



## Community & Children's Services Committee

**Date:** MONDAY, 8 NOVEMBER 2021

**Time:** 1.45 pm

**Venue:** COMMITTEE ROOMS, WEST WING, GUILDHALL

**Members:**

Ruby Sayed (Chairman)	Alderman Gregory Jones QC
Randall Anderson (Deputy Chairman)	Deputy Henry Jones
Deputy John Absalom	Alderman Alastair King
Rehana Ameer	Natasha Maria Cabrera Lloyd-Owen
Randall Anderson (Deputy Chairman)	Alderman Bronek Masojada
Matthew Bell	Deputy Catherine McGuinness
Peter Bennett	Benjamin Murphy
Nicholas Bensted-Smith	Dhruv Patel
Deputy Keith Bottomley	Susan Pearson
Mary Durcan	William Pimlott
Alderman Professor Emma Edhem	Deputy Elizabeth Rogula
Helen Fentimen	Ruby Sayed (Chairman)
John Fletcher	Sir Michael Snyder
Marianne Fredericks	Mark Wheatley
Caroline Haines	Deputy Philip Woodhouse
The Revd Stephen Haines	Dawn Wright
Graeme Harrower	
Christopher Hayward	
Deputy Jamie Ingham Clark	

**Co-opted Members:** Laura Jørgensen and Matt Piper

**Enquiries:** [julie.mayer@cityoflondon.gov.uk](mailto:julie.mayer@cityoflondon.gov.uk)

**Accessing the virtual public meeting**  
Members of the public can observe this virtual public meeting at the following link:

[https://youtu.be/BN2\\_H6bikjI](https://youtu.be/BN2_H6bikjI)

**Lunch will be served for Members in the Guildhall Club at 1PM**

**John Barradell**

## **Town Clerk and Chief Executive**

**AGENDA**  
**Part 1 - Public Reports**

1. **APOLOGIES**

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

3. **FIRST LOVE FOUNDATION**  
Presentation

**For Information**

4. **MINUTES**

To approve the public minutes and non-public summary of the meeting held on 24<sup>th</sup> September 2021.

**For Decision**  
(Pages 7 - 14)

5. **OUTSTANDING ACTIONS**

To note the Committee's outstanding actions list.

**For Information**  
(Pages 15 - 22)

6. **OUTSTANDING ACTIONS (MAJOR WORKS PROGRAMME)**

To note an action in respect of the Major Works Programme.

**For Information**  
(Pages 23 - 26)

7. **TO APPOINT ONE OR TWO MEMBERS (FROM THE WIDER COURT) TO THE HOUSING MANAGEMENT AND ALMSHOUSES SUB COMMITTEE**

Town Clerk to be heard,

**For Decision**

8. **CITY MENTAL HEALTH CENTRE - GATEWAY 6 - OUTCOME REPORT**

Report of the City Surveyor.

**For Decision**  
(Pages 27 - 38)

9. **WINDOWS PROGRAMME & COMMON PARTS REDECORATION - GOLDEN LANE ESTATE - ISSUES REPORT**  
Report of the Director of Community and Children's Services (TO FOLLOW)  
**For Decision**
10. **CITY AND HACKNEY SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2019/20**  
Report of the Independent Chair of the City and Hackney Safeguarding Adults Board.  
**For Information**  
(Pages 39 - 100)
11. **COVID UPDATE**  
**For Information**
12. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
13. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
14. **EXCLUSION OF THE PUBLIC**  
MOTION - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A of the Local Government Act.  
**For Decision**

## **Part 2 - Non-Public Reports**

15. **NON-PUBLIC MINUTES**  
To agree the non-public minutes of the meeting held on 24<sup>th</sup> September 2021.  
**For Decision**  
(Pages 101 - 106)
16. **PAN-LONDON SUBSTANCE MISUSE PROGRAMME PROCUREMENT: STAGE 1 STRATEGY REPORT**  
Report of the Chamberlain.  
**For Decision**  
(Pages 107 - 114)

17. **GREAT ARTHUR HOUSE NEW FLATS: GATEWAY 5 - ISSUES REPORT**

Report of the Director of Community and Children's Services.

**For Decision**  
(Pages 115 - 126)

18. **MIDDLESEX STREET ESTATE: EASTERN BASE PROPOSAL**

Joint report of the Director of Community and Children's Services and the City Surveyor.

**For Decision**  
(Pages 127 - 130)

19. **HIGH SUPPORT HOSTEL DEVELOPMENT - ISSUES REPORT**

Report of the City Surveyor. (TO FOLLOW)

**For Decision**

20. **A VERBAL UPDATE ON AFGHAN BRIDGING HOTELS**

Director of Community and Children's Services to be heard.

**For Information**

21. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

22. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

**Information only reports**

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## COMMUNITY & CHILDREN'S SERVICES COMMITTEE

Friday, 24 September 2021

Minutes of the meeting streamed live to 'You Tube':

<https://youtu.be/D2ZKJVeL3Pc>

**Recordings will be available for one year from the date of the meeting**

*N.B. This meeting was held as an informal one, with the views reached by the Committee approved formally by the Town Clerk after the meeting, in accordance with the Court of Common Council's Covid Approval Procedure. This process reflects the current position in respect of the holding of formal Local Authority meetings and the Court's decision of 15 April 2021 to continue with virtual meetings, with formal confirmation of decisions provided through a delegation to the Town Clerk (or his nominated representative) after the informal meeting has taken place and the will of the Committee is known.*

### **Present**

#### **Members:**

Ruby Sayed (Chairman)	Benjamin Murphy
Randall Anderson (Deputy Chairman)	Susan Pearson
Matthew Bell	William Pimlott
Peter Bennett	Deputy Elizabeth Rogula
Deputy Keith Bottomley	Sir Michael Snyder
Mary Durcan	Mark Wheatley
Helen Fentimen	Deputy Philip Woodhouse
John Fletcher	Dawn Wright
Marianne Fredericks	
Graeme Harrower	
Sheriff Christopher Hayward	
Deputy Jamie Ingham Clark	

#### **Officers:**

Andrew Carter	- Director of Community and Children's Services
Douglas Trainer	- Deputy Town Clerk
Julie Mayer	- Town Clerk's
Mark Jarvis	- Chamberlain's
Carol Boswarthack	- Community and Children's Services
Simon Cribbens	- Community and Children's Services
Sandra Husbands	- Director of Public Health, City and Hackney
Chris Lovitt	- Deputy Director of Public Health, City and Hackney
Gerald Mehrtens	- Community & Children's Services
Paul Murtagh	- Community & Children's Services
Will Norman	- Community and Children's Services
Chris Pelham	- Community and Children's Services
Paul Murtagh	- Community and Children's Services
Jason Hayes	- Community and Children's Services
Ellie Ward	- Community and Children's Services
Julie Fittock	- City Surveyors'
Ola Obadara	- City Surveyors'
Graeme Low	- City Surveyors'

1. **APOLOGIES**

Apologies were received from John Absalom, Nicholas Bensted-Smith, Natasha Lloyd Owen and Catherine McGuinness.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

Susan Pearson declared an interest in respect of items 8 and 22, as she lives on the Golden Lane Estate. Ms Pearson advised that she has a general dispensation to speak but not vote on housing matters.

3. **MINUTES**

RESOLVED, that – the minutes of the meeting held on Friday, 9<sup>th</sup> July 2021 be approved, subject to an amendment recording John Fletcher's apologies for this meeting.

4. **OUTSTANDING ACTIONS**

The Committee received the Outstanding Actions list. In respect of the forthcoming report on Universal Credit, a Member asked if the report to the November Committee could include statistics from First Love Foundation and Age UK's work on food co-ops.

5. **TO APPOINT 1 OR 2 MEMBERS FROM THE COURT TO THE HOUSING MANAGEMENT AND ALMSHOUSES SUB COMMITTEE**

The Committee noted that this Sub Committee had a considerable workload together with decision making powers. The Chair suggested, therefore, that the Membership be widened to include 1 or 2 additional Members from the whole Court. The Chair of the Housing Management and Almshouses Sub Committee particularly welcomed nominations from Members with housing experience.

RESOLVED, that – the Housing Management and Almshouses Committee's Membership be extended to 1 or 2 additional Members from the wider Court of Common Council, to be appointed at the November meeting of the Committee.

6. **HOUSING NET ZERO CARBON ACTION PLAN**

The Committee considered a report of the City Surveyor in respect of the Housing Net Zero Carbon Action Plan.

The officer advised of an error in the report in that there would be additional revenue or capital spending, but this was highly speculative and further clarification would be provided following the feasibility studies. Following discussions in respect of Options 1 and 2 in the report, it was suggested that a decision be deferred at this stage, as the results of the first round of the carbon reduction grants programme might change the resources available

The officer confirmed that, whilst a steer would be helpful, a decision was not critical at this stage. The Committee agreed unanimously to defer the report.



**7. IMPLICATIONS OF FIRE SAFETY ACT 2021**

The Committee received a report of the Director of Community and Children's Services and the Chamberlain in respect of the Fire Safety Act 2021. The Committee noted that the Fire Safety Act amends the Regulatory Reform (Fire Safety) Order 2005 and is one of several measures introduced following the 2017 Grenfell fire tragedy.

RESOLVED, that – the report be noted.

**8. WINDOWS PROGRAMME AND COMMON PARTS REDECORATIONS - GOLDEN LANE ESTATE: GW3 ISSUE REPORT**

The Committee considered a report of the Director of Community and Children's Services in respect of the repair and installation of secondary glazing, or replacement of existing single-glazed windows with double-glazed units, and redecoration of internal and external common parts.

Members noted an error in the report in that the amount for acoustics was £21,500 and not £21,000, but this had been reflected in the design fees of 570,000. Members suggested that, going forward, consideration be given to carrying out roofing works on an Estate-wide basis, rather than as individual projects, as this would be more efficient and less disruptive to residents.

RESOLVED, that:

1. The budget for the design team fees be approved; including funding for a Quantity Surveyor, Communications Consultant, planning fees and enhanced advisory fees, enabling works, access to ARUP drawings and additional detailed acoustic surveys.
2. Further staff costs be approved.

**9. GOLDEN LANE SPORT AND FITNESS CENTRE – NEW SHORT TERM LEASE**

The Committee considered a report of the Director of Community and Children's Services in respect of a new short-term lease at Golden Lane Sport and Fitness Centre. The Chairman advised that exploration was underway in respect of voucher schemes, to ensure that all residents have access to sports and wellbeing facilities. Further suggestions were welcome from Members, particularly in respect of the East of the City/Portsoken area.

RESOLVED, that – a new short-term lease between the Golden Lane Sport and Fitness Centre with Fusion Lifestyle be approved, with effect from 1 January 2022 until 31 March 2023, and charged at the rate of a peppercorn per annum.

10. **BARBICAN AND COMMUNITY LIBRARIES - LIBRARY STRATEGY**

The Committee received a report of the Director of Community and Children's Services in respect of the Library Strategy. Members noted that the Strategy would run to 2023, in order to align with the Corporate Plan. The Head of Barbican and Community Libraries advised that the Strategy was high level, and aligned with departmental objectives supporting young people, but agreed to check whether this aspect might need strengthening.

RESOLVED, that – the report be noted.

11. **LIBRARY MANAGEMENT SYSTEM - GATEWAY 2 - PROJECT PROPOSAL**

The Committee received a report of the Director of Community and Children's Services in respect of an IT system designed to manage the records of the Barbican and Community libraries. Members noted that the Corporate Projects Board had agreed that the project should proceed under delegation, to the Director of Community and Children's Services.

RESOLVED, that - the report be noted.

12. **HOMELESSNESS LINK - IMMIGRATION PLEDGE APPEAL**

The Committee received a report of the Director of Community and Children's Services which provided Members with an overview of the new Homeless Link Pledge Campaign. Members noted that the campaign is a response to changes made to the Immigration Act in October 2020 and the subsequent code of guidance published by the Home Office.

Members noted that the pledge had the full support of the Homelessness and Rough Sleeping Committee, at both a political and ethical level. It was suggested that there might be strategic implications in refusing to co-operate with Government, but this could be explored when the resolution was presented to the Policy and Resources Committee.

RESOLVED, that – the immigration pledge appeal be supported and recommended to the Policy and Resources Committee.

13. **BUSINESS PLAN QUARTER 1 - 2021/22**

The Committee received a report of the Director of Community and Children's Services which set out the progress made during Quarter 1 – April to June 2021 against the 2017–2022 Department of Community and Children's Services (DCCS) Business Plan. It also commented on the Departmental Risk Register.

In response to a question about pathway plans, the Assistant Director confirmed that this was now at 98%, following a revision in data recording. Members noted that this high performance had been consistent over the past few months, and all young people had pathways.

The Director of Public Health (City and Hackney) advised that smoking cessation and weight management were currently 'red' as it been necessary to

recommission the City-based stop smoking offer, as the previous provider had been unable to continue. Members noted that a better uptake was expected, particularly as normality returns after the winter, but officers would continue to monitor the position.

RESOLVED, that – the report be noted.

14. **COVID UPDATE**

The Director of Public Health (City and Hackney) provided an update covering rates in the City, vaccine uptake, the plans for vaccinating 12-15 year olds and administering boosters and flu vaccinations. The Director of Public Health also set out how the team would be supporting the Government's Plans (A) and (B) with strong messaging about continuing to take reasonable precautions.

Members were concerned at the comparatively low vaccination take-up rate in Portsoken, and strongly supported a permanent vaccination centre on the Mansell Street Estate and the Ivy Meeting Room, run by the Guinness Trust, or Aldersgate square, were suggested as potential locations. There were further concerns expressed in that this area of the City was becoming busier, both in respect of commuters and the night time economy, and respiratory viruses always increased in the Winter. Members suggested that engagement with community champions was the best way forward for Portsoken, as evidenced by its success with adult education.

The Director of Public Health advised that a vaccine trailer, and other locations for pop-up centres, had been suggested but failed in terms of the NHS' clinical assessment of premises and logistics. However, they would revisit the above suggestions and, should the venues not be suitable for administering vaccinations, they could be used for face to face Q&A sessions with the local community. The Public Health Team had also made a strong representation to Boots in respect of a second vaccination centre, but they had not been able to provide this. There was a further suggestion in that young people receiving vaccinations could be key in encouraging take up by older family members.

There were further concerns expressed in respect of the relaxation in mask wearing, particularly on public transport and the tube. Members noted that the Government was not minded to introduce a byelaw to enforce this, but the Mayor of London supported it. The Chairman agreed to write to the Mayor of London offering the Committee's support and invited Members to lobby Government through the available channels. The Chair also stressed the importance of strong communications generally about mask wearing in the City's bars and restaurants, as well as on public transport, noting that public confidence about safety would encourage more people back to the City, both for work and recreation.

A Member was aware that Boots at Liverpool Street had run out of lateral flow tests and, whilst these were supplied directly by the DHSC, the Public Health Team might be able to offer temporary stock top-ups, in the event of high demand. The Director of Public Health agreed to liaise with the testing lead and report back to Members. It was also noted that Boots might be low on storage, given this was an area of high footfall.

**15. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

In response to a question about 'Right to Light' repayments in respect of the COLPAI development, Members noted that not all residents had agreed to the terms and universal agreement would be required before payments could be made. The officer agreed to investigate and provide an update on progress before the next meeting. There was a supplementary question as to whether the City Corporation would be prepared to pay interest on the late payments, given this matter has been outstanding for 2 years. The officer agreed to follow up this request but reiterated the need for consistency in payments, noting that some residents, who had initially declined the offer, had since agreed.

The Chair had been notified of 2 questions in advance of the meeting but, as they were likely to raise issues in respect of HR and City's Cash finances, suggested they be taken in non-public. The Town Clerk confirmed that HR and City's Cash matters would be likely to include information exempt under paras 1,2,3 and 4 of the Local Government Act. There was a challenge as to whether public interest would override this but the Chair accepted the advice of the Town Clerk, and the Committee agreed to take the questions in non-public, so as to avoid any risk of straying into the exempt areas set out above.

**16. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no items.

**17. EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

<b>Item nos</b>	<b>Paragraph No</b>
19 – 26	3
27	1,2,3 & 4
28	3

**18. NON-PUBLIC MINUTES**

RESOLVED, that – the minutes of the meeting held on Friday, 9<sup>th</sup> July 2021 be approved.

19. **SUICIDE PREVENTION IN THE CITY OF LONDON**  
The Committee considered and approved a report of the Deputy Town Clerk and Chief and Executive.
  20. **COMMISSIONING CONTRACTS REGISTER**  
The Committee considered and approved a report of the Director of Community and Children's Services.
  21. **WATER CHARGE REFUNDS SECURE TENANTS**  
The Committee considered and approved a report of the Director of Community and Children's Services.
  22. **WINDOWS PROGRAMME AND COMMON PARTS REDECORATIONS - GOLDEN LANE ESTATE: GW3 ISSUE REPORT - APPENDIX 2**  
The Committee considered and approved a report of the Director of Community and Children's Services.
  23. **ISLEDEN HOUSE INFILL PROJECT - GATEWAY 5 - ISSUES REPORT**  
The Committee considered and approved a report of the Director of Community and Children's Services.
- At 3.45pm, the Committee agreed to extend the meeting in order to conclude the business on the agenda*
24. **FUTURE PROPOSAL FOR PORTSOKEN PAVILLION**  
The Committee considered and approved a report of the Director of Community and Children's Services.
  25. **MIDDLESEX STREET CAR PARK - GATEWAY 6 - OUTCOME REPORT**  
The Committee considered and approved a report of the City Surveyor.
  26. **REPORT OF ACTION TAKEN**  
The Committee received a report of the Town Clerk.
  27. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**  
There were 2 questions whilst the public were excluded.
  28. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**  
The Chair agreed to accept an urgent item of business whilst the public were excluded.

**The meeting ended at 4.15 pm**

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Chairman

**Contact Officer: Julie Mayer tel. no. 020 7332 1410  
julie.mayer@cityoflondon.gov.uk**



24/09/21	4.OUTSTANDING ACTIONS	In respect of the forthcoming report on Universal Credit, a Member asked if the report to the November Committee could include statistics from First Love Foundation and Age UK's work on food co-ops.	<i>Assistant Director of Commissioning and Partnerships</i>	FLF are presenting at Committee and have been asked to comment on the impact of Universal Credit changes.
24/09/21	6.HOUSING NET ZERO CARBON ACTION PLAN	The officer confirmed that, whilst a steer would be helpful, a decision was not critical at this stage. The Committee agreed unanimously to defer the report.	<i>Assistant Director of Barbican and Property Services</i>	A voucher scheme has not been progressed. A consultation programme across November will explore barriers faced by communities to inform the specification of the new leisure services contract.



24/09/21	8.WINDOWS PROGRAMME AND COMMON PARTS REDECORATIONS - GOLDEN LANE ESTATE: GW3 ISSUE REPORT	Members suggested that, going forward, consideration be given to carrying out roofing works on an Estate-wide basis, rather than as individual projects, as this would be more efficient and less disruptive to residents.	<i>Assistant Director of Barbican and Property Services</i>	Uptake will be reported within Business Plan KPI reporting cycle.
24/09/21	9.GOLDEN LANE SPORT AND FITNESS CENTRE – NEW SHORT TERM LEASE	The Chairman advised that exploration was underway in respect of voucher schemes, to ensure that all residents have access to sports and wellbeing facilities.	<i>Assistant Director of Commissioning and Partnerships</i>	A voucher scheme has not been progressed. A consultation programme across November will explore barriers faced by communities to inform the specification of the new leisure services contract.

24/09/21	10.BARBICAN AND COMMUNITY LIBRARIES - LIBRARY STRATEGY	The Head of Barbican and Community Libraries advised that the Strategy was high level, and aligned with departmental objectives supporting young people, but agreed to check whether this aspect might need strengthening.	<i>Head of Barbican and Community Libraries</i>	
24/09/21	12. Homelessness Link - Immigration Pledge Appeal	It was suggested that there might be strategic implications in refusing to co-operate with Government, but this could be explored when the resolution was presented to the Policy and Resources Committee.	<i>Assistant Director, People</i>	The paper went to Policy and Resources where it was agreed that the CoL would sign up to the Pledge Appeal
24/09/21	13.BUSINESS PLAN QUARTER 1 - 2021/22	The Director of Public Health (City and Hackney) advised that smoking cessation and weight management were currently 'red' as it had been necessary to recommission the City-based stop smoking offer, as the previous provider had been unable to continue. Members noted that a better uptake was expected, particularly as normality returns after the winter, but officers would continue to	<i>Assistant Director of Commissioning and Partnerships</i>	Uptake will be reported within Business Plan KPI reporting cycle.

24/09/21	14.COVID UPDATE	<p>The Director of Public Health advised that a vaccine trailer, and other locations for pop-up centres, had been suggested but failed in terms of the NHS' clinical assessment of premises and logistics. However, they would revisit the above suggestions and, should the venues not be suitable for administering vaccinations, they could be used for face to face Q&amp;A sessions with the local community.</p> <p>There was a further suggestion in that young people receiving vaccinations could be key in encouraging take up by older family members.</p>	<i>Director of Public Health</i>	<p>A pop up vaccination clinic was undertaken in Middlesex Street. A getting ready for winter communications programme is due to be launched by the local NHS which will include promoting 1st, 2<sup>nd</sup> and booster doses for COVID and flu.</p>
24/09/21	14.COVID UPDATE	<p>The Chairman agreed to write to the Mayor of London offering the Committee's support and invited Members to lobby Government through the available channels</p>	<i>Director of Public Health</i>	<p>A letter and accompanying paper was drafted and considered by CoL Policy and Resources Committee- they decided against sending a letter.</p>

24/09/21	14.COVID UPDATE	the Public Health Team might be able to offer temporary stock top-ups, in the event of high demand. The Director of Public Health agreed to liaise with the testing lead and report back to Members.	<i>Director of Public Health</i>	There are regular meetings between NHS Test and Trace, DHSC colleagues and representatives from the local public health team. These meetings regularly review uptake and stock levels of lateral flow testing and the difficulties with supply and storage was highlighted at this meeting
24/09/21	15.QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE	In response to a question about 'Right to Light' repayments in respect of the COLPAI development, Members noted that not all residents had agreed to the terms and universal agreement would be required before payments could be made. The officer agreed to investigate and provide an update on progress before the next meeting.		
24/09/21	15.QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE	The officer agreed to follow up this request but reiterated the need for consistency in payments, noting that some residents, who had initially declined the offer, had since agreed.		

24/09/21	Questions on Matters Arising - Non Public	The Member requested a public report about the City Corporation's complaints process; to enable Members to review the effectiveness of procedures and the means of reporting complaints. The Member also asked for the report to include details of other properties in a similar condition. The committee agreed that a report would go to the Housing Sub-Committee for detailed consideration.	<i>Assistant Director of Barbican and Property Services</i>	Item added to the next Housing Sub Committee
24/09/21	Questions on Matters Arising - Non Public	The Director advised that Members receive a report at the November Committee, setting out the position in relation to the question. As far as possible the report would be public, with any parts requiring an exclusion going into non-public.	<i>Assistant Director of Barbican and Property Services</i>	Item added to the next CCS Committee

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Option	Benefits	Disbenefits	Observations/Risks
<p>Close the existing Major Works Programme at the end of the current financial year and, start a new five-year programme from 2022-2027.</p>	<p>This will allow officers to reset and refresh the existing, current five-year programme, incorporating new updated, revised, and realistic timescales and budgets for projects that are based on current (not historic) estimates, projections, circumstances, and lessons learned from completed projects.</p>	<p>The history and timeline for the various projects will be lost (to some extent anyway). Members have been keen to retain this information to maintain perspective.</p> <p>Information on completed projects will not be visible. In certain circumstances, these completed projects give 'perspective' to other current projects.</p> <p>Residents are familiar with the current five-year Major Works Programme as, it has been heavily publicised and reported on. Any changes to the current programme may lead to confusion.</p> <p>Uncertainty amongst leaseholders as to what their proportional costs of the additional works may be.</p>	<p>This option refers only to those projects included in the current five-year Major Works Programme. No consideration is given to additional projects.</p> <p>It should be noted that the current five-year Major Works Programme has expanded significantly to incorporate new projects. These are mainly fire safety improvement projects such as the installation of sprinklers, installation of fire doors and fire stopping/compartmentation works.</p> <p>The funding of the Major Works Programmes, current and future, is at risk from several factors including:  (a) significantly increasing costs of construction and materials.  (b) inability to recover reasonable costs from leaseholders.</p>
<p>Include all the major project work, integrating it into the first five years of the Savills scheduled capital works programme and the Net Zero (NZ) Housing Action Plan.</p>	<p>This will allow Members and residents to see all major works projects (existing, future and NZ carbon projects) in one overarching document.</p> <p>This will facilitate the 'grouping' of related projects to provide for 'economies of scale' (in procurement and delivery).</p>	<p><b>There is currently no funding available beyond the existing five-year Major Works Programme.</b></p> <p>The Housing NZ Action Plan is in its infancy. It will likely take at least another 12 months to complete further analysis, surveys, options appraisals etc before any specific projects are consolidated.</p>	<p>As stated, there is currently no funding available beyond the existing five-year Major Works Programme. Current staffing levels and resources are based on existing programmes. If additional funding is forthcoming, additional resources will be required.</p> <p>There is currently a recognised significant shortage of qualified,</p>

	<p>May lead to a reduction in disruption for residents by bringing future works forward. This may lead to increased initial programme and timeline but, will reduce the need for future schemes and disruption.</p>	<p>There is no guarantee that the Corporation will be successful in achieving external 'grant-funding' for all or any Housing NZ Action Plan projects.</p> <p>It is likely that any external 'grant-funding' for the Housing NZ Action Plan projects will be based on 'match-funding'. The Corporation has allocated a limited budget for housing NZ projects (which includes the Barbican Estate) and, there are concerns that this budget will be inadequate.</p> <p>If an all-encompassing programme is agreed, without the available funding, it will raise expectations (residents in particular) that simply cannot be met.</p> <p>Potentially significant increase in the cost liabilities for leaseholders.</p>	<p>experienced Surveyors and Project Managers. Demand is high.</p>
<p>The ability to co-produce and the costs, budget implications and gaps.</p>	<p>It would be a relatively straight-forward task to incorporate the first five years of the Savills scheduled capital works programme into the current Major Works Programme.</p>	<p>For the reasons set out in this document, the inclusion of projects in the Net Zero (NZ) Housing Action Plan could not be achieved at least for a further 12 months.</p> <p>As set out elsewhere in this document, there are significant budget implications and gaps in funding to facilitate the delivery of a new 'all-embracing' Major Works Programme.</p>	<p>It should be noted that the Corporation's own processes can lead to delays in the delivery of projects. This relates mainly to the procurement process where, it is felt that Project Managers need to have more say in the way works are procured.</p>



		There are also significant resource implications for a new fully funded 'all-embracing' Major Works Programme.	
A timeline to produce a draft report, which outlines the projects for each estate and the programme of engagement, costed at +/-25%.	<p>It would be a relatively straightforward task to incorporate the first five years of the Savills scheduled capital works programme into the current Major Works Programme.</p> <p>This could be done and presented to Members early in the new year.</p> <p>External sense-checking of the costs included in the new combined programme would make sense however, this would take longer.</p>	For the reasons set out in this document, the inclusion of projects in the Net Zero (NZ) Housing Action Plan could not be achieved at least for a further 12 months.	

