium	1 week

### 5.0 Phase 4 – Implementation and Review

Action Type	ID	Action		Priority Ranking*	Timing	
		What?	How?		Timeframe	Approx. Duration
	31	This applies both to regular maintenance and emergency maintenance prior to heavy storms.	Produce a technical note	Medium	Medium	3 weeks
	32	This will involve key transport providers such as TfL and Network Rail, as appropriate.	Review SWMP	Medium	Medium	2 weeks
	33	Use the Drain London modelling outputs or undertake further studies on critical structure where the impact would be the greatest.	Review SWMP	Medium	Medium	1 week
	34	Develop approach/tool to understand cumulative effects of combined measures within a critical drainage area.	Identify pilot study	Low	Long	8 weeks
	35	Lewisham Town Centre - Detailed surface water modelling	Convert TWUL models to 2d	High	Short	12 weeks
	36	Catford Development Area - Detailed surface water modelling	Convert TWUL models to 2d	High	Short	12 weeks
	37	Deptford South of A2 - Detailed surface water modelling	Convert TWUL models to 2d	High	Short	12 weeks

## 5.0 Phase 4 – Implementation and Review

Action Type	ID	Action		Priority Ranking*	Timing	
		What?	How?		Timeframe	Approx. Duration
	38	Carholme Road - Feasibility study	Identify preferred option and submit for DEFRA grant funding	High	Medium	10 weeks
	39	Hither Green - Feasibility study	As above	High	Long	10 weeks

## 5.2 Implementation Programme

The implementation programme showing actions, responsibilities and timeframes is shown in **Figure 5.1**.

### Figure 5.1 – Implementation Programme

<Insert .mpp for final PDF version>

## 5.3 Review Timeframe and Responsibilities

The actions within the action plan fall into short, medium and long term categories. The short term actions have been identified as urgent and will be reviewed within two months of implementation. Medium term actions will be reviewed at the end of the financial year and Long term actions, with lower priority, will be reviewed beyond the first year.

Immediate actions from the Act (required by Defra from April 2011) include (actions 7-12):

- Maintain a local flood risk asset register
- Use its power to request relevant information to exercise its functions
- Investigate and report how a flood event is managed (within and/or outside the LLFA)
- Produce quality plan (to demonstrate that LLFA is implementing its duties)
- Plan for next year SUDS Approving Body (SAB) role
- Delivery of local Flood Risk Management Strategy through the LDF

The London Borough of Lewisham have already made good progress with some of the identified actions. The Borough's progress is summarised in **Table 5.2**.

**Table 5.2 – Summary of Action Plan Progress**

<b>Action ID</b>	<b>Task</b>	<b>Progress</b>
1	Identify and engage director lead and director partners and top level political support	50%
2	Prepare stakeholder mapping	90%
3	Prepare communication Plan	0%
4	Develop public awareness plan	0%
5	Promote integrated schemes to demonstrate joint working where this is best to do so	0%
6	Obtain models from TWUL for relevant locations	0%
7	Maintain a local flood risk asset register	0%
8	Use its power to request relevant information to exercise its functions	0%
9	Investigate and report how a flood event is managed (within and/or outside the LLFA)	0%
10	Produce quality plan (to demonstrate that LLFA is implementing its duties)	0%
11	Plan for next year SUDS Approving Body (SAB) role	30%
12	Delivery the local Flood Risk Management Strategy through the LDF	0%
	LLFA to confirm PFRA process and to arrange for internal sign-off	50%
	LLFA reviews PFRA report	50%
13	Council Approval of PFRA	0%
	LLFA submits PFRA to EA	0%
14	Flood incident log (Use Drain London format or develop a standard format for the group of LLFA)	0%
15	Develop funding strategy including allocation of budget	0%
16	Secure current funding (need buy-in from finance)	50%
17	Seek for internal and external contributions	0%
18	Sharing knowledge	0%
19	Resource availability requirements	0%
20	Identify resources	0%
21	Update borough wide policies	0%
22	Generic policies for new or change of land use in basements?	0%
23	Generic policy for building on surface water pathways?	0%
24	Generic policy for recently flooded basements?	0%
25	Generic policy to use rainfall harvesting in new developments?	0%
26	Policies in individual Critical Drainage Areas	0%
27	Policies in Local Flood Zones (locations susceptible to flooding)	0%
28	Identify priority maintenance areas	0%
29	Understand how the water company undertakes maintenance	0%
30	Identify multiple benefits with Green Grid projects	50%

<b>Action ID</b>	<b>Task</b>	<b>Progress</b>
31	Adopt a risk based maintenance regime approach	0%
32	Review the Multi-Agency Flood Plan in the context of the SWMP outputs	0%
33	Further assessment of critical infrastructure, including underpasses	0%
34	Investigate and promote source control measures	0%
	Develop schemes (studies). Engage water company for detailed modelling for Lewisham and Deptford Generation areas and the floodplain area.	20%

**5.4 Ongoing Monitoring**

The partnership arrangements established as part of the SWMP process (e.g., LB of Lewisham, the Environment Agency and TWUL working in collaboration) should continue beyond the completion of the SWMP in order to discuss the implementation of the proposed actions, review opportunities for operational efficiency and to review any legislative changes.

The SWMP Action Plan should be reviewed and updated once every six years as a minimum, but there may be circumstances which might trigger a review and/or an update of the action plan in the interim, for example:

- Occurrence of a surface water flood event;
- Additional data or modelling becoming available, which may alter the understanding of risk within the study area;
- Outcome of investment decisions by partners is different to the preferred option, which may require a revision to the action plan, and;
- Additional (major) development or other changes in the catchment which may affect the surface water flood risk.



## 6.0 References

### 6.1 Insert references using the Harvard system (author, date)

XXXXXXXXXXXXXXXXXXXXXXXXXXXX



## Appendix A – Data Review

Detailed index of all data used to develop SWMP (Adapted from Metadata Forms)





## Appendix B – Asset Register Recommendation

Copy of Asset Register Assessment and resulting recommendation

## Appendix C – Risk Assessment Technical Details

### C1 – Surface Water Modelling

- Details of model build process
- Ensure the difference between model boundaries and LB boundaries is highlighted along with Technical justification.
- Include sufficient detail for model and outputs to be used by a third party.
- Avoid duplication of content from Data and Modelling Framework where possible.
- Include Standard text as supplied in Appendix F.

### C2 – Groundwater

Summary of local checks and modifications made to London wide dataset. Please refer to Annex C of the Preliminary Assessment Spreadsheet which has been supplied alongside this report.



## Appendix D – Maps

Index page at start

All remaining maps specified in Data and Modelling Framework (Appendix H)

## Appendix E – Options Assessment Details

### E1 – CDA1

- One sub section per CDA
- Each sub section should contain a summary of all options considered and justification for not developing further.
- Tabular form is suggested.

### E2 – CDA2



## Appendix F – Peer Review

Peer review report and subsequent actions completed.



## Appendix G – Spatial Planner Information Pack

Developed in consultation with LB Representative to ensure effective knowledge transfer to Spatial Planning team within Borough.



## Appendix H – Resilience Forum and Emergency Planner Information Pack

Developed in consultation with LB Representative to ensure effective knowledge transfer to local Resilience Forum and Civil Contingencies team within Borough.



## Appendix I – Action Plan



# Agenda Item 8

Mayor And Cabinet			
<b>Report Title</b>	Comments of the Children and Young People Select Committee on the Implementation of the Strengthening Specialist Provision Programme		
<b>Key Decision</b>	No	<b>Item No.</b>	8
<b>Ward</b>	All		
<b>Contributors</b>	Children and Young People Select Committee		
<b>Class</b>	Part 1	<b>Date</b>	22 June 2011

## 1. Summary

- 1.1 This report informs the Mayor and Cabinet of the comments and views of the Children and Young People Select Committee, arising from discussions held on the officer report "Monitoring the Implementation of the Strengthening Specialist Provision Programme- ASD Provision and the new ASD school" considered at their meeting on 25 May 2011.

## 2. Recommendation

- 2.1 The Mayor is recommended to note the views of the Children and Young People Select Committee as set out in section three of the report and ask the Executive Director for Children and Young People to prepare a response for consideration at the September 14 Mayor & Cabinet meeting..

## 3. CYP Committee Views

- 3.1 On 27 March, the Children and Young People Select Committee considered a report outlining the progress of the Strengthening Specialist Provision Programme since its initial implementation in 2007. On 25 May, the Committee considered a second report outlining further detail in relation to the supply of ASD places and possible options being explored for the use of the Meadowgate School site.
- 3.2 The Children and Young People Select Committee would like to make the following comments:
- 1) The Committee would like an assurance that it will be given adequate opportunity to carry out pre-decision scrutiny of the report to be provided to the Mayor (provisionally in July), outlining proposals for the future use of the Meadowgate School site.
  - 2) In the context of broader capacity and places planning issues in relation to the new ASD school (including those pupils with other primary SEN needs transferring to the new school from Pendragon and the existing Meadowgate school), and in recognition of the potential financial costs of adapting the Meadowgate site; the Committee has reservations about the proposed delegation of decisions regarding which pupils to accommodate at the Meadowgate site being devolved to the executive head teacher.

- 3) The Committee notes that there is a duty on the authority to secure appropriate post 16 education for all those young people with SEN that require it, for three years rather than the two required in mainstream provision. With that, and the current pupil numbers in mind, the Committee feels that a provision of 10 places (from Easter 2013) at the new ASD school may not be sufficient, and the Committee would seek further reassurance that there is the capacity to secure appropriate post 16 provision for all young people with SEN that request it.
- 4) The Committee notes a concern about the broader capacity of the Strengthening Specialist Provision programme to provide sufficient SEN places, due to the projections of need for 2015-16 already having been exceeded in 2011-12. (See tables from the report to M&C in October 2007 and the most recent report to CYP Select Committee attached).
- 5) The Committee wishes to note that although the single biggest group of “primary need” is ASD, that need makes up only a third of all children with SEN – there are twice as many children again with SEN who have other primary needs that also need to be met.

#### **4. Financial Implications**

- 4.1 There are no financial implications arising out of this report per se, although the financial implications of accepting the Committee’s recommendations will need to be considered.

#### **5. Legal Implications**

- 5.1 The Constitution provides for Select Committees to refer reports to the Mayor and Cabinet, who are obliged to consider the report and the proposed response from the relevant Executive Director; and report back to the Committee within two months (not including recess).

### **BACKGROUND PAPERS**

Strengthening Specialist Provision Programme – Officer Report to Children and Young People Select Committee (27.03.11)

Monitoring Implementation of the Strengthening Specialist Provision Programme: ASD Provision and the new ASD School - Officer Report to Children and Young People Select Committee (25.05.11)

Strengthening Specialist Provision for Children with Special Educational Needs – Officer Report to Mayor and Cabinet (03.10.07)

If you have any queries on this report, please contact Salena Mulhere, Scrutiny Manager (0208 3143380), or Kevin Flaherty, Head of Business & Committee (0208 3149327).

Tables from section 7.4 in Strengthening Specialist Provision for Children with Special Educational Needs – Officer Report to Mayor and Cabinet (03.10.07)

**2015-16 projections of pupils with high level needs**

Primary Need	3-11	11-16	16-19	Total
Autistic Spectrum Disorder	149	140	27	316
Behavioural, Emotional and Social Difficulties	20	57	21	98
Hearing Impairment	10	21	3	35
Moderate Learning Difficulties	26	38	12	76
Multi-Sensory Impairment	0	1	0	1
Physical Disabilities	30	26	5	61
Profound and Multiple Learning Difficulties	21	8	5	34
Speech, Language and Communication Needs	23	40	10	73
Severe Learning Difficulties	61	61	58	180
Specific Learning Difficulties	4	15	7	26
Visual Impairment	9	9	2	20
<b>Total</b>	<b>353</b>	<b>416</b>	<b>150</b>	<b>919</b>

Table taken from section 5.1 of “Monitoring Implementation of the Strengthening Specialist Provision Programme: ASD Provision and the new ASD School” - Officer Report to Children and Young People Select Committee (25.05.11)

The table below shows the breakdown of primary SEN need amongst all 0-19 year olds residents with a statement as of January 2011.

Primary need	Total	% of total
Autistic Spectrum Disorder (ASD)	454	33.9%
Speech, Language and Communication Needs (SLCN)	258	19.2%
Cognitive Learning Difficulties (CLD)	122	9.1%
Behaviour, Emotional and Social Difficulty (BESD)	103	7.7%
Severe Learning Difficulty (SLD)	101	7.5%
Specific Learning Difficulty (SpLD)	92	6.9%
Physical Disability (PD)	69	5.1%
Hearing Impairment (HI)	56	4.2%
Attention Deficit Hyperactive Disorder (ADHD)	29	2.2%
Visual Impairment (VI)	26	1.9%
Profound Multiple Learning Difficulty (PMLD)	18	1.3%
Multiple Sensory Impairment (MSI)	11	0.8%
Other	2	0.1%
<b>Total</b>	<b>1341</b>	<b>100%</b>

# Agenda Item 9

<b>Chief Officer Confirmation of Report Submission</b>	
<b>Cabinet Member Confirmation of Briefing</b>	
<b>Report for: Mayor</b>	<input type="checkbox"/>
<b>Mayor and Cabinet</b>	<input checked="" type="checkbox"/>
<b>Mayor and Cabinet (Contracts)</b>	<input type="checkbox"/>
<b>Executive Director</b>	<input type="checkbox"/>
<b>Information</b>	<input type="checkbox"/>
<b>Part 1</b>	<input type="checkbox"/>
<b>Part 2</b>	<input type="checkbox"/>
<b>Key Decision</b>	<input checked="" type="checkbox"/>

<b>Date of Meeting</b>	22 June 2011	
<b>Title of Report</b>	Strengthening Specialist Provision – Deptford Park Primary School ASD Resource Base Determination	
<b>Originator of Report</b>	Kerry Hookway	<b>Ext.</b> 48482

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
<b>Financial Comments from Exec Director for Resources</b>	X	
<b>Legal Comments from the Head of Law</b>	X	
<b>Crime &amp; Disorder Implications</b>	X	
<b>Environmental Implications</b>	X	
<b>Equality Implications/Impact Assessment (as appropriate)</b>	X	
<b>Confirmed Adherence to Budget &amp; Policy Framework</b>	X	
<b>Risk Assessment Comments (as appropriate)</b>		X
<b>Reason for Urgency (as appropriate)</b>		X

Signed:  Executive Member

Date: 7.06.11.

Signed:  Executive Director

Date 13.6.11.

### Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	

<b>MAYOR AND CABINET</b>		
<b>Report Title</b>	Strengthening Specialist Provision – Deptford Park Primary School ASD Resource Base Determination	
<b>Key Decision</b>	Yes	<b>Item No.</b>
<b>Ward</b>	All	
<b>Contributors</b>	Executive Director of Children and Young People Executive Director of Resources Head of Law Head of Access and Support Services Head of Resources (CYP)	
<b>Class</b>		<b>Date:</b> 22/06/2011

## **1. Purpose of report**

- 1.1 This report outlines for the Mayor the outcome to the statutory representation period for the development of an Autistic Spectrum Disorder (ASD) resource base at Deptford Park Primary School. The Mayor's agreement is sought for the establishment of the resource base on 1 January 2012.

## **2. Recommendations**

That the Mayor:

- 2.1 Notes the outcome of the statutory representation period;
- 2.2 Agrees to the establishment of Deptford Park Primary School ASD resource base, with an opening date of 1 January 2012.

## **3. Background**

- 3.1 On 3 October 2007 the Mayor received a report on the public consultation for the Lewisham programme 'Strengthening Specialist Provision' (SSP). This identified a range of proposals aimed at improving the educational experience of pupils with Special Educational Needs (SEN) by increasing opportunities for them to be educated locally and in mainstream schools where possible.
- 3.2 One of the key objectives of the programme was to develop a range of SEN resource bases in mainstream schools. The development of an ASD resource base at Deptford Park Primary School contributes towards this objective.

- 3.3 A review has recently been undertaken of the SSP programme which found that the local authority's policy of developing resource bases in mainstream schools is resulting in positive outcomes for children with special educational needs. In particular, the policy is delivering an enhanced range of local specialist provision, increased opportunities for mainstream inclusion and strengthened support, in particular for children with ASD.
- 3.4 The proposal for Deptford Park Primary School is to develop a resource base with sixteen places for children of primary school age with a statement of SEN and a diagnosis of ASD. The first intake would be in January 2012 for up to four pupils, and the number of places would increase gradually by approximately four places per academic year. A January 2012 opening is planned due to the timescales required for approvals and construction of the resource base.
- 3.5 A report submitted to the Mayor and Cabinet by the Primary Places Programme on 19 January 2011 included details of the proposal to develop a resource base for children with ASD at Deptford Park Primary School and requested approval to begin consultation. This was approved and consultation began on 1 February 2011.
- 3.6 A report submitted to the Mayor and Cabinet on 23 March 2011 advised of the outcomes of the informal consultation and requested agreement to the publication of a change notice to be followed by a period of statutory representation in order to develop the resource base at Deptford Park Primary School. This was approved and the statutory notice was published on 6 April 2011. This marked the beginning of a six week statutory representation period, which ended on 18 May 2011. During this time anyone could comment on or object to the proposal.
- 3.7 This report outlines the outcome to the statutory representation period, and requests the Mayor's agreement to the establishment of the resource base on 1 January 2012.

#### **4. Policy context**

- 4.1 The proposal within this report is consistent with 'Shaping Our Future: Lewisham's Sustainable Community Strategy' and the Council's corporate priorities. In particular, it is related to the Council's priorities regarding young people's achievement and involvement, the protection of children and inspiring efficiency, effectiveness and equity.
- 4.2 Lewisham's Children & Young People's Plan sets out our vision for improving outcomes for all children. It articulates the objective of improving outcomes for children with SEN and disabilities by ensuring that their needs are met.

- 4.3 The Government's recently published SEN Green Paper contains many important elements for the LA to respond to over the coming months and years. Of particular relevance for this report is the focus on ensuring that there is a range of educational settings available to meet the needs of all children with SEN, and that parents are empowered to make choices about which of these is most suitable for their child. The proposal to develop a resource base at Deptford Park Primary is in line with these objectives.

## **5. The statutory representation period**

- 5.1 Following the decision of the Mayor, and in accordance with section 19(1) of the Education and Inspections Act 2006, a statutory notice for the prescribed alteration to Deptford Park Primary School was published on 6 April 2011. Details of how to obtain a full copy of the proposal were also provided.
- 5.4 This was followed by a six week statutory representation period (6 April 2011 to 18 May 2011) during which time anyone could comment on or object to the proposal.
- 5.5 The statutory notice and proposal are included as Appendix 1 and 2.

## **6. Responses to the statutory representation notice**

- 6.1 No comments or objections were received in response to the statutory representation notice.

## **7. Factors to be considered by decision makers making changes to a maintained mainstream school**

- 7.1 These decisions are taken in accordance with the requirements of Part 2 of Schedule 5 to the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 and the Mayor must have regard to the Secretary of State's guidance in reaching a decision on the current proposal. The relevant guidance is provided in Appendix 3 of this report. Before reaching a decision the Mayor must be satisfied that the requirements have been complied with and that regard has been paid to considerations listed.

- 7.2 **Comprehensive information** – *The Mayor must be certain that all the information required is available to make a decision on the proposal.*

All the information, as specified in the Secretary of State's guidance, is contained in this report and the appendices attached.

**7.3 Does the published notice comply with statutory requirements?**

The statutory notice complies with The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended by The School Organisation and Governance (Amendments) (England)) Regulations 2007 and is attached to this report as Appendix 1.

**7.4 Has the statutory consultation been carried out prior to the publication of the notice?** *The Mayor must be satisfied that the consultation meets statutory requirements. If the requirements have not been met, the Mayor may judge the proposals to be invalid and should consider whether he can decide the proposals. Alternatively the Mayor may take into account the sufficiency and quality of the consultation as part of his overall judgement of the proposals as a whole.*

Statutory consultation was planned and delivered in accordance with DCSF guidance, The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended). Full details of the consultation process are contained in the proposal included in this report as Appendix 2. Copies of consultation documents were sent to stakeholders specified in the DCSF statutory guidance. The statutory consultation allowed respondents adequate time in which to respond to the consultation document.

**7.5 Are the proposals related to other published proposals?** *The Mayor must decide the related proposals together.*

There are no related proposals already published.

**7.6 Standards** – *The Mayor must be satisfied that the proposal for a change will contribute to raising local standards of provision, and will lead to improved attainment for children and boost opportunities for young people. He should pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.*

As identified in the Mayor and Cabinet report of 3 October 2007, there is a lack of choice in the borough's educational provision for children with SEN. A range of proposals were identified to improve the educational experience and choice for pupils with SEN. One of the main proposals was the development of SEN resource bases in mainstream schools. The development of an ASD resource base at Deptford Park Primary School will assist in the achievement of this.



The main benefits of resource bases are:

- They encourage a positive understanding of difference in the school community;
- They encourage staff to develop knowledge and best practice in a particular area and to share that with the whole school, including the children;
- They give children with SEN more opportunity to work and develop socially within a mainstream school;
- They increase the range of education provided so that children who need a mixture of specialist provision and mainstream experience can regularly have access to both.

Specialist training in educating and supporting children with ASD will be provided for staff working in the resource base.

- 7.7 **Diversity** – *The Mayor should consider how the proposed changes will contribute to local diversity, in particular the range of schools in the area and how they will impact on the aspirations of parents and help raise local standards and narrow attainment gaps.*

The proposal builds on local experience and nationally recognised good practice of establishing specialist resource bases in mainstream schools. The resource base will provide an alternative to attendance at a separate special school, offering additional choice to parents of children with ASD. Children with ASD will be able to link into the activities and learning of mainstream classes as appropriate.

- 7.8 **‘Every Child Matters’** – *The Mayor should consider how the proposals will help every child and young person achieve their potential in accordance with ‘Every Child Matters’ principles.*

Experience shows that opportunities for children with SEN, to work and develop socially within a mainstream school, can help them stay safe, enjoy their learning, and achieve well. A report by Ofsted found that mainstream schools with specialist resource bases were particularly good at supporting the social, personal and educational needs of children with specific learning difficulties (‘Inclusion: does it matter where pupils are taught?’, Ofsted: 2006). Additionally, children in resource bases can learn about how barriers to their participation in society can be overcome, enhancing their potential for achieving long-term economic well-being in mainstream society. There is also evidence that children without SEN can benefit from having a specialist resource base in their school. All the children will benefit from the extra knowledge and skills gained through the resource base, as well as developing their personal and social skills, and learning about difference and the world around them.

- 7.9 **Equal Opportunity Issues** - *The Mayor should consider whether there are any sex, race, or disability discrimination issues that arise from the changes being proposed. Similarly there needs to be a commitment to provide access to a range of opportunities which reflects the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.*

The proposal in this report supports the achievement of the LA's goals as set out in its Access Plan. It will assist significantly in achieving improved access to the curriculum for children with SEN, and increase their ability to participate in their local community. Equalities are considered in full in section 11.

- 7.10 **Funding for proposal** – *The Mayor should be satisfied that any capital required to implement the proposals will be available.*

Capital funding is available and is detailed in section 8. Revenue funding will come from the DSG, and is also included in section 8.

- 7.11 **Travel and accessibility for all** – *The Mayor should be satisfied that accessibility planning has been properly taken into account.*

The resource base will be fully accessible to all, in line with the LA's long term accessibility strategy. See section 7.12.5 for further details. Specifically designed for children with SEN, the resource base will increase their ability to participate in their local community, as well as potentially reducing the distance they need to travel to school. Transport will be provided where necessary in line with the LA's transport policy. A mini-bus drop off point has been included in the design, reducing the need for individual taxis' in line with the LA's duty to promote the use of sustainable travel and transport to school.

- 7.12 **Specific considerations regarding SEN provision which form the "SEN Improvement Test"**

- 7.12.1 **Parental preference** - *The Mayor should consider whether the proposal take account of parental preferences for particular styles of provision or education settings.*

The 3 October 2007 Mayor and Cabinet report identified a lack of choice in the borough's educational provision for children with SEN, with choice largely restricted to mainstream or special schools. The development of specialist resource bases within mainstream schools will increase parental choice. The largely positive responses received by parents to the consultation for Deptford Park Primary School resource base indicate that parents would appreciate having the option of a specialist resource base within a mainstream setting for their child.

- 7.12.2 **Range of provision** - *The Mayor should consider whether the proposal increases the offer of a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise) and regional and sub-regional provision; out of LA day and residential special provision.*

The new provision, being in a mainstream school, will fit into the LA's collaborative arrangements, increasing opportunities within the school's collaborative group to respond to the individual needs of children. It will also link with other local specialist provision, including therapy and outreach services. As detailed above, specialist resource bases in mainstream schools increase the range of educational provision available for children in Lewisham with SEN.

- 7.12.3 **Consistency with the LA's Children and Young People's Plan** - *The Mayor should consider whether the proposal is in line with the LA's CYP plan.*

The proposal actively contributes to several elements of the CYP plan, including Priority BH6: 'Promote mental and emotional well-being', Priority EA2: 'Close the attainment gap between underachieving groups and their peers', and Priority EA5: 'Meet the needs of pupils with SEN and disabilities'.

- 7.12.4 **Providing a broad and balanced curriculum in a healthy and safe environment** - *The Mayor should consider whether the proposal ensures a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe.*

The resource base will provide a structured learning environment, a modified curriculum, and behaviour support for children with ASD, without being isolated from the rest of the school. Specialist facilities will include a sensory room for curriculum and therapy use and a dedicated outdoor area for replication of the curriculum in an outdoor environment. Depending on their level of need, children in the resource base will also take part in some or all of the activities of the mainstream school, with additional support, and individual or small group work as appropriate.

- 7.12.5 **Supporting the LA's accessibility strategy and promoting equality of opportunity for disabled people** - *The Mayor should consider whether the proposal is in line with the LA's accessibility strategy.*

This proposal reflects the LA's long-term accessibility strategy which was further defined by the overall 'Strengthening Specialist Provision' programme. It will assist significantly in achieving improved access to the curriculum for children with SEN, demonstrably promoting equality of opportunity.

- 7.12.6 **Promoting access to appropriately trained staff** - *The Mayor should consider whether the proposal provides access to appropriately trained staff and access to specialist support and advice.*

Specialist training will be provided for staff at the school in supporting the needs of children with ASD, building on the experience the school already has in working with children with SEN. A training plan is being developed with the school, the Communication and Interaction Team and Therapies Team which will include strands for teachers and support staff across the school to ensure that all the staff are fully supported in their roles. Further in-depth training will be provided for staff working within the resource base itself and support from the Communication and Interaction Team will continue beyond the initial implementation of the resource base.

- 7.13 **Views of interested parties** - *The Mayor should consider the views of all those affected by the proposals or who have an interest in them including statutory objections and comments submitted during the representation period. The Decision Maker should not simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Mayor should give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.*

The statutory consultation was developed and delivered in collaboration with staff and governors at the school, and the proposal is recognised to have their support. Copies of the consultation documents were sent to all stakeholders specified in the DCSF statutory guidance, and respondents were given sufficient time in which to respond to the consultation documents. The outcomes of the consultation were generally positive, and were reported in full to the Mayor and Cabinet on 23 March 2011. Details are included in the proposal in Appendix 2. The statutory representation period was marked with the publication of the statutory change notice, offering the opportunity to request a copy of the full proposal. No comments were received in response to the representation period.

## **8. Financial implications**

- 8.1 The full financial implications of Deptford Park Primary School resource base were reported to the Mayor on 23 March 2011.
- 8.2 A preliminary feasibility study was carried out in August 2010 to confirm the physical possibility of developing a specialist resource at Deptford Park Primary School.

- 8.3 Previous resource bases in Lewisham, i.e. at Perrymount, Tidemill and Athelney Primary Schools, have been developed for an average capital cost of £211k. The estimated capital cost for the resource base at Deptford Park Primary School is £365k. Whilst higher than for previous developments, this estimated cost is considerably lower than some of those provided as part of feasibility studies at alternative sites.
- 8.4 The capital cost of £365k can be met from the resources set aside in the DFE school capital allocations for 2008-11 and 2011/12.
- 8.5 Revenue costs, mainly for staffing and resources will be identified and built into the LA's school funding scheme. Finance will be allocated to the school progressively as the provision is developed. All revenue costs will be met from the Dedicated Schools Grant. The costs for the 2011/12 have been provided for within the DSG.

## **9. Legal implications**

- 9.1 The Human Rights Act 1998 safeguards the rights of children in the borough to educational provision which the local authority is empowered to provide in compliance with its duties under domestic legislation.
- 9.2 Section 14 of the Education Act 1996 places a general duty on local authorities to ensure that there are sufficient schools providing primary and secondary school education, and requires them, in particular, to have regard to the need to ensure that special educational provision is made for pupils with special educational needs. Section 315 of the Education Act 1996 requires local authorities to keep their arrangements for special educational needs provision under review.
- 9.3 Section 9 of the Education Act 1996 places a general duty on local authorities and funding authorities to have regard to the general principle that children are educated in accordance with their parents/ carers' wishes, so far as that is compatible with the provision of efficient education and training, and the avoidance of unreasonable public expenditure.
- 9.4 Section 316(2) of the Education Act 1996 requires that pupils with special educational needs but without a statement are educated in mainstream schools. Section 316(3) requires that pupils with special educational needs and a statement are educated in mainstream schools unless this is incompatible with parental choice or with the provision of efficient education for other children.
- 9.5 Any decision on the proposal to develop a new resource base at Deptford Park Primary School should be taken having regard to the DCSF guidance attached as Appendix 3. In deciding whether to agree the recommendations in this report the Mayor must be satisfied that to do so is a reasonable exercise of his discretion on a consideration of

all relevant matters and disregarding irrelevancies and having regard to all Guidance that he is statutorily required to consider.

- 9.6 Departmental guidance requires that when proposals are developed for reorganising or altering special educational needs provision, local authorities and/or other proposers will need to show how they will improve standards, quality, and/or range of educational provision for children with special educational needs.
- 9.7 Current legislative provision for the establishment, discontinuance, or alteration of schools is contained in sections 7, 15 and 18 of, and Schedule 2 to, the Education and Inspections Act 2006. Those sections stipulate that proposers shall, before publishing statutory proposals, consult such persons as seem appropriate, having regard to any guidance issued by the Secretary of State.
- 9.8 The Education and Inspections Act 2006 gives local authorities the responsibility for determining school reorganisation proposals in the first instance.
- 9.9 The Education and Inspections Act 2006 requires local authorities to consider and respond to parental representations when carrying out their planning duty to make sure that there is sufficient primary and secondary provision and suitable SEN provision in their area.
- 9.10 Once statutory proposals are published there follows a six week statutory period during which representations can be made. Such representations must be sent to the local authority. Section 21 of the Education and Inspections Act 2006 provides for regulations to set out who should decide proposals for any prescribed alterations. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 make detailed provision for the consideration of prescribed alteration proposals. Most decisions will be taken by the local authority with some rights of appeal to the schools adjudicator.
- 9.11 If the local authority fails to decide proposals within two months of the end of the representation period the local authority must forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision within one week of the end of the two month period.

## **10. Crime and disorder**

- 10.1 There are no direct crime and disorder implications arising from this report.

## **11. Equalities**

- 11.1 An Equalities Impact Assessment (EIA) has been completed for the SSP programme.
- 11.2 In common with all aspects of education in Lewisham, close equalities monitoring is undertaken in relation to children with SEN. As the proposal is developed following consultation, the impact on equalities will be actively considered, and highlighted issues responded to.
- 11.3 The proposal in this report supports the achievement of the LA's goals as set out in its Access Plan. It will assist significantly in the improved access to the curriculum for children with disabilities.

## **12. Environmental implications**

- 12.1 There are no direct implications arising from this report, although consideration will be given to the environmental impact of the building works as part of any future tender process used for the project. The design and specification of the resource base will be sympathetic to environmental issues and contractors will be expected to give a statement on their environmental policy.

## **13. Conclusion**

- 13.1 On the basis of all factors outlined in this report including the positive outcome of the consultation, the ability of the LA to support the school both financially and educationally in the development of its resource base and the staff and governors support of the proposal, it is recommended that the Mayor agrees to the establishment of an ASD resource base at Deptford Park Primary School, with an opening date of 1 January 2012.

## **14. Originator**

- 14.1 Kerry Hookway, 3<sup>rd</sup> Floor, Laurence House, 1 Catford Road, SE6 4RU, Tel: 020 83148482, Email: kerry.hookway@lewisham.gov.uk.

## **15. Appendix**

- 15.1 Appendix 1: Deptford Park ASD Resource Base Statutory Notice
- 15.2 Appendix 2: Deptford Park ASD Resource Base Proposal
- 15.3 Appendix 3: DCSF guidance document: 'Factors to be considered by decision makers making changes to a maintained mainstream school'

**16. Background Documentation**

16.1 Deptford Park Resource Base Proposal Document

16.2 M&C Report requesting permission to consult

16.3 M&C Report requesting publication of change notice

16.4 For copies of these documents, please contact Kerry Hookway, 3<sup>rd</sup> Floor, Laurence House, 1 Catford Road, SE6 4RU, Tel: 020 83148482, Email: [kerry.hookway@lewisham.gov.uk](mailto:kerry.hookway@lewisham.gov.uk).



## **Appendix 1: Deptford Park ASD Resource Base Statutory Notice**

### **Statutory Notice for Prescribed Alterations**

#### **Deptford Park Primary School - A new resource base for children with Autistic Spectrum Disorder (ASD).**

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that London Borough of Lewisham intends to make a prescribed alteration to Deptford Park Primary School, Evelyn Street, Deptford, London SE8 5RJ.

The proposed alteration involves the conversion of existing space in Deptford Park Primary School to create a specialist resource base for up to 16 pupils with a statement of Autistic Spectrum Disorder (ASD) to enable them to learn alongside peers within a mainstream setting.

Completion of the building work is planned for November 2011, with the resource base opening in January 2012, for approximately 4 children initially. The number of places will increase gradually each year up to a total of 16.

It is intended that the school will make provision for the following type(s) of special educational needs:

- Autistic Spectrum Disorder (ASD)

A new or additional site is not required.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from Kerry Hookway at the address below.

Within six weeks from the date of publication of this proposal, that is by noon on 18 May 2011, any person may object to or make comments on the proposal by sending them to: Kerry Hookway, Project Manager, Strengthening Specialist Provision, Special Educational Needs, Directorate for Children & Young People, 3rd Floor, Laurence House, Catford, London, SE6 4RU



**Signed: Frankie Sulke**  
**Executive Director for Children & Young People**

**London Borough of Lewisham**  
**Publication date: 6 April 2011**

## Appendix 2: Deptford Park ASD Resource Base Proposal

### Proposal for a Prescribed Alteration

Deptford Park Primary School - A new resource base for children with Autism Spectrum Disorder (ASD).

In respect of an LA Proposal: School and local authority details

1. The name, address and category of the school and a contact address for the local education authority who are publishing the proposals.

**Contact address for the school:**

Deptford Park Primary School  
Evelyn Street  
Deptford  
London  
SE8 5RJ

**Contact address for the local authority:**

Strengthening Specialist Provision  
Directorate for Children & Young People  
3rd Floor, Laurence House  
LONDON  
SE6 4RU

#### Implementation and any proposed stages for implementation

The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

Completion of the building work is planned for November 2011, with the first pupils being admitted to the resource base from January 2012. Approximately 4 pupils will start at the resource base initially, with the number of places increasing gradually each year up to a total of 16. The pupils will be included within the school's standard admission number.

#### Objections and comments

2. A statement explaining the procedure for making representations, including—
- (a) the date by which objections or comments should be sent to the local authority; and
  - (b) the address of the authority to which objections or comments should be sent.

**Objections or comments on the proposals should be sent to:**

Kerry Hookway  
Project Manager  
Strengthening Specialist Provision  
Directorate for Children & Young People  
London Borough of Lewisham  
2nd Floor, Laurence House  
LONDON  
SE6 4RU

**Objections and comments should be received by: Noon on 18 May 2011**

**Alteration description**

3. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

The proposed alteration involves the conversion of existing space at Deptford Park Primary School to create a specialist resource base for up to 16 children with a statement of ASD. The resource base will be for children of any age across the primary-school age range. There is currently no formalised provision for children with ASD at the school.

Completion of the building works is planned for November 2011, with the resource base opening in January 2012, for approximately 4 children initially. The number of places will increase gradually each year up to a total of 16.

The capital work will include the following: the relocation of the existing school kitchen and conversion of the original kitchen space to create two general teaching rooms, storage spaces, a sensory room, a small group room, childrens WCs and an accessible WC; conversion of an existing un-used external area to create a contained play area including 'soft-play' surfacing and a stand-alone canopy, and exterior works to the existing car park to ensure availability of an access point for home to school transport.

**School capacity**

4.—a. Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 or paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, the proposals must also include—

(a) details of the current capacity of the school and where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

Not Applicable

(b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

Not Applicable

(c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

Not Applicable

(d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

Not Applicable

(1) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 to 4, and 7 and 8 of Schedule 2 or paragraphs 1, 2, 8, 18 and 19 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 a statement of the number of pupils at the school at the time of the publication of the proposals.

Not Applicable

### **Implementation**

5. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

Not Applicable

### **Additional Site**

6.—b. A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

A new or additional site is not required.

(1) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

Not Applicable

### Changes in boarding arrangements

7.—c. Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 7 or 14 of Schedule 2 or 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 —

(a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

Not Applicable

(b) the arrangements for safeguarding the welfare of children at the school;

Not Applicable

(c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision;

Not Applicable

(d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

Not Applicable

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 7 or 14 of Schedule 2 or 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 —

(a) the number of pupils for whom boarding provision will be removed if the proposals are approved;

Not Applicable

(b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

Not Applicable

**Transfer to new site**

8. Where the proposals are to transfer a school to a new site the following information—

(a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

Not Applicable

(b) the distance between the proposed and current site;

Not Applicable

(c) the reason for the choice of proposed site;

Not Applicable

(d) the accessibility of the proposed site or sites;

Not Applicable

(e) the proposed arrangements for transport of pupils to the school on its new site;

Not Applicable

(f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in area will be discouraged.