### **Conclusions**

It is the view of officers that we should continue to progress with the existing five-year Major Works Programme in its current form. At this stage, there is no funding for projects beyond the current programme and, the incorporation of new projects, either from the Savills Stock Condition Survey work or, the Housing NZ Action Plan, will simply raise expectations that cannot be met.

If, as and when, there is further clarity on the funding and progress of other projects from the Savills Stock Condition Survey work or, the Housing NZ Action Plan, these can be incorporated into the existing programme.

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# Agenda Item 8

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<b>Committees:</b> Corporate Projects Board - <i>for decision</i> Community and Children's Grand Committee - <i>for decision</i> Projects Sub - <i>for decision</i>	<b>Dates:</b> 06 October 2021 08 Nov 2021 17 Nov 2021
<b>Subject:</b> City Mental Health Centre  <b>Unique Project Identifier:</b> 12023	<b>Gateway 6:</b> <b>Outcome Report</b> Regular
<b>Report of:</b> City Surveyor <b>Report Author:</b> City Surveyors Dept – Marcus Odunlami	<b>For Decision</b>
<b>PUBLIC</b>	

## Summary

<b>1. Status update</b>	<p><b>Project Description:</b> Renovation construction works to 75 and 77 Middlesex Street to provide a demise available to the successful Service Provider, Tavistock Institute of Medical Psychology T/A Tavistock Relationships (Tavistock) to deliver a mental health centre service in the Square Mile offering low cost medium and long-term treatments. The project has been agreed for progression outside of the Fundamental Review.</p> <p><b>RAG Status:</b> Green (Amber at last report to Committee)</p> <p><b>Risk Status:</b> Low (Medium at last report to committee)</p> <p><b>Costed Risk Provision Utilised: £8,000</b> (of which £8,000 amount was drawn down at the last report to Committee)</p> <p><b>Final Outturn Cost:</b> ££502,536 (including CRP)</p>
<b>2. Next steps and requested decisions</b>	<p><b>Requested Decisions:</b></p> <p>Approval of closure of project and lessons learned</p>

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<p><b>3. Key conclusions</b></p>	<p>The successful delivery of this project has established a premises contributing to the Corporate Plan (CP) aim to shape outstanding environments &amp; CP outcome that people enjoy good health and wellbeing. It has allowed the City of London to provide subsidised treatment not offered through the NHS. And renovate the demise to meet current regulations and best H&amp;S standards with inclusive design, high quality finishes &amp; energy efficient installations.</p> <p>The regular liaison between stakeholders in monthly oversight meetings and early engagement with service provider Tavistock at GW3/4 greatly assisted the success of the project delivery, allowing a collaborative approach to problem solving, sharing best practice and the making of keys decisions with the end user in mind. Such working methods would be a strong recommendation for future similar projects.</p> <p>The project was not completed within original programme finish date projected at GW5 (April 2020). But was completed within the revised programme agreed in the GW5 Issues Report (Sept 2020)</p> <p>The project required provision of an additional £45,600 inclusive of the £8,000 Costed Risk Provision as agreed during GW5 Issues Report. Total Project expenditure (£502,536) still remained within the funding from CIL Social and Community Pot, previously approved by Resource Allocation Sub Committee.</p>
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## Main Report

### Design & Delivery Review

<p><b>4. Design into delivery</b></p>	<p>Design agreed at GW5 allowed for successful delivery of project. Additional concealed asbestos containing materials were discovered during asbestos removal stage, adding 5 weeks &amp; additional cost to safely meet H&amp;S regulations. Initial demolition survey completed before Construction was unable to detect the additional concealed asbestos found.</p> <p>Provisional sums provided in tender returns for sprinkler modifications were insufficient and additional funding (£7,730 extra) was required in GW5 Issues report. In hindsight when provisional sums were received via the nominated sub-contractor, the tender procurement period could have been extended for the tender suppliers to obtain full, itemised costs with an alternative supplier for the sprinkler modifications section of works. However, it was not anticipated that the nominated contractor whom early engagement had been completed with, would refuse to engage with the Main Contractor during the Construction period and an alternative supplier would need to be appointed during the Construction period.</p>
<p><b>5. Options appraisal</b></p>	<p>Recommended Option 2 selected at GW3/4 was successfully implemented; <i>7 consultation rooms, 2 toilets (1 wheelchair accessible), kitchen and staff room</i></p> <p>No changes were made to scope agreed. However, onset of Covid 19 and the response to the pandemic impacted the programme &amp; costs.</p>
<p><b>6. Procurement route</b></p>	<p>Procurement Reference Number: PT4 19/201/PS</p> <p>Works procured via City’s framework for Intermediate Works (£250k – £1m) projects as agreed at GW5.</p> <p>Supplier selected was fit for purpose and allowed for successful completion of the project. Contract allowed for work instructions, but no revisions to contract procured were required.</p>
<p><b>7. Skills base</b></p>	<p>City of London project team were able to successfully complete &amp; lead on project delivery.</p> <p>Due to limited availability of internal resources and to complete the project at pace, external Consultant M&amp;E Engineer instructed for design/ delivery work in project as agreed from GW1/2.</p>

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<b>8. Stakeholders</b>	<p>Regular liaison with stakeholders during monthly oversight group meetings, where construction updates provided, cross-partner discussions held to action or update on completed project goals and share relevant information/ good practice.</p> <p>Stakeholders happy with project conclusion, Tavistock very impressed with final product and successes celebrated during virtual grand opening to communicate achievements to wider audience.</p>
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**Variation Review**

<p><b>9. Assessment of project against key milestones</b></p>	<table border="0"> <tr> <td data-bbox="491 741 949 779"><b>GW5 Programme Dates</b></td> <td data-bbox="1023 741 1350 779"><b>Actual Dates Achieved</b></td> </tr> <tr> <td data-bbox="491 779 949 813">City Proc Award Contract: 02/12/2019</td> <td data-bbox="1023 779 1350 813">02/12/2019</td> </tr> <tr> <td data-bbox="491 813 949 846">Proposed Start on Site: 06/01/2020</td> <td data-bbox="1023 813 1350 846">06/01/2020</td> </tr> <tr> <td data-bbox="491 846 949 880">Proposed Finish on Site: 03/04/2020</td> <td data-bbox="1023 846 1350 880">15/09/2020</td> </tr> </table> <p>Refurbishment works completed, building control &amp; statutory approvals met, premises handed over to DCCS/ Tavistock ready for furnishing &amp; commencement of services (Sept 2020) in accordance with revised programme agreed at GW5 Issue Report stage, but not against original programme dates in GW5 Report.</p> <p>Additional time &amp; cost required due to:</p> <ul style="list-style-type: none"> <li>- additional concealed asbestos requiring removal under H&amp;S legislation above &amp; beyond that identified in preliminary demolition surveys</li> <li>- temporary closure of site in accordance with National Government advice due to pandemic (March – May 2020)</li> <li>- reduction of labour and implementation of additional safety measures in response to National advice due to pandemic</li> </ul> <p>Preliminary Operation &amp; Maintenance (O&amp;M) information provided to Tavistock to allow for safe occupation &amp; use of building in Sept 2020 due to delays in obtaining full O&amp;M information to Tavistock from suppliers, issued Dec 2020. Final O&amp;M issued to Tavistock Jan 2021.</p>	<b>GW5 Programme Dates</b>	<b>Actual Dates Achieved</b>	City Proc Award Contract: 02/12/2019	02/12/2019	Proposed Start on Site: 06/01/2020	06/01/2020	Proposed Finish on Site: 03/04/2020	15/09/2020
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Proposed Start on Site: 06/01/2020	06/01/2020								
Proposed Finish on Site: 03/04/2020	15/09/2020								
<p><b>10. Assessment of project against Scope</b></p>	<p>The project required provision of an additional funding (£45,600 inclusive of the £8,000 Costed Risk Provision) as agreed during GW5 Issues Report.</p> <p>However Total Project expenditure (£502,536) still remained within funding initially ring-fenced from CIL Social and Community Pot, previously approved at Priorities Board and Resource Allocation Sub Committee.</p>								

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	<p>Project programme increased from projected end date at GW3/4 (March 2020) to actual end date (Sept 2020) due to</p> <ul style="list-style-type: none"> <li>- additional concealed asbestos requiring removal under H&amp;S legislation above &amp; beyond that identified in preliminary demolition surveys</li> <li>- temporary closure of site in accordance with National Government advice to pandemic (March – May 2020)</li> <li>- reduction of labour and implementation of additional safety measures in response to National advice due to pandemic</li> </ul>
<b>11.Risks and issues</b>	<p>Post Mitigation Risk Identified at GW3/4: £110,000  CRP in Risk Register at GW5: £8,000  Total Drawdown from Risk Register CRP: £8,000  Total additional funding provided following GW5: £45,600 (inclusive of £8,000 from CRP)  Risks identified within Risk Register at GW5 occurred during project requiring additional time on site (increasing programme) and additional funding for the construction works.  CRP assisted to delivery as additional funding was provided via Committee under Delegated Authority. The speed of reporting &amp; decision allowed increase to programme &amp; associated costs to be reduced.</p>
<b>12. Transition to BAU</b>	<p>During monthly oversight meetings with stakeholders' updates on project delivery, handover of premises &amp; the service implementation plan was discussed. This allowed for a smooth transition to Tavistock's service provision.  Although due to onset of Covid 19 and changing national restrictions, services initially being offered virtually/online.</p>

**Value Review**

<b>13. Budget</b>	<table border="1"> <tr> <td><i>Estimated Outturn Cost (G2)</i></td> <td>Estimated cost (including risk): Estimated cost (excluding risk):</td> </tr> </table>		<i>Estimated Outturn Cost (G2)</i>	Estimated cost (including risk): Estimated cost (excluding risk):										
	<i>Estimated Outturn Cost (G2)</i>	Estimated cost (including risk): Estimated cost (excluding risk):												
		<table border="1"> <thead> <tr> <th></th> <th><i>At Authority to Start work (G5)</i></th> <th><i>Final Outturn Cost</i></th> </tr> </thead> <tbody> <tr> <td><i>Fees</i></td> <td>£60,470</td> <td>£54,722</td> </tr> <tr> <td><i>Staff Costs</i></td> <td>£7,000</td> <td>£7,000</td> </tr> <tr> <td><i>SW Bruce Works</i></td> <td>£390,000</td> <td>£425,084</td> </tr> </tbody> </table>		<i>At Authority to Start work (G5)</i>	<i>Final Outturn Cost</i>	<i>Fees</i>	£60,470	£54,722	<i>Staff Costs</i>	£7,000	£7,000	<i>SW Bruce Works</i>	£390,000	£425,084
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	<i>Amalgamated Sprinkler works</i>	£0	£15,730
	<i>Purchases</i>	£0	£0
	<i>Other Capital Expend</i>	£0	£0
	<i>Costed Risk Provision</i>	£0	(£8,000 included within Amalgamated Sprinkler works)
	<i>Recharges</i>	£0	£0
	<i>Other*</i>	£0	£0
	<i>Total</i>	£457,470	£502,536
	<p>Additional funding of £45,600 inclusive of the £8,000 Costed Risk Provision was provided as agreed during GW5 Issues Report. Additional funding provided for</p> <ul style="list-style-type: none"> <li>- removal of additional asbestos discovered</li> <li>- cost increase of Sprinkler modification works where provisional sum was replaced with detailed quotation after surveys</li> <li>- cost of hired plan installations remaining on Site during temporary closure of Site</li> <li>- Additional preliminaries and extended time on Site to complete project with reduced labour &amp; increased safety measures in response to pandemic and National Government advice</li> </ul> <p>Total Project expenditure still remained within the funding from CIL Social and Community Pot, previously approved by Resource Allocation Sub Committee.</p> <p>Final Account has been verified by Chamberlain’s department Financial Services Division</p>		
<b>14. Investment</b>	N/A		
<b>15. Assessment of project against SMART objectives</b>	<p><i>Gateway 5 Success Criteria</i></p> <p>1) <i>The premises are adjoined and can be used as one single demise, handed over to tenant (Tavistock) to take up occupancy for provision of Mental Health consultancy services</i></p> <p>Construction works successfully completed, neighbouring properties adjoined and can be used as one larger premises.</p> <p>Upon completion of works possession provided to tenants (Sept 2020) to begin service. Tenants were able to move in temporary furniture promptly &amp; host grand virtual opening (Oct 2020).</p>		



	<p>Services initially offered virtually/online due to onset of Covid 19 and national restrictions.</p> <p><i>2) Project construction works are delivered within programme and within agreed budget</i></p> <p>Project construction works delivered to revised programme and budget agreed with Committee under delegated authority within GW5 Issues Report, considering effects of unprecedented global pandemic and national restrictions.</p> <p><i>3) All health &amp; safety risks to be removed, or where unable to be minimised or managed during works</i></p> <p>Premises constructed to meet current regulations and best H&amp;S standards, incorporating inclusive design for persons with disabilities, provisions for sound insulation and confidentiality and built to relevant standards agreed with Tavistock to ensure fit for purpose.</p> <p><i>4) Any change to project delivery is identified early, with prompt reporting and responses as per CoL Policies &amp; Gateway reporting process</i></p> <p>Changes to project delivery were identified early and promptly reported via Gateway 5 Issues report. And upon decision via Delegated Authority received; promptly actioned and impacts disseminated to relevant stakeholders/ affected parties. Issues Report and decision May 2020)</p>
<p><b>16. Key benefits realised</b></p>	<ul style="list-style-type: none"> <li>• The establishment of the premises has contributed to the Corporate Plan aim to shape outstanding environments</li> <li>• Possession of the premises has been granted to Tavistock to provide mental health counselling services contributing to the Corporate Plan outcome that people enjoy good health and wellbeing</li> <li>• The premises have been constructed to meet current regulations and best H&amp;S standards with inclusive design and high quality finishes</li> <li>• The successful delivery of this project has provided a larger property, with new infrastructure (new electrical wiring, greater energy efficiency installations including heat recovery ventilation, LED lighting and all brand new installations, improved thermal &amp; sound insulation to walls and glazing and better fire protection) and high quality finishes which will be beneficial in attracting future tenancy opportunities. And given extent of renovation, should require</li> </ul>

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	very little work during future vacancies to secure new tenants.
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**Lessons Learned and Recommendations**

<b>17. Positive reflections</b>	Regular stakeholder engagement and cross partner working/ sharing of information and best practice in Oversight group meetings
<b>18. Improvement reflections</b>	<p>Include greater allowances in Costed Risk Provision/ Risk Register such as</p> <ul style="list-style-type: none"> <li>- Compliance to CDM, Health &amp; Safety Legislation</li> <li>- Unexpected Building Services implications</li> <li>- and for Asbestos containment and removal</li> </ul> <p>Where provisional sums submitted in tender return, potentially increase tender period to allow for additional surveys and submission of fixed costs. Only possible if cost certainty is more important than programme slippage.</p>
<b>19. Sharing best practice</b>	There is the possibility for this project to be used as a template for surrounding local authorities, on retrofitting vacant existing stock to deliver essential community services
<b>20. AOB</b>	N/A

**Appendices**

<b>Appendix 1</b>	Project Coversheet
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**Contact**

<b>Report Author</b>	Marcus Odunlami
<b>Email Address</b>	<a href="mailto:Marcus.odunlami@cityoflondon.gov.uk">Marcus.odunlami@cityoflondon.gov.uk</a>
<b>Telephone Number</b>	020 7332 1744

# Appendix 1 Project Coversheet

## [1] Ownership & Status

**UPI: 12023**

**Core Project Name:** City Mental Health Centre

**Programme Affiliation** (if applicable): N/A

**Project Manager:** Marcus Odunlami

**Definition of need:** The proposal for a mental health centre in the City of London providing subsidised treatment not offered through the NHS was agreed by the Department of Community and Children's Grand Committee in March 2018. This was based upon the high risk factor that mental health continues to be for the City of London (The City and Hackney Joint Strategic Needs Assessment (JSN) 2014 City Supplement).

On agreeing to the above proposal, Members requested that the project be upscaled to include two adjoining properties from the DCCS HRA. Both 75 and 77 Middlesex Street remain vacant and benefit geographically from being nearby workers and residents, but quiet enough to ensure client privacy. The two premises were previously used as retail and spa services respectively and therefore need to be made fit for purpose. There are no other adjoining properties within the DCCS HRA at this time and it is not common for adjoining properties to become vacant concurrently. Further, none are fitted out to run mental health services.

The renovations of these two properties will ensure that the proposed mental health services can run successfully for both the provider and the clients

### **Key measures of success:**

- 1) The premises are adjoined and can be used as one larger premise.
- 2) On securing the contract, the provider can begin work immediately without any issues with, or alterations needed to the premises.
- 3) The premises are fitted out to the best standard for clinicians and public, and can be used for other purposes if/when they are not used as a mental health centre.

**Expected timeframe for the project delivery:** 19/06/2019 – 24/01/2020 . Now 06/01/20 – 15/09/20

### **Key Milestones:**

- *Complete refurbishment works*
- *Obtain & Issue Commission Certificates and O&M Info to DCCS/ Tenant*
- *Obtain Building Control Approval*
- *Complete handover to DCCS/ Tenant to allow for furnishing and commencement of services*
- *Complete GW6 Outcome Report*

**Are we on track for completing the project against the expected timeframe for project delivery?** N, but on track to complete against revised timeframe.

Additional H&S works encountered, Site temporarily closed due to Covid 19 and additional time to programme to complete works with additional Covid 19 measures is expected.

Proposed revised programme of works agreed with contractor including Covid 19 measures (based on current Gov advice, subject to change). Works to resolve H&S issues identified within scope.

**Has this project generated public or media impact and response which the City of London has needed to manage or is managing?**

A communications plan was implemented by CoL focusing on key messages from leading members including the Lord Mayor, press releases through core channels such as City

Matters and Ward newsletters and (due to Covid 19) a remote, virtual opening streamed live on Social media.

## **[2] Finance and Costed Risk**

**Headline Financial, Scope and Design Changes:** Update relevant section post report approval. Add multiple entries to relevant box if issues reports are approved. Note this section is to tell the 'project story' of how we reached the current position outlined in the main report.

### **'Project Briefing' G1 report & 'Project Proposal' G2 report (PSC Approval): 10/10/18 :**

- Total Estimated Cost (excluding risk): £ 440,000.00 - £ 455,000.00
- Costed Risk Against the Project: Not provided

#### *Scope/Design Change and Impact:*

The Priorities Board gave approval for capital funding of up to £451,000 for the refurbishment of up to 2 shop fronts. The allocation is from the social and community enhancements pot of the Community Infrastructure Levy; the drawdown of this was then subject to the approval of CCS and the Resource Allocation Sub Committee.

Priorities Board then agreed for additional funding of £70,000 (Total £521,000) from the same funding source, subject to approval of CCSS and Resource Allocation Sub Committee.

#### *Scope/Design Change and Impact:*

### **Options Appraisal and Design' G3-4 Report (PSC & DCCS Approval under Urgency 18.06.19**

- Total Estimated Cost (excluding risk): £381,440
- Resources to reach next Gateway (excluding risk): £59,690
- Spend to date: £11,750
- Costed Risk Against the Project: £110,000
- CRP Requested: None due to Policy Update on CRP
- CRP Drawn Down: None due to Policy Update on CRP

#### *Scope/Design Change and Impact:*

At the start of 2019 the approved capital spend was placed under the Fundamental Review requested by Policy and Resources Committee. Following this review, on 11 April, Project Sub-Committee gave final approval for the capital spend on the refurbishment of 75 and 77 Middlesex Street. During the review progress of the mental health centre was placed on pause.

The timeline for completion of the project has increased, with completion now due for January 2020. Where foreseeable risks materialise construction may complete later on 16 March 2020

### **'Authority to start Work' G5 report (as approved by DCCS 07/11/19 & PSC Under Urgency on 12/11/20):**

- Total Estimated Cost (excluding risk): £457,469.75
- Resources to reach next Gateway (excluding risk): £409,558.75
- Spend to date: £47,911.00
- Costed Risk Against the Project: £8,000
- CRP Requested: None due to Policy Update on CRP

- CRP Drawn Down: None due to Policy Update on CRP
- Estimated Programme Dates:  
Via Chief Officer Approval  
City Proc Award Contract: 31/10 – 05/11/ 2019  
Proposed Start on Site: 25/11/2019  
Proposed Finish on Site: 13/03/2019

Via Committee  
Project Sub Committee: 19/11/2019  
City Proc Award Contract: 02/12/2019  
Proposed Start on Site: 06/01/2020  
Proposed Finish on Site: 03/04/20

**Scope/ Design Change and Impact:**

Final design prepared by City Surveyors appointed consultants and approved by Mental Health Centre Oversight Group including DCCS and incoming Service Provider.

Additional cost to estimate to provide mobile units for Contractors Welfare and Storage due to lack of availability of Estate facilities (in use by 3rd Party contractors)

Cost of Mechanical & Electrical services received via competitive tender greater than estimate. Including increased lighting provision increased to compensate lack of natural light & impact on proposed counselling services.

Additional fire detection & drainage alterations identified in Building Control conditional approval will increase cost.

**GW5 Issues Report (approved by DCCS Grand Committee under Chief Officer Delegated Authority 13/05/20)**

- Total Estimated Cost (excluding risk): £502,536
- Change in Total Estimated Cost of Project: Increase of £45,600 since GW5 Report
- Spend to Date: £108,833.47
- Costed Risk Against the Project: £8,000
- Costed Risk Against Project: £8,000
- CRP Requested: £8,000
- Estimated Programme Dates: 06/01/20 – 15/09/20

*Scope/Design Change and Impact:*

Discovery of additional Asbestos Containing Materials (ACM) unidentified in original demolition survey incurred addition time and costs to re-survey, notify and removal as required by H&S regulations.

Additional costs identified for temporary closure of Site for Covid 19 and firm cost for modifications to sprinkler layout (replacing Provisional Sum at tender stage) requiring approval in Issues Report.

**Total anticipated on-going commitment post-delivery [£]:0**  
**Programme Affiliation [£]:N/A**

#### **[5] Member Decisions and Delegated Authority**

- 20/06/18 - Priorities Board approved capital funding from the Community Infrastructure Levy (CIL) for refurbishment costs of £433,000.
- 11/09/18 - Priorities Board approved an extended drawdown to meet the total estimated cost of £451,137.49 provided by City Surveyor's.
- 21/09/18 – Community and Children's Services Grand Committee provided approval for the drawdown the Community Infrastructure Levy (CIL) allocated funding to an amount up to £451,000.
- 14/12/18 - Resource Allocation Sub-Committee approved CIL drawdown of £451,000.
- 11/04/19 - Project Sub-Committee gave final approval for the capital spend on the refurbishment of 75 and 77 Middlesex Street.
- 18.06.19 – Chairman gave approval for GW3/4 preferred option Under Urgency on behalf of Project Sub- Committee (PSC) and Community and Children's Services Grand Committee
- 07/11/19 - DCCS Grand Committee gave approval for GW5. Chairman and Deputy Chairman under Urgency gave approval on behalf of PSC on 12/11/20
- 13/05/20 – DCCS Grand Committee gave approval for additional funding of £45,600 in GW5 Issues Report under Chief Officer Delegated Authority
- 03/06/20 Town Clerk in consultation with Chair & Deputy Chair of Resource Allocation Sub-Committee ratified prior approval for CIL drawdown of an additional amount up to £70,000, previously discussed in 2018.

<b>Committee(s):</b> City of London Grand Committee City of London Health and Wellbeing Board City of London Safer City Partnership City of London Members Safeguarding Sub-Committee	<b>Date(s):</b> 24/09/2021 17/09/2021 27/09/2021 11/10/2021
<b>Subject:</b> City and Hackney Safeguarding Adults Board Annual Report 2019/20	<b>Public</b>
<b>Report of:</b> Dr Adi Cooper, Independent Chair of the City and Hackney Safeguarding Adults Board	<b>For Information</b>
<b>Report author:</b> Raynor Griffiths, City and Hackney Safeguarding Adults Board Manager	

## 1. SUMMARY

The City and Hackney Safeguarding Adults Board (the Board) is a statutory board required under s43 of the Care Act 2014. The Board has three statutory functions:

- 1) Develop and publish a strategic plan outlining how the Board will meet its objectives
- 2) Publish an annual report detailing the safeguarding achievements for that financial year
- 3) Commission Safeguarding Adults Reviews (SARs) for any cases which meet the criteria

This report outlines the Board's annual report for 2020/21. It focuses on the response to Covid-19, key achievements, data for 2020/21 and future priorities for the Board.

## 2. RECOMMENDATION(S)

For information only

## 3. BACKGROUND

1.1 The City and Hackney Safeguarding Adults Board is a multi-agency partnership, represented by statutory and non-statutory stakeholders. The role of the Board is to assure itself that robust safeguarding procedures are in place across the City and Hackney to protect adults with care and support needs who are at risk of abuse and neglect. Where abuse and neglect does occur the Board and its partners are committed to tackling this and promoting person-centred care for all adults experiencing abuse or neglect. The annual report sets out an

appraisal of safeguarding adults' activity across the City of London and Hackney in 2020/21.

## **City and Hackney Safeguarding Adults Board Annual Report 2020/21**

### **Key achievements**

3.1 In line with its strategy, some of the key achievements for the Board in 2020/21 include:

- 1) The Board managed to ensure that all its statutory obligations were delivered during Covid-19. This included the delivery of the Board's work plan and the publication of two Safeguarding Adults Reviews.
- 2) The Board undertook the following activities in response to Covid-19:
  - i. Met on a monthly basis to review and respond to safeguarding issues that were identified by agencies during the course of the pandemic
  - ii. The group sought assurances from partners by auditing their safeguarding response to adults with care and support needs at risk of abuse and neglect. The results were analysed and used to inform what information should be included in the key safeguarding messages for residents' poster/leaflet
  - iii. The group identified safeguarding issues that have affected residents during the lockdown period and incorporated them into the Board's strategic plan for 2021/22.
- 3) The Board published two Safeguarding Adults Reviews: MS, which examined the death of a man experiencing multiple exclusion homelessness and Mr EF, which reviewed the death of a man in a house fire. The Board has initiated a SAR action plan task and finish group designed to ensure that action plans are embedded into practice and to identify how well learning from SARs has been embedded into practice. Both SARs can be found:  
<https://hackney.gov.uk/chsab-sars>
- 4) The Board has continued to work with the Community Safety Partnerships in City and Hackney and Children's Safeguarding Partnership to deliver the action plan in respect of the Transitional Safeguarding Task and Finish group. The group aims to identify how to better support 16 - 25 year olds with their safeguarding needs. The group has moved onto the next phase of work which is the delivery of a second action plan designed to help practitioners develop their safeguarding response to young people.
- 5) A total of 420 people attended the Board training in 2020/2021. This included new training around safeguarding, mental health and social isolation and advocacy training as well as the SAR learning events.
- 6) The Board held a Safeguarding Adults Week in line with the National Safeguarding Adults Week which took place between 16 – 22nd November 2020. During this week, 189 practitioners attended bitesize training put on by the Board, there were two events for residents and a poster published on how to get involved with the work of the Board.
- 7) The Board undertook a scoping exercise to understand the challenges that professionals faced when working with individuals who may lack executive



mental capacity. Using this information, the Board has committed to undertaking a number of actions to help support staff. These actions include updating the Board's self-neglect and hoarding policy and are included in the Board's strategic plan for 2021/22.

- 8) The Board published four newsletters for the public updating residents on the Board's work and safeguarding issues that residents should be aware of. A poster was also published on how people could keep safe during the lockdown period and the Board's safeguarding champions were provided with refresher training.

### Areas for further development

3.2 The Board was unable to meet its goals in relation to the following, and will continue to work on these into 2020/21:

- 1) The Board was unable to recruit Lay Members or Peer-to-Peer Supporters to the Board. However, in the forthcoming year the Board is working with London ADASS to identify three residents with lived experience of safeguarding to represent the City and Hackney at the London Safeguarding Voices Group
- 2) The Board had to postpone plans to hold events for residents due to the Covid-19 pandemic. Whilst there has been a small number of virtual events for residents, the lack of face-to-face meetings has limited the opportunity to continue to build relationships with residents. In the forthcoming year the Board will look to engage with existing service user networks and also to resume face-to-face events when it is safe to do so.
- 3) The Board had to cancel plans to deliver a multi-agency case file audit into the safeguarding response to self-neglect due to the cyberattack. The audit is currently in the process of being initiated.

### Data sets for 2020/21

The key information was identified from the City of London data set:

- There were 57 safeguarding concerns raised, of which 38 concerns led to a section 42 enquiry. This is an increase on the previous year where there were 48 concerns and 22 section 42 enquiries.
- The most common forms of abuse were: neglect and acts of omission, self-neglect, domestic abuse and physical abuse
- In line with national trends, abuse was most likely to happen in the person's own home by someone known to them
- Of the 43 concluded cases, 24 expressed their desired outcome. There were 23 people who had their desired outcomes fully achieved or partially achieved.

### Priorities for 2020/21

3.3 The Board has set itself the following strategic priorities for 2021/22:

- 1) To review the Strategy to ensure that the objectives included in it are still appropriate and to identify any additional objectives that needed to be included into the strategy
- 2) To ensure that core safeguarding is embedded throughout Adult Social Care and key partners in the City and Hackney
- 3) To identify and respond to any safeguarding issues that arise as a result of the recovery from Covid-19
- 4) To engage with the voluntary sector through bi-monthly learning sessions and monthly safeguarding bulletins
- 5) The Board will identify three people with lived experience of safeguarding to join the London ADASS Safeguarding Voices Group, which brings together service users to help influence regional change in relation to safeguarding
- 6) To review and address the issue of digital safety and financial scams, which were identified as an issue when reviewing data
- 7) The Board will be contributing to research being undertaken by King's College London and the Policy Research Unit in the Health and Social Care Workforce. The focus of the project is on adult safeguarding responses to homelessness and self-neglect. This takes forward the Board's commitment to responding to safeguarding issues affecting people who are experiencing homelessness
- 8) Preparing for the introduction of the Liberty Protection Safeguards, which has been postponed nationally until April 2022: and continue to check with partners that they are prepared for the launch
- 9) The Board will look at how well learning from Safeguarding Adults Reviews is embedded into practice and how the Board can improve engagement with learning.

## Appendices

- Appendix 1 – City and Hackney Safeguarding Adults Board Annual Report 2020 – 21

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# CHSAB Annual Report 2020–21

**People should be able to live a life free from harm  
in communities that are intolerant of abuse, work  
together to prevent abuse and know what to do  
when it happens**



# Contents

<b>Message from the Independent Chair</b>	<b>2</b>
<b>What is Safe Guarding Adults Board</b>	<b>3</b>
Role of Safe Guarding Adults Board	4
Board Governance	5
<b>CHSAB Achievements for 2020/21</b>	<b>7</b>
Response to Covid-19	7
Safeguarding Adult Reviews (SARs)	8
Training and engagement with professionals	8
Safeguarding Adults Week (November 2020)	8
Quality Assurance	9
Service user engagement	9
Transitional Safeguarding Task and Finish Group	9
Modern Slavery	10
Neighbourhoods Model	10
Engagement and partnership work	10
Core business	11
National work	11
<b>What did the Board not achieve?</b>	<b>13</b>
Safeguarding Adults Reviews (SARs)	14
CHSAB Strategy 2020-25	16
<b>CHSAB Board Partners Safeguarding Achievements</b>	<b>17</b>
<b>Safeguarding Data</b>	<b>22</b>
Key Safeguarding themes	29

## Message from the Independent Chair

I am very pleased to introduce the Annual Report for the City and Hackney Safeguarding Adults Board 2020/21. As the Independent Chair of the Board, I continue to be very grateful to all partners for their contributions to the Board, and their ongoing support. The partnership has continued to grow and develop, as reflected in this annual report, despite the challenges of the Covid-19 pandemic and lockdowns. As this report shows, all the partners of the Board have continued to deliver services, provide care and support to residents, and respond to changing safeguarding needs and risks. They have provided assurance that they continued to meet their safeguarding responsibilities during this challenging time. I commend the incredible hard work, dedication, and commitment of health, social care staff and all the key workers who have kept everything going during lockdowns. I am extremely grateful to everyone – staff, volunteers and residents - for their endeavours to support those who are at risk of abuse or neglect in City and Hackney. We recognise the tremendous impact that Covid-19 has had on everyone personally, mourn the deaths of residents who died, acknowledge the grief of their families and friends as well.



Further, the cyber-attack on Hackney Council has had a significant impact on Council business, including limiting what we can include in this year's report.

The annual report is important because it shows what the Board aimed to achieve during 2020/21 and what we have been able to achieve, despite the Covid-19 pandemic. It provides a picture of who is safeguarded in the City and Hackney, in what circumstances and why. This helps us to know what we should be focussing on for the future. The Delivery Plan for 2021/22, which says what we want to achieve during the year, has been reviewed in the light of the ongoing challenges in responding to Covid-19 pandemic. However, we hope to be able to be back to 'business as usual' next year.

There continues to be significant pressures on partners in terms of resources and capacity, especially with the long term impacts of the Covid-19 pandemic, so I want to thank all partners and those who have engaged in the work of the Board, for their considerable time and effort continuing to safeguard City and Hackney residents.

There is a lot that we need to do and want to do to reduce the risks of abuse and neglect in our communities and support people who are most vulnerable to these risks. This is a journey that we are all making together, and I look forward to chairing the partnership in the next year to continue this journey.

**Dr Adi Cooper OBE,**  
Independent Chair City and Hackney Safeguarding Adults Board  
June 2021

## What is the Safeguarding Adults Board?

### Role

The City and Hackney Safeguarding Adults Board (CHSAB) is a partnership of statutory and non-statutory organisations representing health, care, criminal justice, voluntary sector and residents who use services in the City of London and Hackney. The role of the CHSAB is to seek assurance from organisations that there are effective adult safeguarding arrangements in place, to protect adults with care and support needs and help prevent abuse and neglect across the City and Hackney.

The CHSAB has three core duties under the Care Act 2014 that it must fulfil by law:

- 1) Develop and publish a Strategic Plan outlining how it will meet our objectives and how our partners will help each other to achieve this
- 2) Publish an Annual Report detailing what it has done to help safeguard the community and how successful it has been in achieving this
- 3) Commission Safeguarding Adults Reviews (SARs) for any cases that meet the criteria.

In addition to this, the CHSAB is able to involve itself or lead work around any other adult safeguarding issues it feels appropriate.

### Membership

The CHSAB has three statutory partners: the Local Authority, Clinical Commissioning Group and Police service as well as a number of non-statutory partners. This year the CHSAB welcomed representatives from the Department of Work and Pensions, Turning Point and the City of London's Housing and Commissioning teams to the Board.

A full list of CHSAB partners and their attendance at the quarterly Board meetings is provided below:

2019-20	
Independent Chair	100%
London Borough of Hackney ASC	100%
City of London Corporation	75%
City & Hackney CCG	100%
Homerton University Hospital	100%
Barts Health NHS Trust	25%
East London NHS Foundation Trust	75%

2019-20	
London Fire Brigade	50%
Metropolitan Police	75%
City of London Police	75%
National Probation Service	25%
Healthwatch Hackney	75%
HCVS	100%
Age UK East London	0%
The Advocacy Project	25%

### Principles

The Board's strategy and annual plans are underpinned by the six safeguarding principles:

- **Prevention** – It is better to take action before harm occurs.  
*"I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help."*
- **Empowerment** - People are supported and encouraged to make their own decisions and informed consent.  
*"I am asked what I want as the outcomes from the safeguarding process and this directly inform what happens."*
- **Proportionality** – The least intrusive response appropriate to the risk presented.  
*"I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed."*
- **Protection** – Support and representation for those in greatest need.  
*"I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want."*
- **Partnership** – Local solutions through services working together and with their communities. Services share information safely and each service has a workforce well trained in safeguarding. Communities have a part to play in preventing, detecting and reporting neglect and abuse.  
*"I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me."*
- **Accountability** – Accountability and transparency in delivering safeguarding.  
*"I understand the role of everyone involved in my life and so do they."*



## Board Governance

### *Sub-groups*

The Board has several subgroups in place to ensure the delivery of our annual priorities:

#### **Quality Assurance:**

This group examines quantitative and qualitative information about safeguarding across the City and Hackney. This information is provided to the Executive group and helps inform the work and priorities of the Board.

#### **Safeguarding Adults and Case**

**Review:** This group fulfils the s44 Care Act duty by considering requests for a Safeguarding Adults Review (SAR). The group reviews referrals and makes recommendations to the Chair when it considers a SAR is required.

#### **Workforce development:**

This group is responsible for ensuring that the Board identifies and offers safeguarding training and development opportunities for frontline professionals. It is also responsible for quality assuring safeguarding training delivered by partners.

There are also a number of task and finish groups to help the Board deliver specific projects that are included in the annual strategic plan:

#### **Transitional safeguarding:**

The task and finish group is responsible for identifying how to better support young people aged 16 - 25 years old with their safeguarding needs around exploitation and abuse. This is a joint task and finish group on behalf of the City and Hackney Safeguarding Children's Partnership and Hackney Community Safety Partnership as well as the CHSAB.

The work of the sub and task and finish groups is overseen by the Executive Group, whose role it is to monitor the progress of work undertaken by the groups and identify any other work the Board needs to undertake. There are also quarterly CHSAB meetings attended by the whole partnership, this allows for discussions on key safeguarding issues, networking and identifying further opportunities for partnership working.

### *City of London Adult Safeguarding Committee*

The City of London has a Safeguarding Adult Committee, which focuses on safeguarding issues affecting residents living in the City of London. The Committee meets quarterly, where it reviews its progress against CHSAB and City of London priorities and where partners share their responses and responsibilities in relation to different safeguarding issues. The City of London had the following priorities for 2020/21:

- Homelessness
- Transitional safeguarding
- Out-of-Borough placements
- Reconfiguring safeguarding sub-committee meetings.

### *CHSAB strategic links*

The CHSAB has links with partnerships and boards working with residents in the City of London and Hackney, including: the City and Hackney Safeguarding Children's Partnership, Community Safety Partnerships and Health and Wellbeing Boards. The Board will also engage with other partnerships where there may be opportunities to work collaboratively or provide adult safeguarding expertise.

### *Budget*

In 2020/21 the Board requested total contributions of £212,950 from the partners listed below:

<b>Partners Income</b>	<b>Received (£)</b>
City of London Corporation	(28,875)
East London NHS Foundation Trust	(27,500)
Homerton University Hospital	(12,000)
NHS City and Hackney CCG	(20,000)
Metropolitan Police Authority	(5,000)
Bart's and London NHS Trust	(5,000)
City of London Police	(4,400)
London Fire Brigade	(500)
LB Hackney	(109, 675)
<b>Total income</b>	<b>(212,950)</b>

The expenditure for the Board in 2020/21 was:

<b>CHSAB Expenditure</b>	<b>Amount (£)</b>
Staff Related	112,921
External Training	7,820
Independent Chair	19,713
Miscellaneous Expenses	2,090
Other Planned Expenses & SARs	-
Service Overheads	37,832
<b>Total income</b>	<b>180,376</b>

The Board has made the decision to keep the partner contributions the same on the basis that there is a current reserve fund to meet any unplanned expenditure that may be incurred in this financial year.

### *Supporting the CHSAB*

The CHSAB has a full-time Board Manager and Business Support Officer to manage the work of the Board.

## **CHSAB Achievements for 2020/21**

Despite the Covid-19 pandemic and lockdowns, the Board was able to deliver many of its priorities during this year. This section outlines the work that the Board achieved in 2020/21:

### *Response to Covid-19*

During 2020/21 partner agencies have been working extremely hard to respond to the Covid-19 pandemic and its impact. When the pandemic and lockdown started in March 2020, the Board made the decision to postpone meetings to allow agencies to respond to the outbreak. However, business resumed as usual in May 2020 with virtual monthly Executive Group meetings to ensure that partners had the opportunity to discuss, identify and respond to safeguarding issues emerging from Covid-19 and its impact.

The Executive group undertook the following work in response to Covid-19:

- 1) Met on a monthly basis to discuss safeguarding issues and themes that agencies had identified throughout the course of the pandemic.
- 2) The group sought assurance from partners regarding their response to adults with care and support needs who are at risk of abuse or neglect and that they were meeting their statutory responsibilities.
- 3) The group revised the Board's annual strategic plan to incorporate a section on the response to Covid-19 and modify any actions that were no longer achievable due to Covid-19. More information on what the Board was not able to achieve is included on page 13.
- 4) The group reviewed data in relation to safeguarding during the lockdown period to identify how the outbreak had impacted safeguarding in the City and Hackney. More information on this can be found in the data section of this report on page 23.
- 5) The group asked partners to audit their safeguarding referrals over the course of two weeks during the lockdown period in September 2020. The results were analysed and used to inform what information should be included in the key safeguarding messages for residents' poster/ leaflet.

- 6) As mentioned in point 5, the Board produced a poster on how residents can keep safe during the second and third lockdowns. This was disseminated to residents across the City and Hackney.
- 7) The group identified key safeguarding issues that should be addressed in the Board's strategic plan for 2021/22, this includes work around the Covid-19 recovery and the launch of a project on digital safety and financial scams.

### *Safeguarding Adults Review (SARs)*

- The Board published two SARs: regarding MS and Mr EF - more information on both reviews can be found on page 14.
- The Board considered five potential SARs. Four cases did not meet the criteria for a SAR, one met the criteria for a discretionary review and three cases led to further actions being taken, such as collection of case studies. The findings from the discretionary SAR will be included in the Board's 2021/22 annual report.
- The Board has identified learning and actions to take from the National Analysis of SARs undertaken by Professor Michael Preston-Shoot and Professor Suzy Braye (<https://www.local.gov.uk/publications/analysis-safeguarding-adult-reviews-april-2017-march-2019>). In response to the report, the Board has updated its SAR policies and undertaken an exercise analysing all the actions from SARs that have been completed.

### *Training and engagement with professionals*

- Due to the Covid-19 pandemic, the Board reviewed how training was delivered, opting to deliver all training packages virtually during 2020/21.
- Every year the Board has put on safeguarding training for professionals working in the City and Hackney. The Board offered new training on safeguarding, mental health and social isolation and advocacy. In total, 220 people attended training in 2020/21.
- The Board held a learning event for MS and one for Mr EF, each event was attended by over 100 professionals based in the City and Hackney
- The Board put on refresher training on safeguarding for the 14 safeguarding champions.

### *Safeguarding Adults Week (November 2020)*

- The Board held a number of bitesize learning sessions on different areas of safeguarding for professionals. In total 189 people attended these virtual events. This is nearly double the attendance from the previous year.

- The Board published a poster detailing how residents can keep themselves safe during the lockdown period, which was also circulated as a leaflet.
- There were two virtual presentations held for residents, one launching the Board's Strategy and the second on how safeguarding can be made more inclusive.

### *Quality Assurance*

- The quality assurance group undertook a scoping exercise to understand the challenges that professionals faced when working with individuals who may lack executive mental capacity<sup>1</sup>. Using this information, the Board has committed to undertaking a number of actions to help support staff. These actions include updating the Board's self-neglect and hoarding policy and are included in the Board's strategic plan for 2021/22.
- The group reviewed data provided by partners through the new Quality Assurance Framework and created a feedback loop to the Executive Group. The Executive Group uses this information to determine areas of focus for the Board going forward.

### *Service user engagement*

- The Board has created a poster, which was published in the London Borough of Hackney and City of London newspapers, outlining how residents can get involved in the Board's work. If you would like to find out more about this, please contact: [chsab@hackney.gov.uk](mailto:chsab@hackney.gov.uk)
- The Board published four newsletters for the public updating residents on the Board's work and safeguarding issues that residents should be aware of.

### *Transitional Safeguarding Task and Finish Group*

- The Board had previously undertaken an exercise asking organisations working with young people aged 16 - 25 years old about the safeguarding issues affecting young people. The group used this information to create a brief outlining the safeguarding issues affecting young people and an action plan on how to take this work forward.
- The Board has delivered the transitional safeguarding action plan, which focussed on the following areas:
  - Information gathering
  - Engagement activity
  - Partnership and awareness raising

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<sup>1</sup> This is where an adult may appear to understand and make decisions regarding actions and risks in their lives but they are not able to act upon these and therefore lack executive mental capacity.

- Work of the Context Intervention Unit
- Transitional safeguarding development in the City of London
- Data collection
- Building links with other areas of work such as probation and housing services
- The group developed and established connections with different organisations working with young people in Hackney. This includes the Youth Provider Network, Account and The Mentoring Lab.

### *Modern Slavery*

- The Board has built links with relevant key stakeholders, including the Human Trafficking Foundation, The Salvation Army and is a member of the London Modern Day Slavery Leads Network.
- The Board and Community Safety Partnership held a workshop for London Borough of Hackney staff to build awareness of modern slavery and initiate work to understand the picture of modern slavery in Hackney.
- Following the workshop, the Board sent out a questionnaire to different services in the London Borough of Hackney relating to their experiences and understanding of slavery. This information has been used to inform the key priorities regarding modern slavery going forward into 2021/22.

### *Neighbourhoods Model<sup>2</sup>*

- The Board has continued to work collaboratively with the Neighbourhoods Team, through regular meetings and reporting back to the Board on the progress of the Neighbourhoods multi-agency meetings.
- The Board has provided feedback on the work undertaken by the Neighbourhoods Team in relation to training and auditing.
- The Board has fed back the findings of the MS Safeguarding Adults Review to the Neighbourhoods Team.

### *Engagement and partnership work*

- The Board continued to expand its professionals mailing list and LinkedIn network to ensure that all professionals in the City and Hackney are up to date with safeguarding news. If you would like to join this network please contact: [chsab@hackney.gov.uk](mailto:chsab@hackney.gov.uk)
- The Board is part of the Suicide Prevention Steering Group and has contributed to this work by incorporating suicide awareness into the safeguarding awareness training package.

<sup>2</sup> The Neighbourhoods Model has established 8 neighbourhoods across the City and Hackney which are aligned to Primary Care Networks. There is a place based approach for each network where different groups and services work together to provide person-centred care in each Neighbourhood

- The Board is part of the Community Resilience Partnership, Safe and Together Domestic Abuse workstream, Resident Associations workstream, Domestic Homicide Review Group and Benefits and Housing Needs Social Worker Pilot Scheme.
- The Board delivered a number of bitesize training sessions on different areas of safeguarding to different teams across the City and Hackney. This included the Occupational Therapy, Commissioning and Integrated Learning Disability teams.
- The Community Safety Partnership led one of their meetings on transitional safeguarding. Board members attended this and provided feedback and information on the key safeguarding adult issues.

### *Core business*

- The Board updated its risk register in light of the Covid-19 pandemic and the cyber-attack that affected the London Borough of Hackney.
- The City of London Adult Safeguarding Sub-Committee meetings were reconfigured.
- The Board received regular reports on out-of-borough placements and partner agencies preparation for the Liberty Protection Safeguards to ensure that any safeguarding issues are addressed.

### *National work*

- The Board has contributed to the Local Government Association Insight Project which collected real-time data on safeguarding to identify national safeguarding themes arising from Covid-19.
- The Board undertook an exercise on behalf of the Association of Directors of Adult Social Services and Local Government Association identifying the issues for Safeguarding Adult Boards during Covid-19. This information was used to develop a checklist tool which Boards can use to audit their response to the Covid-19 outbreak.







## What did the Board not achieve?

The Board is always ambitious in setting out its plans for driving forward work in respect of safeguarding adults in the City and Hackney. Unfortunately, it is not always possible to achieve all its goals. This year has been particularly difficult with the Covid-19 pandemic and the Board has had to reassess its goals for the year. The CHSAB was unable to achieve the following objectives:

- 1) The Board made attempts to sign up Peer-to-Peer Supporters who would be trained and responsible for signposting residents to safeguarding services. Unfortunately, not enough people signed up for this role. Going forward, the Board will look at how this role can be incorporated into the Safeguarding Champions role. The Board will also look at recruiting more Safeguarding Champions. Furthermore, the Board is working with London ADASS to recruit three residents with experience of safeguarding to represent the City and Hackney at the London Safeguarding Voices Group.
- 2) The Board has had to postpone a number of plans to hold events for residents living in the City and Hackney due to the Covid-19 pandemic. Whilst there have been a small number of service user events online, the lack of face to face meetings has limited the opportunity to build up the CHSAB's service user network. The Board is looking to engage with existing service user networks to help raise awareness of safeguarding amongst residents and will also resume face-to-face events when it is safe to do so.
- 3) The Board was unable to update all its policies, most notably the Self-Neglect and Hoarding Policy. Given the findings from the MS SAR and the work undertaken around mental capacity, the Board has a plan on how the Self-Neglect and Hoarding Policy will be updated and published as a priority, going forward.
- 4) The Board had to cancel its plans for a multi-agency case file audit into self-neglect. The audit was intended to assure the Board that its partners that there were appropriate safeguarding responses to residents experiencing self-neglect. The audit was postponed due to the cyberattack that impacted the London Borough of Hackney. This was on the basis that it was no longer possible to access all the information required for the audit. A new audit has been scheduled to take place in 2021/22.
- 5) The Board had to cancel its audit of the partnerships' safeguarding practice using the London Safeguarding Adults Partnership Audit Tool and the planned challenge event due to the second wave of the Covid-19 pandemic. This event was due to take place in February 2021 and was postponed until June 2021.