Not Applicable

**Objectives**

**The objectives of the proposals**

The objective of this proposal is to develop a specialist resource base at Deptford Park Primary School for primary-aged children with a statement of ASD to enable them to learn alongside peers within a mainstream settings. This will contribute to the principles governing the local authority's 'Strengthening Specialist Provision' programme, which aims to improve the educational experience of pupils with special educational needs by increasing opportunities for them to learn with peers attending mainstream schools, and by creating a wider range of specialist places within Lewisham so that fewer children need to be educated outside the borough.

## Consultation

9. Evidence of the consultation before the proposals were published including—
- (a) a list of persons who were consulted;
  - (b) minutes of all public consultation meetings;
  - (c) the views of the persons consulted;
  - (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
  - (e) copies of all consultation documents and a statement on how these documents were made available.

### Details of the Consultation

All applicable statutory requirements in relation to the proposals to consult were complied with.

#### 1. Consultation Structure: Documents and Activities

Consultation on the development of a resource base at Deptford Park Primary School ran from 1 – 28 February 2011. The timetable for the full consultation period is set out below:

DATE	ACTION
Jan 2011	Mayor and Cabinet report seeking permission for consultation.
Feb 2011	Undertake consultation.
Mar 2011	Mayor and Cabinet report on outcomes of consultation, seeking permission for publication of change notice.
Apr 2011	Statutory proposal and notices published and a six week statutory representation period begins.
May 2011	Statutory representation period closes.
June 2011	Mayor and Cabinet report for determination of resource base.

Consultation was developed and delivered in collaboration with the Head teacher and school governors at Deptford Park Primary School.

Consultation papers were distributed to all parents/carers, staff and governors of the school, together with other consultees. These included staff and governors at schools in the same 'quadrant' as Deptford Park Primary School and at special schools and schools with resource bases in the borough, trade unions who represent school staff, local councillors and MPs, officers and managers within the Children and Young People's directorate, Lewisham health professionals, the Diocese of Southwark and managers in neighbouring local authorities.

Consultation papers were also published on the Council and school websites for the wider public to access and respond.

In addition, London Borough of Lewisham (LBL) officers attended a meeting of the school's governing body (1 February 2011), separate teaching and support staff meetings (14 February 2011) and a consultation event with pupils on the school

council (14 February 2011). On two occasions (14 and 15 February 2011) officers also attended the school to distribute consultation leaflets and discuss the proposals with parents at the school gates. Parents were given the opportunity to attend a meeting in the school hall to ask questions and take part in a group discussion on both occasions.

Consultation with pupils involved an interactive workshop with 27 pupils who sat on the school council. The pupils were from a range of backgrounds and represented all year groups in the school. The group included some children with special educational needs.

## **2. Response to the consultation**

In relation to the consultation document, eighteen responses were received - eight from parents/carers at Deptford Park Primary School, five from staff and governors at Deptford Park, two from another local school, one from the local therapy team, one from a member of parliament and a telephone call from a local parent.

In relation to meetings and events, the majority of staff and governors were present at relevant staff and governors meetings; two parents/ carers attended the drop-in session; and 27 pupils were involved in the consultation workshop at the school.

The majority of those who responded to the consultation were positive about the proposal: of the completed forms received (a total of fifteen) twelve were in favour of the resource base and two were not. One respondent gave their views about the proposal but did not state whether they were for or against the proposal.

Of the other responses we received, there were two emails from respondents who were in support of the proposal and one telephone call from a respondent who was supportive in principle.

At the school governors meeting on 1 February 2011, the governing body were in support of the proposal.

At a staff meeting held on 28 February 2011, the majority of staff at the school voted in favour of the proposal.

In discussions between parents and officers during events held at the school on 14 and 15 February 2011, all parents who engaged were supportive of the proposal.

At the workshop with pupils, they were not asked to tell us whether they were in support of the proposals or not. However, their positive comments are included in section 6.10, their concerns and questions are included, with our responses, in sections 6.11-6.26 and a full summary of their involvement is included in section A.4 of Appendix 1.

Below are some of the main benefits of the proposal identified by stakeholders throughout the consultation:

- *'Specialised teaching and support will help children with ASD access the curriculum'*
- *'Parents would probably have more support and contact with the school'*
- *'It would be a good way for staff to gain experience and ideas to support children in mainstream'*



- *'It would provide additional support to autistic children which would further improve their mainstream schooling experience'*
- *'It would allow children with autism to have contact with other children who have similar needs and also contact with mainstream children'*
- *'It may improve communication and social skills for children with autism'*
- *'Parents with autistic children could have all their children going to the same school'*
- *'Children would learn not to discriminate against others'*
- *'Mainstream children will have a chance to interact with autistic children and experience the difficulties they face'*
- *'Children with ASD will be aware of other children with similar needs and won't feel isolated'*
- *'It would help children to be tolerant and open their minds to autism and other disabilities'*
- *'Children on the autistic spectrum would benefit from having access to specially trained ASD teachers and teaching assistants'*

Below are some of the responses that pupils gave when asked 'what would be good about having a resource base at your school':

- *'I have a lot of friends who have autism, this could help when they are having a hard time'*
- *'Children can get help with their learning'*
- *'It might calm children down'*
- *'They would make friends'*
- *'It would be nice to play with other children and share the school space'*
- *'It would be good for people with autism, the adults would pay them special attention'*
- *'It would help them to communicate better with other children'*

### **Specific comments and questions raised**

As many of the same comments and questions raised by stakeholders, including pupils, were similar, these are grouped below according to common themes, with our responses included.

*Governors and staff asked how the resource base would be monitored in terms of pupil attainment.*

Improving pupil progress is a key driver behind the proposal and attainment monitoring is an issue that the local authority (LA) is currently addressing as part of the SSP review, in order to strengthen overall monitoring across all resource bases. Monitoring and evaluation of the resource base itself and pupil progress would be discussed with the school and an agreed strategy would be incorporated into a service level agreement (SLA) between the school and other key partners. This document would clarify the agreements to be made between each key partner (i.e. the school, LA services and health services) as to their role and responsibilities for the service delivery, funding, monitoring and evaluation of the resource base.

*The Head teacher and governors advised that the senior leadership team at the school are busy and would need support to work with Lewisham LA officers around the development of a resource base.*

Ongoing communication with the Head Teacher and other key staff and governors in

the school would take place to ensure the school's continued capacity to support project members in developing the capital element of the project and to work together with key partners to plan effectively for the opening of the resource base and its day to day operational running.

*Staff at the school asked if they would be given an opportunity to work in the resource base and whether there would be training offered to support them.*

There would be opportunities for the existing staff to work in the resource base if they possess the necessary skills, and have undertaken the training required. We would work with the school to ensure that recruitment takes place in a timely fashion to backfill any vacancies that should arise from this potential staff movement.

A recruitment process and training plan would be agreed through the resource base working group, with input from the Communication & Interaction Team, the therapy service and Human Resources. The resource base working group will consist of school staff and governors, LA officers and other stakeholders, such as the Inclusion Service and therapy managers. Invites would also be extended to other key members of the project at appropriate times, for example, consultants and contractors. The purpose of this group would be to plan each stage of development effectively, incorporating a joint working ethos and ensuring that advice from stakeholders is gained in order to minimise risks and improve services.

The training plan would include strands for teachers and support staff across the school to ensure that all staff are fully supported in their roles. Further in-depth training would be provided for staff working within the resource base itself with support provided from the ASD Outreach Service.

*Staff and children, in particular, asked whether the resource base would impact on the mainstream school in terms of staff resources and support for all pupils.*

Concerns about staffing levels for the resource base, the school SENCO role and minimising the impact on the mainstream school staff would be addressed by the resource base working group. Children using the resource base would be supported by additional staff and, wherever necessary, when attending mainstream sessions which would minimise any disruption to the mainstream class.

*Staff, parents/carers and pupils asked how they would be informed of developments with the proposal*

The Head teacher would be responsible for feeding back information from the resource base working group to staff and governors, with support from LA officers who will assist wherever necessary. The school would communicate clearly with parents/ carers and pupils about the resource base, and about ASD in particular, in order to increase awareness and understanding about ASD. Again, LA officers will assist if required. An action plan for communicating with parents and other key stakeholders would be developed and implemented by the resource base working group.

*Staff and governors, in particular, asked whether the building works required would be carried out in term time and, if so, how the disruption would be minimized.*

Due to the constraints of the timetable for this project, it is likely that a proportion of the work would be carried out during the first part of the 2011/12 academic year. Everything possible would be done to minimise the disruption caused by building

works during term time. A plan would be devised once a contractor is appointed to ensure that expectations are clear in regards to health and safety, impact on the school environment and noise reduction/control.

*Staff asked what the impact would be on the mainstream school and plans to develop a resource base if the school were to expand to include a fourth form of entry in the future. In particular, they asked about the implications of relocating the kitchen and dining hall. The pupils were worried that having extra children at the school would make the dining room noisy.*

An initial proposal to look at options to expand primary school provision in Lewisham was presented to the Mayor and Cabinet on 19 January 2011. One of the options was to expand Deptford Park Primary School from three forms of entry to four. This is the same report referred to in 3.3 which requested permission to proceed with consultation on the development of a resource base at the school. However, since this option was first explored, the LA has agreed not to progress with plans for expansion at present but to keep this option open as a possibility for future years.

However, in order to allow for the possibility of future expansion, feasibility studies for both the resource base and four forms of entry were developed in conjunction with one another. For example, the current plans allow for suitable lunchtime arrangements to be put in place, given that the resource base proposal requires that the existing kitchen is relocated. The feasibility study demonstrates that the relocation of the kitchen and the size of the proposed new kitchen and dining area would be adequate if a fourth form of entry were required in the future. The Head teacher has identified suitable lunchtime arrangements for the new kitchen and dining area, taking into account the issues of concern raised about this through the consultation.

*One parent asked why proposals for a resource base have been put forward at Deptford Park Primary School and not another school.*

Other schools in various geographical locations are being explored in relation to options to incorporate resource bases. Some of these are being considered further. There is a clearly identified demand for further resource bases in the borough and other schools will be approached over time to incorporate such provision.

*Staff, governors and pupils all asked questions about the number of pupils in the resource base. The main concern was whether a resource base would provide value for money for the LA whilst remaining financially viable for the school (i.e. would the places be filled and if not, would the school retain funding for the places or would funding be withdrawn?).*

Current data demonstrates that there is a clear demand for resource base places in Lewisham, especially for children with ASD, as this the area of greatest need in the borough. The expectation is therefore that places will be filled to capacity over a planned period.

Funding for resource bases is agreed between the school, LA and key partners through a service level agreement on an annual basis. This is based on individual school requirements and projected placement numbers in order to arrive at an 'Agreed Place Number' (APN). Schools will be funded per pupil in accordance with their APN, which would be agreed each October for the following academic year. This would allow time for the school to adjust their staffing levels if necessary and plan for the resources they require with plenty of notice. The proposal for the

resource base at Deptford Park Primary School is that the APN would increase by approximately four per academic year until it reaches a total of sixteen places. If a resource base is unlikely to fill their places at the rate originally anticipated, it is possible that the LA would reduce the APN and therefore the funding to that school. However, the benefits of retaining skilled staff would be considered on balance with the need to achieve value for money.

*Staff and governors were interested in whether the resource base would attract professional support from LA and health teams, such as speech and language therapy.*

The resource base would receive input from the local therapy team, as has been the case with other resource bases developed in Lewisham. Financial resource for therapy input would be built into the funding that the school would receive from the LA. Levels of support to the school from the LA and health teams would be discussed and agreed by the resource base working group and included in a service level agreement (SLA).

*Staff asked whether there would be enough funding available to run the resource base without taking staff and resources from the mainstream school. Pupils were concerned that they may be given less support because the children in the resource base would need extra support from teachers.*

If the proposal goes ahead, sufficient additional resources would be provided for the resource base to ensure that the mainstream school does not receive fewer resources than before the resource base existed. In addition, sufficient capital funding would be allocated for the physical building works required to develop the resource base, whilst revenue costs, mainly for staffing and resources, would be identified and included in the LA's school funding formula. Finance would be allocated to the school progressively as the provision is developed.

*One parent was disappointed to hear that a child would have to have a statement of Special Educational Needs (SEN) to be offered a place at the resource base. This issue also sparked some discussion with staff, who mentioned that some children do not receive statements for some time, reducing the ability to use the resource base as an early intervention. They also discussed how some children might benefit from strategies used for children with ASD but are yet, if at all, to receive a formal diagnosis of ASD.*

Whilst the resource base is designed specifically for children with a statement of SEN and a diagnosis of ASD, the additional specialist knowledge and skills gained by the school through the resource base would be used to benefit other pupils, both with and without special educational needs. There is also evidence that having a resource base in their school can help children develop their personal and social skills, and learn about difference and the world around them.

*Staff, in particular, asked how placements would be agreed for the resource base and who would decide if it is appropriate for children to move on from the resource base to another type of placement.*

Placements would be agreed through the SEN Placement Panel as is the case for all placements for children with statements of SEN. The continued appropriateness of a placement would be considered at every child's annual review. Whilst geographical location is a factor in deciding an appropriate placement for a child, it is possible that resource bases at all schools in the borough could be used by children from across

Lewisham. Placements in the resource base might be considered for children with all types of needs relating to their ASD, including communication, learning and behavioural needs, but they must be able to access at least some mainstream classes.

*Staff were interested to know how pupils in the resource base would be integrated into mainstream classes.*

Inclusion is at the heart of the proposals to develop resource bases in mainstream schools. It is imperative that children who are placed in resource base provision are able to integrate into the mainstream school provision and it is hoped that, with the right support, they will be able to fully reintegrate to a mainstream placement over time. A resource base place allows the opportunity for children who find it difficult to cope in a mainstream environment to integrate at a pace that suits their individual needs. Schools are therefore expected to encourage and facilitate mainstream integration as much as possible for each individual pupil and would plan a child's integration with support from professionals and parents.

*One staff member asked if the LA had considered how well the school currently meets the needs of children with ASD and other special educational needs.*

The local authority is currently working with the school to ensure that there is adequate capacity amongst the school staff to meet the needs of all children with SEN, both in and out of the resource base, through the resource base working group. Issues raised through the consultation regarding the school's capacity to meet the needs of children with SEN generally will be incorporated into the operational planning required, if the resource base goes ahead.

#### **(a) Governors responses**

The school's governing body is fully supportive of the resource base, although they raised some questions which will need to be addressed. These included how attainment setting and monitoring will be addressed in mainstream resource bases across the borough. This was also a concern for teaching staff.

The Head teacher and governors mentioned the pressure on the senior leadership team currently. It was agreed that the LA should work with the school to support them in their role in the development of the resource base, if the proposals go ahead.

School governors discussed the proposed timeframe and agreed that it would be beneficial to progress with developing this proposal as soon as possible, including relocating the current kitchen.

#### **(b) Staff responses**

Following an initial briefing from the Head teacher to all staff, two events were held on 14 February 2011 with teaching and support staff to discuss the proposal and answer any questions they had.

Positive responses were based around the following themes:

- Inclusion
- Opportunities to support parents better
- Helping to meet local needs and expanding the support available to all

- children at Deptford Park Primary School
- Opportunities to share expertise throughout the school and to contribute towards staff development.

Many of the questions raised centered on staffing:

- Would there be opportunities for existing staff to work in the resource base?
- Would there be adequate staffing to support mainstream integration without taking resource from the rest of the school?
- Would it increase the workload for current staff, including the SENCO?
- How might teachers in the resource base meet curriculum requirements across a key stage, rather than in an individual year group?
- Would there be extra training provided for staff?

Questions were raised about integration:

- How would the pupils be supported to integrate into the mainstream, and how frequently would this happen?
- Would they access break and lunchtimes with the rest of the pupils at the school?
- How would we support pupils who might transfer to a mainstream placement at Deptford Park Primary School and other schools if appropriate?

Questions were raised about the impact of the resource base on the mainstream school:

- Would mainstream pupils be able to access the resource base and would they be prioritised for places if they have a statement and diagnosis of ASD?
- How would we minimise disruption during the building phase if it takes place during term time?
- Questions were raised about the capacity of the smaller school hall and how this would impact on lunchtime arrangements for the whole school.

Staff asked questions about resources into the school:

- Would there be adequate supportive resource, such as speech and language therapy, drama therapy and Educational Psychologist input?
- Would there be a guarantee of continued funding for the resource base?

There were some queries about criteria, specifically that in order to gain a place at the resource base, a child would need a statement of SEN and a diagnosis of ASD. Staff pointed out that this may encourage parents to apply for statements and that the statementing process is lengthy.

Since the consultation events on 14 February 2011, the Head teacher has discussed the proposals further with the staff, responding to the queries and concerns. He has advised that their responses were generally very positive, with the majority of staff voting in favour of establishing a resource base at a staff meeting on 28 February 2011.

Five members of staff completed and submitted the consultation form. Of these, three were in favour of the resource base, and two were not.

Of those who were not in favour, one respondent felt that the proposed use of space

could be better utilised for general teaching.

One respondent felt that any future expansion to the school, such as including a fourth form of entry, might put pressure on staff, resources and physical space which would have an impact on any future resource base.

One respondent was concerned about the school's current capacity to meet the needs of children across the SEN register. They felt that there was a high staff turn over at the school, that more support was needed for staff and that the SENCO resource needed to be increased.

One respondent felt that more support was needed from other services, such as speech and language therapy.

### **(c) Parents/ carers responses**

Of the seven formal responses from parents/ carers at the school, all were completed consultation documents. Six supported the proposals and one did not.

Informal conversations between parents/ carers and officers were all positive. Parents made comments such as:

- 'It sounds like a great idea'
- 'My child has autism and this kind of thing could really help him'
- 'It would be good for the school and the children'

Two parents attended a drop in session at the school with officers and the Head teacher. Both parents were positive about the proposal and plans to involve parents in its development. They also felt that parents might benefit from access to an information session about SEN generally and the SSP Programme.

Positive themes of response from parents were as follows:

- A resource base would help children be more tolerant and understanding of children with special needs and disabilities;
- Children with ASD could be educated appropriately closer to their homes;
- Staff would receive training about ASD;
- Children with ASD would have better opportunities to integrate into mainstream school life as well as get specialist teaching and extra support;
- There would be less isolation for children with ASD;
- There is a local need in Deptford for this kind of educational provision;
- For local families where one child has ASD, it would mean that all children could go to the same school;
- It would give children with ASD the chance to reach their full potential.

Queries and concerns from parents were as follows:

- A commitment is needed for the continued funding of the resource base;
- The size and location of the school in terms of its capacity to support a resource base.
- The capacity of current staff to meet the needs of pupils with ASD,
- Priority should be given to children already attending Deptford Park Primary School.

#### **(d) Pupils responses**

During consultation, pupils were asked three questions:

- 'What would be good about having a resource base at your school?'
- 'What might not be so good about having a resource base at your school?'
- 'What could be done to make having a resource base at your school better?'

When asked, 'What would be good about having a resource base at your school?', the most common answers (in the pupils own words) were:

- I have a lot of friends who have autism, this could help when they are having a hard time.
- Children can get help with their learning;
- To calm children down;
- They would make friends;
- It would be nice to play with other children and share the school space;
- It would be good for people with autism, the adults would pay them special attention;
- It would help them to communicate better with other children.

Pupils also discussed some of the children they know with special needs and how a resource base environment might help them to be more confident, cope better with changes in staff, manage their behaviour and support their play and learning. They felt that that a resource base would encourage children to support each other, co-operate, work together and be kinder. Some pupils thought that it would give them an opportunity to learn more about children with special needs and how to play with them.

Some pupils felt that having a resource base was a good opportunity to improve the school environment and would provide more teachers to help them all. They were keen that all pupils in the school would get the opportunity to use any new equipment provided as part of the resource base.

When asked, 'What might not be so good about having a resource base at your school?', their main concerns (in the pupils own words) were:

- The new children might feel lonely because no one wants to play.
- The lunch hall would be smaller and more crowded, it might be noisy.
- The new children might be disruptive, they might swear.
- There might not be room at the school.
- If there are wheelchair users, they can take up a lot of space on carpet.

Pupils raised some concerns about numbers in the resource base. These concerns ranged from not filling the resource base when children left year 6 to having too many children accessing it and issues around overcrowding in the school. Some also asked why it was necessary to develop a resource base at their school when their perception was that there would not be enough current Deptford Park Primary School pupils to use it.

Pupils felt that having a resource base might make their teachers too busy and that if they were new teachers they should be tested first.



There were concerns about how the resource base children might fit in with the other children in school; would they be sad, feel separated, be worried about bullying? They were also worried that the children in the resource base might be angry, rude and noisy. Some pupils mentioned that the children in the resource base might get easier work than them and that it would take them too long to catch up with their learning.

When asked, 'What could be done to make having a resource base at your school better?', the main suggestions (in the pupils own words) were:

- New Teachers;
- Have good supervision for the new children;
- We will understand special needs children;
- Different children and adults learning together;
- Three or four rooms to keep them separate;
- Put blinds on windows to make them feel comfortable;
- Stickers would help with targets;
- Rewards.

Pupils also made various suggestions about how the resource base might work better for their school. These included putting in additional resources such as staff, computers, toys, books and posters. Some had concerns that they might not get as much help in class if staff were being used to support children from the resource base. Pupils discussed how current systems used in the school might work well in the resource base, such as target charts and behaviour slips.

Some thought that a resource base might help children with communication and they felt it was important the children in the resource base have a best friend with them.

If a resource base is established at Deptford Park Primary School, the Head teacher will continue to involve all pupils in the development of the resource base if it goes ahead, through class discussion, assemblies, the School Council and a 'buddying' system. A 'buddying' system allows children to support other children, which helps to reduce the reliance on adult staff to settle pupils into new environments and introduce them into social situations.

#### **(e) Other consultee responses**

In accordance with DfESchools Organisation Unit guidance, the consultation document was also sent to staff of the Children's Centre's Early Years provision in the same area as Deptford Park Primary School; staff and governors at schools in the same 'quadrant', trade unions who represent school staff, local councillors and MPs, and relevant stakeholders in neighbouring local authorities.

There were two responses to the consultation from members of staff at other schools in the form of a completed consultation form, one from a member of the public via telephone, one from the local therapy team and one from the local MP, both via email.

Both respondents from other local mainstream schools welcomed the addition of a specialist resource base in the borough.

The member of the public who responded to the consultation was very supportive of the proposal, but was disappointed that children would require a statement of SEN in

order to access the provision. This was a parent with a child with ASD who attended a different mainstream school with a resource base and was unhappy with the level of support her child was getting in school.

The respondent from the local children's therapy team welcomed the addition of another ASD resource base, but suggested that funding for therapies should be built into the cost of a placement, rather than met from health budgets. This way of funding therapies is already used in the case of the resource base at Deptford Park Primary School.

The member of parliament was supportive of the proposal in theory, but advised that the decision should take into account the views of local councillors and stakeholders.

### **Project costs**

**10.** A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

Previous resource bases in Lewisham, i.e. Perrymount Primary, Tidemill Primary and Athelney Primary Schools, have been developed for an average capital cost of £211k. The estimated capital cost for the resource base at Deptford Park Primary School is £365k. Whilst considerably higher than for previous developments, this estimated cost is considerably lower than some of those provided as part of feasibility studies at alternative sites.

The capital cost of £365k can be met from the resources set aside in the DFE school capital allocations for 2008-11 and 2011/12.

Revenue costs, mainly for staffing and resources will be identified and built into the LA's school funding scheme. Finance will be allocated to the school progressively as the provision is developed. All revenue costs will be met from the Dedicated Schools grant.

**11.** A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

Not Applicable

### **Age range**

**12.** Where the proposals relate to a change in age range, the current age range for the school.

Not Applicable

### Early years provision

13. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

(a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

Not Applicable

(b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

Not Applicable

(c) evidence of parental demand for additional provision of early years provision;

Not Applicable

(d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school;

Not Applicable

(e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

Not Applicable

### Changes to sixth form provision

14.(1) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

(a) improve the educational or training achievements;

(b) increase participation in education or training; and

(c) expand the range of educational or training opportunities for 16-19 year olds in the area.

Not Applicable

(2) Where the proposals are to alter the upper age limit of the school so that the school will provide sixth form education, the proposed number of sixth form places to be provided.

Not Applicable

15. Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

### Special educational needs

16. Where the proposals are to establish or change provision for special educational needs—

(a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

The resource base will support pupils with a statement of ASD. There is currently no formalised provision for pupils with ASD at Deptford Park Primary School, although the school has experience of working with children with these and other learning difficulties.

(b) any additional specialist features will be provided;

The resource base will be a specialist facility providing a calming and supportive environment away from the main activities of the school to provide additional support for children with ASD.

The classrooms and small group room will be arranged so that teachers can employ different teaching methods suitable for pupils with ASD. These will include a low distraction environment and screened personal work stations for individual work.

The resource base will have a simple layout encouraging calm and order. Picture Exchange Communication Symbols (PECS) will be used to create good, visual signage. A sensory room will be included for the provision of specialist teaching and therapy, in addition to ICT provision and a safe, contained outdoor space to support learning and provide a play space for the resource base.

Staff will be trained in working with pupils with ASD and a range of specialist therapies will be made available for pupils within the resource base.

(c) the proposed numbers of pupils for which the provision is to be made;

16 places will be created, within the school's standard number.

(d) details of how the provision will be funded;

Places in the resource base will be funded by the Dedicated Schools Grant for the number of places commissioned by the local authority.

(e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

All pupils will be registered with Deptford Park Primary School.

(f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

The school's delegated budget will be increased to take account of its specialist resource base.

(g) the location of the provision if it is not to be established on the existing site of the school;

Not Applicable

(h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children;

Not Applicable

(i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

The school does not currently have places specifically for children with special educational needs. When the resource base is fully implemented there will be 16 places reserved specifically for children with a statement of ASD.

**17.** Where the proposals are to discontinue provision for special educational needs—  
(a) details of alternative provision for pupils for whom the provision is currently made;

Not applicable

(b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

Not applicable

(c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision;

Not applicable

(d) a statement as to how the authority believe that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

Not applicable

**18.** Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

(a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;

(b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;

(c) improved access to suitable accommodation; and

(d) improved supply of suitable places.

The proposal will ensure that children in Lewisham with ASD will have access to the mainstream curriculum, when they may otherwise have been educated in special

schools. They are expected to make as much progress as they would have if placed in a special school, with the added opportunity of learning alongside peers in the mainstream. A recent report by Ofsted found that mainstream schools with specialist resource bases were particularly effective at supporting the social, personal and educational needs of children with specific learning difficulties ('Inclusion: does it matter where pupils are taught?', Ofsted: 2006).

The funding will enable the school to appoint additional specialist staff experienced in working with children with ASD. The school will appoint a lead teacher to the provision with experience and specialist training in working with pupils with these needs. The provision will also be supported by other teachers and staff who will undertake some additional specialist training as appropriate.

Currently Lewisham has insufficient places for children with ASD in mainstream schools. The proposal will allow Lewisham pupils who might otherwise be educated in a special school to spend some of their time in mainstream classes, and consequently for some who would otherwise be educated outside of the borough, to be educated closer to their home communities.

The proposal is part of the wider 'Strengthening Specialist Provision' programme which aims to improve the educational experience of pupils with special educational needs. The programme is governed by the following principles:

- a commitment to educating children in mainstream school wherever possible;
- equipping mainstream schools through training and resources to enable them to provide for children with special educational needs;
- all special schools providing outreach services, to support what is offered in mainstream schools;
- educating children locally wherever possible, and;
- ensuring a strong partnership with parents, through the provision of good services and information.

This is consistent with Lewisham's Children and Young People's Plan which articulates the objective of improving outcomes for children with SEN and disabilities by ensuring that their needs are met.

The aim of the SSP programme to expand the range and quality of specialist provision available in the borough is also consistent with the government's recently published SEN Green Paper which emphasises the need to ensure that parents have a choice of educational settings that can meet their child's needs.

### **Sex of pupils**

19. Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

(a) details of the likely effect which the alteration will have on the balance of the provision of single sex education in the area;

Not applicable

(b) evidence of local demand for single-sex education;

Not applicable

(c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

Not applicable

**20.** Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

(a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area;

Not applicable

(b) evidence of local demand for single-sex education.

Not applicable

### **Extended services**

**21.** If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

Not applicable

### **Need or demand for additional places**

**22.** If the proposals involve adding places—

(a) a statement and supporting evidence of the need or demand for the particular places in the area;

Not applicable

(b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

Not applicable



(c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

Not applicable

**23.** If the proposals involve removing places—

(a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice;

Not applicable

(b) a statement on the local capacity to accommodate displaced pupils.

Not applicable

### **Expansion of successful and popular schools**

**25A.** (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraphs 1 and 2 of Part 1 to Schedule 2 and paragraphs 12 and 13 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraphs 1 and 2 of Part 1 to Schedule 4. of the Prescribed Alteration regulations.

(2) Whilst not required by regulations to provide this information for any LA proposals to expand a voluntary or foundation school, it is desirable to provide this below.

Not applicable

### **Additional information in the case of special schools**

**24.** Where the proposals relate to a special school the following information must also be provided—

(a) information as to the numbers, age range, sex and special educational needs of the pupils (distinguishing boarding and day pupils) for whom provision is made at the school;

Not applicable

(b) information on the predicted rise or fall (as the case may be) in the number of children with particular types of special educational needs requiring specific types of special educational provision;

Not applicable

(c) a statement about the alternative provision for pupils who may be displaced as a result of the alteration;

Not applicable

(d) where the proposals would result in the school being organised to make provision for pupils with a different type or types of special educational needs with the result that the provision which would be made for pupils currently at the school would be inappropriate to their needs, details of the other schools which such pupils may attend including any interim arrangements and transport arrangements to such schools;

Not applicable

(e) where the proposals relate to a foundation special school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

Not applicable

## Appendix 3: STAGE 4 – DECISION

### EXTRACTED FROM: 'Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals): A Guide for Local Authorities and Governing Bodies'

#### Stage 4 – Decision (Paragraphs 4.1-4.69)

#### Who Will Decide the Proposals? (Paragraphs 4.1-4.4)

4.1 Decisions on school organisation proposals are taken by the LA or by the schools adjudicator. In this chapter both are covered by the form of words "Decision Maker" which applies equally to both.

4.2 Section 21 of EIA 2006 provides for regulations to set out who **must** decide proposals for any prescribed alterations. The Regulations make detailed provision for the consideration of prescribed alteration proposals (see in particular Schedules 3 and 5). Decisions on the prescribed alterations covered in this guide will be taken by the LA with some rights of appeal to the schools adjudicator. Only if the prescribed alteration proposals are "related" to other proposals that fall to be decided by the schools adjudicator, will the LA not be the decision maker in the first instance.

4.3 If the LA fail to decide proposals within 2 months of the end of the representation period the LA **must** forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They **must** forward the proposals within one week from the end of the 2 month period.

4.4 The Department does not prescribe the process by which an LA carries out their decision-making function (e.g. full Cabinet or delegation to Cabinet member or officials). This is a matter for the LA to determine but the requirement to have regard to statutory guidance (see paragraph [4.15](#) below) applies equally to the body or individual that takes the decision.

#### Who Can Appeal Against an LA Decision? (Paragraphs 4.5-4.6)

4.5 The following bodies may appeal against an LA decision on prescribed alteration proposals:

- the local Church of England diocese;
- the bishop of the local Roman Catholic diocese;
- the LSC where the school provides education for pupils aged 14 and over; and
- the governors and trustees of a foundation (including Trust) or voluntary school that is subject to the proposals.

4.6 Any appeals **must** be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA **must** then send the proposals, and the representations received (together with any comments made on these representations by the proposers), to the schools adjudicator within 1 week of the receipt of the appeal. The LA **should** also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

## Checks on Receipt of Statutory Proposals (Paragraph 4.7)

4.7 There are 4 key issues which the Decision Maker **should** consider before judging the respective factors and merits of the statutory proposals:

- Is any information missing? If so, the Decision Maker **should** write immediately to the proposer specifying a date by which the information **should** be provided;
- Does the published notice comply with statutory requirements? (see paragraph 4.8 below);
- Has the statutory consultation been carried out prior to the publication of the notice? (see paragraph 4.9 below);
- Are the proposals “related” to other published proposals? (see paragraphs 4.10 to 4.14 below).

## Does the Published Notice Comply with Statutory Requirements? (Paragraph 4.8)

4.8 The Decision Maker **should** consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements - as set out in the Regulations - it may be judged invalid and the Decision Maker **should** consider whether they can decide the proposals.

## Has the Statutory Consultation Been Carried Out Prior to the Publication of the Notice? (Paragraph 4.9)

4.9 Details of the consultation **must** be included in the proposals. The Decision Maker **should** be satisfied that the consultation meets statutory requirements (see Stage 1 paragraphs 1.2–1.4). If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and needs to consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

## Are the Proposals Related to Other Published Proposals? (Paragraphs 4.10-4.14)

4.10 Paragraph 35 of Schedule 3, and Paragraph 35 of Schedule 5, to the Regulations provides that any proposals that are “related” to particular proposals (e.g. for a new school; school closure; prescribed alterations to existing schools i.e. change of age range, acquisition of a Trust, addition of boarding, etc; or proposals by the LSC to deal with inadequate 16-19 provision) **must** be considered together. This does not include proposals that fall outside of the Regulations e.g. removal of a Trust, opening of an Academy, federation proposals. Paragraphs 4.11-4.14 provide statutory guidance on whether proposals **should** be regarded as “related”.

4.11 Generally, proposals **should** be regarded as “related” if they are included on the same notice (unless the notice makes it clear that the proposals are not “related”). Proposals **should** be regarded as “related” if the notice makes a reference to a link to other proposals (published under School Organisation and Trust regulations). If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals **should** be regarded as “related”.

4.12 Where proposals are “related”, the decisions **should** be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both **should** be approved or rejected.

4.13 Where proposals for an expansion of a school are “related” to proposals published by the local LSC<sup>1</sup> which are to be decided by the Secretary of State, the Decision Maker **must** defer taking a decision until the Secretary of State has taken a decision on the LSC proposals. This applies where the proposals before the Decision Maker concern:

- the school that is the subject of the LSC proposals;
- any other secondary school, maintained by the same LA that maintains a school that is the subject of the LSC proposals; or
- any other secondary school in the same LA area as any FE college which is the subject of the LSC proposals.

4.14 The proposals will be regarded as “related” if their implementation would prevent or undermine effective implementation of the LSC proposals.

#### **Statutory Guidance – Factors to be Considered by Decision Makers (Paragraphs 4.15-4.16)**

4.15 Regulation 8 of The Regulations provides that both the LA and schools adjudicator **must** have regard to guidance issued by the Secretary of State when they take a decision on proposals. Paragraphs 4.16 to 4.60 below contain the statutory guidance.

4.16 The following factors **should not** be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals **should** be considered on their individual merits.

### **EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT**

#### **A System Shaped by Parents (Paragraphs 4.17-4.18)**

4.17 The Government's aim, as set out in the Five Year Strategy for Education and Learners and the Schools White Paper Higher Standards, Better Schools For All, is to create a schools system shaped by parents which delivers excellence and equity. In particular, the Government wishes to see a dynamic system in which:

- weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and
- the best schools are able to expand and spread their ethos and success.

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<sup>1</sup> References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

4.18 The EIA 2006 amends the Education Act 1996 to place duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, LAs are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker **should** take into account the extent to which the proposals are consistent with the new duties on LAs.

#### **Standards (Paragraphs 4.19-4.20)**

4.19 The Government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, whilst matching school place supply as closely as possible to pupils' and parents' needs and wishes.

4.20 Decision Makers **should** be satisfied that proposals for prescribed alterations will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They **should** pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

#### **Diversity (Paragraphs 4.21-4.23)**

4.21 Decision Makers **should** be satisfied that when proposals lead to children (who attend provision recognised by the LA as being reserved for pupils with special educational needs) being displaced, any alternative provision will meet the statutory SEN improvement test (see paragraphs 4.55 - 4.59).

4.22 The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision.

4.23 Decision Makers **should** consider how proposals will contribute to local diversity. They **should** consider the range of schools in the relevant area of the LA and whether the alteration to the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps.

#### **Every Child Matters (Paragraph 4.24-4.25)**

4.24 The Decision Maker **should** consider how proposals will help every child and young person achieve their potential in accordance with "Every Child Matters" principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being.

4.25 This **should** include considering how the school will provide a wide range of extended services, opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.

## SCHOOL CHARACTERISTICS

### Boarding Provision (Paragraphs 4.26-4.29)

4.26 In making a decision on proposals that make changes to boarding provision, the Decision Maker **should** consider whether or not there would be a detrimental effect on the sustainability of boarding at another state maintained boarding school within one hour's travelling distance of the proposed school.

4.27 In making a decision on proposals to introduce new boarding places the Decision Maker **should** consider:-

- a. the extent to which boarding places are over subscribed at any state maintained boarding school within an hour's travelling distance of the school;
- b. the extent to which the accommodation at the school can provide the new boarding places;
- c. the extent to which the expansion of boarding places will help placements of pupils with an identified boarding need; and
- d. the impact of the expansion on a state maintained boarding school within one hour's travelling distance from the school which may be undersubscribed.

4.28 In making a decision on proposals to remove boarding provision, the Decision Maker **should** consider whether there is a state maintained boarding school within one hour's travelling distance from the school. The Decision Maker **should** consider whether there are satisfactory alternative boarding arrangements for those currently in the school and those who may need boarding places in the foreseeable future, including the children of service families.

4.29 In making a decision on proposals for expansion of boarding places the Decision Maker **should** consider:-

- a. the extent to which boarding places are over subscribed at the school and any state maintained boarding school within an hour's travelling distance of the school at which the expansion is proposed;
- b. the extent to which the accommodation at the school can provide additional boarding places;
- c. any recommendations made in the previous CSCI/Ofsted reports which would suggest that existing boarding provision in the school failed significantly to meet the National Minimum Standards for Boarding Schools;
- d. the extent to which the school has made appropriate provision to admit other categories of pupils other than those for which it currently caters (e.g. taking pupils of the opposite sex or sixth formers) if they form part of the expansion;
- e. any impact of the expansion on the continuity of education of boarders currently in the school;
- f. the extent to which the expansion of boarding places will help placements of pupils with an identified boarding need; and

g. the impact of the expansion on a state maintained boarding school within one hour's travelling distance from the school which may be undersubscribed.