## Safeguarding Adults Reviews (SARs)

The Board published two Safeguarding Adults Reviews for 2020/21: MS and Mr EF (<https://hackney.gov.uk/chsab-sars>). The Board has a statutory duty to undertake Safeguarding Adults Reviews under section 44 of the Care Act 2014. A SAR takes place where an adult has (i) died or suffered serious harm; (ii) it is suspected or known that it was due to abuse or neglect and (iii) there is concern that agencies could have worked better to protect the adult from harm.

### Case Outline - MS SAR

MS was a Turkish (Kurdish) male, aged 63-years old with a history of homelessness, self-neglect and substance abuse. He had limited understanding of English and his engagement with services was sporadic. MS was sadly found dead at a bus stop in Stoke Newington, which he frequently stayed at during periods of homelessness. He had been living at the bus stop for a number of weeks after being evicted from a residential care home where he had been living for five months. His living conditions were very poor, he was unable to move, doubly incontinent and surrounded by bags and unopened bottles of water. There were a number of services that had tried to engage with him and get him support for his needs but he did not engage. A Coroner found that MS died of natural causes. .

### Reasons for review

A decision was made to review the case on the basis that there were concerns about:

- The multi-agency response to multiple exclusion homelessness
- Understanding around mental capacity, particularly where an adult may lack executive capacity<sup>3</sup>
- How well agencies responded to MS's health and care needs
- Whether legal options were considered to support MS
- The reasonable adjustments made to support MS.

### Key findings

The SAR Reviewer, Professor Michael Preston-Shoot, made a number of findings in this case, which included:

- Professionals can lack confidence in taking the lead in complex cases; however evidence suggests that allocating a lead agency or worker can be an effective way of helping an individual in the long-term.
- There were assumptions that MS had capacity to make decisions, however in cases where this is not clear staff should escalate the case or seek support from legal teams
- Little was known about MS's life and the reviewer emphasised the importance of making efforts to understand the history of an individual including their past traumas and experiences

<sup>3</sup> This is where an adult may appear to understand and make decisions regarding actions and risks in their lives but they are not able to act upon these and therefore lack executive mental capacity.

- Assessments of MS did not lead to a safeguarding enquiry, which would have triggered an official safeguarding process to support him. It is important to ensure that professionals are aware of the legislation that exists to support rough sleepers.

### *Actions taken in response to the SAR*

Some of the steps that the Board has taken in response to the findings of the SAR, include:

- London Borough of Hackney Adult Social Care Team has improved collaborative working with Housing and Community Safety teams. Examples of this include ensuring that there is safeguarding representation at the Street User Outreach meetings to provide support with safeguarding and legislative issues.
- London Borough of Hackney Housing Benefits Needs has used Rough Sleeper Initiative funding to provide a holistic service around the person. This includes outreach services to meet people where they are, a mental health social worker to provide expertise in this area and some emergency accommodation to provide space to stabilise. The service is also looking to enhance and formalise therapeutic interventions, and is working with East London Foundation Trust and voluntary sector partners to secure this.
- The Board is currently in the process of reviewing and amending escalation policies for complex cases so that there clarity on which panels can be utilised for support and what the process for escalation is where someone becomes very high risk of harm
- Training has been commissioned on trauma-informed approaches to safeguarding to ensure that staff have support in understanding how trauma may impact an individual's life choices and decision making.

#### **Case outline - Mr EF**

Mr EF was aged 89 and of African-Caribbean descent. He lived in London for 60 years and had a niece that he was close to and helped him with his care. Mr EF sadly died in a house fire in February 2019. The London Fire Brigade was alerted after his neighbours smelt smoke. Mr EF was found unconscious in his bedroom and unfortunately could not be resuscitated. An investigation found that the fire had likely been caused by joss sticks which had been propped into flammable items.

This review was discretionary, where the criteria for a formal Safeguarding Adults Review was not met but the SAR sub-group felt that there were valuable lessons that could be learnt from the case. The Board asked Professor Suzy Braye, who undertook the Board's previous fire death review, Mr BC (<https://hackney.gov.uk/chsab-sars>) to return to consider this case. Professor Braye audited how well the learning from the Mr BC review was embedded into practice and also identified learning from the Mr EF case.

### *Reasons for review*

The case was reviewed on the basis there were potential concerns around:

- How well supported Mr EF was in relation to his housing needs
- How well risk, in particular fire risk, was managed in Mr EF's case
- How well was learning from the Mr BC review embedded into practice
- Multi-agency and coordinated work amongst agencies providing support to Mr EF.

### *Key findings*

The SAR Reviewer made a number of findings in this case, which included:

- Whilst the fire risk relating to Mr EF was not obvious, the review did find that agencies needed to refamiliarise themselves with fire risk particularly where risks are not obvious
- There was opportunity for practitioners to exercise their professional curiosity in relation to Mr EF's spiritual distress and his use of joss sticks
- There was limited engagement with Mr EF's niece, who helped provide care to him, and the support she may have needed
- There were opportunities for the Board to look at learning from SARs and how we can ensure learning stays in organisational memory.

### *Actions taken in response to the SAR*

Some of the steps that the Board has taken in response to the findings of the SAR, include:

- The Board has created a SAR action plan task and finish group, which has a dual purpose. The first is to ensure that all SAR actions are appropriately completed and to the second to identify how learning from SARs can be effectively embedded into practice
- London Borough of Hackney and London Fire Brigade are working collaboratively to create a system by which residents who are referred into Adult Social Care for support are automatically referred for a home fire safety visit
- The Board is working with the Carers Development Manager to identify how family and informal carers can be provided with greater support
- There will be refresher training and guidance provided to staff across the provider and housing networks on reducing fire risks.

## CHSAB Strategy 2020-25

This section provides an update on the progress made against the CHSAB Strategy 2020-25. In 2020/21 the Board has made the following progress against the strategic priorities:

- The Board's quality assurance sub-group regularly collected data on the use of advocates and will continue to analyse this over the next year
- There was a scoping exercise undertaken regarding mental capacity, in relation to executive capacity. The findings from this work will be used to inform actions in the 2021/22 annual strategic plan
- Several Board members are members of national safeguarding networks, so that both local and national safeguarding trends are reported to the Board. This information is used to inform the Board's annual strategic priorities
- The Board regularly meets with the Neighbourhood Teams to ensure that safeguarding information is shared and incorporated into practice
- Transitional safeguarding remains a key part of the Board's agenda and continues to be included into the Board's annual strategic plan
- Safeguarding Adults Week and engagement with new groups is embedded into the Board's day-to-day business.

## Priorities for 2021/22

In 2021/22 the Board will focus on the following priorities:

- 1) Reviewing the Strategy to ensure that the objectives included are still appropriate and identify any additional objectives to add to the strategy.
- 2) Delivering bi-monthly bitesize safeguarding training to staff and volunteers in community and voluntary sector services.
- 3) Addressing digital safety and financial scams issues, which were identified when analysing safeguarding data. A small task and finish group will identify any further support that can be provided to residents on these issues.
- 4) Contributing to research being undertaken by King's College London and the Policy Research Unit in the Health and Social Care Workforce. The focus of the project is on adult safeguarding responses to homelessness and self-neglect. This takes forward the Board's commitment to responding to safeguarding issues affecting people who are experiencing homelessness.
- 5) Responding to the findings from the Mr EF SAR regarding support offered to carers. The Board has addressed this in the Mr EF action plan, which will be delivered during 2021/22.
- 6) Understanding the impact of our SARs, how this has changed practice in the City and Hackney; how well learning has been embedded into practice. A task and finish group will explore and progress this work further.

- 7) Preparing for the introduction of the Liberty Protection Safeguards, which has been postponed nationally until April 2022: and continue to check with partners that they are prepared for the launch.

## CHSAB Board Partners Safeguarding Achievements

This section outlines the Board Partners main achievements in relation to adult safeguarding for 2020/21:

### *London Borough of Hackney*

- London Borough of Hackney adopted a humanitarian response to residents, ensuring that those that were shielding and those needing support received it. Adult Social Care were able to maintain effective safeguarding service throughout the pandemic and the cyber-attack affecting London Borough of Hackney, providing all adults at risk of abuse or neglect with support.
- There has been increased joint working between adult social care and rough sleeping services. People who were sleeping rough in Hackney were offered accommodation during the lockdown periods. There was positive multi-agency working between teams to ensure that wraparound support was offered to this group and to ensure any safeguarding concerns were addressed.
- Adult Social Care facilitated and co-led information forums between the CCG, City of London and the Care Quality Commission to monitor and respond to any safeguarding risks that arose in Hackney care homes as a result of the Covid-19 pandemic.

### *City of London Corporation*

- The City of London Corporation continued work with rough sleepers to ensure that they received accommodation and support during the Covid-19 outbreaks. Specifically, a Rough Sleeper's Social Worker was recruited and there links between Adult Social Care and Rough Sleeping Services have improved.
- Multi-agency working between City of London Corporation and external agencies has continued to improve with teams benefitting from multi-agency working virtually. There has been more engagement with homelessness services, outreach teams and neighbourhoods teams. The neighbourhood model has put in place their multi-agency meeting in the City of London and this led to better engagement between agencies.
- The City of London Corporation put in place flexible support for residents during the Covid-19 pandemic. This included implementing a seven-day hospital discharge to assess model for people with complex care needs, putting in additional support for adults who were shielding, increased welfare checks and distributing personal protective equipment and food for residents and staff in need of these.





### *City and Hackney Clinical Commissioning Group (CCG)*

- The CCG commissioned a range of services to respond to safeguarding issues arising from the pandemic. This included providing infection prevention and control advice to staff in social care settings, providing enhanced clinical care in care homes and appointing a learning disability primary care and community liaison practitioner.
- A rapid review process for Covid-19 deaths under the Learning Disability Review Programme has been put in place and any significant findings will be actioned accordingly.
- The CCG has worked across North East London offering mutual support and intelligence in relation to safeguarding risks arising during Covid-19. The CCG ensured that there was extra multi-agency support in place to help those residents who may be at risk of harm during the lockdown, this included carers, people with learning disabilities and those with long-term conditions.

### *Homerton University Hospital Foundation Trust*

- Homerton hospital has increased the number of Mental Capacity Assessments undertaken by staff and also delivered more mental capacity training to professionals.
- There has been an increase in the number of patient safety safeguarding incidents. This has been analysed and it was found that staff were forthcoming at reporting incidents, which shows a good patient safety culture. All incidents are analysed and lessons, themes and trends are reported back to staff.
- Homerton hospital has worked collaboratively with the CCG, East London Foundation Trust and the GP Confederation to ensure that there were targeted health interventions for residents that needed support, for example monitoring high risk patients.

### *East London Foundation Trust*

- All service users were given two RAG ratings based on their Covid-19 risk and their mental health risk. Any people who were deemed to be 'red' were regularly reviewed and contacted at least once a month.
- A number of staff across different services have been trained to be Safeguarding Adults Managers. There has also been improved reporting of safeguarding concerns made from professionals working in in-patient services.
- The Trust worked with the London Borough of Hackney to agree a more streamlined approach to reporting safeguarding concerns.



### *Metropolitan Police*

- The police were able to maintain full services throughout the course of the pandemic and have ensured that safeguarding was prioritised during this time.
- Frontline police officers have been provided with more information and awareness on the issue of self-neglect and the importance of referring individuals to safeguarding teams via the Merlin reporting process.
- All new officers have been trained in safeguarding adults, which has been challenging but rewarding given a high intake of new officers to the service.

### *City of London Police*

- The City of London Police developed a hotel engagement working group and digital newsletter for hotel staff. The aim of this was to provide training and information to staff so that they identify and respond to any safeguarding risks that may arise.
- The Police provided Domestic Abuse Multi-Agency Risk Assessment Conference training to outreach and housing providers to help ensure that referrals into the service are of best quality.

### *London Fire Brigade*

- The Fire Brigade implemented a qualified Safeguarding Adults Review Champion within the London Fire Brigade.
- Internal funding was secured for a revised safeguarding training package for senior officers and designated community safety staff.
- The fire brigade undertook 617 home fire safety visits for Hackney for 2020/21. This was lower than usual due to the Covid-19 restrictions but all high risk addresses were prioritised and visited.

### *National Probation Service (NPS)*

- During the pandemic the NPS in Hackney were able to maintain services, with modifications to working practices and the implementation of an Exceptional Delivery Plan which meant that all persons on probation were supervised and managed appropriately.
- The NPS were fully engaged with Mayor's Office of Policing and Crime (MOPAC) as part of their young adults transition programme and have worked to develop understanding and knowledge of all staff in working with young adults in our caseload in Hackney to navigate the transition from.
- Regular audits have been completed both internally and in the Ministry of Justice to ensure that sufficient standards are maintained by our staff in their practice and understanding of safeguarding.

### *Community Rehabilitation Company Probation Services (CRC)*

- CRC undertook more safeguarding checks and assessments in comparison to previous years.
- All safeguarding training is now on an electronic platform, which means staff were still able to access training during the lockdown period.
- The CRC have been part of the Mayor's Office of Policing and Crime project around transitional care for young adults involved in the criminal justice system.

### *Department of Work and Pensions Hackney (DWP)*

- The DWP joined the Board and has attended all key meetings to date. The DWP has also linked in with other Boards that link in with safeguarding such as the Safe and Together Approach for Domestic Abuse.

### *Age UK*

- Age UK was able to check in with all their most at risk clients, through both telephone and face to face visits during the pandemic. This helped the organisation identify and report potential safeguarding risks at an earlier stage.
- A number of Covid-19 related scams learning sessions were delivered by staff at Age UK.
- Age UK supported residents in the City to use virtual means of communication. This had a dual benefit of helping people connect with others over the lockdown period and also get a better understanding of people's circumstances at home.

### *Hackney Community and Voluntary Services (CVS)*

- Hackney CVS helped provide refresher training to the Safeguarding Champions and continued to provide practical support to champions throughout the year.
- Hackney CVS has attended and contributed to on-going work regarding transitional safeguarding.
- Hackney CVS continued to raise awareness of adult safeguarding issues at a community level via training and awareness sessions. Five awareness raising sessions were delivered in total, which were attended by 75 people in total.

### *Hackney Healthwatch*

- Hackney Healthwatch continued to promote adult safeguarding awareness and signpost residents to adult safeguarding services.

## Safeguarding Data

The safeguarding data for 2020-21 is presented separately for the City of London and Hackney. Whilst the City of London was able to provide a full picture of safeguarding for their area, the London Borough of Hackney was not. This was due to a cyberattack that affected London Borough of Hackney data systems and meant that it was not possible to provide a full data submission. Whilst some quantitative data is provided below, this will not be fully accurate and should be used with caution. To supplement this data the Board has included anecdotal information provided by partner agencies. .

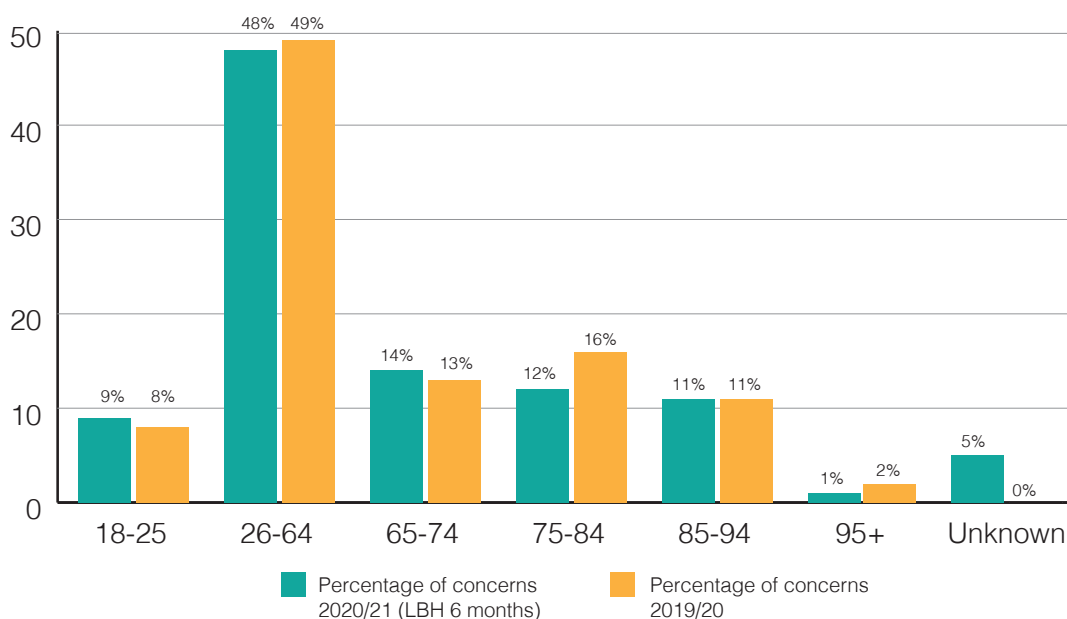
### London Borough of Hackney

Please note that all data provided for the London Borough of Hackney is estimated based on six months worth of data. This information includes safeguarding concerns and enquiry outcome decisions which were all recorded after October 2020, when the cyberattack occurred.

Whilst the Board only has access to six months worth of data, the data does suggest that there has been an increase in the number of safeguarding concerns being referred into Adult Social Care. This is consistent with data collected by the Local Government Association as part of their Covid-19 Safeguarding Adults Insight Project (<https://www.local.gov.uk/covid-19-safeguarding-adults-insight-project>), which collected real time data on safeguarding from Local Authorities across England during the pandemic. This data showed generally that there was an initial decrease in safeguarding when the lockdown occurred and this increased as the lockdown eased. The general trend identified that there were largely more safeguarding concerns reported during 2020/21 than previous years.

### Concerns - Age

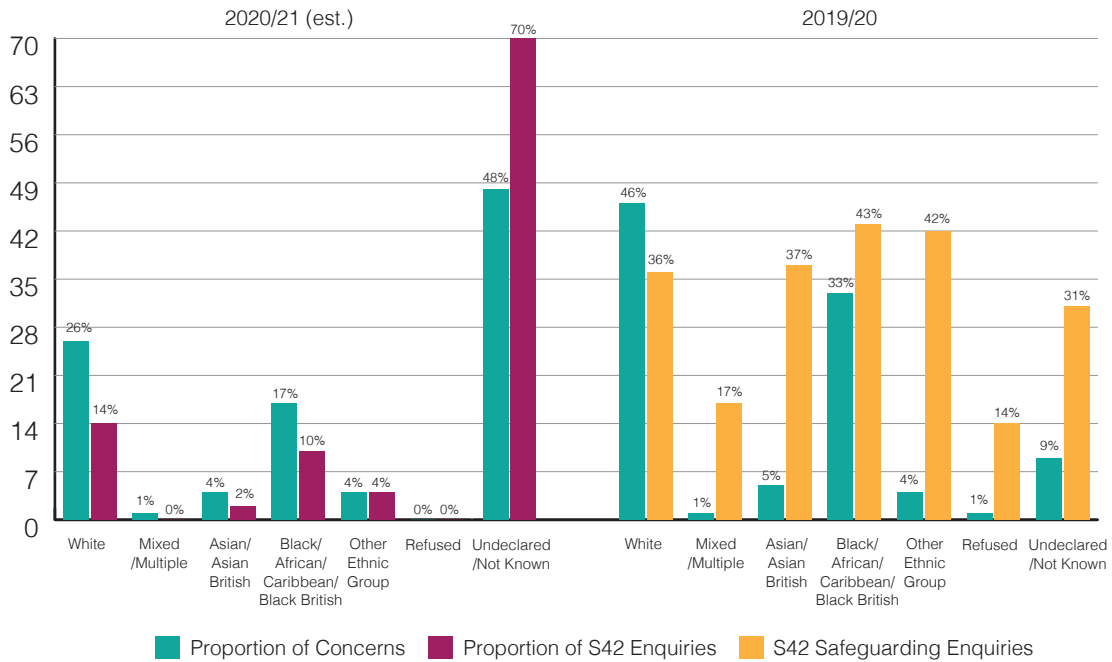
Number of Concerns by Age Group (%)



The data shows that there is very little change in profile from the previous year.

### Concern - ethnicity

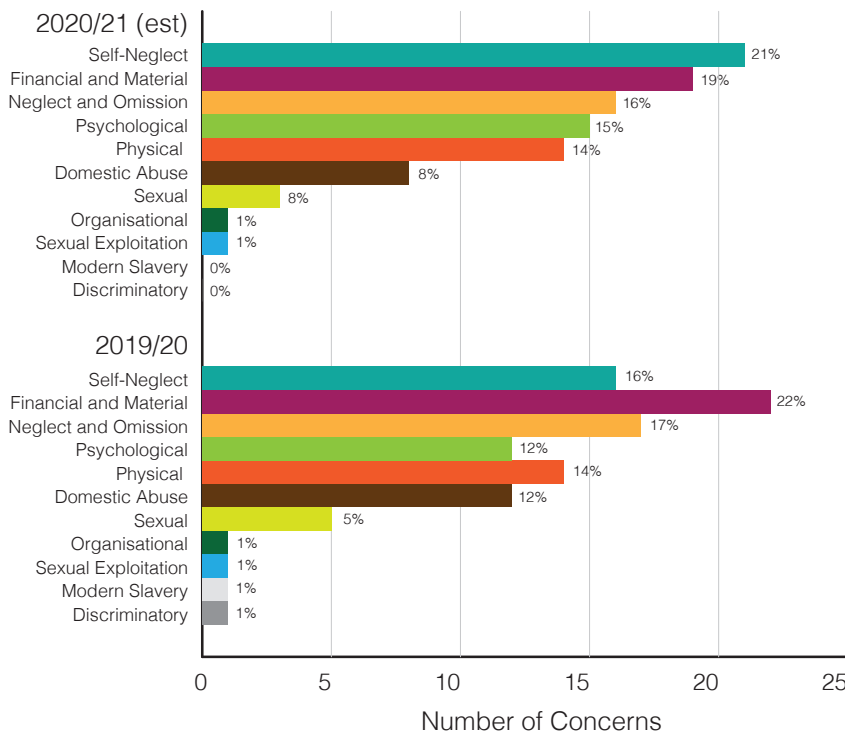
#### Conversion Rate of Concerns by Ethnicity



Due to the cyberattack and the lack of access to case management software it was not possible to obtain accurate data on ethnicity as many concerns were not able to be captured.

### Concerns - abuse type

#### Type of Abuse at Concern

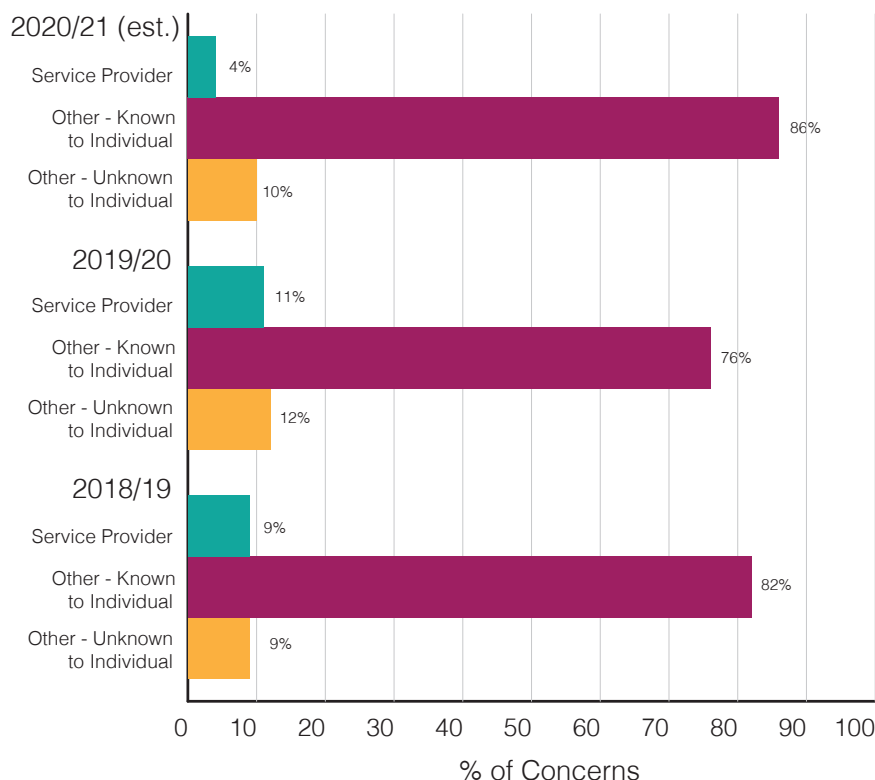


The data shows that both self-neglect and psychological abuse have increased in number in the past year. This is consistent with anecdotal information from professionals and also data collected in the Local Government Association’s Insight Report, which recognises that there were more residents presenting with signs of self-neglect. In response to this, the Board will be undertaking a multi-agency case file audit looking at how well professionals respond to individuals experiencing self-neglect. The self-neglect and hoarding policy will also be updated to include more information around issues of capacity to make decisions. The Board will also explore how to raise awareness of psychological abuse across the City and Hackney.