#### **Equal Opportunity Issues (Paragraph 4.30)**

4.30 The Decision Maker **should** consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

#### **NEED FOR PLACES**

##### **Provision for Displaced Pupils (Paragraph 4.31)**

4.31 Where proposals will remove provision, the Decision Maker **should** be satisfied that there is sufficient capacity to accommodate displaced pupils in the area, taking into account the overall supply and likely future demand for places. The Decision Maker **should** consider the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for those schools.

##### **Creating Additional Places (Paragraphs 4.32-4.34)**

4.32 Where proposals will increase provision, the Decision Maker **should** consider whether there is a need for the expansion and **should** consider the evidence presented for the expansion such as planned housing development or demand for provision. The Decision Maker **should** take into account not only the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for places in the school proposed for expansion. The existence of surplus capacity in neighbouring less popular or successful schools **should not** in itself prevent the addition of new places.

4.33 Where the school has a religious character, or follows a particular philosophy, the Decision Maker **should** be satisfied that there is satisfactory evidence of sufficient demand for places for the expanded school to be sustainable.

4.34 Where proposals will add to surplus capacity but there is a strong case for approval on parental preference and standards grounds, the presumption **should** be for approval. The LA in these cases will need to consider parallel action to remove the surplus capacity thereby created.

##### **Travel and Accessibility for All (Paragraphs 4.35-4.36)**

4.35 In considering proposals for the reorganisation of schools, Decision Makers **should** satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes **should not** adversely impact on disadvantaged groups.

4.36 In deciding statutory proposals, the Decision Maker **should** bear in mind that proposals **should not** have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. The EIA 2006 provides extended free transport rights for low income groups – see Home to School



Travel and Transport Guidance re 00373 – 2007BKT-EN at [www.teachernet.gov.uk/publications](http://www.teachernet.gov.uk/publications). Proposals **should** also be considered on the basis of how they will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

### **16-19 Provision (Paragraphs 4.37-4.39)**

4.37 The pattern of 16-19 provision differs across the country. Many different configurations of school and college provision deliver effective 14-19 education and training. An effective 14-19 organisation has a number of key features:

- standards and quality: the provision available **should** be of a high standard – as demonstrated by high levels of achievement and good completion rates;
- progression: there **should** be good progression routes for all learners in the area, so that every young person has a choice of the full range of options within the 14-19 entitlement, with institutions collaborating as necessary to make this offer. All routes **should** make provision for the pastoral, management and learning needs of the 14-19 age group;
- participation: there are high levels of participation in the local area; and,
- learner satisfaction: young people consider that there is provision for their varied needs, aspirations and aptitudes in a range of settings across the area.

4.38 Where standards and participation rates are variable, or where there is little choice, meaning that opportunity at 16 relies on where a young person went to school, the case for reorganisation, or allowing high quality providers to expand, is strong.

4.39 Where standards and participation rates are consistently high, collaboration is strong and learners express satisfaction that they have sufficient choice, the case for a different pattern of provision is less strong. The Decision Maker therefore will need to take account of the pattern of 16-19 provision in the area and the implications of approving new provision.

### **Conflicting Sixth Form Reorganisation Proposals (Paragraph 4.40)**

4.40 Where the implementation of reorganisation proposals by the LSC<sup>2</sup> conflict with other published proposals put to the Decision Maker for decision, the Decision Maker is prevented (by the School Organisation Proposals by the LSC for England Regulations 2003) from making a decision on the "related" proposals until the Secretary of State has decided the LSC proposals (see paragraphs 4.13 to 4.14 above).

### **LSC<sup>4</sup> Proposals to Remove Inadequate School Sixth Forms (Paragraph 4.41)**

4.41 The Learning and Skills Act 2000 (as amended by the Education Act 2005) gives the LSC powers to propose the closure of a school sixth form which has been judged to require Significant Improvement in two consecutive Ofsted inspections. Where a school

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<sup>2</sup> References throughout this document to the LSC only apply up to April 2010. The ASCL Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

sixth form is proposed for closure in such circumstances there **should** be a presumption to approve the proposals, subject to evidence being provided that the development will have a positive impact on standards.

## SCHOOL CATEGORY CHANGES

### Change school category to VA (Paragraph 4.42)

4.42 If a school proposes to change category to voluntary aided, the Decision Maker **must** be satisfied that the governing body are able and willing to meet their financial responsibilities for building work. The Decision Maker may wish to consider whether the governing body has access to sufficient funds to enable it to meet 10% of its overall liabilities for at least 5 years from the date of implementation, taking into account anticipated building projects.

## FUNDING AND LAND

### Capital (Paragraphs 4.43-4.45)

4.43 The Decision Maker **should** be satisfied that any land, premises or capital required to implement the proposals will be available. Normally, this will be some form of written confirmation from the source of funding on which the promoters rely (e.g. the LA, DCSF, or LSC). In the case of an LA, this **should** be from an authorised person within the LA, and provide detailed information on the funding, provision of land and premises etc.

4.44 Where proposers are relying on DCSF as a source of capital funding, there can be no assumption that the approval of proposals will trigger the release of capital funds from the Department, unless the Department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposals **should** be rejected, or consideration of them deferred until it is clear that the capital necessary to implement the proposals will be provided.

4.45 Proposals **should not** be approved conditionally upon funding being made available, subject to the following specific exceptions: For proposals being funded under the Private Finance Initiative (PFI) or through the BSF programme, the Decision Maker **should** be satisfied that funding has been agreed 'in principle', but the proposals **should** be approved conditionally on the entering into of the necessary agreements and the release of funding. A conditional approval will protect proposers so that they are not under a statutory duty to implement the proposals until the relevant contracts have been signed and/or funding is finally released.

### Capital Receipts (Paragraphs 4.46-4.48)

4.46 Where the implementation of proposals may depend on capital receipts from the disposal of land used for the purposes of a school (i.e. including one proposed for closure in "related" proposals) the Decision Maker **should** confirm whether consent to the disposal of land is required, or an agreement is needed, for disposal of the land. Current requirements are:

- a. Community Schools – the Secretary of State's consent is required under paragraph 2 of Schedule 35A to the Education Act 1996 and, in the case of playing field land, under section 77 of the Schools Standards and Framework Act 1998 (SSFA 1998). (Details are given in DfES Guidance 1017-2004 "The Protection of School Playing Fields and Land for Academies" published in November 2004) -

<http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=spectrum&ProductId=DfE-1017-2004&>).

b. Foundation (including Trust) and Voluntary Schools:

- i. playing field land – the governing body, foundation body or trustees will require the Secretary of State’s consent, under section 77 of the SSFA 1998, to dispose, or change the use of any playing field land that has been acquired and/or enhanced at public expense.
- ii. non-playing field land or school buildings – the governing body, foundation body or trustees no longer require the Secretary of State’s consent to dispose of surplus non-playing field land or school buildings which have been acquired or enhanced in value by public funding. They will be required to notify the LA and seek local agreement of their proposals. Where there is no local agreement, the matter **should** be referred to the School Adjudicator to determine. (Details of the new arrangements can be found in the Department’s guidance “The Transfer and Disposal of School Land in England: A General Guide for Schools, Local Authorities and the Adjudicator” - <http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=spectrum&ProductId=DfE-1017-2004&> ).

4.47 Where prescribed alteration proposals are dependent upon capital receipts of a discontinuing foundation or voluntary school the governing body is required to apply to the Secretary of State to exercise his various powers in respect of land held by them for the purposes of the school. Normally he would direct that the land be returned to the LA but he could direct that the land be transferred to the governing body of another maintained school (or the temporary governing body of a new school). Where the governing body fails to make such an application to the Secretary of State, and the school subsequently closes, all land held by them for the purposes of the discontinued school will, on dissolution of the governing body, transfer to the LA unless the Secretary of State has directed otherwise before the date of dissolution.

4.48 Where consent to the disposal of land is required, but has not been obtained, the Decision Maker **should** consider issuing a conditional approval for the statutory proposals so that the proposals gain full approval automatically when consent to the disposal is obtained (see paragraph 4.63).

#### **New Site or Playing Fields (Paragraph 4.49)**

4.49 Proposals dependent on the acquisition of an additional site or playing field may not receive full approval but **should** be approved conditionally upon the acquisition of a site or playing field.

#### **Land Tenure Arrangements (Paragraph 4.50)**

4.50 For the expansion of voluntary or foundation schools it is desirable that a trust, or the governing body if there is no foundation, holds the freehold interest in any additional site that is required for the expansion. Where the trustees of the voluntary or foundation school hold, or will hold, a leasehold interest in the additional site, the Decision Maker will need to be assured that the arrangements provide sufficient security for the school. In particular the leasehold interest **should** be for a substantial period – normally at least 50 years – and avoid clauses which would allow the leaseholder to evict the school before the termination of the lease. The Decision Maker **should** also be satisfied that a

lease does not contain provisions which would obstruct the governing body or the headteacher in the exercise of their functions under the Education Acts, or place indirect pressures upon the funding bodies.

### **School Playing Fields (Paragraphs 4.51-4.52)**

4.51 The Education (School Premises) Regulations 1999 set out the standards for school premises, including minimum areas of team game playing fields to which schools **should** have access. The Decision Maker will need to be satisfied that either:

- a. the premises will meet minimum requirements of The Education (School Premises) Regulations 1999; or
- b. if the premises do not meet those requirements, the proposers have secured the Secretary of State's agreement in principle to grant a relaxation.

4.52 Where the Secretary of State has given 'in principle' agreement as at paragraph 4.46(b) above, the Decision Maker **should** consider issuing conditional approval so that when the Secretary of State gives his agreement, the proposals will automatically gain full approval.

### **SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION**

#### **Initial Considerations (Paragraphs 4.53-4.54)**

4.53 SEN provision, in the context of School Organisation legislation and this guidance, is provision recognised by the LA as specifically reserved for pupils with special educational needs. When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change, LAs **should** aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability. There are a number of initial considerations for LAs to take account of in relation to proposals for change. They **should** ensure that local proposals:

- a. take account of parental preferences for particular styles of provision or education settings;
- b. offer a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise ) and regional and sub-regional provision; out of LA day and residential special provision;
- c. are consistent with the LA's Children and Young People's Plan;
- d. take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe;
- e. support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;

- f. provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- g. ensure appropriate provision for 14-19 year-olds, taking account of the role of local LSC funded institutions and their admissions policies; and
- h. ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs will require amendment and all parental rights **must** be ensured. Other interested partners, such as the Health Authority **should** be involved.

4.54 Taking account of the considerations, as set out above, will provide assurance to local communities, children and parents that any reorganisation of SEN provision in their area is designed to improve on existing arrangements and enable all children to achieve the five Every Child Matters outcomes.

#### **The Special Educational Needs Improvement Test (Paragraph 4.55)**

4.55 When considering any reorganisation of provision that would be recognised by the LA as reserved for pupils with special educational needs, including that which might lead to some children being displaced through closures or alterations, LAs, and all other proposers for new schools or new provision, will need to demonstrate to parents, the local community and Decision Makers how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans that LAs publish and all relevant documentation LAs and other proposers submit to Decision Makers **should** show how the key factors set out in paragraphs 4.59 to 4.62 below have been taken into account by applying the SEN improvement test. Proposals which do not credibly meet these requirements **should not** be approved and Decision Makers **should** take proper account of parental or independent representations which question the LA's own assessment in this regard.

#### **Key Factors (Paragraphs 4.56-4.59)**

4.56 When LAs are planning changes to their existing SEN provision, and in order to meet the requirement to demonstrate likely improvements in provision, they **should**:

- a. identify the details of the specific educational benefits that will flow from the proposals in terms of:
  - i. improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
  - ii. improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
  - iii. improved access to suitable accommodation; and
  - iv. improved supply of suitable places.
- b. LAs **should** also:

- i. obtain a written statement that offers the opportunity for all providers of existing and proposed provision to set out their views on the changing pattern of provision seeking agreement where possible;
- ii. clearly state arrangements for alternative provision. A 'hope' or 'intention' to find places elsewhere is not acceptable. Wherever possible, the host or alternative schools **should** confirm in writing that they are willing to receive pupils, and have or will have all the facilities necessary to provide an appropriate curriculum;
- iii. specify the transport arrangements that will support appropriate access to the premises by reference to the LA's transport policy for SEN and disabled children; and
- iv. specify how the proposals will be funded and the planned staffing arrangements that will be put in place.

4.57 It is to be noted that any pupils displaced as a result of the closure of a BESD school (difficulties with behavioural, emotional and social development) **should not** be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need. PRUs are intended primarily for pupils who have been excluded, although LAs can and do use PRU provision for pupils out of school for other reasons such as illness and teenage pregnancies. There may of course be pupils who have statements identifying that they have BESD who have been placed appropriately in a PRU because they have been excluded; in such cases the statement **must** be amended to name the PRU, but PRUs **should not** be seen as an alternative long-term provision to special schools.

4.58 The requirement to demonstrate improvements and identify the specific educational benefits that flow from proposals for new or altered provision as set out in the key factors are for all those who bring forward proposals for new special schools or for special provision in mainstream schools including governors of foundation schools and foundation special schools. The proposer needs to consider all the factors listed above.

4.59 Decision Makers will need to be satisfied that the evidence with which they are provided shows that LAs and/or other proposers have taken account of the initial considerations and all the key factors in their planning and commissioning in order to meet the requirement to demonstrate that the reorganisation or new provision is likely to result in improvements to SEN provision.

## OTHER ISSUES

### Views of Interested Parties (Paragraph 4.60)

4.60 The Decision Maker **should** consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils; staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker **should not** simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker **should** give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

### **Types of Decision (Paragraph 4.61)**

4.61 In considering prescribed alteration proposals, the Decision Maker can decide to:

- reject the proposals;
- approve the proposals;
- approve the proposals with a modification (e.g. the implementation date);  
or
- approve the proposals subject to them meeting a specific condition (see paragraph 4.64).

### **Conditional Approval (Paragraphs 4.62-4.63)**

4.62 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations i.e. as follows:

- a. the grant of planning permission under Part 3 of the Town and Country Planning Act 1990;
- b. the acquisition of the site required for the implementation of the proposals;
- c. the acquisition of playing fields required for the implementation of the proposals;
- d. the securing of any necessary access to a site referred to in sub-paragraph (b) or playing fields referred to in sub-paragraph (c);
- e. the private finance credit approval given by the DCSF following the entering into a private finance contract by an LA;
- f. the entering into an agreement for any necessary building project supported by the DCSF in connection with the BSF programme;
- g. the agreement to any change to the admission arrangements specified in the approval, relating to the school or any other school or schools (*this allows the approval of proposals to enlarge the premises of a school to be conditional on the decision of adjudicators to approve any related change in admission numbers*);
- h. the making of any scheme relating to any charity connected with the school;
- i. the formation of any federation (within the meaning of section 24(2) of the 2002 Act) of which it is intended that the proposed school should form part, or the fulfilling of any other condition relating to the school forming part of a federation;
- j. the Secretary of State giving approval under regulation 5(4) of the Education (Foundation Body) (England) Regulations 2000 to a proposal that a foundation body must be established and that the school must form part of a group for which a foundation must act;

k. the Secretary of State making a declaration under regulation 22(3) of the Education (Foundation Body) (England) Regulations 2000 that the school should form part of a group for which a foundation body acts;

ka. where the proposals are to alter the upper age limit of the school, the decision of the Secretary of State to establish a new FE college under s16 of the Further and Higher Education Act 1992;

l. where the proposals in question depend upon any of the events specified in paragraphs (a) to (ka) occurring by a specified date in relation to proposals relating to any other school or proposed school, the occurrence of such an event; and

m. where proposals are related to proposals for the establishment of new schools or discontinuance of schools, and those proposals depend on the occurrence of events specified in regulation 20 of the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007(3) the occurrence of such an event.

4.63 The Decision Maker **must** set a date by which the condition **must** be met, but will be able to modify the date if the proposers confirm (preferably before the date expires), that the condition will be met later than originally thought. The condition-to-be-met-by date **must** be before the proposed implementation date of the proposal (which can also be modified if necessary). Therefore care **should** be taken when setting condition-to-be-met-by dates, particularly if proposals are “related” e.g. if a school is proposed to add a sixth form on 1<sup>st</sup> September one year, and enlarge on 1<sup>st</sup> September the following year, and the enlargement requires planning permission, the condition set **must** be met before the addition of a sixth form can be implemented (the earlier proposal). This is because as “related” proposals, they **should** both have the same decision, which in this case, would have been approval conditional upon planning permission being met. The proposer **should** inform the Decision Maker and the Department (SOCU, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisation@dcsf.gsi.gov.uk](mailto:school.organisation@dcsf.gsi.gov.uk)) of the date when a condition is modified or met in order for the Department’s records, and those of Edubase to be kept up to date. If a condition is not met by the date specified, the proposals **must** be referred back to the Decision Maker for fresh consideration.

#### **Decisions (Paragraphs 4.64-4.66)**

4.64 All decisions **must** give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

4.65 A copy of all decisions **must** be forwarded to:

- the LA or governing body who published the proposals;
- the trustees of the school (if any);
- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisation@dcsf.gsi.gov.uk](mailto:school.organisation@dcsf.gsi.gov.uk));
- where the school includes provision for 14-16 education or sixth form education, the LSC;

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(3) S.I. 2007/1288.



- the local CofE diocese;
- the bishop of the RC diocese;
- each objector except where a petition has been received. Where a petition is received a decision letter **must** be sent to the person who submitted the petition, or where this is unknown, the signatory whose name appears first on the petition; and
- where the school is a special school, the relevant primary care trust an NHS trust or NHS foundation trust.

4.66 In addition, where proposals are decided by the LA, a copy of the decision **must** be sent to the Office of the Schools Adjudicator, Mowden Hall, Darlington DL3 9BG. Where proposals are decided by the schools adjudicator, a copy of the decision **must** be sent to the LA that it is proposed should maintain the school.

#### **Can proposals be withdrawn? (Paragraph 4.67)**

4.67 Proposals can be withdrawn at any point before a decision is taken. Written notice **must** be given to the LA, or governing body, if the proposals were published by the LA. Written notice **must** also be sent to the schools adjudicator (if proposals have been sent to him) and the Secretary of State – i.e. via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisation@dcsf.gsi.gov.uk](mailto:school.organisation@dcsf.gsi.gov.uk) . Written notice **must** also be placed at the main entrance to the school, or all the entrances if there are more than one.

#### **Transitional Exemption Order – Role of Decision Maker (Paragraphs 4.68-4.69)**

4.68 Single sex schools are not required to comply with certain provisions of the Sex Discrimination Act (SDA) 1975. When a single sex school becomes mixed it will automatically become subject to those requirements. Since the change from single sex to co-educational would normally be phased over a period of years by changing the admission arrangements to allow the admission of both sexes, the school would not be able to comply fully with the SDA requirements for some years. Transitional Exemption Orders relax the requirement to comply during the period before the school becomes wholly co-educational.

4.69 Where the Decision Maker receives statutory proposals to alter a single sex school to become co-educational, they **should** treat the proposals as an application for a Transitional Exemption Order and make the order if they approve the proposals.

# Agenda Item 10

## Chief Officer Confirmation of Report Submission Cabinet Member Confirmation of Briefing

Report for: Mayor

Mayor and Cabinet

Mayor and Cabinet (Contracts)

Executive Director

Information  Part 1  Part 2  Key Decision

Date of Meeting 22 June 2011

Title of Report Final Revenue and Capital Outturn

Originator of Report Conrad Hall Ext. 48379

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	✓	
Legal Comments from the Head of Law	✓	
Crime & Disorder Implications	✓	
Environmental Implications	✓	
Equality Implications/Impact Assessment (as appropriate)	✓	
Confirmed Adherence to Budget & Policy Framework	✓	
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed:  Executive Member (nominee)

Date: 13 June 2011

Signed:  Director/Head of Service

Date: 13-6-2011

### Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

<b>MAYOR &amp; CABINET</b>			
<b>REPORT TITLE</b>	Final Revenue and Capital Outturn		
<b>KEY DECISION</b>	No	<b>Item No:</b>	10
<b>WARD</b>	N/A		
<b>CONTRIBUTORS</b>	Executive Director for Resources		
<b>CLASS</b>	Part 1	<b>Date:</b>	22 June 2011

## **1 Executive Summary**

- 1.1 This report shows the final revenue and capital outturn position for the authority for the financial year 2009/10.
- 1.2 The final revenue outturn on the Directorate General Fund revenue budgets is £238.6m, an underspend of £1.7m against the budget of £240.3m. The Dedicated Schools' Grant (DSG) of £189m has been fully spent to its budgeted level. The position for the Housing Revenue Account (HRA) is a surplus of £0.346m. The council tax collection rate, shown in the collection fund, has risen from 92.68% to 94.09%. The final capital outturn was £72.7m against a final budget of £77.3m.
- 1.3 The overall directorate revenue outturn is summarised in section five of this report. A narrative summary of the key issues for each directorate is presented in sections six to 10, and an analysis of key variances by directorate is provided in appendices one to five. Section 11 sets out the position for the DSG, as does section 12 and appendix six for the HRA, section 13 for the collection fund and section 14 and appendix seven for the capital programme.
- 1.4 The final revenue and capital outturns have been prepared following a review of all outstanding commitments and accruals relating to the 2010/11 financial year. They will be reported to the Public Accounts Select Committee on 14 June 2011 and on to the Mayor and Cabinet on 22 June 2011. The figures in this report have also been incorporated into the council's statutory accounts for the 2010/11 financial year.
- 1.5 Regulation 8(2) of the Accounts and Audit Regulations 2011 means that local authorities are no longer required to obtain elected Members' approval of their draft accounts. Regulation 8(3)(b) does require local authorities to have elected Members, by way either of a duly constituted committee or by the Full Council, to approve the final accounts, having considered the auditor's report thereon. However, officers will still report the draft accounts to the Audit Panel for information, on 22 June 2011.

## **2 Purpose**

- 2.1 To note the council's final revenue and capital outturn for 2010/11.

## **3 Recommendation**

- 3.1 To note the financial results for the year ending 31 March 2011.

## **4 Policy Context**

- 4.1 Reporting financial results in a clear and meaningful format contributes directly to the Council's tenth corporate priority: inspiring efficiency, effectiveness and equity.

## **5 Overall Directorate Outturn**

- 5.1 The 2010/11 financial year has been challenging for local government as a whole. In-year reductions to government funding were announced in June 2010, which resulted in the council making immediate expenditure cuts of £3.3m in order to stay within its budgets. A tight local government financial settlement was announced in the autumn of 2010, as a result of which the council had to consider difficult decisions about future spending. Substantial savings were agreed and are now being implemented as a result.
- 5.2 Against this background budget holders across the authority, supported by finance officers, have maintained a strong focus on managing the 2010/11 budget. New expenditure controls (Directorate Expenditure Panels or DEPs) were introduced to support this and to drive an even greater focus on efficiency and cost reduction. The financial results of these efforts and other decisions made across the organisation are reflected in the outturn for the year.
- 5.3 Each Directorate has managed its finances to absorb transitional costs of implementing budget proposals, including redundancy payments where required. Directorates have also managed a variety of unavoidable expenditure pressures, and have each managed to deliver underspends against their agreed budgets. The aggregate of these underspends is £1.717m across the council. The DSG has been spent to budget, and there are also modest surpluses on the HRA and collection fund. The Capital Programme has largely been delivered to plan.
- 5.4 It is important to understand that the underspend against directorate budgets is not structural. This means that, although stringent expenditure controls will continue to apply, Members should not expect to see a similar underspend in this financial year, or that if such an underspend can be achieved it will not be for the same reasons.
- 5.5 Where savings were built into the 2011/12 budget, managers will have been aware since at least July 2010 (and in practice often earlier) that such proposals were being considered, and that, in the prevailing financial climate, there was necessarily a significant likelihood that they would be agreed. They have reacted accordingly, for example by not filling vacant posts, which will have created an underspend in 2010/11. These underspends will not recur in 2011/12, because the budgets they were generated against will have been reduced in accordance with the Council's decisions about budget savings.
- 5.6 The outturn for directorates is set out in the table below. Further detail is provided in the remainder of this report and in the appendices. Members will recall that the forecast figures as at February 2011, which were reported to this committee on 15 April 2011 excluded some redundancy costs which could not reasonably be estimated at that time. This is the reason why the final reported figure differs from the headline figure reported as at the end of February 2011.

## Final – Directorate Revenue Outturn Summary

Directorate	Net budget	Net outturn	Forecast over (under) spend Feb 11	Final over (under) spend
	£'000	£'000	£'000	£'000
Children & Young People	54,725	54,185	(589)	(540)
Community Services	96,091	96,069	(11)	(22)
Customer Services	42,041	42,004	(575)	(37)
Regeneration	16,252	16,098	(507)	(154)
Resources	31,220	30,256	(897)	(964)
<b>Overall Total</b>	<b>240,329</b>	<b>238,612</b>	<b>(2,579)</b>	<b>(1,717)</b>

### 6 Children & Young People Services

6.1 The underspend of £0.540m is broken down across the directorate as set out in the following table.

CYP division	Net budget	Net outturn	Forecast over (under) spend Feb 11	Actual over/ (under) spend
	£'000	£'000	£'000	£'000
Children's Social Care	41,293	41,513	220	220
Education Development	107	144	45	37
Standards & Achievement	2,055	2,055	41	0
Commissioning, Strategy & Performance	(128)	(412)	(323)	(284)
Access & Support	9,336	8,631	139	(705)
Resources	2,062	1,976	(711)	(86)
Schools	0	19	0	19
<b>Sub-Total</b>	<b>54,725</b>	<b>53,926</b>	<b>(589)</b>	<b>(799)</b>
Transfer to reserves – Transport costs		259		259
<b>Directorate Total</b>	<b>54,725</b>	<b>54,185</b>		<b>(540)</b>

6.2 As at May 2010, the Children and Young People's Directorate was forecasting an overspend for the year of £0.916m. Further financial pressures resulted from the Government announcement, on 10 June 2010, of in year budget reductions made to the area based grants, as part of their programme of public expenditure reductions. Lewisham's share of the education reductions was £2.2m. The Mayor agreed budget reductions on 14 July 2010 accordingly.

6.3 The remaining budget pressure highlighted at the start of the year was due to the increase in the number of Looked after Children. In June, the number of Looked after Children had risen to 505, from 489 in January 2010, with the comparable number of LAC as at June 2009 being 475. At the time this was forecast to add up to potentially £2.723m in expenditure pressures.

- 6.4 In the light of the fiscal climate three principal management decisions were made to control expenditure and make the savings. Firstly, a DEP was set up, whereby the Executive Director and Head of Resources scrutinised requests to commit expenditure, and only approved those agreed to be essential. This resulted in net reductions in expenditure of £1.9m.
- 6.5 Secondly, the Social Care Management team met on a weekly basis to review all looked after placements to see if lower costs placements could be made, while always ensuring that the outcomes for vulnerable children were of paramount importance. The number of looked after children at the year end reduced to 483. This action saved £0.6m, despite this a spending pressure of £2.5m remained.
- 6.6 Thirdly, the Surestart grant allocation increased in 2010/11 by £2m. The expenditure was held at previous levels as a result of the uncertainty around future financing in this area and this has enabled grant substitution to take place.
- 6.7 The final outturn position now shows an underspend of £0.540m which means the above action has provided a net saving of £1.5m is a direct result of the action taken above.
- 6.8 The final overspend in Children's Social Care of £0.22m reflects the impact of the steps described above, including the application of grant substitution. In the cases of the Access & Support and Commissioning, Strategy and Performance divisions these services would have spent to budget, but the planned applications of Sure Start grant enabled the underspends shown above to be achieved.
- 6.9 The final outturn is in line with the forecast position at February 2011.
- 6.10 Further details are provided at Appendix 1.

## 7 Community Services

- 7.1 The underspend of £0.022m is broken down across the directorate as set out in the following table.

Community Services Division	Net budget	Net outturn	Forecast over (under) spend Feb 11	Actual over/ (under) spend
	£'000	£'000	£'000	£'000
Cultural Services	8,938	8,752	9	(186)
Adult Social Care	70,403	71,504	781	1,101
Community & Neighbourhood Development	7,656	7,269	(372)	(387)
Crime Reduction and Supporting People	5,434	5,225	(71)	(209)
Policy, Strategy and Performance	3,660	3,319	(358)	(341)
<b>Directorate Total</b>	<b>96,091</b>	<b>96,069</b>	<b>(11)</b>	<b>(22)</b>

- 7.2 Throughout the year overspends were forecast within Adult Social Care, the final position for which was an overspend of £1.094m, or 1.6% of the division's net

- budget. Action was taken across a range of other budgets within the directorate to ensure that the overall outturn for the directorate was within budget.
- 7.3 In addition to the DEP process to control general expenditure across the directorate, the Executive Director introduced panels to review proposed domiciliary care packages before these were confirmed. These panels have helped to manage expenditure as well as helping to ensure that services are provided equally according to need. The weekly cost of domiciliary care packages being provided was £0.174m at the start of the year, rising to a peak of £0.183m in July before falling to £0.168m at the end of the year as expenditure controls measures took full effect. The effect of the increase in the numbers of clients taking direct payments instead of traditional care packages (up from 109 to 218 for older people) was to help manage the pressures on domiciliary care budgets.
- 7.4 The number of older clients in residential or nursing placements has also reduced, from 644 to 585. Despite this, the increase in placement costs over the early part of the year set out above could not be wholly contained within the Adult Social Care budgets. The largest overspends were £0.890m for younger adults and £0.496m for older adults. Occupational therapy and independence budgets were also overspent, by £0.4m, reflecting the increase in resources for reablement services.
- 7.5 As the budget monitoring system identified these pressures early in the year appropriate action was taken to mitigate their impact. Underspends were achieved on learning disability services, despite the cost of young people in transition from CYP budgets, and also against training budgets. However, it was clear early in the year that expenditure on adult social care could not reasonably be expected to fall within budget, and so action was taken to generate underspends across the rest of the directorate in order to manage the position.
- 7.6 The cultural services division is underspent by £0.186m. This includes an overspend of £0.126m within the libraries budget, reflecting provisions of £0.135m for redundancy costs arising from the implementation of the service restructure. The Arts & Theatre budget was underspent by £0.154m due to operational savings on staffing and other costs which resulted from the impact of the DEP process on service expenditure. The Theatre showed underspends on staffing and operational budgets across management, marketing and premises budgets to give an underspend of £0.121m whilst the Arts Service underspent by £0.033m across the service due to the spending restrictions. There was an underspend of £0.156m across Leisure Management & Sports Development budgets. There were a range of variances across the service which resulted from a combinations of the DEP process, staff vacancies and additional in year grant funding. CEL showed a small overall underspend despite absorbing redundancy costs of £0.350m.
- 7.7 The net underspend of £0.387m in Community & Neighbourhood Development includes £0.176m underspent against various employee and premises budgets and £0.039m underspent against budgets for one-off grants that were not required in the year.
- 7.8 Furthermore, as Members will be aware, funding to REAL was withdrawn after September 2009, and the organisation was then wound up. No decision has yet been taken on funding for a new race equalities organisation, and the net underspend as a result was £0.143m. The efforts made to identify a suitable partner organisation with which to work in the future were most recently reported to a meeting of the Mayor & Cabinet on 19 January 2011. At this meeting the Mayor agreed to the establishment of a new organisation, following the review undertaken by Lord Ouseley, and this work will be taken forward in 2011/12.

- 7.9 Each service within the Crime Reduction division was underspent, giving a total variance of £0.211m. The DAAT budget was underspent by £0.073m due primarily to a variance against the Residential & Day Care budget. The Community Safety & Wardens budgets were underspent by a total of £0.102m despite absorbing redundancy costs of £0.130m - this variance resulted from reductions in staffing and operational costs in the lead up to the restructure of the two service areas. There was a further underspend of £0.034m on Crime Reduction Management which resulted from a reduction in the potential revenue contribution required towards the refurbishment works at the Mercia Grove office. Despite facing some potential in year budget pressures the Youth Offending Service was able to produce a balanced budget position at year end and the Supporting People budget was 100% externally grant funded with no budget implications. There was one further minor underspend on CCTV maintenance which makes up the balance of the underspend position.
- 7.10 The underspend of £0.341m in Strategy & Performance is only partly due to the core functions of that division (where posts were held vacant), but mostly to planned underspends on budgets set aside to meet non-recurrent costs across the directorate.
- 7.11 Further details are provided at Appendix 2.

## 8 Customer Services

- 8.1 The underspend of £0.037m is broken down across the directorate as set out in the following table

Customer Services division	Net budget	Net outturn	Forecast over (under) spend Feb 11	Actual over/ (under) spend
	£'000	£'000	£'000	£'000
Strategic Housing and Regulatory Services	3,460	3,483	(188)	23
Environment	24,523	24,755	24	232
Public Services	12,897	12,379	(371)	(518)
Strategy & performance	1,161	1,103	(40)	(58)
<b>Sub-Total</b>	<b>42,041</b>	<b>41,720</b>	<b>(575)</b>	<b>(321)</b>
Transfers to reserves		284		284
<b>Directorate Total</b>	<b>42,041</b>	<b>42,004</b>		<b>(37)</b>

- 8.2 The principal reasons for the final underspend are that the council received higher than budgeted levels of housing benefit subsidy and additional income raised in the Public Services and Environment divisions.
- 8.3 Strict controls imposed on expenditure also produced significant underspends amounting to over £0.5m on salaries, agency and supplies and services costs across the directorate. The measures included the reduction in the use of agency staff, delays in or suspension of the recruitment of permanent staff where appropriate and, most significantly, not allocating waste strategy funding, £0.19m of the overall £1m programme, where it was reasonable to do so.
- 8.4 Whilst the Customer Services directorate had a net underspend of £0.037m at the end of the financial year there were some significant overspends on a small number of key budgets as set out below.



- 8.5 In Housing Needs the Private Sector Leasing (PSL) budget overspent by £0.29m as mainly as a result of a shortfall in rental income and higher than planned repairs and maintenance costs. Steps are being taken to improve the position in 2011/12 by looking at an improved procurement process for PSL properties and procedural changes to reduce the length of void time, thus increasing rental income.
- 8.6 Waste disposal budgets overspent by £0.17m in 2010/11 against a budget of £7m. Whilst the cost of disposal has increased, a reduction in tonnages of around 3% in all areas of waste disposal has reduced this overspend from the £0.305m reported in 2009/10. Negotiations are taking place with the Council's contractors to reduce further the cost of waste disposal in 2011/12.
- 8.7 The Environment Division is also reporting an overspend of £0.14m relating to stray dogs. Numbers have been increasing significantly in recent years. Numbers collected this year are similar to those of last year but the cost of boarding is rising due to an increased use of private kennels as Battersea Dogs Home do not have the capacity to meet current demand. To alleviate this pressure in the 2011/12 financial year, additional kennelling facilities have been constructed at Wearside Depot at a cost of £0.04m. This will reduce the need for the use of private kennels assuming the number of stray dogs remains at a similar level to 2010/11.
- 8.8 The directorate has funded redundancy costs of just over £0.5m from its 2010/11 budget. Whilst these predominantly relate to savings agreed as a part of the 2011-14 budget strategy, a smaller proportion relate to savings proposals agreed for the 2010/11 budget.
- 8.9 As stated in section 8.2, in addition to the strict expenditure controls imposed, the council received significant additional income in the Public Services division.
- 8.10 The council received additional income of £0.3m in respect of housing benefit subsidy. Careful management and good service performance in benefits determination achieved additional grant paid over to the council from the Department for Work and Pensions. Whilst this is a significant sum, it represents an over achievement of just 0.13% against the total budgeted income of £227m. The HB subsidy accounts are still subject to audit and, whilst no changes arising from the audit are expected, there is the possibility of some adjustment in the current year.
- 8.11 Additional court fee income of £0.32m was received in the year. This was as a result of approximately 3,000 more summons being sent out in 2010/11 compared with 2009/10 as a more rigorous collection regime was applied. The additional income was partially offset by additional resources of £0.23m being allocated to council tax collection. The effect of this management focus can be seen in that the council tax collection rate for the year was 94.09%, compared with the 92.68% achieved last year. The total council tax collected in 2010/11 was £88.965m, over £1m more than last year.
- 8.12 The variation from the forecasts as at February 2011 is mainly as a result of redundancy costs as set out above, and a sum of £0.285m being carried forward to 2011/12 to support activities being undertaken to ensure the successful implementation of the 2011-14 budget strategy. These relate to a review of single persons discount in respect of council tax, the introduction of an automated switchboard, the possible purchase of a new debtors system and the purchase of a long term licence for the council tax system.
- 8.13 Further details are provided at Appendix 3.

## 9 Regeneration

- 9.1 The underspend of £0.154m is broken down across the directorate as set out in the following table.

Regeneration division	Net budget	Net outturn	Forecast over (under) spend Feb 11	Actual over/ (under) spend
	£'000	£'000	£'000	£'000
New Deal for Communities	65	89	0	24
Planning and Economic Development	2,694	2,693	(103)	(1)
Programme Management & Property	11,216	11,513	184	297
Strategy, Performance & Resources	1,083	1,032	(86)	(51)
Transport	1,193	771	(502)	(423)
<b>Total</b>	<b>16,252</b>	<b>16,098</b>	<b>(507)</b>	<b>(154)</b>

- 9.2 The change between the forecast and actual outturn figures is due to accounting for £0.418m of redundancy costs that were subject to further confirmation as at February 2011 and therefore not included in the previously reported February forecast outturn of £0.507m.
- 9.3 Expenditure pressures in the Property & Programme Management division were highlighted throughout the year. Despite applying strong controls to limit expenditure the costs of meeting health and safety responsibilities and of ensuring that assets are maintained in an acceptable condition (so avoiding more expensive future repairs) have led to an overspend against repairs, maintenance and facilities management budgets of £0.303m. It has been possible partially to offset these within the Programme Management element of the division and the Asset & Strategy element by holding posts vacant and other expenditure controls. This has reduced the overall overspend for the division to £0.217m on a like-for-like basis with the forecast as at February, or £0.297m once redundancy costs are taken into account.
- 9.4 As these pressures were identified early in the year the Executive Director implemented expenditure controls to ensure that underspends were generated across the rest of the directorate. These have enabled the directorate to offset the overspend highlighted above and to finance unavoidable redundancy costs whilst remaining within its overall budget.
- 9.5 The underspend of £0.423m in the Transport division has principally been achieved by additional income from issuing permits for road works and from additional income from utility companies for parking suspensions. Where these additional sources of income can reasonably be assumed to be ongoing proper adjustments have been made to the 2011/12 budgets. Expenditure has also been subject to tight control, including by holding posts vacant ahead of planned reorganisations.
- 9.6 Other underspends within the Strategy & Performance and Resources divisions (before redundancy costs) are due to holding posts vacant and other strict expenditure controls. In the Planning division redundancy costs of £0.260m have

also been financed from additional development control income arising from major planning applications, and are included in the final outturn reported above.