The data suggests that domestic abuse appears to have fallen from October 2020 - March 2021, this is surprising as there appeared to be an increase in domestic abuse during the early stages of the first lockdown. However, not all domestic abuse cases will be reported as safeguarding, with this being reported to the Domestic Abuse Intervention Service and to police as well. There were cases of modern slavery and discriminatory abuse however there were very few and therefore made up less than 1% of the cases referred into Adult Social Care.

**Concerns by Source of Risk**

**Concerns which included allegations relating to each Source of Risk**

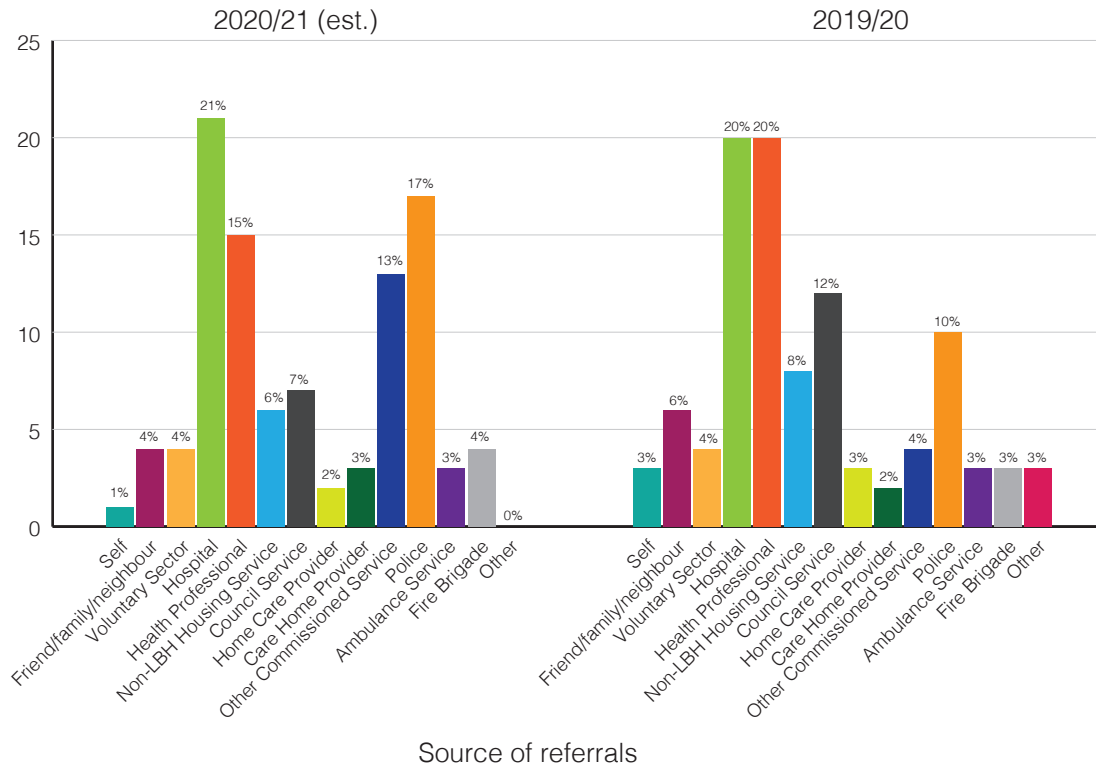


The data shows that the source of risk is highly likely to be known to the individual, making up 86% of the concerns reported into Adult Social Care. This is consistent with national themes captured in NHS Digital’s Safeguarding Adults Collection, which has shown nationally that abuse is more likely to be

perpetrated by someone the person knows. There has been a significant drop in the source of risk being the service provider, this may be because residents were less likely to attend services in person.

Concerns by source of referral

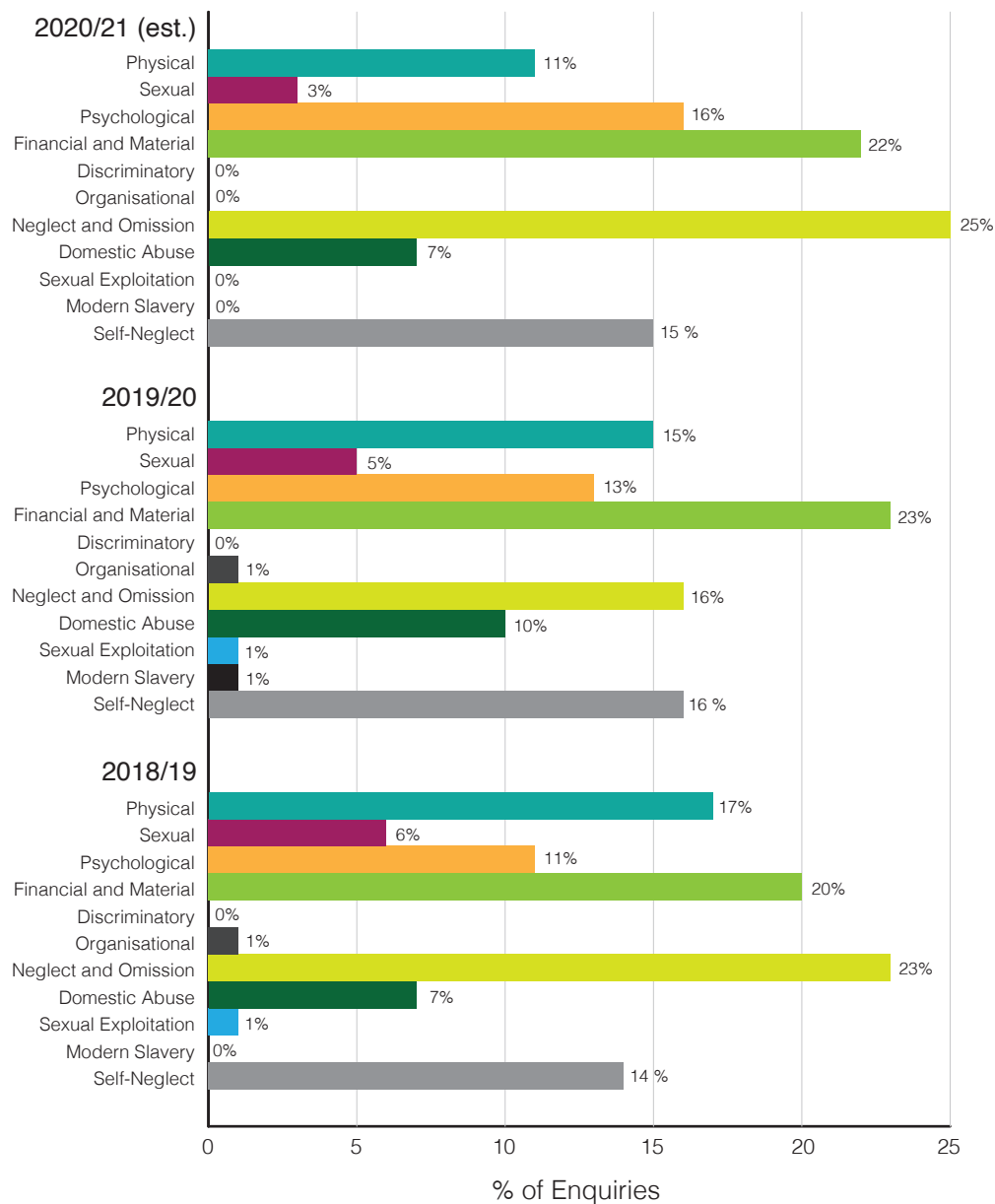
**Proportion of Concerns raised by Source of Referral**



The data shows that the health sector remains the biggest referrer of residents for safeguarding support. It is positive to see that there has been a significant increase in the number of residents being referred to Adult Social Care by the police. There was a decrease in the number of self-referrals and referrals from friends, family or neighbours. The Board will look at how it can increase engagement with residents going forward.

Section 42 enquiries by type of abuse

**Section 42 Enquiries which included allegations relating to each Type of Abuse**



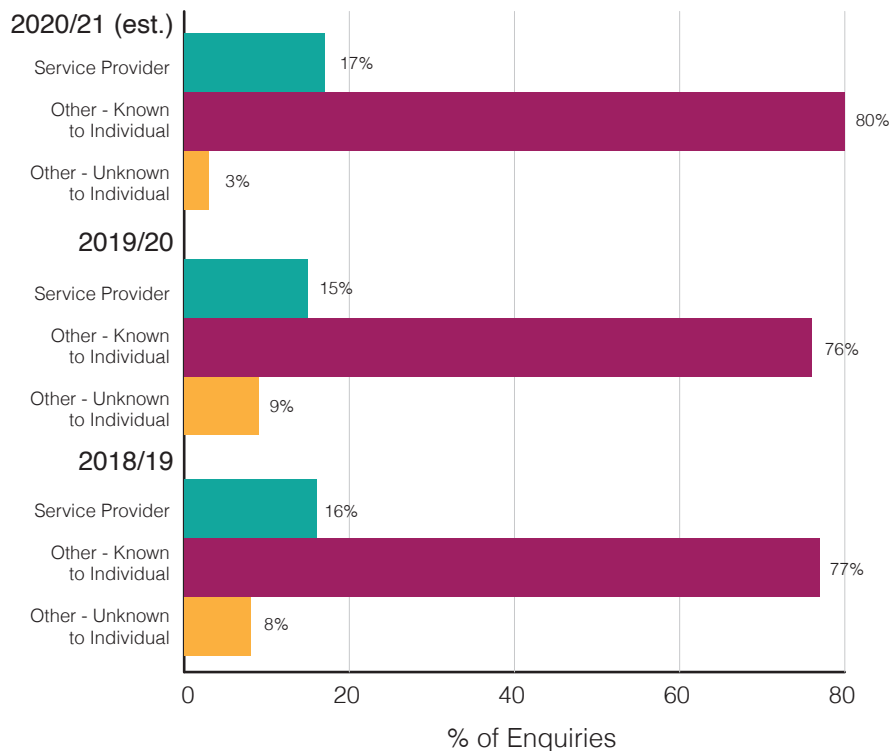
The data provided above is estimated as there was only six months worth of data available. There have been significant increases in neglect and acts of omission, although it is noted that last year’s figures were lower than they would usually be. This information appears to substantiate concerns raised by the Board’s partners that a number of residents were inadvertently caused harm as they were unable to see practitioners face-to-face over the lockdown period. When they did subsequently attend services, a number of residents displayed signs of neglect.

There were reductions in physical abuse and domestic abuse, although the reasons for this were not completely clear. Although there were increases in self-neglect concerns reported to Adult Social Care, there was not a significant

difference in the amount of concerns leading to a s42 enquiry. The gap between number of concerns and those subsequently leading to enquiries could be due to better awareness amongst partner agencies around self-neglect.

**Section 42 enquiries by source of risk**

**Section 42 Enquiries which included allegations relating to each Source of Risk**



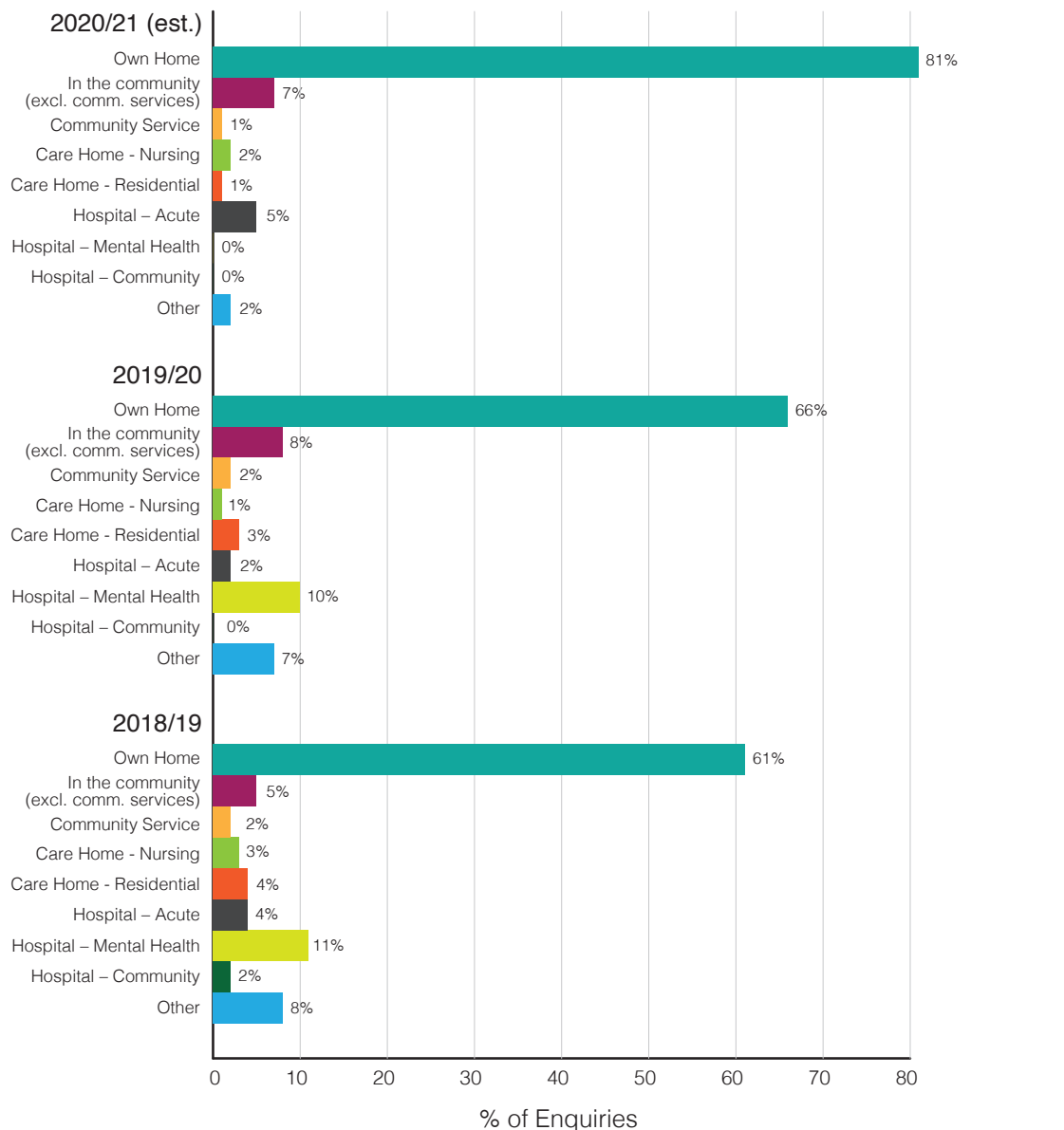
The data shows that most abuse is perpetrated by someone known to the individual. There has been a decrease in allegations relating to someone unknown to the individual. The reasons for this are unclear although it is likely to be a knock-on effect of people being in lockdown and having fewer interactions with people they do not know.



**Section 42 enquiries by location of abuse**

The vast majority of alleged abuse was believed to have happened in the person’s own home. This is higher than previous years and likely to be due to the lockdown. The data is consistent with national themes identified by NHS Digital, which shows that abuse is most likely to happen in someone’s own home. There is no abuse recorded within mental health hospitals; this is due to East London Foundation Trust’s data not being included in this section due to the difference in recording between the Trust and London Borough of Hackney.

**Section 42 Enquiries which included allegations relating to each Location of Risk**



## Key Safeguarding themes

The Board's monthly executive group meetings offered an opportunity for partners to discuss and explore safeguarding themes that arose over the course of the financial year and the Covid-19 pandemic. The following themes were identified:

- 1) During the initial lockdown period in response to the first wave of Covid-19 there was a decrease in safeguarding concerns reported to Adult Social Care, however this number increased once lockdown eased, with the number of concerns being higher than average.
- 2) There was an increase in domestic abuse referrals to the Domestic Abuse Intervention Service and a noted increase in domestic abuse being identified by mental health services. Police did however confirm that they were dealing with broadly consistent levels of domestic abuse.
- 3) During the first lockdown period, while some organisations continued to deliver services as normal, others moved to remote or virtual working, and meetings have not stopped for many services. For some services there has been a reduction in face-to-face meetings. There was an increase in face-to-face services during the second lockdown compared to during the first lockdown period. There were concerns around inadvertent harm caused to individuals where there has been a lack of contact, such as the deterioration in people's conditions or safeguarding issues not being identified. London Borough of Hackney adult social care provided assurance that they were quality-assuring visits to ensure that these were appropriately carried out and these risks were mitigated.
- 4) During the peak of both outbreaks, it was noted that some people were unwilling to allow health and care staff into their homes or their relatives' homes due to concerns about being infected by Covid-19. This meant that not all residents received the quality of care they needed. Further, there was some anecdotal evidence to suggest that some families were struggling to care for their relatives during the lockdown period.
- 5) Voluntary sector services and London Borough of Hackney were aware that new groups of residents were presenting in need of support, in particular there has been an increased use of food banks, numbers of people newly experiencing homelessness and increases in the numbers of people experiencing social isolation.
- 6) There was an increase in numbers of people reporting anxiety to the voluntary sector, advocacy and mental health services. It was noted that there was a significant increase in calls to crisis and helplines during the lockdown periods, although this had not necessarily translated into an increase of safeguarding concerns being reported. During the first lockdown there was a cluster of suicides in Hackney, which have been investigated by East London Foundation Trust. Furthermore, Thrive also has anticipated an increase in suicides as a result of poverty and

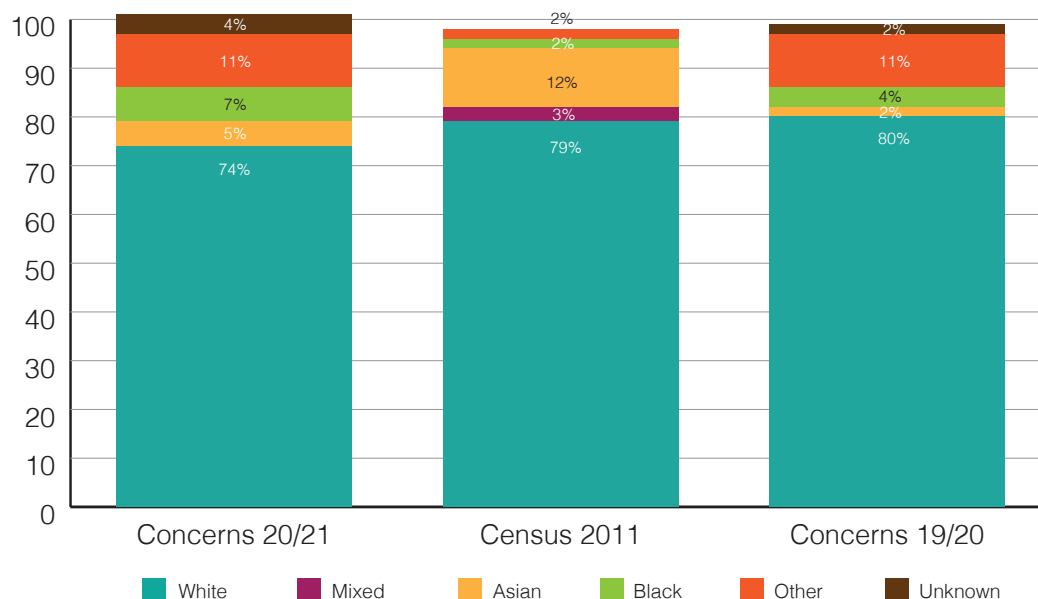
deprivation caused by the Covid-19 outbreak. There has already been an increase in referrals to in-patient mental health services.

- 7) There was an increase in calls concerning Covid-19 scams, and it appears that a number of people have been targeted by sophisticated scams, often relating to the vaccination programme.
- 8) There were concerns reported by a number of agencies about the impact of Covid-19 on carers. There were specific concerns about carers having to take on additional responsibilities during this time, without additional support being offered in some cases. Going forward, it was anticipated that there may be an increase in the numbers of carers needing support.
- 9) There have been increased reports of self-neglect, potentially due to a lack of support and social interaction over the lockdown periods. Moving forward it is anticipated that the Board will continue to see increases in self-neglect reporting.
- 10) There have been reported increases in cuckooing (Cuckooing is where people take over a person's home and use it for their own purposes, exploiting the individual at the same time.) It is not clear whether this increase has been due to increased instances of cuckooing or better awareness of this amongst professionals and increased reporting.

### City of London Corporation Safeguarding data

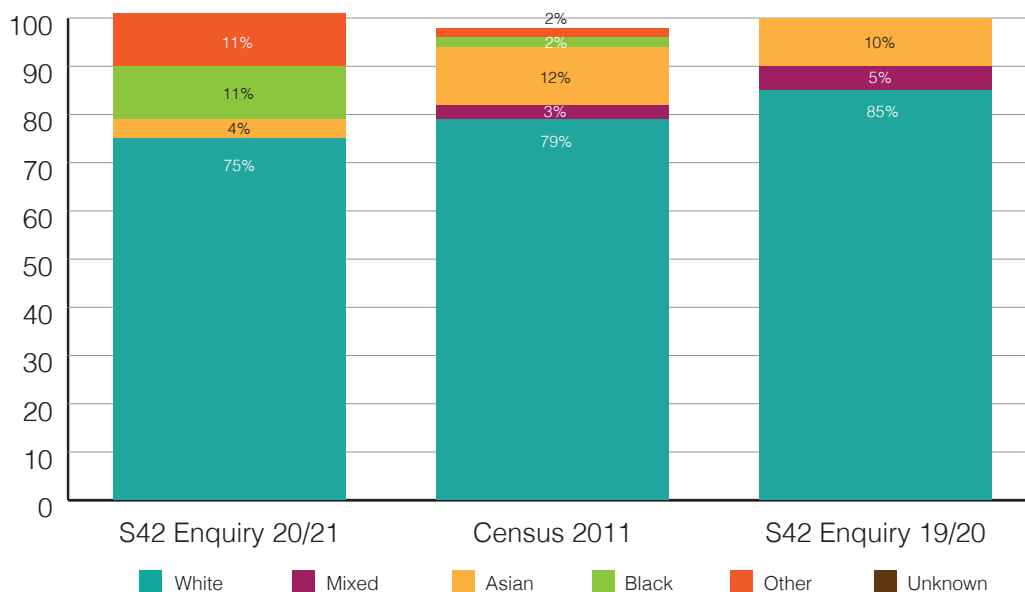
- 57 safeguarding concerns were raised
- 38 safeguarding concerns led to a Section 42 safeguarding enquiry
- Of the 43 concluded cases, 32 were asked about their desired outcome. 24 expressed their desired outcomes. Of the 24 people, 23 people had their desired outcomes fully achieved and/or partially achieved.

### Concerns - ethnicity



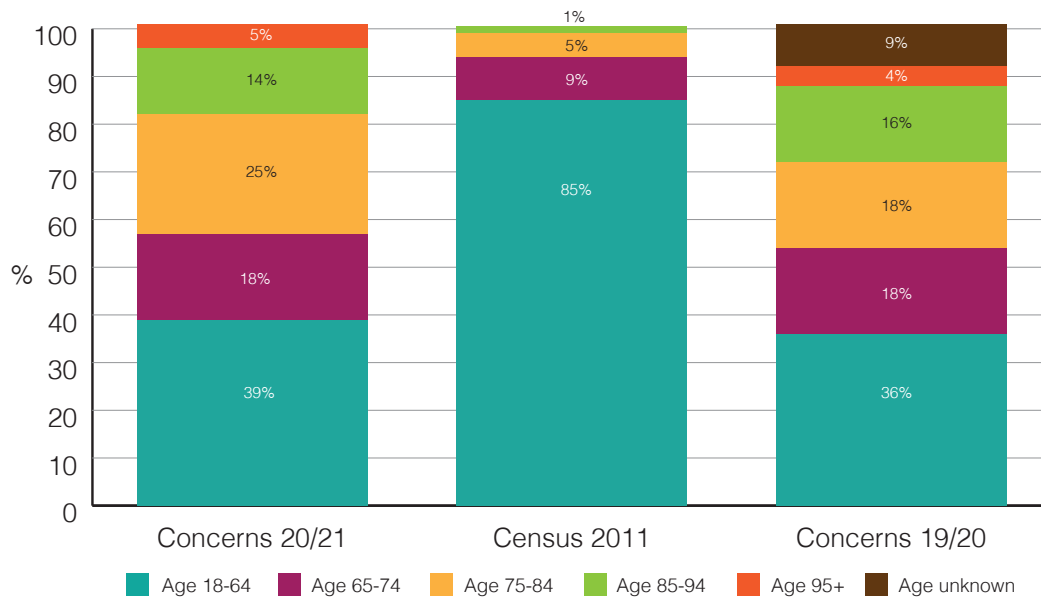
In 2020/21, 74% of safeguarding concerns were in the “White” ethnic category, which is more comparable with the 2011 City of London census breakdown but is in contrast to the ethnic breakdown of concerns raised during 2019/20. 5% of safeguarding concerns were for the “Asian / Asian British” ethnic category, compared with this group accounting for 2% of concerns in the prior year. This is, however, lower than other ethnic groups, which is significant considering that this is the second largest ethnic group in the City. There were 11% of concerns that were categorised as “Other” ethnic origin, with the “Black / Black British” accounting for 7% and ‘unknown’ being 4% respectively.