9.7 Further details are provided at Appendix 4.

## 10 Resources

10.1 The underspend of £0.964m is broken down across the directorate as set out overleaf.

Resources division	Net budget	Net outturn	Forecast over (under) spend Feb 11	Actual over/ (under) spend
	£'000	£'000	£'000	£'000
Audit & Risk	3,491	3,172	(278)	(319)
Corporate Policy & Governance	3,684	3,493	(105)	(191)
Finance	6,504	6,211	(345)	(293)
Executive Office	404	370	(33)	(34)
Procurement	387	357	(34)	(30)
Personnel & Development	3,283	3,237	(99)	(46)
Legal Services	2,599	2,644	19	45
Strategy	3,281	3,034	(97)	(247)
Technology & Transformation	7,587	7,738	74	151
<b>Total</b>	<b>31,296</b>	<b>30,256</b>	<b>(897)</b>	<b>(964)</b>

10.2 The Resources directorate has consistently forecast underspends during the financial year (£0.2m as at June, £0.5m as at September rising to £0.9m at February). These results have been achieved by applying strong expenditure controls across the directorate and through not filling vacant posts wherever possible, to deliver underspends and to facilitate staffing reorganisations as part of the budget strategy, so limiting redundancies.

10.3 Most divisions within the directorate have been able to achieve underspends and to offset redundancy costs where applicable. The more significant underspends (those over £0.1m) have been achieved through the measures described above, and, in addition:

- Reductions in insurance premiums on renewal of £0.087m were achieved in Audit & Risk, through good claims management
- A revised approach to consultation and engagement created an underspend of £0.09m within Corporate Policy & Governance
- Slippage in the programme of climate change activities, efficiencies in recruiting apprentices through working in partnership with other public sector agencies and reducing spend on the web site development created overall underspends of £0.247m within the Strategy division.

10.4 The overspend in Technology and Transformation of £0.151m arose because redundancy costs of £0.256m could not be contained within its budget. As these costs were incurred in delivering significantly greater savings, and as the division also achieved other minor offsetting underspends this position was accepted by the Resources management team in the context of the overall underspend achieved across the directorate.

10.5 Further details are provided at Appendix 5.

## 11 Dedicated Schools' Grant

11.1 The Dedicated Schools Grant (DSG) had a carry forward of £2.2m from 2009/10 and this has been offset by savings made in Standards Funds Grants and a lower number of children with Special Educational Needs than forecast. This has also allowed sufficient savings to be made for the cost of creating extra classes for the increase in the primary school pupil population.

11.2 The DSG shows a balanced position as originally forecast.

11.3 The school carry forwards as at 31 March 2011 were £8.7m. The balance at the end of the previous year was £6.9m. This has reversed the trend of previous years, in which school balances have consistently reduced. This reflects prudent financial planning by schools. Given the significant potential funding pressures in future years, including reduced allocations and the possible move to a national funding formula, it is reasonable that schools will have sought to increase balances in the short term as part of their financial planning.

11.4 There are 22 schools which have balances in excess of the capping limit (i.e. 8% of net budget for primary Schools and 5% for secondary schools). The Schools' Forum considered these and agreed not to cap schools this year due to the current fiscal uncertainty and the possibility of a national funding formula being introduced that could have a detrimental effect on future local funding levels.

11.5 There are some quite significant deficits especially in the secondary sector. These deficits have emerged over the last two years and have been taken account of in financial planning. Officers have worked with the schools concerned and all the schools that have deficits now have either an agreed recovery plan or are drawing up revised plans.

11.6 The three year budget plans for 2011/12 to 2013/14 are not due back to the local authority until the end of May. At present officers do not expect any shortfalls in funding that cannot be managed in-year by schools.

11.7 The schools in deficit are set out in the table below.

School	Budget	Deficit	%	
	£'000	£'000		
Forest Hill	8,339	443	5.3	Recovery plan in place
Crossways Sixth Form	3,791	392	10.3	Recovery plan in place
Trinity	3,435	194	5.6	Recovery plan in place
St Joseph's RC Primary	1,244	48	3.9	Recovery plan in place
New Woodlands	1,909	14	0.7	Recovery plan in place
All Saints' CE Primary	952	3	0.3	

## 12 Housing Revenue Account

- 12.1 The final outturn on the HRA is a surplus of £0.346m after contributions to and from reserves.

HRA Service Areas	Net budget	Net outturn	Forecast over (under) spend Feb 11	Forecast over/ (under) spend
	£'000	£'000	£'000	£'000
Customer Services – Housing	20,169	21,229	60	1,060
Lewisham Homes Fee & R&M	41,563	41,574	32	11
Resources	1,762	1,539	(223)	(223)
Centrally managed budgets	(63,494)	(64,688)	137	(1,194)
<b>Total</b>	<b>0</b>	<b>(346)</b>	<b>7</b>	<b>(346)</b>

- 12.2 The surplus has been caused by additional subsidy & leaseholder income off-set by additional contributions for bad debt, and reductions in right to buy sales. There has been an increase in the contribution to bad debts provision of £0.476m due to increases in rent, service charges and commercial rent arrears. The surplus of £0.346m will be added to Housing Revenue Account Balances.
- 12.3 As can be seen from the table above, centrally managed budgets underspent by £1.2m. This is due in part to additional income of around totalling £0.5m from leasehold major works service charges, commercial, aerial, commission, court costs and garage rents. Additional income of £0.158m was also received due to recharges to capital for right to buy costs being paid to the HRA. The other major contributing factor to the underspend was that the Authority also received a post audit adjustment of an additional £0.381m in HRA subsidy relating to financial year 2009/10.
- 12.4 Recharges to the HRA were also less than budgeted for, reflecting the underspends achieved within the general fund. Staff vacancies predominantly contributed to a reduction in internal support costs of £0.223m.
- 12.5 Further details are provided at Appendix 6.

## 13 Collection Fund

- 13.1 The Collection Fund is a separate account, required by statute showing the amount of Council Tax, Council Tax Benefit and National Non-Domestic Rates (NNDR) expected to be collected during the financial year.
- 13.2 The account also shows how the amount collected, after providing for bad debts and write-offs, is distributed between the Council's General Fund, the Greater London Authority (the Preceptor) in respect of Council Tax and to the Government in respect of NNDR.
- 13.3 Collection improved significantly in 2010/11 compared with 2009/10. The headline collection rate in year was 94.09%, or £88.965m. The balance, less any uncollectable amounts, will need to be collected in later years. In 2009/10, the

collection rate was 92.68%, so over £1m in absolute terms was collected in 2010/11 than in 2009/10.

- 13.4 This improvement reflects strong and determined management attention to ensuring that the collection process is robust, with late payers being chased up promptly and formal recovery action initiated swiftly. Where there are cases of genuine hardship the council seeks to strike a reasonable balance between the need to collect taxes in order to finance services and the need to act reasonably and proportionately, especially where vulnerable citizens are concerned.
- 13.5 This improvement in collection performance is substantial. Nevertheless, Lewisham remains in the lower quartile for collection performance across London. This comparison is not adjusted for demographic factors or relative deprivation, and it is the case that collecting council tax is easier in some places than others. Nevertheless, officers will work hard to ensure that collection performance continues to improve towards the levels achieved by comparable inner London boroughs.

## 14 Capital programme

- 14.1 The following table summarises the Capital expenditure outturn position for 2010/11 and indicates that the spend of £72.710 million is £4.575m (5.9%) below that projected.

### Capital Outturn 2010/11

	Directorate Programmes £m	Lewisham Homes £m	Total £m
Projected Outturn Third Capital Monitoring Report	62.245	15.040	77.285
Capital Expenditure 2010/11	54.012	1.600	55.612
Major Revenue Works	3.947	13.151	17.098
<b>Total Spend</b>	<b>57.959</b>	<b>14.751</b>	<b>72.710</b>
Net Position	-4.286	-0.289	-4.575
% Spent	93.1%	98.1%	94.1%

- 14.2 It should be noted that a number of major works schemes which the Council for control purposes classifies as capital during the year are required under accounting conventions to be transferred to revenue at the year end. For comparative and performance appraisal purposes these are included in the outturn report.
- 14.3 The principal variances and between projected and actual capital expenditure are summarised in Appendix 7 together with explanations provided by programme managers. It should be noted that the variances principally relate to slippage between years and consequently the net position identified in the table above does not represent un-committed resources available to fund additional projects.
- 14.4 The third capital monitoring report and subsequent developments had identified resources of £383.091m as being available to fund the current and subsequent years capital programmes. The 2010/11 resources outturn position and those available to finance future years' programmes is as set out below:

## Capital Programme Financing – Outturn v Quarter 3 Forecasts

	Capital Grants	Capital Receipts	Other	Total
	£m	£m	£m	£m
Actual Resources Available 1 <sup>st</sup> April 2010	4.395	16.048	5.932	26.375
Resources Accruing 2010/11	39.961	21.267	22.228	83.456
Total Resources Available 2010/11	44.356	37.315	28.160	109.831
Projected Remainder of Programme	193.398	52.448	27.414	273.260
Projected Resources Third Capital Monitoring Report	252.677	74.754	46.420	373.851
Developments Since Third Report	-14.923	15.009	9.154	9.240
Projected Resources @ Outturn	237.754	89.763	55.574	383.091
<b>Utilised to Fund 2010/11 Capital and Major Revenue Works Expenditure as set out in Table 2.</b>	<b>38.598</b>	<b>11.919</b>	<b>22.193</b>	<b>72.710</b>
Committed to Fund Subsequent Years' Programmes	199.156	77.844	26.681	303.681
Resources to fund future programmes	0	0	6.700	6.700

14.4 The table above indicates that:

- The programme has sufficient actual resources available to finance the expenditure of £72.710 million incurred during the year.
- There are sufficient projected resources available to finance the committed expenditure for the remainder of the programme.

## 15 Financial Implications

15.1 This report concerns the financial results for the 2010/11 financial year. However, there are no financial implications in agreeing the recommendations of this report.

## 16 Legal Implications

16.1 The Council must act prudently in relation to the stewardship of Council taxpayers funds. The Council must set and maintain a balanced budget.

## 17 Crime and Disorder Act Implications

17.1 There are no crime and disorder implications directly arising from this report.

## **18 Equalities Implications**

18.1 There are no equalities implications directly arising from this report

## **19 Environmental Implications**

19.1 There are no environmental implications directly arising from this report.

## **20 Conclusion**

20.1 The council has continued to apply sound financial controls, and has enhanced these to ensure that consistently strong financial results have been delivered despite the challenging fiscal climate. However, the short and medium-term outlook remains difficult and continued strong management and fiscal discipline will be required to enable the Council to meet its financial targets for 2011/12 and beyond.

### **BACKGROUND PAPERS**

None

### **APPENDICES**

Appendix 1 – Detailed Children & Young People Directorate outturn

Appendix 2 – Detailed Community Services Directorate outturn

Appendix 3 – Detailed Customer Services Directorate outturn

Appendix 4 – Detailed Regeneration Directorate outturn

Appendix 5 – Detailed Resources Directorate outturn

Appendix 6 – Detailed Housing Revenue Account outturn

Appendix 7 – Detailed Capital Programme outturn

### **FURTHER INFORMATION**

If there are any queries on this report or you require further information, please contact Conrad Hall, Head of Business Management and Service Support on 020 8314 8379.



## Children and Young People's Directorate - 2010/11 Final Outturn

### Directorate

(Controllable items only)	Revised Budget	Final Outturn	Net Variance	Net Variance %
General Fund	£'000	£'000	£'000	%
Children's Social Care (1XCA)	41,293	41,513	220	0.5%
Education Development (1XFA)	107	144	37	34.6%
Standards and Achievement (1XEA)	2,055	2,055	0	0.0%
Commissioning, Strategy & Performance (1XMA)	(128)	(412)	(284)	221.9%
Access & Support (1XPA)	9,336	8,631	(705)	-7.6%
Resources (1XRA)	2,062	1,976	(86)	-4.2%
Schools (1XSA)	0	19	19	0.0%
<b>CYP Directorate</b>	<b>54,725</b>	<b>53,926</b>	<b>(799)</b>	<b>-1.5%</b>
Transfer to Reserve - £259,000 Shuttle Bus			259	
<b>Total CYP Directorate</b>			<b>(540)</b>	

### Further details on the main variances are shown below:

£'000's

<b>Children's Social Care (1XCA)</b>	<b>£'000</b>
The number of Looked after Children reached a peak in June 2010 of 505 and has since been actively managed and now stands at 483. Despite this the current number is still in excess of that allowed for in the budget. The budget would have been overspent at the year end by £2.5m. The budget has been supported by grant substitution but the overspend that remains is £601k	601
Asylum Seekers Grant – A funding bid was made for extra grants, at the time a prudent approach was taken and no income was anticipated. The bid was confirmed and an extra £381k was received	(381)
<b>Education Development (1XFA)</b>	
Single status	37
<b>Standards and Achievement (1XEA)</b>	
	0
<b>Commissioning, Strategy &amp; Performance (1XMA)</b>	
Children's fund grant substitution which was used to offset spending on social care	(284)
<b>Access &amp; Support (1XPA)</b>	
Single Status	439
As a result of tighter control of Sure Start Grant in 2010/11, in the light of the financial position, it has been possible to apply surestart grant to reduce areas of Access and Support expenditure. This includes transport, education psychologist, special education needs and under 5's.	(1,144)
<b>Resources (1XRA)</b>	
Contingency - A number of corporate funds have been received during the year, particularly for inflation and single status. As part of the constraints around the fiscal climate this has not been passed onto budget holders, as it was felt they could manage any extra costs during the year as a result of the DEP being in place.	(495)
School buildings – repairs (Lee Manor primary school roof repairs and cost of toilets and kitchen facilities at the Mornington centre) and asbestos and condition surveys	303
Employment tribunals	125

## Dedicated Schools Grant

(Controllable items only)	Revised Budget	Final Outturn	Net Variance	Net Variance
Schools Block	£'000	£'000	£'000	%
Children's Social Care (1XCA)	705	710	5	0.7%
Education Development (1XFA)	586	884	298	50.9%
Standards and Achievement (1XEA)	1,067	709	(358)	-33.6%
Commissioning, Strategy & Performance (1XMA)	164	(25)	(189)	-115.2%
Access & Support (1XPA)	20,350	18,018	(2,332)	-11.5%
Resources (1XRA)	(26,597)	(25,513)	1,084	-4.1%
Schools (1XSA)	1,008	2,501	1,493	148.1%
<b>Total CYP Directorate - Schools Block</b>	<b>(2,717)</b>	<b>(2,716)</b>	<b>1</b>	<b>35.3%</b>

Further details on the main variances are shown below:

£'000's

<b>Children's Social Care (1XCA)</b>	5
<p><b>Education Development (1XFA)</b></p> <p>When setting this years budget it was anticipated that there would be a need to accommodate between 450 and 510 extra pupils. As, these pupils were not in school on the count date (January 2010), no funding was received for them. They only attract funding from 2011/12. Some schools have the capacity to absorb these pupils but when their class capacities were reached another class was needed, which of course requires extra capital works, teaching staff and associated costs. The capital element will be met centrally. The total revenue costs allowed for these so called bulge classes was £654k.</p> <p>At the time of setting the budget negotiations were still going on with schools to set up the classes. The budget provided for 15 classes with half of them opening in September and half in January. It was also assumed in line with previous years that half of the pupils would enter in September and the remainder in January. In fact the proportion starting in September is 71%.</p> <p>18 new classes opened during the year.</p>	298
<p><b>Standards and Achievement (1XEA)</b></p> <p>Standards Funds Grant Substitution of services expected to be funded from the Dedicated Schools Grant budget allocation.</p>	(358)
<p><b>Commissioning, Strategy &amp; Performance (1XMA)</b></p> <p>Commissioning, strategy and performance - Targeted Mental Health grant substitution</p>	(189)
<p><b>Access &amp; Support (1XPA)</b></p> <p>Independent Special School Fees – fewer children than forecast</p> <p>Recoupment – Cost for previous years now expected not to be received</p> <p>SEN Matrix – fewer number of statements</p> <p>Grant substitution – sure start and standards funds</p>	(308) (123) (226) (1,675)
<p><b>Resources (1XRA)</b></p> <p>At the end of each year the balance on the Dedicated School Grant funding balances has to be carried forward to the next financial year. At the end of last year the balance carry forward was £2.2m. This was offset by savings in the general contingency and grant substitution.</p>	1,084
<p><b>Schools (1XSA)</b></p> <p>Increase in school carry forward, external funds and outstanding charges - to rolled forward next year into school balance.</p>	1,493

## Community Services Directorate - 2010/11 Final Outturn

(Controllable items only)	Revised Budget £'000	Final Outturn £'000	Net Variance £'000	Net Variance %
Culture Services (2XCA)	8,938	8,752	(186)	-2.1%
Adult Social Care (2XDA)	70,403	71,504	1,101	1.6%
Community & Neighbourhood Development (2XFA)	7,656	7,268	(388)	-5.1%
Crime Reduction & Supporting People (2XNA)	5,434	5,225	(209)	-3.8%
Policy, Strategy & Performance (2XSA)	3,660	3,319	(341)	-9.3%
<b>Total - Community Directorate</b>	<b>96,091</b>	<b>96,068</b>	<b>(23)</b>	<b>0.0%</b>

### Further details on the main variances are shown below:

£'000's

<p><b>Culture Services (2XCA)</b> £126k overspend on libraries (redundancy costs) but otherwise services underspent (£154k Arts &amp; Theatre, £107k Sports, Other (£51k))</p>	(186)
<p><b>Adult Social Care (2XDA)</b> Largest overspend is on services for YA with a physical disability where client numbers increased in first 6 months of 10/11 in particular. Other large overspends on budgets for Older Adults and Occupational Therapy (including equipment). Underspends on modernisation and training held to offset overspends.</p>	1,101
<p><b>Community &amp; Neighbourhood Development (2XFA)</b> The net underspend on main grants budget, principally attributable to grants to 2 groups not being withheld.</p>	(388)
<p><b>Crime Reduction &amp; Supporting People (2XNA)</b> Small underspends in several areas : DAAT (£75k), Wardens (£34k), Crime Reduction Service Management (£34k), Community Safety (£45k), Other (£21k). Mostly due to posts held vacant.</p>	(209)
<p><b>Policy, Strategy &amp; Performance (2XSA)</b> Managed underspends on DMT and Community Provisions budgets held to offset overspend in ASC</p>	(341)

## Customer Services Directorate - 2010/11 Final Outturn

(Controllable items only)	Revised Budget £'000	Final Outturn £'000	Net Variance £'000	Net Variance %
Strategic Housing & Regulatory Services (3XQA)	3,460	3,483	23	0.7%
Environment (3XFA)	24,523	24,755	232	0.9%
Public Services (3XPA)	12,897	12,379	(518)	-4.0%
Strategy & Performance (3XRA)	1,161	1,103	(58)	-5.0%
<b>Customer Directorate</b>	<b>42,041</b>	<b>41,720</b>	<b>(321)</b>	<b>-0.8%</b>
Transfer to Reserve - £283,750 Public Services			284	
<b>Total - Customer Directorate</b>		<b>42,004</b>	<b>(37)</b>	

### Further details on the main variances are shown below:

£'000's

<p><u>Strategic Housing &amp; Regulatory Services (3XQA)</u> An overspend of £288k on PSL has been offset by salary underspends in Strategic Housing (£154k) and Environmental Health (£44k) together with the over achievement of income in Staying Put (£45k) and Building Control (£51k).</p>
<p><u>Environment (3XFA)</u></p>
<p><u>Public Services (3XPA)</u> A surplus of £297k in HB/CTB subsidy and an overachievement of court fee (£322k) and registrars income (£97k) have contributed to an overall underspend of £518k. The additional income has been used in part to engage additional agency staff to improve council Tax collection</p>
<p><u>Strategy &amp; Performance (3XRA)</u> Higher than expected income resulting from staff secondment to Barking &amp; Dagenham of £20k and a planned underspend in supplies and services budgets contributed to the underspend of £58k. The planned underspend is intended to offset the cost of kennelling at Wearside depot</p>

## Regeneration Directorate - 2010/11 Final Outturn

(Controllable items only)	Revised Budget £'000	Final Outturn £'000	Net Variance £'000	Net Variance %
New Deal for Communities (4XCA)	65	89	24	36.6%
Planning & Economic Development (4XPA)	2,694	2,693	(1)	0.0%
Programme Management & Property (4XBA)	11,216	11,513	297	2.7%
Strategy & Performance (4XSA)	937	940	3	0.3%
Resources (4XRA)	146	92	(54)	-37.2%
Transport (4XTA)	1,193	771	(423)	-35.4%
<b>Total - Regeneration Directorate</b>	<b>16,252</b>	<b>16,098</b>	<b>(154)</b>	<b>-0.9%</b>

### Further details on the main variances are shown below:

£'000's

<u>New Deal for Communities (4XCA)</u>	
The overspend of £24k relates to redundancy costs incurred as NDC completed its 10-year programme and wound up on 31 March 2011.	24
<u>Planning &amp; Economic Development (4XPA)</u>	
Development Control (underspend £238k) - The DC underspend is principally due to increased income of £379k as a result of a number of major planning applications. There were also underspends of £52k on staff and £27k on running costs. This was offset by £129k additional expenditure on the North Lewisham Masterplan and £91k for redundancy costs.	(238)
Land Charges (overspend £81k) - The overspend results from a change in legislation which meant we could no longer charge for personal searches.	81
Economic Development (overspend £165k) - Due to redundancy costs of £169k offset by minor underspends £4k.	165
Other variances (underspend £9k) - from Planning Policy & Conservation.	(9)
<u>Programme Management &amp; Property (4XBA)</u>	
Property Services (overspend £344k) - Expenditure on the repair and maintenance of the corporate estate was restricted to essential health and safety issues only (for the second year running) but there was still an overspend of £508k. In addition, there were overspends on rent & service charges £42k, water £46k, other running costs £33k, an income shortfall of £42k and redundancy costs of £41k. These were offset by savings on gas and electricity £242k and backdated rebates on NNDR £126k.	344
Asset Strategy & Development (underspend £37k) - There was a £24k over-achievement of rent income on commercial estates due to high tenancy levels, plus savings on feasibility work £15k and staff £8k. These were offset by a £10k overspend on Travellers' Site costs.	(37)
Programme Management (underspend £10k) - There was an underspend of £124k on staff due to a combination of vacancies and the level of salaries recharged to capital. This was offset by the costs of the Civic Condition Survey £37k, redundancy costs £39k and other running expenses £38k.	(10)
<u>Strategy &amp; Performance (4XSA)</u>	
There was an underspend of £20k due to vacancies, plus savings of £7k on training and £13k on other office costs due to spending restrictions. These were offset by redundancy costs of £43k.	3
<u>Resources (4XRA)</u>	
The underspend of £54k is due to a lower bad debt provision contribution £29k and savings on running costs at Wearside Depot £25k.	(54)

Transport (4XTA)

Highways Maintenance (underspend £285k) - Of this underspend £208k resulted from the introduction of the London Permitting Scheme. There has needed to be a period of settling in before costs and income could be realistically forecast and some expenditure, particularly staffing and IT, has been lower than expected. A further underspend of £81k occurred on Street Lighting, as expenditure was kept to a minimum prior to the commencement of the joint PFI with Croydon. Other variances across Highways Maintenance amounted to an overspend of £4k. (285)

Door to Door (underspend £32k) - Due to lower staffing costs £23k and a number of small variances across running expense budgets £9k. (32)

Travel Demand Management (underspend £106k) - Parking had a net underspend of £55k due to increased income £285k offset by agency costs £44k, additional works to car parks £59k, contractor costs £51k, computer licences £56k and other variances £20k. Other budgets (principally Road Safety, Travel Co-ordination, School and Work Travel Planning) had a combined underspend of £51k. (106)

## Resources Directorate - 2010/11 Final Outturn

(Controllable items only)	Revised Budget £'000	Final Outturn £'000	Net Variance £'000	Net Variance %
Audit and Risk (5XMA)	3,491	3,173	(318)	-9.1%
Corporate Policy and Governance (5XCP)	3,684	3,493	(191)	-5.2%
Finance (5XWA)	6,504	6,208	(296)	-4.6%
Executive Office (5XEA)	404	370	(34)	-8.4%
Procurement (5XPA)	387	357	(30)	-7.8%
Personnel and Development (5XHA)	3,283	3,238	(45)	-1.4%
Legal Services (5XLA)	2,599	2,644	45	1.7%
Strategy (5XCC)	3,281	3,035	(246)	-7.5%
Technology and Transformation (5XTA)	7,587	7,738	151	2.0%
<b>Total - Resources Directorate (exc. Corp Prov Res)</b>	<b>31,220</b>	<b>30,256</b>	<b>(964)</b>	<b>-3.1%</b>

Further details on the main variances are shown over page:

£'000's

**Audit and Risk (5XMA)**

The division is reporting an underspend of £318k. This is an overspend relating to Directorate redundancy costs of £93k. This is offset by underspends on Internal Audit (£191k), the Anti-Fraud Team (£100k) and Health & Safety (£24k) which have resulted from a combination of reduced staffing expenditure and in the case of the Anti-Fraud Team increased levels of income from work undertaken for Lewisham Homes. There is a further underspend of £87k on Insurance as a result of reductions in insurance premium renewals. (318)

**Corporate Policy and Governance (5XCP)**

This division is reporting an underspend of £191k. There are underspends on Business & Committee (50k) and Policy & Partnerships (50k) resulting from a combination of staff vacancies, reduced spend on supplies & services budgets and additional grant income. Also, due to a change in the approach to and efficiency generated on consultation and engagement a significant saving of £90k has been made over the last year. (191)

**Finance (5XWA)**

This division is reporting an underspend of £296k. The key area of overspend relates to Directorate redundancy costs of (£368k) resulting from the implementation of the 2011-14 savings proposals. There were underspends across the Division resulting from posts being held vacant and reduced use of agency staff which totalled £348k. There were also underspends against the general Resources Provisions budget (£200k) and a reduction in the Resources bad debt provision (£100k) which had not been previously highlighted. Other smaller variances across the Division make up the difference. (296)

**Executive Office (5XEA)**

The Executive office has an underspend of £34k due to a staff vacancy. (34)

**Procurement (5XPA)**

Procurement is underspent by £30k. This is primarily the result of a post being held vacant within the Procurement Team. (30)

**Personnel and Development (5XHA)**

This division is reporting an underspend of £45k. There are a number of under and overspends within the division but key areas of overspend were reduced income for recruitment (£88k) and an overspend on salaries in the Corporate Personnel Team (£80k). These are offset by underspends on Learning & Development (£68k), the Graduate Development Programme (£31k), vacancies in the Recruitment Unit (£51k) and Employee Engagement (£38k). There was also an underspend on the PHRIS budget (£50k). Other smaller variances make up the difference. (45)

	<p><b><u>Legal Services (5XLA)</u></b>  Legal Services is reporting an overspend of £45k. This is a net figure made up of an overspend of £138k on salaries in the Legal area due to the cost of agency cover for long term sickness, vacancies and additional support; and an overachievement on the income budget of £143k. Other smaller overspends across the division make up the difference.</p>	45
<p><b><u>Strategy (5XCC)</u></b>  Strategy is reporting an underspend of £246k. The main areas of underspend are: Communications &amp; Marketing (£60k) following staff secondment &amp; reduced spend on the web site development, the Apprenticeship Programme (£80k) resulting from efficiencies gained from working in partnership with other public sector agencies in Lewisham and the Climate Change programme (£90k) which resulted from delays in the availability of external funding streams and the resulting match funding not being required until this year for the delivery of new projects. Smaller variations across the division make up the difference.</p>		(246)
<p><b><u>Technology and Transformation (5XTA)</u></b>  This division is reporting an overspend of £151k. There are a number of under and overspends within the Division but the key areas of overspend include Directorate redundancy costs (£256k), salaries in the Corporate Technology Team (£22k) and Software Licences (£40k). These are offset by underspends on Photocopying Contracts (£33k), the Voice Technology budget (£95k) and Business Continuity (£19k). Other smaller underspend across the service make up the difference.</p>		151



## Housing Revenue Account - Final Revenue Outturn 2010/11

(Controllable items only)	Revised Budget £'000	Final Outturn £'000	Net Variance £'000	Net Variance %
Repairs and Maintenance	20,561	20,561	0	0%
Housing Management Costs	41,171	42,242	1,071	2.60%
Other Expenditure	5,647	5,522	(125)	-2.22%
Recharges	1,762	1,539	(223)	-12.64
Capital Financing and Subsidy	11,514	10,976	(538)	-4.68%
Rental and Other Income	(80,655)	(81,185)	(530)	0.66%
<b>Net Outturn</b>	<b>0</b>	<b>(345)</b>	<b>(345)</b>	<b>0%</b>

£'000's

Further details on the main variances are shown below:

<u>Repairs and Maintenance</u> R&M was spent to budget.	0
<u>Housing Management Costs</u> This over spend was due to a combination of overspends in the Housing Options area (Hostels & Homelessness) of £55k, additional, unbudgeted contributions to the Brockley PFI scheme of £1.0m and minor overspends in TMO and other management costs of £15k.	1,071
<u>HRA Other Expenditure</u> Miscellaneous HRA Expenditure under spent by £125k. The majority of this under spend relates to unbudgeted income of £116k from the risk reserves. There was an over spend of £583k against provisions required for bad debts due to increases in arrears. There was also an over spend of £474k on Energy Costs relating to increased utilities costs not recovered from Tenants or Leaseholders. However, these were partly off-set by under spends on the HRA working budget of £500k and other minor under spends.	(125)
<u>HRA Recharges</u> HRA Recharges under spent by £223km. This under spend was due to lower than budgeted Internal support costs recharges due to staff vacancies (which resulted in a lower recharge).	(223)
<u>Capital Financing and Subsidy</u> Subsidy and Capital Financing costs fluctuate due to the progress of the stock transfers and the calculation for the average stock number which is part of the HRA return. The subsidy paid is adjusted as the stock transfers progress and the Subsidy paid on the total debt for the authority is adjusted in line with stock transfers. In addition, the interest rate is based on an estimate until the final charges can be put through the HRA at year end. The authority also received a post audit adjustment of an additional £381k in HRA Subsidy relating to financial year 2009/10.	(538)
<u>HRA Rental and Other Income</u> The HRA generated additional income of £530k. This was primarily due to additional Leasehold major works service charge income of £253k, there was also additional income in commercial, aerial, commission, court costs and Garage Rent income of £524k. An additional income of £158k was also received due to two years worth of recharges to Capital for RTB costs being paid to the HRA. Rents and service charge income was close to budget. However, this was partly off-set by reduced day-to-day Leaseholder income of £400k as a result of an overestimated budget provision by Lewisham Homes.	(530)

**Capital - Final Outturn 2010/11**

–Details of Significant Budget Variances 2010/11 (&gt;£0.5m)

<b>TOTAL DIRECTORATES' CAPITAL PROGRAMME</b>	<b>57719</b>	<b>54012</b>	<b>-3707</b>	<b>93.58</b>
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**Directorates Capital Programme**

Largest Projects / Programmes	Revised Budget £'000	Final Outturn £'000	Net Variance £'000	Percentage Spent %
<b>Children and Young People (CYP)</b>				
BSF Programme	4,141	3,541	(600)	85.5
Quality & Access Grant	1,629	880	(749)	54.0
Primary Place Expansion	3,110	3,619	509	116.4
<b>CYP Sub-Total</b>	<b>8,880</b>	<b>8,040</b>	<b>(840)</b>	<b>0.0</b>
<b>CYP – Schools</b>				
Standards Fund projects	0	2,674	2,674	
<b>CYP - Schools Sub-Total</b>	<b>0</b>	<b>2,674</b>	<b>2,674</b>	<b>0.0</b>
<b>Regeneration</b>				
Deptford Station	2,388	425	(1,963)	17.8
Highways programme	3,005	2,395	(610)	79.7
<b>Regeneration Sub-Total</b>	<b>5,393</b>	<b>2,820</b>	<b>(2,573)</b>	<b>0.0</b>
<b>Customer Services</b>				
Brockley PFI	2,000	3,000	1,000	150.0
Heathside & Lethbridge	974	173	(801)	17.8
<b>Customer Services Sub-Total</b>	<b>2,974</b>	<b>3,173</b>	<b>199</b>	<b>0.0</b>
<b>Total</b>	<b>17,247</b>	<b>16,707</b>	<b>(540)</b>	<b>0.0</b>
<b>Total Directorates' Capital Programme</b>	<b>62.246</b>	<b>57.959</b>	<b>-4.287</b>	<b>93.10</b>

Programme and Project Managers have provided the following explanations for variances identified:

**Further details on the main variances are shown below:**

£'000's

<p><b>BSF Programme</b></p> <p>At the time of the quarter three report the detailed cost plans for the BSF D&amp;B schools were not available. Therefore the forecasts were taken from project managers forecasts based on start and end dates. During quarter four the detailed cost plans were available from the contractors and therefore a more accurate forecast is no included in the capital programme.</p>	(600)
<p><b>Quality &amp; Access Grant</b></p> <p>As part of the Comprehensive Spending Review (CSR) announced in January 2011 the allocation of this grant to LBL was cut to £0.880 million. The programme of expenditure was therefore also cut to £0.880 million.</p>	(749)
<p><b>Primary Place Expansion</b></p> <p>The increase in spend in 2010/11 compared to the forecast at quarter three is mainly due to the acceleration of the work and therefore the spend on the modular building element of the programme.</p>	509

<p><u>Schools Standards Fund</u> There are no forecast expenditure or resources for the schools standards fund programme included in the capital programme throughout the year. The spend and budget/ resources to fund the spend are added into the programme at year-end</p>	2,674
<p><u>Deptford Station</u> This programme has continued to slip throughout 2010/11 due mainly to design issues needing to be resolved. The project has moved on significantly in 2011/12 with the construction contract being signed and the contractors moving on site in April 2011. Currently the forecast completion date of the new station is for November 2011.</p>	(1,963)
<p><u>Highways Programme</u> The forecast at quarter three included a level of spend against the unspent balance brought forward. During quarter four it was decided to carry out an affordability review around the whole of the Highways programme, as it is funded by unsupported borrowing. This resulted in the putting on hold any expenditure against the brought forward budgets.</p>	(610)
<p><u>Brockley PFI</u> The budget for the LBL contribution to the Brockley PFI programme from the capital programme is £3.0m. This was staged depending on the completion of pre-determined numbers of affordable housing by the PFI partner. It was forecast that the final £1.0m would be paid in 2011/12, however the completion stage of the works required the payment to be made in 2010/11.</p>	1000
<p><u>Heathside &amp; Lethbridge</u> Slippage has occurred on this programme due to issues with the buying back of properties as part of phase 3 of the programme.</p>	(801)

<p><b><u>Lewisham Homes Capital Programme</u></b> There were no variances (by individual Project or Programme) that exceeded £0.5m between the effective budget and the outturn for Lewisham Homes managed projects and programmes.</p>
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# Agenda Item 11

<b>Mayor And Cabinet</b>			
<b>Report Title</b>	Comments of the Sustainable Development Select Committee on the Local Shops and Parades		
<b>Key Decision</b>	No	<b>Item No.</b>	11
<b>Ward</b>	All		
<b>Contributors</b>	Sustainable Development Select Committee		
<b>Class</b>	Part 1	<b>Date</b>	22 June 2011

## 1. Summary

- 1.1 This report informs the Mayor and Cabinet of the comments and views of the Sustainable Development Select Committee, arising from discussions held on the Local Shops and Parades item at the Committee's meeting on 10 May 2011.

## 2. Recommendation

- 2.1 The Mayor is recommended to note the views of the Sustainable Development Select Committee as set out in section three of the report and ask the Executive Director for Regeneration to prepare a response for consideration at the September 14 Mayor & Cabinet meeting.

## 3. Sustainable Development Select Committee Views

- 3.1 On 10 May, the Sustainable Development Select Committee considered the Local Shops and Parades report produced by the Regeneration Directorate as well as verbal evidence provided by the Head of Planning at the meeting.
- 3.2 Following a series of discussions at the meeting, the Sustainable Development Select Committee would like to make the following comments to the Mayor and Cabinet:

The Mayor and Cabinet should produce an overarching strategy looking to promote and develop local shopping areas that are not in the top level of the retail hierarchy. This strategy should:

- Provide a cohesive approach for promoting the lower levels of the retail hierarchy within Lewisham, including district centres, neighbourhood local centres and parades.
- Produce guidance and information for shop owners, those running shops and the general public outlining the planning and licensing laws surrounding local shops in order to promote awareness of what is and isn't under the Council's control and what local people can do to try and improve and influence their local shopping areas.
- Aim to bring partner organisations together to improve communication in regards to issues affecting local shops. This should include Council departments, utilities companies, local shop owners and trading associations as well as local assemblies and the public.

#### **4. Financial Implications**

- 4.1 There are no financial implications arising out of this report per se, although the financial implications of accepting the Committee's recommendations will need to be considered.

#### **5. Legal Implications**

- 5.1 The Constitution provides for Select Committees to refer reports to the Mayor and Cabinet, who are obliged to consider them.

#### **BACKGROUND PAPERS**

Local Shops and Parades – Report to Sustainable Development Select Committee (10.06.2011)

Minutes of the meeting of the Sustainable Development Select Committee (10.06.2011)

If you have any queries on this report, please contact Andrew Hagger, Scrutiny Manager (0208 3149446), or Kevin Flaherty, Head of Business & Committee (0208 3149327).