**Enquiries - ethnicity**



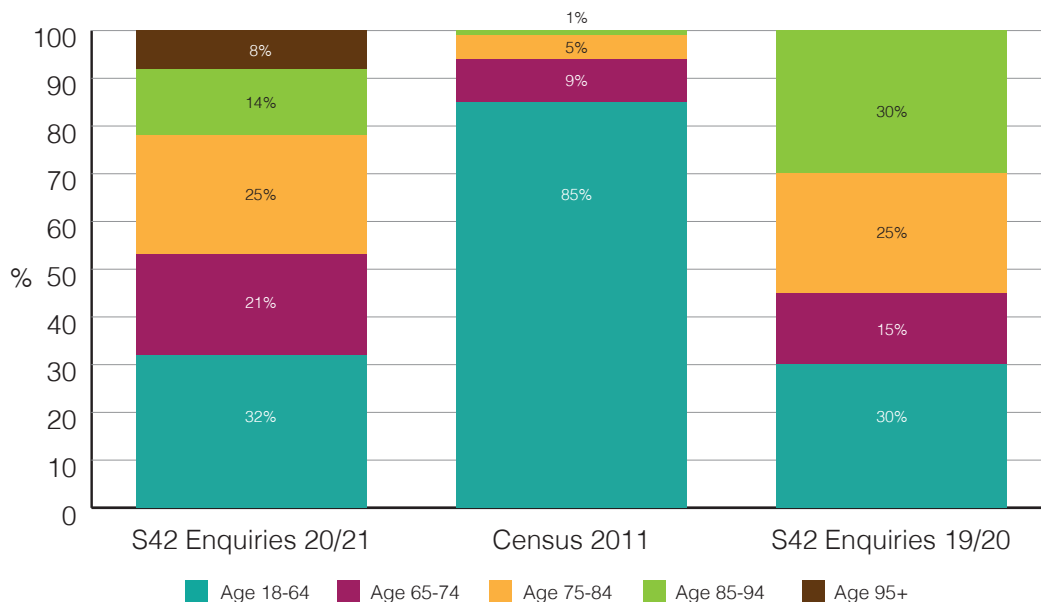
In 2020/21 75% of safeguarding enquiries were regarding people who were in the ‘White’ category, which is similar to the 85% from the previous year. The graph above shows a more comparable and representative demographic makeup to that described in the 2011 COL census breakdown in comparison to last year’s data. There remains an underrepresentation of people from ‘Mixed’ and ‘Asian’ backgrounds and an overrepresentation of people from a ‘Black African’ or ‘Caribbean’ background.

Concerns - age



In 2020/21 the majority of safeguarding concerns were reported regarding people aged 18-64 followed by people aged 75-84. This is consistent with 2019/20 data which showed that 36% of safeguarding concerns related to people aged 18-64. The increase in younger people (people aged 18-64 years) with safeguarding concerns is thought to be a result of more rough sleepers being referred for safeguarding support.

Enquiries - age



The majority of S42 Enquiries were regarding people aged 18-64, which accounted for 32% of the enquiries and is similar to the previous year's figures of 30%. Prior to this, older people (aged 65+) featured in the majority of safeguarding concerns. This change may be due to the general public

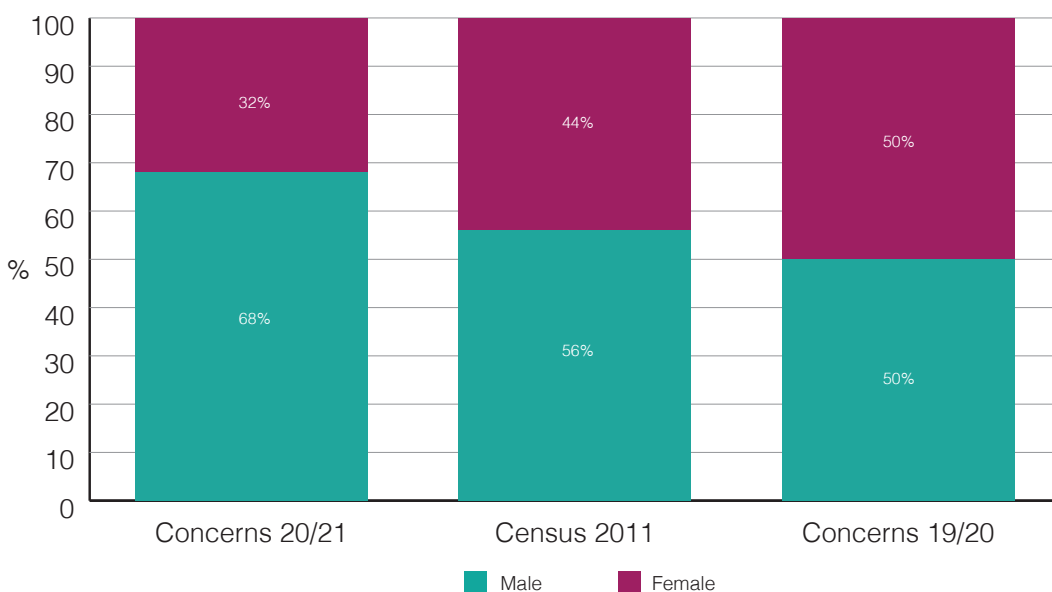
and professionals being more aware of adult safeguarding, which is causing an increase in referrals and subsequent enquiries in comparison to previous years. However, this change is more likely to be due to higher visibility of rough sleepers during the Covid-19 pandemic and increased reporting of safeguarding issues during this period.

**Concerns by gender**



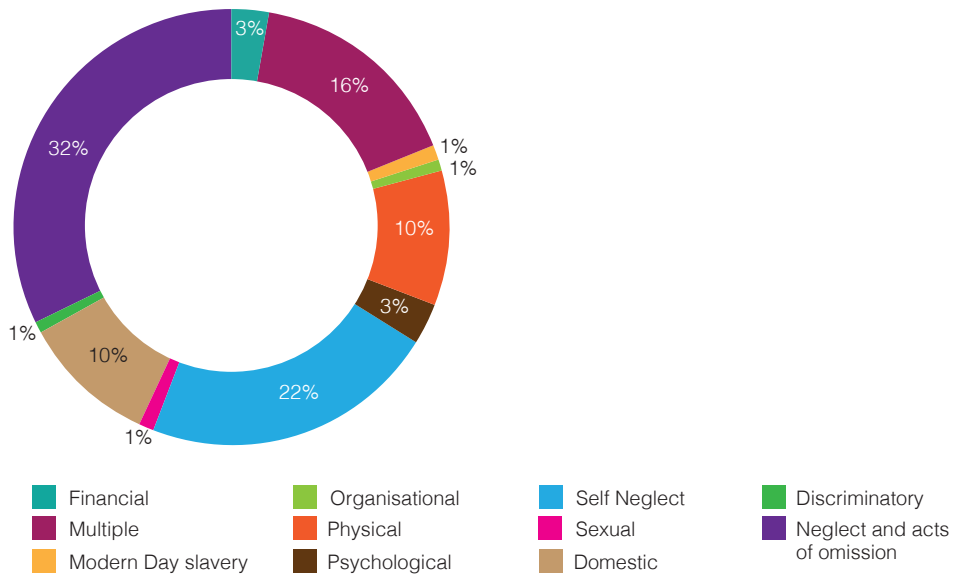
In 2020/21 the majority of safeguarding concerns reported were about men, which was similar to 2019/20. This pattern has varied year to year with more women being the subject of safeguarding concerns in some previous years. On further examination some of the concerns represent multiple referrals for one person, and taking this into account, the differential was smaller.

**Enquiries by gender**



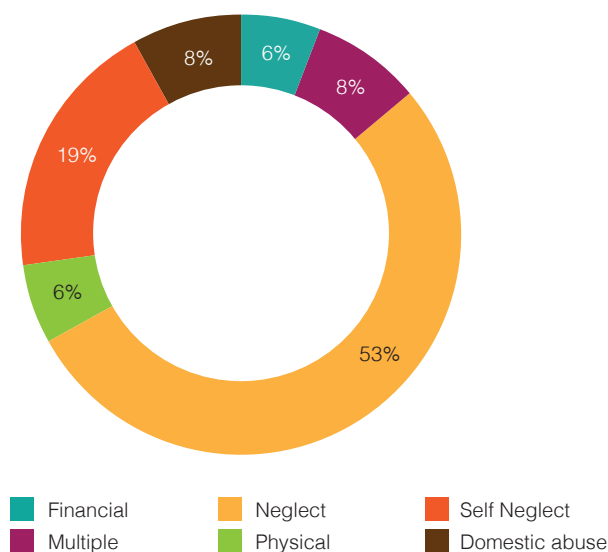
The majority of safeguarding enquiries involved men, compared to 2019/20 when there was an even split with both males and females accounting for 50% of S42 enquiries. However there is only a marginal difference between males and females so these changes are not significant.

Concerns by abuse type



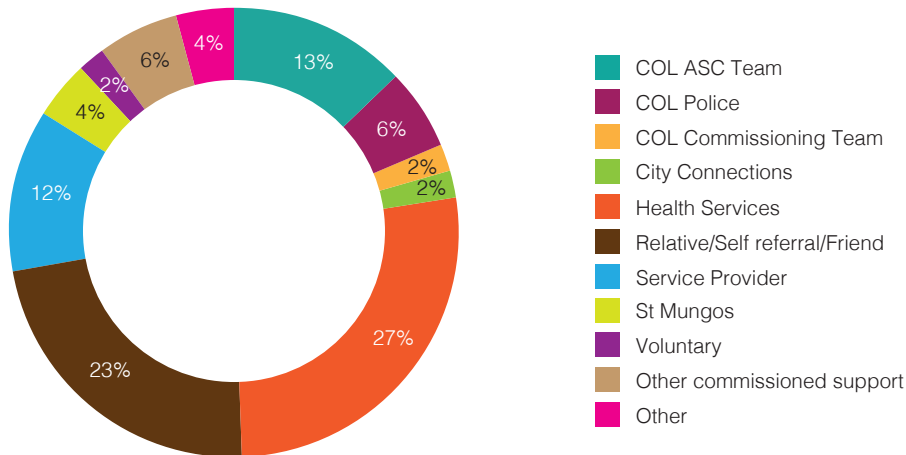
The most common form of abuse reported during 2020/21 was neglect and acts of omission. The data showed a significant rise in the number of reported safeguarding concerns involving domestic abuse. Financial abuse has declined as a cause of harm for the second year in a row. This may indicate that prevention of financial abuse is improving. It may also indicate that, since the pandemic has commenced, there has been an increase in other forms of abuse, in particular neglect, domestic abuse and self-neglect.

Enquiries by abuse type



The most common form of abuse that was identified through safeguarding enquiry was neglect and acts of omission. This was consistent with previous year’s data. Self-neglect was the second most common type of abuse, accounting for 19% of enquiries. As mentioned above, the number of enquiries involving financial abuse has also decreased with only two enquiries involving financial abuse.

**Source of referral**

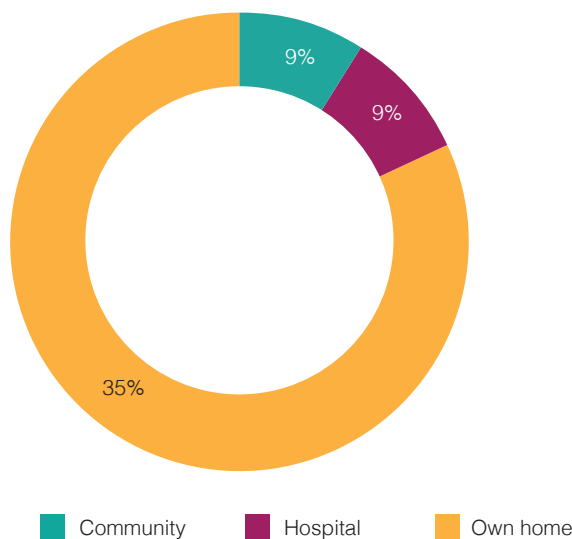


During 2020/21 the top three sources of referral were:

- 14 from Health services
- 12 from Relative / self referral / friend
- 10 from City of London (1 of which relates to City Connections)

It was positive to see that the second highest rate of referral to safeguarding services was from a friend, relative or self-referral. This suggests that the public are becoming more familiar with adult safeguarding and how to refer people for support.

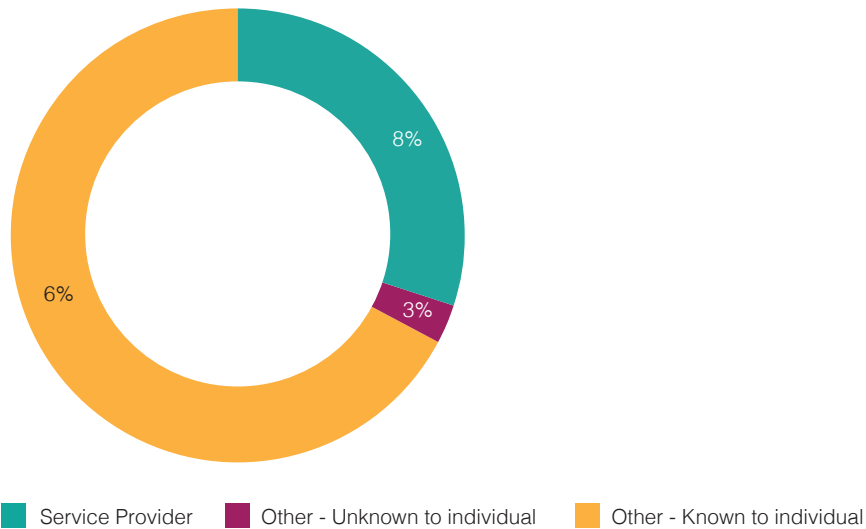
**Location of risk for concluded cases**





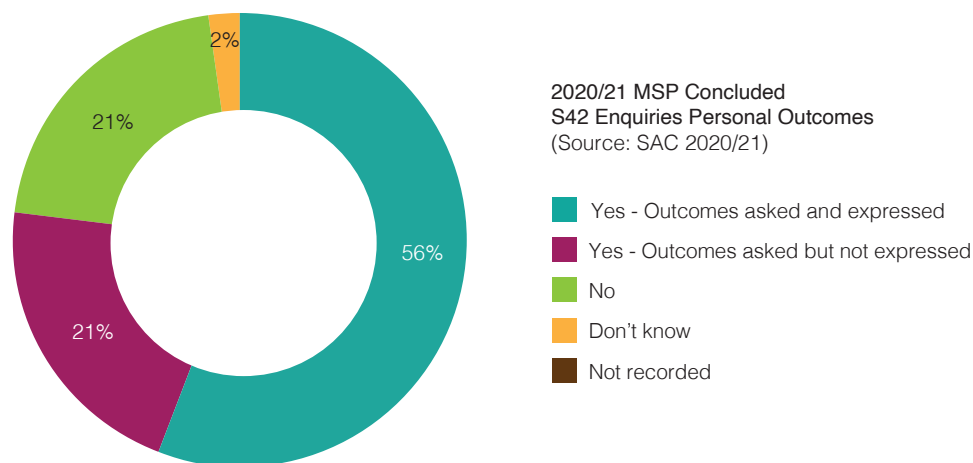
The majority of abuse occurred within the person’s own home. This is consistent with previous year’s data and national trends identified in NHS Digital’s Safeguarding Adults Collection (SAC), which collects safeguarding data from all Local Authorities in England. There were fewer cases where the location of abuse was in the community or a hospital. This is likely to be a direct result of the Covid-19 pandemic with many people being unable to leave their homes during this time.

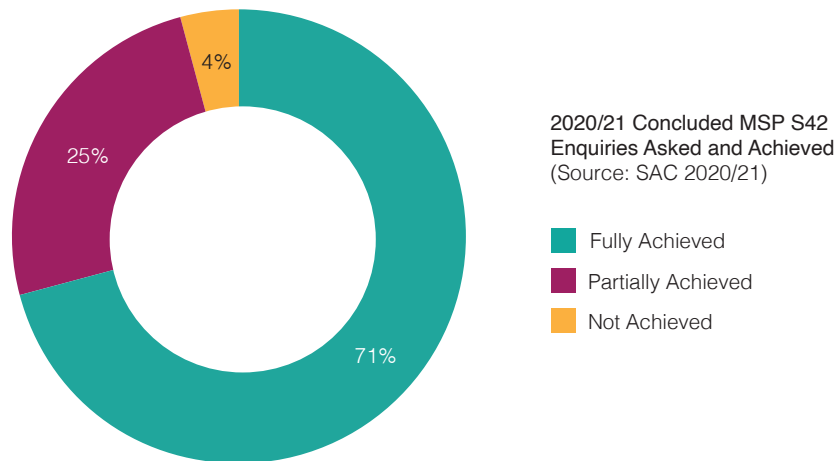
Source of risk for concluded cases



In the majority of safeguarding enquiries, the person who was alleged to have caused harm was known to the individual. This information is consistent with previous years’ data and also reflects national trends identified in the NHS Digital SAC returns.

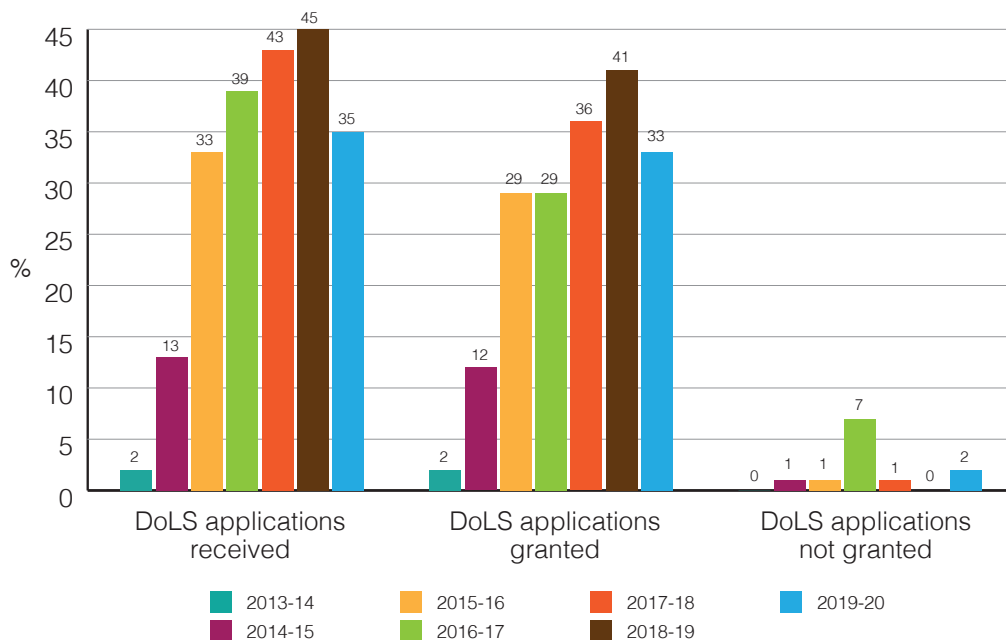
Making Safeguarding Personal





Making Safeguarding Personal is a way of undertaking safeguarding activity that is person-centred and focuses on delivering outcomes that the individual using safeguarding services wants. Professionals ask the person what they want or need to help them keep themselves safe. Where someone is unable to tell professionals about their needs, a best interest decision can be made to ensure their values and beliefs are upheld. The data shows that there has been an increase in the number of people who have not been asked about their desired outcomes. The reasons for this are not clear and will be explored further. There has, however, been an increase in wishes being achieved where people have expressed the outcomes that they want to be achieved.

Deprivation of Liberty Safeguards (DoLS)



During 2020/21 there were 39 DoLS applications, although 4 were from last year’s reporting period. ‘Active DoLS’ refers to DoLS from the prior reporting period that remained active during the current reporting period. The number of DoLS applications remained stable from the previous year, although there is a wider pattern of DoLS applications reducing in number.

# Appendix A:

## CHSAB Annual Strategic Plan 2020-2021

## CHSAB Annual Strategic Plan 2021 – 2022 (Update February 2021)

The CHSAB Plan addresses the six core principles contained in the CHSAB's Strategy for 2020 – 2025

Partner	Lead	Partner	Lead
London Borough of Hackney (LBH)	Helen Woodland	City of London Corporation (CoL)	Andrew Carter / Chris Pelham
City and Hackney CCG (CCG)	Siobhan Harper / Jenny Singleton	Hackney Metropolitan Police (MPS)	Marcus Barnett / Daniel Rutland
City of London Police	Anna Rice	Homerton University Hospital Foundation Trust (HUHFT)	Catherine Pelley / Jennie Wood
Barts Health NHS Trust	Claire Hughes	East London Foundation Trust (ELFT)	Dean Henderson
London Fire Brigade (City of London and Hackney)		London Fire Brigade City of London	David Bulbrook
National Probation Trust	Clare Andsell	Department of Work and Pensions	Ian Young
Healthwatch Hackney	Jon Williams	Healthwatch City of London	Paul Coles
Hackney CVS	Kristine Wellington Larissa Howells	The Advocacy Project	Judith Davey
Age UK		London Borough of Hackney Housing	Jennifer Wynter
London Borough of Hackney and City of London Public Health	Andrew Trathen	City and Hackney Safeguarding Children's Partnership	Jim Gamble
Turning Point (substance misuse service)	Graeme Hodgkinson	City of London Commissioning	Ian Jarman
Older Person's Reference Group	Cynthia White	City of London Housing	Liam Gillespie
Commissioning LBH	Zainab Jalil		

Sub-group	Chair	Task & Finish Groups	Chair
SAR & Case Review	Chris Pelham	Transitional Safeguarding (joint group with Community Safety Partnership & Children's Safeguarding Partnership)	Dr Adi Cooper
Quality Assurance (QA)	John Binding		
Workforce Development (WFD)	Zak Darwood		

Sub-Committee	Chair
City of London	Dr Adi Cooper

Principle 1: Proportionality - “I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed.”				
Priority	Action	Lead	Intended Impact	Update
1. To respond to any safeguarding issues arising from the Covid-19 pandemic	1.1 The Executive Group will facilitate partners to consider any safeguarding issues relating to Covid-19. This will include ensuring that there is oversight of emerging safeguarding issues, the safeguarding responses to Covid-19 pandemic and recovery.	Executive Group	<ol style="list-style-type: none"> <li>To assure ourselves that we are effectively safeguarding issues affecting residents are responded to</li> <li>Quality assurance problems are reported and addressed in a timely manner.</li> </ol>	
	1.2 The Board will continue to review data to identify safeguarding trends that emerge as a result of Covid-19 and identify proportionate responses	Executive Group / QA sub-group	<ol style="list-style-type: none"> <li>The Board has a picture of safeguarding in the City and Hackney and allocates resources to respond to the need that has been identified.</li> </ol>	
	1.3 The Board will identify any learning opportunities relating to safeguarding, as the Covid-19 pandemic progresses and through recovery stage	Executive Group	<ol style="list-style-type: none"> <li>Frontline staff will have the knowledge they require to provide good quality support to residents</li> </ol>	

**Principle 1: Proportionality - “I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed.”**

<p><b>2. To ensure that agencies are preparing staff for the introduction of Liberty Protection Safeguards (LPS) through training and development of skills and knowledge</b></p>	<p>2.1 LPS Leads in City and Hackney will provide assurances to the Board that they have appropriately prepared for the introduction of LPS. This includes responding accordingly to any national issues.</p>	<p>LPS Leads</p>	<p>1. The Board is confident that practitioners can exercise their duties in relation to LPS 2. Residents in the City and Hackney will have appropriate LPS arrangements in place</p>	
	<p>2.2 Partners who have duties under the LPS will provide assurances to the Board that appropriate training has been commissioned for their staff. It will further consider whether training should be commissioned for agencies who may require a general understanding of LPS. Please refer to section four for further details on training requirements</p>	<p>All partners with LPS responsibilities</p>	<p>1. The Board is assured that professionals can appropriately exercise their duties in respect of LPS 2. Residents in the City and Hackney have appropriate LPS arrangements in place</p>	
	<p>2.3 LPS Leads will work in partnership with Childrens' Social Care and the Safeguarding Childrens' Partnership to ensure that practitioners are supported in preparing for introduction of LPS.</p>	<p>Head of Adult Safeguarding / LPS Project Lead</p>	<p>1. The Board is assured that all 16 - 17 year olds that require a LPS are provided with this 2. That there are effective transitions of young adults on an LPS into adult services</p>	

Principle 2: Empowerment - “I am asked what I want as the outcomes from the safeguarding process and this directly inform what happens.”				
Priority	Action	Lead	Intended Impact	Update
3. To engage with the voluntary sector to continue to increase awareness of safeguarding issues	3.1 A programme of bitesize learning sessions to voluntary sector staff and volunteers will be delivered by the Safeguarding Adults Board Manager and Board’s voluntary sector partners.	CHSAB Manager / HCVS/ Age UK / The Advocacy Project	<ol style="list-style-type: none"> <li>There will be an improved understanding of safeguarding across the voluntary sector</li> <li>Staff will be more empowered to respond and support safeguarding need.</li> </ol>	
	3.2 HCVS will run quarterly forums with the Safeguarding Champions to ensure that they are provided with training opportunities regarding safeguarding and ensure that there is a pathway to share safeguarding intelligence.	CHSAB Manager / HCVS	<ol style="list-style-type: none"> <li>Safeguarding champions will be better equipped to deliver their role</li> <li>The Board will receive an increase in safeguarding intelligence from the safeguarding champions.</li> </ol>	
	3.3 The workforce development sub-group will identify and develop additional resources to support practitioners working in the City and Hackney, this will include a monthly bulletin with updates on safeguarding legal issues and policy	CHSAB Manager / workforce development sub-group	<ol style="list-style-type: none"> <li>There will be better communication of safeguarding information to frontline staff</li> <li>)There will be an improvement in safeguarding practice and how to apply the law to ongoing safeguarding concerns and enquiries.</li> </ol>	

Priority	Action	Lead	Intended Impact	Update
	<p>3.4 The Board will create a feedback loop with voluntary sector staff and volunteers so that safeguarding issues and intelligence can be routinely shared with the Board.</p>	<p>CHSAB Manager / HCVS/ Age UK/ The Advocacy Project</p>	<p>1. There will be improved relations between voluntary sector services and the Board with a streamlined process for feeding back intelligence to the voluntary sector</p> <p>2. There will be a stronger awareness of the Board amongst the voluntary sector</p>	
<p><b>4. To continue to embed engagement with people with lived experience and ensure that they and their carers can influence all aspects of the Board's work</b></p>	<p>4.1 The Board will identify local service user groups to engage with remotely to promote awareness of safeguarding issues until such time that the service user groups can meet face-to-face. Hackney CVS and The Advocacy Project will support engagement with faith, carers and different cultural networks in the City and Hackney</p>	<p>All Board partners</p>	<p>1. There will be an increase in community engagement with the Board evidenced through increased engagement with Board resources &amp; events for residents - this will help raise awareness of safeguarding across different communities</p> <p>2. The Board will receive more intelligence on safeguarding issues affecting different communities</p>	
	<p>4.2 The Board will consider procuring a third sector organisation to obtain feedback from people with lived experience regarding their experiencing of safeguarding on behalf of the Board.</p> <p>4.3 The Board Manager will work with voluntary sector services to identify three people with lived experience of safeguarding to attend the London Safeguarding Voices Group</p>	<p>CHSAB Manager</p>	<p>1. The Board will be able to identify how to improve adult safeguarding services for residents</p>	
		<p>CHSAB Manager / Healthwatch/ Hackney CVS</p>	<p>1. The needs of City and Hackney residents and the Board will influence regional decision making around safeguarding.</p>	



Principle 3: Prevention - “I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.”				
Priority	Action	Lead	Intended Impact	Update
5. To embed the learning from Safeguarding Adults Reviews (SARs) and the National Analysis of SARs	5.1 The Workforce Development Group will identify the key learning from the National Analysis of SARs and disseminate this to frontline practitioners in a series of briefings and learning sessions.	WFD sub-group	1. Practitioners will increase their knowledge of SARs and this will inform best practice when working with residents.	
	5.2 The SAR Action Plan Task and Finish Group will ensure that the learning and actions from EF Fire Death Review and MS SAR are delivered and review how improvements are embedded into practice.	SAR Action Plan Task and Finish Group	1. There will be a reduction in the number of SAR actions being uncompleted 2. The Board's approach to quality assurance will be more robust.	
	5.3 The SAR sub-group will review and update CSHAB SAR policy and process documents to ensure that these are compliant with the recommendations outlined in the National Analysis of SARs	SAR sub-group	1. The Board will be able to evidence that it meets its statutory obligations effectively 2. The risk of SARs being legally challenged will reduce	

Priority	Action	Lead	Intended Impact	Update
<p><b>5. To embed the learning from Safeguarding Adults Reviews (SARs) and the National Analysis of SARs</b></p>	<p>5.4 The SAR sub-group will review all previous SAR action plans to identify what the achievements, gaps and challenges remain in relation to successfully embedding learning into practice.</p>	<p>SAR sub-group</p>	<p>1. The Board will be able to use the information to ensure that future SARs are more effectively embedded into practice. This will result in a reduction in the same issues being highlighted in all SARs.</p>	
	<p>5.5 The Workforce Development Group will identify and create resources that will help embed long-term organisational memory of SARs for staff across the partnership.</p>	<p>WFD sub-group</p>	<p>1. There will be an increased knowledge of SARs and the key learning among frontline staff.</p>	
	<p>5.6 The SAR sub-group will review and evaluate how each SAR has changed practice in the City and Hackney.</p>	<p>SAR sub-group</p>	<p>1. The Board will be able to quantify the value of SARs and the impact that they have in the City and Hackney.</p>	

<b>Principle 4: Partnership - “I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.”</b>				
Priority	Action	Lead	Intended Impact	Update
<b>6. To continue to engage with Community Safety Partnerships, Safeguarding Children’s Partnership and Health and Wellbeing Boards</b>	<b>6.1</b> The Board will continue to address strategic issues and work collaboratively on issues affecting CSP, CHSCPs and HWBs at the Hackney Joint Chairs meeting and City of London equivalent.	CHSAB Manager / CHSCP	<ol style="list-style-type: none"> <li>There will be an improvement in the way that residents needs are met across the City and Hackney.</li> </ol>	
	<b>6.2</b> The Board will explore with the Hackney Community Safety Partnership safeguarding issues arising from residents who exhibit anti-social behaviour and how to improve appropriate support.	Independent Chair / Community Safety Partnership	<ol style="list-style-type: none"> <li>Practitioners will have a better understanding of how ASB is linked to safeguarding</li> <li>There will be improved interventions for people who have safeguarding needs and also exhibit anti-social behaviour e.g support will be offered at an earlier stage.</li> </ol>	
	<b>6.3</b> The Board will continue to build its relationships with organisations across City and Hackney: <ol style="list-style-type: none"> <li>Adult Social Care teams in the London Borough of Hackney</li> <li>City of London Housing and Commissioning Teams</li> <li>Housing Associations in the London Borough of Hackney</li> </ol>	Independent Chair / CHSAB Manager	<ol style="list-style-type: none"> <li>The Board will work more collaboratively with partners across the City and Hackney and ensure safeguarding is embedded into all areas of work.</li> </ol>	

Priority	Action	Lead	Intended Impact	Update
	<p><b>6.4</b> The Board will continue to identify opportunities to engage and work collaboratively with new organisations and partnerships.</p>	<p>CHSAB Manager / Independent Chair</p>	<ol style="list-style-type: none"> <li><b>1.</b> The Board will work more collaboratively with partners across the City and Hackney and ensure safeguarding is embedded into all areas of work.</li> <li><b>2.</b> To boost the Board's profile and mean that it has greater influence</li> </ol>	
	<p><b>6.5</b> The Board will continue to lead and/or assist other Partnerships with on-going work regarding:</p> <ol style="list-style-type: none"> <li>1. Modern Day Slavery</li> <li>2. Suicide Prevention</li> <li>3. Domestic Homicide</li> </ol>	<p>CHSAB Manager</p>	<ol style="list-style-type: none"> <li><b>1.</b> Safeguarding will inform prevention work and decrease the need for people to receive safeguarding support in the long-term.</li> <li><b>2.</b> Professionals working outside ASC will have an increased awareness of their safeguarding duties</li> </ol>	
<p><b>7. To progress work on Transitional Safeguarding</b></p>	<p><b>7.1</b> The Transitional Safeguarding Task and Finish Group will continue to deliver the transitional safeguarding action plan on behalf of CHSAB, the Safeguarding Children's Partnership and Community Safety Partnerships across City and Hackney</p>	<p>Transitional safeguarding T&amp;F group</p>	<ol style="list-style-type: none"> <li><b>1.</b> There will be an improved safeguarding response to young adults in the City and Hackney</li> <li><b>2.</b> The work will build trust amongst young people and statutory organisation</li> </ol>	

Principle 5: Protection - “I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want.”					
Priority	Action	Lead	Intended Impact	Update	
8. Assurance that residents using Out of Borough placements or placed in unregulated settings are appropriately safeguarded from abuse and neglect	8.1 The Board will review the mechanisms by which commissioners get information on deaths of Hackney residents placed in Out-of-Borough placements.	LBH / COL / City and Hackney CCG Teams	<ol style="list-style-type: none"> <li>The Board will have improved oversight on safeguarding issues affecting residents placed out-of-Borough</li> <li>The quality of care provided to residents is equitable.</li> </ol>		
	8.2 London Borough of Hackney, City of London and City and Hackney CCG will report any (Covid-19) safeguarding issues that may affect City or Hackney residents living in an out-of-Borough placements.	LBH/Col/ City and Hackney CCG Commissioning Teams	<ol style="list-style-type: none"> <li>The Board can be assured that partners have provided good safeguarding care to residents.</li> <li>The quality of care provided to residents is equitable.</li> </ol>		
	6.3 The Board will support and promote any work at a national or regional level to strengthen cross boundary/Borough working in this area.	Independent Chair / CHSAB Manager	<ol style="list-style-type: none"> <li>There will be a reduction in the amount of people denied care due to disputes centred on who is the lead Borough responsible for care.</li> </ol>		

Priority	Action	Lead	Intended Impact	Update
<p><b>9. To raise awareness of executive mental capacity amongst professionals based in the City and Hackney</b></p>	<p><b>9.1</b> The workforce development group will develop a suite of resources for frontline practitioners to assist with developing skills for assessing executive mental capacity.</p>	<p>WFD group</p>	<p><b>1.</b> Audits will showed that practice around mental capacity continues to improve.</p>	
	<p><b>9.2</b> The Head of Adult Safeguarding will deliver a series of briefings and learning sessions on the following:</p> <ol style="list-style-type: none"> <li>1. How professionals can escalate complex safeguarding cases</li> <li>2. The role of the Court of Protection and High Court</li> <li>3. Legal literacy in relation to mental capacity cases</li> </ol>	<p>Head of Adult Safeguarding LBH &amp; CoL</p>	<p><b>1.</b> There will be a better infrastructure in place to prevent high risk service users experiencing harm</p>	

Principle 6: Accountability - “I understand the role of everyone involved in my life and so do they.”				
Priority	Action	Lead	Intended Impact	Update
<b>10. To ensure that all agencies across the City and Hackney deliver their core duties in relation to safeguarding</b>	<b>10.1</b> To promote the voluntary sector audit tool amongst voluntary and provider agencies and support agencies to complete and identify improvements.	CHSAB Manager / Commissioning / Voluntary sector partners	<ol style="list-style-type: none"> <li>This will help the Board assure itself that providers are undertaking their safeguarding obligations and help improve the safeguarding response in this sector.</li> </ol>	
	<b>10.2</b> To create a Provider Concerns Group to improve oversight of safeguarding concerns impacting this sector.	Head of Adult Safeguarding / Head of Commissioning	<ol style="list-style-type: none"> <li>There is assurance that the provider sector is meeting its obligations.</li> <li>There will be earlier interventions to support residents where safeguarding issues are identified.</li> </ol>	
	<b>10.3</b> To quality assure safeguarding training across the partnership to ensure that staff all have received the safeguarding training they require .	Workforce Development Sub-Group	<ol style="list-style-type: none"> <li>There will be evidence that all staff working with adults at risk are appropriately trained to do so.</li> <li>There will be an increase in staff receiving safeguarding training.</li> </ol>	

<b>Principle 6: Accountability - “I understand the role of everyone involved in my life and so do they.”</b>				
<b>Priority</b>	<b>Action</b>	<b>Lead</b>	<b>Intended Impact</b>	<b>Update</b>
	<p><b>10.4</b> The Board to undertake a Making Safeguarding Personal temperature check with all partners.</p>	<p>QA sub-group</p>	<p><b>1.</b> MSP has been embedded into practice properly.  <b>2.</b> The Board can identify areas where MSP needs to be strengthened.</p>	
	<p><b>10.5</b> The Board will undertake a self-assessment of adult safeguarding across London Borough of Hackney Social Care.</p>	<p>Head of Adult Safeguarding / Executive Group</p>	<p><b>1.</b> The Board will understand how well adult safeguarding is being embedded into practice.  <b>2.</b> There will be an action plan identifying how to improve the adult safeguarding response to residents.</p>	



Principle 6: Accountability - “I understand the role of everyone involved in my life and so do they.”				
<p><b>11. To ensure the delivery of the Board’s core business</b></p>	<p>11.1 The Quality Assurance sub-group will continue to collect and analyse safeguarding data to identify safeguarding trends arising in the City and Hackney and provide reports to the Board.</p>	<p>QA sub-group</p>	<p>1. The Board will be able to use this information to inform its priorities for future years. 2. The Board will be able to evidence that it is responding to need in the City and Hackney.</p>	
	<p>11.2 The Neighbourhood Team and Board will continue to work together to identify how safeguarding and learning from SARs can be reinforced and incorporated in development work undertaken by the Neighbourhood Teams.</p>	<p>CHSAB Manager/ Neighbourhood Team Project Manager</p>	<p>1. Safeguarding will form a fundamental element to the Neighbourhood Team work and influence all of their workstreams. 2. Safeguarding need will be identified at an earlier stage.</p>	
	<p>11.3 Set up a small working group to deliver and support activities across the partnership for Safeguarding Adults Week, November 2021.</p>	<p>WFD/ service user engagement sub-group</p>	<p>1. There will be greater awareness of safeguarding across the City and Hackney.. 2. The number of professionals and residents engaging during SAW will increase.</p>	
	<p>11.4 The Quality Assurance sub-group will oversee the delivery of one multi-agency audit on the theme of self-neglect and report the findings to the Board. . .</p>	<p>QA sub-group</p>	<p>1. The Board will be able to identify how well we respond to self-neglect and improve practice by identifying areas of focus going forward.</p>	

Principle 6: Accountability - “I understand the role of everyone involved in my life and so do they.”				
Priority	Action	Lead	Intended Impact	Update
11. To ensure the delivery of the Board's core business	11.5 The Board will continue to commission and provide training to update professionals on safeguarding and relevant areas of legal literacy.	CHSAB Manager / AD People CoL	<ol style="list-style-type: none"> <li>Frontline staff will be able to better utilise legislation to help them support residents.</li> <li>There are improved outcomes for high risk individuals.</li> </ol>	
	11.6 The Board will continue to engage with residents via quarterly newsletters and seek their input on any initiatives that the Board is working on.	CHSAB	<ol style="list-style-type: none"> <li>Residents will have a better awareness of safeguarding issues affecting residents.</li> <li>There will be increased engagement with the Board.</li> </ol>	
	11.7 All partners will provide assurances regarding their commitment to the Board by completing the Safeguarding Adults Partnership Audit Tool at the Board's annual Development Day and contributing to the annual report.	All partners	<ol style="list-style-type: none"> <li>The Board will be assured that all partners are meeting their statutory obligations.</li> <li>Where partner agencies are not meeting statutory obligations the Board will be able to put in place directives to tackle problems that have been identified.</li> </ol>	



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## Community & Children's Services Committee

### REPORTS FOR INFORMATION ONLY November 2021

1. **REVENUE OUTTURN**  
Report of the Chamberlain and the Director of Community and Children's Services.  
(Pages 3 - 6)
  
2. **UPDATE ON SUPPORT TO INFORMAL CARERS**  
Report of the Director of Community and Children's Services.  
(Pages 7 - 12)
  
3. **AGE UK UPDATE**  
Report of the Director of Community and Children's.  
(Pages 13 - 32)
  
4. **MIDDLESEX STREET AREAS PHASE B NEW OPEN SPACE - GATEWAY 5 -  
PROGRESS REPORT**  
Report of the Director of the Built Environment.  
(Pages 33 - 42)
  
5. **SYDENHAM HILL REDEVELOPMENT, LEWISHAM, SE26 6ND (NON PUBLIC)**  
Report of the City Surveyor.  
(Pages 43 - 82)

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<b>Committee(s):</b> Community and Children's Services	<b>Dated:</b> 8 November 2021
<b>Subject:</b> Community & Children's Services Revenue Outturn Forecast as at Quarter 2 2021/22	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	1,2,3,4,12.
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>Report of:</b> The Chamberlain and the Director of Community and Children's	<b>For Information</b>
<b>Report author:</b> Mark Jarvis, Head Of Finance & Louise Said, Senior Accountant, Chamberlain's Department	

### Summary

- This report sets out the Quarter 2 estimated outturn for the Community & Children's Services Committee budget (excluding the ring-fenced Housing Revenue Account) for the year 2021/22 and also reports on progress around Fundamental Review (FR) and Target Operating Model (TOM) savings in the year.
  - The total local risk projected overspend for the full year is currently £475k, mostly related to children's services. DCCS are looking at mitigating actions to reduce this figure by the year end.
  - The total central risk budget is projected to overspend by £550k mostly as a result of increased numbers of asylum seekers who are 18 years and above for whom we receive minimal government funding.
  - FR & TOM savings are broadly on track with the exception of £57,000 as set out in para 6

	<b>Budget</b>	<b>Outturn</b>	<b>Variation</b>
	<b>£000</b>	<b>£000</b>	<b>Underspend / (Overspend)</b>
			<b>£000</b>
DCCS Revenue (see details in Table B)			
Net local risk expenditure	(12,053)	(12,528)	(475)
Net central risk expenditure	<u>(617)</u>	<u>(1,167)</u>	<u>(550)</u>
Local and Central Risk Net expenditure	<b>(12,670)</b>	<b>(13,695)</b>	<b>(1,025)</b>

### Recommendation

- That the Q2 projected outturn report for 2021/22 and progress around FR & TOM savings are noted.

## Main Report Quarter 2 Projected Outturn

Table B below gives the detailed forecast by department.

Service Area	Expenditure / Income	Latest Approved Budget	Forecast	Variance Better/ (Worse) £	Variance Better/ (Worse) %	Explanations for full year forecast variances against latest approved budget
DAPO0 - Supervision and Management	Expenditure	(1,429)	(1,307)	122	9%	
DAPO0 - Supervision and Management	Income	7	75	68	971%	
DAP05 - Community Safety Team	Expenditure	(227)	(339)	(112)	-49%	
DAP05 - Community Safety Team	Income	0	131	131	0%	
DAT50 - Other Housing Services	Expenditure	(99)	(72)	27	27%	
DAT50 - Other Housing Services	Income	101	103	2	2%	
DAT70 - Supporting People	Expenditure	(629)	(652)	(23)	-4%	
DAT70 - Supporting People	Income	119	71	(48)	-41%	
DAT80 - Housing Service Strategy	Expenditure	(5)	(12)	(7)	-136%	
DAT90 - Housing Benefit Administration	Expenditure	(251)	(235)	16	6%	
DAT90 - Housing Benefit Administration	Income	192	124	(68)	-35%	
DAU10 - Homelessness	Expenditure	(4,432)	(4,219)	213	5%	
DAU10 - Homelessness	Income	1,656	1,566	(90)	-5%	
DBE00 - Older People	Expenditure	(1,648)	(1,802)	(154)	-9%	
DBE00 - Older People	Income	218	314	96	44%	
DBG00 - Adult Social Care	Expenditure	(3,165)	(3,238)	(73)	-2%	
DBG00 - Adult Social Care	Income	688	777	89	13%	
DBL60 - Occupational Therapy	Expenditure	(301)	(306)	(5)	-2%	
DBM20 - Commissioning	Expenditure	(860)	(1,004)	(144)	-17%	temp costs are causing budget to overspend.
DBM20 - Commissioning	Income	308	215	(93)	-30%	Have to employ temps as unable to fill FTC loss of income from Fusion (manage our sports service)
DBM21 - Public Health	Expenditure	(2,127)	(1,991)	136	6%	
DBM21 - Public Health	Income	2,154	2,018	(136)	-6%	
DBM40 - Adult and Community Learning	Expenditure	(1,535)	(1,435)	100	6%	
DBM40 - Adult and Community Learning	Income	1,331	1,280	(51)	-4%	
DBN30 - Other Schools Related Activities	Expenditure	(369)	(388)	(19)	-5%	
DBN30 - Other Schools Related Activities	Income	22	29	7	34%	
DBP10 - Early Years and Primary Education	Expenditure	(713)	(672)	41	6%	
DBP10 - Early Years and Primary Education	Income	128	105	(23)	-18%	
DBP30 - Child Social Care	Expenditure	(1,195)	(1,689)	(494)	-41%	pressures on CSC due to temp staff along with continued pressures on client costs
DBP30 - Child Social Care	Income	181	184	3	2%	
DBS40 - Youth and Play	Expenditure	(173)	(158)	15	9%	
<b>TOTAL LOCAL RISK</b>		<b>(12,053)</b>	<b>(12,528)</b>	<b>(475)</b>	<b>7</b>	
DAP05 - Community Safety Team	Expenditure	(24)	(24)	0	0%	
DAT50 - Other Housing Services	Income	0	0	0	0%	
DAT90 - Housing Benefit Administration	Expenditure	(6,172)	(3,794)	2,378	39%	
DAT90 - Housing Benefit Administration	Income	6,105	3,794	(2,311)	-38%	
DBG00 - Adult Social Care	Expenditure	(507)	(441)	66	13%	
DBG00 - Adult Social Care	Income	507	441	(66)	-13%	
DBM20 - Commissioning	Expenditure	(227)	(207)	20	9%	
DBM20 - Commissioning	Income	175	105	(70)	-40%	
DBN10 - Schools Delegated Budget	Expenditure	(2,345)	(2,345)	0	0%	
DBN10 - Schools Delegated Budget	Income	2,375	2,375	0	0%	
DBN30 - Other Schools Related Activities	Expenditure	(823)	(823)	0	0%	
DBN30 - Other Schools Related Activities	Income	1,593	1,593	0	0%	
DBN50 - Asylum Seekers Services	Expenditure	(1,621)	(2,258)	(637)	-39%	pressures on budget due to number of clients - esp those turning 18 who attract little or no funding from Home office
DBN50 - Asylum Seekers Services	Income	1,073	1,143	70	6%	
DBP10 - Early Years and Primary Education	Expenditure	(905)	(905)	0	0%	
DBP10 - Early Years and Primary Education	Income	179	179	0	0%	
DBP30 - Child Social Care	Expenditure	(20)	(18)	2	8%	
DBP30 - Child Social Care	Income	20	18	(2)	-8%	
<b>TOTAL CENTRAL RISK</b>		<b>(617)</b>	<b>(1,167)</b>	<b>(550)</b>	<b>-1</b>	

3. The Commissioning service local risk budget is projecting an overspend of £237k as a result of costs of temporary staff and the loss of income on the Fusion contract. This overspend is broadly offset by underspends elsewhere.
4. The Children's Social Care local risk budget is expected to overspend by a net £491k. This is due to the cost pressure of maintaining temporary staff in position and the continued presence of a number of high cost placements. The service is urgently reviewing the suitability of all high cost placements as a result. The implementation of the TOM proposals will reduce the need to use temporary staff as new permanent positions are established in the structure. This will reduce the cost burden on agency staff in the longer term.
5. The Homelessness budget is expected to breakeven overall, however this position includes a projected overspend on the Carter Lane accommodation lease costs which are currently forecast to be broadly offset by the unused balance of the revenue funding (£150k) applied to DCCS for revenue costs associated with the new hostel/rough sleeping budget, plus other savings.
6. The Afghan resettlement costs are expected to be fully recovered via wraparound and education funding, although that is a working assumption based on government guidance and we await details, particularly on the education grant element.
7. The Asylum Seekers central risk budget (which excludes the Afghani resettlement costs) is projected to overspend by £550k in the full year. There are increasing number of asylum seekers turning 18 years old for which we have a carers responsibility but which attract little or no government funding. A separate paper focused on the current and longer term position of the Asylum Seekers budget is being prepared for this Committee as this is an ongoing funding issue.

### **Target Operating Model and Fundamental Review Savings**

8. Target Operating Model savings of £650k and Fundamental Review savings of £594k are on target with the following exceptions:
  - £51,000 reduction in agency staff budget. Due to the difficulties in filling Fixed Term Contract posts, DCCS have had to use agency staff. This is being address as part of the TOM proposals and savings will be realised from 2022/23
  - £6,000 reduction in the family support budget. During the year, extra family support has been awarded to a particular family with very disabled children. This case will be part of the high cost review which will be undertaken shortly.

**Caroline Al-Beyerty**

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**Chamberlain**

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<b>Committee:</b> Community and Children's Services	<b>Dated:</b> 8 November 2021
<b>Subject:</b> Update on Support to Informal Carers	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	1,2,3 & 4
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>£</b>
<b>What is the source of Funding?</b>	<b>N/A</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of:</b> Andrew Carter, Director of Community and Children's Services	<b>For Information</b>
<b>Report author:</b> Ellie Ward, Interim Head of Strategy and Performance, Community and Children's Services	

## Summary

In January 2021, Members received a report and a presentation on the support provided to informal carers in the City of London.

This report provides an update on further work which has taken place since then.

## Recommendation(s)

Recommendations should be clear and not open to interpretation, should always

Members are asked to:

- Note the report.

## Main Report

### Background

1. In January 2021, Members received a report on the support provided to informal carers in the City of London. It gave information on plans for the review of the action plan for the Carers Strategy, the services provided by the commissioned service City Connections to support informal carers and a response to some of the issues raised about the support provided to informal carers by an informal carers who lives in the City of London.
2. This report updates Members on further work which has taken place since then.

## **Current Position**

3. Since the last update report to Members a significant amount of work has been undertaken in relation to the support provided to informal carers.

### *Revising the Strategy Action Plan and Carer Involvement*

4. Two workshops were held with carers and professionals to refresh the priority actions for the year ahead. These actions are grouped around 3 workstreams:
  - Information sharing and communication
  - New roles and upskilling
  - Supporting and involving carers
5. Each of these workstreams has its own action plan.
6. The Carers Strategy Implementation Group was relaunched and now includes a specific carer voice with the involvement of six informal carers as key members of the Group. The group has met twice so far, and it will meet quarterly going forward.

### *City of London Corporation*

7. There is now a specific link social worker from Adult Social Care for City Connections who advises the service on issues related to carers such as emergency planning.
8. Adult Social Care is undertaking an audit of its carers assessment process and is involving a range of carers in this process.
9. The City of London Corporation has undertaken work to identify areas of improvement on its carers pages and this will be taken forward in consultation with carers.

### *City Connections Service*

10. Since the report in January, City Connections, the commissioned service which provides support to carers have continued to develop a range of services or initiatives that carers and others can access. This includes:
  - Fortnightly carer's sessions (32 sessions with 169 attendances between September 2020 and September 2021). After consultation with carers, the session was moved to a Monday and frequency increased to bi-monthly
  - A Quarterly Carers Forum was held in January, March, June and October 2021 to hear the views and experiences of City Carers. Feedback from these sessions has resulted in a number of presentations including one on carers assessments from the Service Manager of Adult Social Care and one from the East London Foundation Trust on their carers service. Following this presentation from ELFT, it has been agreed that City of London carers can access ELFT peer support groups for carers of those with a Mental Health Condition



- A range of activities in carers week – some directly run by City Connections and others a link with wider carers organisations
- Purchased and distributed Amazon vouchers to City of London carers from the Infection Control Fund in July 2021 (as well as in January 2021)

11. The carers pages on the City Connections website have been revised and updated to include separate local and national support pages. This now includes a wider range of carer specific information and advice.

#### *Informal Carers Group*

12. An informal carers group has been established in the City of London by a City of London carer and was awarded grant funding from the culture mile to support the group.

#### *National Carers Survey*

13. Each year NHS digital undertakes a survey of informal carers to assess the impact of the caring role on their life and to assess which services they have accessed. The survey was suspended during the pandemic but has now been reinstated. The City of London Corporation is only required to carry out the survey every two years due to a small cohort of carers and the burden the survey places on them.

14. The survey is currently underway and has been sent to the informal carers that the City of London Corporation is aware of or provides support to. City Connections are able to offer support to any carer who needs assistance to take part in the survey

#### *Pilot Service for Higher Levels of Support*

15. There has been feedback from some carers that they would like a service that provides a higher level of support. This will be piloted through City Connections to assess level of demand and ensure that the right level of support is provided. The pilot service is currently in development.

#### *City of London Corporation Research with Carers*

16. In late Summer 2021, the City of London Corporation undertook research with a range of carers. This was useful to inform not only development of the pilot but also other support and services to carers.

17. Feedback was wide ranging and included suggestions for improvement to Adult Social Care services, how other services such as health can be better integrated (for example GPs and mental health services), ideas for training that would be useful and a number of examples of where communication could be improved to save time for carers.

18. Some of the issues raised were already being addressed such as looking at improvements to websites, the audit of carers processes and the link social

worker with City Connections. Some of the new issues raised will be considered and where appropriate, passed on relevant partners such as health.

## **Corporate & Strategic Implications**

19. This report is for information only and therefore the relevant implications are as follows:

### *Strategic implications*

The Carers Strategy and action plan, and associated actions to support informal carers directly support the following four Corporate Priorities:

1. People are safe and feel safe
2. People enjoy good health and wellbeing
3. People have equal opportunities to enrich their lives and reach their full potential
4. Communities are cohesive and have the facilities they need

### *Financial implications*

- None

### *Resource implications*

- None

### *Legal implications*

- None

### *Risk implications*

- None

### *Equalities implications*

- An Equalities Impact Assessment was undertaken as part of the development of the strategy and as part of the commissioning process for the City Connections Service. The City Connections Service monitors the demographics of its service users and is actively trying to engage with a more diverse range of carers.

### *Climate implications*

- None

### *Security implications*

- None

## **Conclusion**

20. This report updates Members on the further work that has taken place in relation to support to informal carers in the City of London

## **Appendices**

- None

## **Background Papers**

<https://democracy.cityoflondon.gov.uk/documents/s146585/Jan%202021%20Carers%20Update%20Report%20FINAL%20SUBMITTED.pdf>

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<b>Committee:</b>	<b>Dated:</b>
Community and Children's Services	8/11/2021
<b>Subject:</b> Age UK report – Food Insecurity among older City residents	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	N/A
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N/A</b>
<b>If so, how much?</b>	<b>£</b>
<b>What is the source of Funding?</b>	<b>N/A</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of:</b> Andrew Carter, Director of Community and Children's Services	<b>For Information</b>
<b>Report author:</b> Simon Cribbens, Assistant Director – Commissioning and Partnerships	

## Summary

The Department of Community and Children's Services asked Age UK City of London to consider the issue of food insecurity among older residents and make recommendations in relation to the issues identified. This report provides a copy of that report (see Appendix 1) and provides commentary on its recommendations.

## Recommendation

Members are asked to:

- Note the report.

## Main Report

### Background

1. Following the first period of lockdown in response to the COVID-19 pandemic, the department strengthened its response to tackling food poverty. This included securing a resilient food bank provider – the First Love Foundation (FLF) – to provide emergency food support and professional advice and casework to tackle underlying issues. FLF are presenting at today's Committee.
2. The department also provided emergency food vouchers to its commissioned advice provider – City Advice – to provide an additional and flexible response to those in need. Emergency food vouchers and financial support are provided by the department's social services. Free school meals are also made available throughout holiday periods.

3. In addition, the department asked Age UK City of London to examine barriers to food security for older people living in the Square Mile and consider solutions to address needs in this area. The output of that work is appended (Appendix 1).

### Current Position

4. The Age UK report sets out several recommendations. These are considered below in the context of current and planned activity by the City Corporation, commissioned providers and voluntary sector partners.

#### **Recommendation One:**

***The establishment of a community food club for older people with a food need is considered. The food club would have a physical presence (ie in a community centre on a given day of the week) as well as a dedicated phone line at other times.***

5. During the early pandemic period, St Luke’s Community Centre<sup>1</sup> in Islington operated a 'food hub' open to all residents in a specified postcode area; this covers all residents in the Golden Lane Estate and Barbican. It operated on self-referral providing free food. The Hub closed as the centre observed that it was providing food to those not experiencing food poverty and not restricted from accessing local shops. It was replaced by a new service called Food Connections, which was restricted to people: with no recourse to public funds; awaiting Universal Credit; with reduced income due to furlough, or loss of income due to COVID-19; or those referred from partnership agencies.
6. The department is working with a partner to shape a proposal to establish a food club in Aldgate. This would service the Mansell Street, Middlesex Street and wider Aldgate populations. Such a club would operate from a shop front, where members could choose a basket of food for a small membership subscription (typically £2–3 per week in return for goods to the value of £20). The aim would be to combine the offer with access to other services and support, and a community food café. The proposal will form a bid to the Neighbourhood Community Infrastructure Levy (CIL) Fund and will therefore be subject to the decision of Members via that process.
7. The table below outlines further recommendations from the report which have been mapped against current provision. The first section relates to sub-recommendations of Recommendation One.

Recommendation	Current provision	Comments
A 'community fridge' with the aim to reduce food waste	<ul style="list-style-type: none"> <li>St Luke’s Community centre has a community fridge<sup>2</sup> which is accessible for residents in the North of the City</li> </ul>	Community fridges may allow those in need to access fresher goods, however, a physical location is required. There would also need to be a

<sup>1</sup> <https://www.slpt.org.uk/blog/setting-up-our-food-hub>

<sup>2</sup> <https://www.hubbub.org.uk/the-community-fridge>

		designated officer to check the fridge daily for health and safety reasons (temperature, electrical supply, out-of-date goods, and so on). Research suggests that community fridges only work effectively when they are kept at a very small scale for local people.
A drop-in for people to come along for a cup of tea and pick up a few long-life basics at cost price	<p>Prior to the COVID-19 lockdown, the following were available for residents in the City of London:</p> <ul style="list-style-type: none"> <li>• St Luke’s Community Centre hosted a coffee/tea drop-in on a Monday evening<sup>3</sup></li> <li>• St Luke’s Church hosted a coffee/tea morning on a Tuesday<sup>4</sup></li> <li>• Age UK City of London hosted a social group on Wednesday afternoons – mainly focusing on the Barbican and Golden Lane estates<sup>5</sup></li> <li>• Artizan Library hosted a social drop-in group on Wednesday afternoon for a cup of tea</li> <li>• Mansell Street coffee morning<sup>6</sup></li> <li>• Toynbee Hall hosted a lunch club three days a week</li> </ul>	There are a lot of coffee/tea mornings available to residents in the City of London. These should be more heavily promoted to ensure awareness.
Very basic cooking classes targeted at single older people	<ul style="list-style-type: none"> <li>• The Corporation commissioned ‘Bags of taste’<sup>7</sup> to provide free cooking classes to residents. At present they are being offered virtually but are normally</li> </ul>	Historically, single older people are more digitally excluded than their neighbours, and therefore many of the current provisions are not suitable for them.

<sup>3</sup> <https://www.slpt.org.uk/weekly-activities>

<sup>4</sup> <http://www.saint-lukes.co.uk/tuesday-coffee-morning>

<sup>5</sup> <https://www.ageuk.org.uk/cityoflondon/services/information-advice/>

<sup>6</sup> <https://cityconnections.org.uk/>

<sup>7</sup> <https://www.bagssoftaste.org/courses/>

	<p>held in the community centres</p> <ul style="list-style-type: none"> <li>• St Luke’s community centre offers cookery classes (covering residents in the North of the City)<sup>8</sup></li> <li>• There are hundreds of free online cookery classes for residents to sign up to via national websites, such as Eventbrite<sup>9</sup></li> <li>• City and Hackney Public Health team are looking into long-term commissioning options for cooking classes that target specific groups; the pandemic has highlighted the need for food services in certain communities.</li> </ul>	<p>The current contract ends in February 2022 and its recommissioning provides an opportunity to specify target provision for excluded older people.</p> <p>When physical delivery resumes, we will explore with the current provider – Bags of Taste – the potential for an older persons’ course to test the demand.</p>
Offer to hire or purchase white goods – such as microwaves	No similar schemes were found locally in relation to the hiring/lending of white goods to enable cooking.	City Advice is developing a proposal to provide grants to fund white goods for those unable to afford them.
Men’s Shed type club offering a men-only space	<ul style="list-style-type: none"> <li>• St Luke’s have a men’s club offering an array of activities for individuals.<sup>10</sup> Residents in the City are able to attend and they do utilise locations locally – e.g. bowls in Finsbury Square.</li> <li>• There are other club activities in the City that men can attend, such as the Portsoken Chess Club, Barbican Horticultural Society<sup>11</sup> along with other smaller community-run clubs.</li> </ul>	This recommendation fits well with Recommendation Three, in relation to working with St Luke’s. The service they offer is already established, and the number of residents requiring a similar type of club would likely be small. It would make financial sense to utilise a local service, if they can extend out to the whole City.

<sup>8</sup> <http://centralstreet.org/>

<sup>9</sup> <https://www.eventbrite.co.uk/d/united-kingdom--london/free--events/cooking-class/>

<sup>10</sup> <https://www.slpt.org.uk/mens-club>

<sup>11</sup> <http://www.barbicanhortsoc.co.uk/>



<p>A delivery option for those who are temporarily or permanently confined to their home.</p>	<ul style="list-style-type: none"> <li>Choice in Hackney is a service that offers support for disabled people to live more independent lives – they help with shopping services, gardening, walking, befriending, and so on.<sup>12</sup> To help during the pandemic, this offer has been extended to all residents in City and Hackney with a need. They have previously reached out to be embedded in our adult social care (ASC) process.</li> </ul>	<p>Choice in Hackney is a good scheme to help reduce the burden on volunteer networks in the City. They would be a good fit for the smaller community grants, if needed.</p> <p>A professional delivery option would need to be scoped to meet the needs of those who are confined to their home. There are many options available for older people to get food delivered on the market (Wiltshire Foods,<sup>13</sup> and so on) but they can be expensive.</p> <p>A previous shopping service – operated by Age UK City of London – did not prove successful.</p>
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**Recommendation Two:**  
**Opportunities to partner with local supermarkets for the benefit of older City residents are explored.**

Recommendation	Current provision	Comments
<p>Opportunities to partner with local supermarkets for the benefit of older City residents are explored.</p>	<p>While there are no specific schemes currently in the UK that target older people and supermarkets, other retailers have introduced schemes:</p> <ul style="list-style-type: none"> <li>B&amp;Q have a 'diamond scheme' which gives over 60s a discount on a Wednesday</li> <li>Green King and Hungry Horse pub chains offer a senior's card for reduced prices on the menu.</li> </ul>	<p>The establishment of a food club will provide opportunities for local supermarkets to donate food supplies and excess produce for community use.</p> <p>A City-specific discount for older people is likely to be difficult to secure.</p>

<sup>12</sup> [www.choicinhackney.org](http://www.choicinhackney.org)

<sup>13</sup> <https://www.wiltshirefarmfoods.com/>

**Recommendation Three:**  
**Opportunities to work more closely with St Luke’s Community Centre are explored.**

Recommendation	Current provision	Comments
To work more closely with St Luke’s Community Centre	<ul style="list-style-type: none"> <li>St Luke’s offers a wide range of services that would be a good fit for the needs of the City – a lunch club, coffee mornings, a men’s shed, and hot food delivery.</li> </ul>	The department has a very positive relationship with St Luke’s. The centre has a defined 'area of benefit' but is willing to be flexible and work with all City residents. They have been made aware of the Stronger Communities Grant offer if resourcing is needed to support their work with City residents.

**Recommendation Four:**  
**Communication channels are reviewed to ensure that where the ASC [adult social care] team are involved in conducting an assessment or putting support in place for a vulnerable older person, all stakeholders likely to be involved in supporting that individual with shopping or other food-related needs are included in the conversation.**

Recommendation	Current provision	Comments
Communication channels are reviewed to ensure that, where the ASC team are involved in conducting an assessment or putting support in place for a vulnerable older person, all stakeholders likely to be involved in supporting that individual with shopping or other food-related needs	<ul style="list-style-type: none"> <li>The City and Hackney integrated health and social care system are implementing a Neighbourhood model – the City is based in the Shoreditch Park and City Neighbourhood.<sup>14</sup> As part of this programme of work, multi-disciplinary teams have been assembled to discuss cases and review decisions.</li> </ul>	Personal information relating to any individual is tightly controlled and can only be exchanged between certain partners with consent and where data sharing agreements and controls are in place.

<sup>14</sup> <https://www.healthylondon.org/wp-content/uploads/2019/04/City-and-Hacknet-Neighbourhood-Model-case-study.pdf>

are included in the conversation.		
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## **Corporate & Strategic Implications**

### **Strategic implications**

8. Food access is essential to securing enjoy good health and wellbeing. The department's work to secure access, promote healthier eating and support those in crisis contributes to the strategic objective of a flourishing society.

### **Financial implications**

9. None

### **Resource implications**

10. None

### **Legal implications**

11. None

### **Risk implications**

12. None

### **Equalities implications**

13. Poverty and other barriers to food access disproportionality effect older people, disabled people and those from black, Asian or minority ethnic backgrounds. The department's work to tackle this issue contributes to the Corporation's commitment and duty to support the most disadvantage groups and advance equality of opportunity.

### **Climate implications**

14. None

### **Security implications**

15. None

## **Conclusion**

16. The Age UK report notes that "older City residents have established patterns which work" when it comes to accessing food. However, barriers and needs exist – many of which were amplified by the COVID-19 Lockdown. Support providing food and social interaction was welcomed during that period. The report concludes that older city residents have access to food shopping that is flexible, close by, offers value, dignity and choice and "has an easy point of entry without too many questions asked".

17. Many of the recommendations reflect issues and opportunities that partners, and the Corporation's services are already delivering to, or are developing plans that should respond to needs. Some challenges, such as the predominance of higher-cost supermarket provision in the Square Mile, are harder to address directly, but it is hoped that future initiatives – if successful – will mitigate some of the impact.

## **Appendices**

- Appendix 1 – Age UK report: Food Insecurity among older City residents

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# Food Insecurity among older City residents

## A report by Age UK City of London

Author: Alice Westlake [awestlake@ageuklondon.org.uk](mailto:awestlake@ageuklondon.org.uk)

### Contents

- 1 Executive Summary p1
- 2 Background p1
- 3 Aims of Consultancy p2
- 4 Methodology p2
- 5 Findings p3
- 6 Conclusion p10
- 7 Recommendations p11

### 1. Executive Summary

Older City residents are poorly served by local shops but are, on the whole, well served by a combination of local volunteering networks and social services support. However, a small number are slipping through the net. Local shops play an important role in social interactions and the maintenance of independence, choice and dignity, but a significant proportion of older people struggle to access shops due to poor mobility, health issues and Covid-related barriers, often leading to increased isolation.

Agencies in the City could work more effectively together to find solutions for individuals who are experiencing a food need.

The report recommends CoL explore the option of establishing a community food club.

### 2. Background

In April 2020 at the onset of the Covid 19 pandemic, Age UK City of London (AUKCL) was involved in the formation of an emergency food delivery service, Square Mile Food Bank (SMFB). The intention was that this would be a short-term crisis response and would be targeted at older City residents. With the help of funding from CoL, SMFB quickly evolved to become a generic service meeting the needs of families and City residents of all ages, with around 30% of users aged 65 or more.

SMFB operated for 9 months and was eventually would down in November 2020. All beneficiaries were given the option of transferal to a provider in Tower Hamlets, First Love Foundation (FLF). 63 were transferred, of which 23 were older people.

### **3. Aims of Consultancy**

Whilst many people found themselves in food crisis as a direct result of Covid 19, the establishment of the food bank highlighted some barriers to food security that pre-date the pandemic and are not Covid-related.

Moreover, during the course of the transition of beneficiaries to FLF, a cohort of people was identified, who did not meet FLF's eligibility criteria. This is because their reasons for using the food bank were not primarily due to financial hardship, but were due to a variety of other reasons such as mobility difficulties, shielding, and caring responsibilities making it hard to get to the shops. This cohort were overwhelmingly older adults. There were also clear links between social isolation and use of the food bank.

The City of London therefore asked AUKCL to undertake a piece of research into the experience of older City residents in accessing food, and where appropriate, to identify possible service models for consideration.

### **4. Methodology**

The research consisted of the following elements:

- a) Background reading and desk-based (sundry reports and documents provided by Jordann Birch of CoL)
- b) Interviews with 13 professionals, colleagues and volunteers working in the area of adult social care and related fields in the City of London
- c) Interviews with five older City residents and/or carers
- d) Interviews with service providers of a variety of food projects (St Lukes' Food Connections; Bags of Taste; LBBB Community Food Club)

For details of interviewees and brief notes of conversations, see appendix 3

Weaknesses of the research:

I did not speak directly with any older people living on Middlesex Street estate. Despite reaching out to suitable interviewees via local community connections, I was not successful in finding anyone willing to participate in the consultation.

## 5. Findings

### 5.1 Availability of food in square mile

The square mile was described by one interviewee as a “food desert” due to the lack of decent-sized food retailers, and in particular, the lack of any budget or even mid-range supermarkets. This was an issue which came up again and again in interviews.

Traditional markets which once served the City are long gone. All but one of the supermarkets in the square mile are small, ‘express’ branches stocking a very limited range, designed for commuters not a resident population. This lack of choice often results in more expensive options being purchased. When the shopping is being done by a friend, neighbour or carer the individual’s lack of choice and control is compounded even further leading to higher bills.

Conversely to the findings of the 2007 report<sup>i</sup> which found the Portsoken area to be a food desert, some interviewees felt that the East of the City fared better than the North/West. As Xenia Koumi detailed in her 2019 report<sup>ii</sup>, the extent and choice available in the Aldgate area has increased significantly; it is also reasonably close to Whitechapel market<sup>1</sup>. For Barbican/ Golden Lane residents however, the options are more limited with no real opportunity to make cost savings. Car ownership is very low amongst older City residents and therefore travelling to another borough to do a bulk shop at a budget supermarket is not practical even for those who are relatively mobile and independent.<sup>2</sup> These factors represent a challenge for the local authority in ensuring its older population has access to affordable healthy food.

All of the other findings in the report should be understood in the context of the lack of availability and choice for residents in the square mile, as this impacts upon many of the points made below.

### 5.2 Critical needs

Where older people have a high level of support needs, these needs are well met by Social Services. Older people with a care package have carers who visit daily or several times a day, and these carers are able to get shopping and cook meals for them. None of the interviewees reported any issues with clients in this high vulnerability group having access to good quality, healthy food.

Since the population of the City is so small, Adult Social Care are able to be quite nimble and respond to individual needs as they emerge, in an ad hoc way, for instance

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<sup>1</sup> When AUKCL ran a fruit and veg stall on Mansell Street estate in the autumn this was hugely popular. The stall was operated on a donations basis but attendees were keen to make a contribution.

<sup>2</sup> I have spoken to several City residents who travel to Walthamstow by bus or train to get their weekly shopping

supplying food vouchers to tide over a difficult period; providing a microwave to facilitate heating of ready meals.

Helen Evans of City Advice commented that older people who are in receipt of Disability Living Allowance and PIP “can usually manage ok” financially and are better placed to survive on welfare benefits than younger people since their payments are somewhat higher.

### *5.3 Gaps*

In contrast to this there are a number of groups who either fall just below the threshold for support, or in some cases have refused support. These people struggle with the logistics of putting food on the table.

From my research I have not identified one over-riding barrier to food security amongst this group. Rather, there are a number of different reasons why older people might struggle with access to food. As the population is fairly small it is difficult to extrapolate trends but there are some common themes. These are explored in brief below and in more detail in Appendix 2.

#### ***i Mobility issues and disability***

The biggest single barrier to food access amongst this cohort of people is disability and health issues. The City has an ageing population<sup>iii</sup> coupled with the highest incidence of single-person households in England<sup>iv</sup>. From my observation of working with older people in the square mile for 8 years, they are less likely to have family living nearby (or at all) compared to older people in other parts of London. Therefore, there is an increased reliance on neighbours to help with things like shopping.

For many people living with a long term condition, whether physical or mental, their ability to go out and shop for themselves will fluctuate over time. Much of this fluctuating or temporary need is met by informal and semi-formal volunteering. The Barbican has a well-established and effective volunteering network (Barbican Errands Network) and other areas of the City also have informal volunteering arrangements in place. However, there can be various drawbacks to this:

- Loss of choice and control for the older person (including control over shopping bill)
- Intrinsically insecure arrangement – volunteers may not be around forever
- Not everyone has willing neighbours and some people slip through the net
- There are also difficulties with reimbursing volunteers as many older people do not use internet banking



Some older clients referred to FLF reported that, although they lived with or very close to family, they were not getting adequate support with food access from family members. This was most commonly reported by people living in multi-generational families in Portsoken.

A small number of older City residents are not in receipt of formal care despite having a disability that clearly qualifies them to receive it. This is likely to be because of a refusal to engage with Adult Social Care. Neighbours and volunteers who help with shopping have described being put under unacceptable amounts of pressure by the individuals and coming up against brick walls in their attempts to find out what other support might be available. This can be damaging to the relationship between statutory authorities and volunteers, who sometimes perceive it as an “over-reliance” on volunteer networks on the part of CoL. This is explored further in section 5.4.

### ***ii Loss of independence caused by Covid***

As well as the large number of older people living with restricted mobility and LTCs, the emergence of Covid 19 in spring 2020 led to a much bigger group of older people being temporarily unable to shop for themselves due to the need to shield from the virus.

The vast majority of these individuals managed this situation by making use of existing and new neighbourhood volunteering initiatives, and a large proportion have gradually reverted to doing their own shopping when it felt safe to do so.

However for some older people Covid has had, and continues to have, a lasting impact. Anike Olaitan-Omole, of FLF, described how “Covid has entrenched people’s habits and robbed them of their independence.” She felt that a significant number of older City residents they may never go back to their pre-Covid level of independence.

Loss of independence and long-term change of habits can be attributed to a number of factors:

- Continued anxiety about catching the virus
- Confusion about frequently-changing government advice – the on-off nature of lockdowns is confusing for people with a cognitive impairment such as dementia
- 12 months of inactivity and sedentary lifestyle having a negative impact on mobility and muscle strength
- Lack of social interaction for a sustained period leading to a loss of confidence
- In many cases bereavement leading to stress, mental health issues, increased anxiety and loss of confidence
- Stock shortages and empty shelves at the start of the pandemic exacerbated the feeling of panic and anxiety, especially for people with limited ability to shop around at a variety of outlets, or limited spending power. Shopping became associated with stress, anxiety and risk. The scare stories about empty shelves due to Brexit are only adding to this.

As the rate of infection continues to be high and new variants pose a risk to the efficacy of vaccines, it seems reasonable to assume that the day to day lives of the older generation will be limited for some time to come. At this point it is not possible to say whether we will see further lockdowns or periods of restriction, and when these might end. Even when we do see a complete return to normality, it may be too late for some older City residents to return to their former patterns of shopping independently.

### ***iii Social isolation***

Intrinsically linked to the above is the issue of social isolation. The more isolated a person is, the less likely they are to know people they can ask to help with shopping should they need it. Lead volunteers from SMFB as well as many other people interviewed, felt that for some individuals the weekly call to the food bank 'hotline' was as much about social interaction as food need. The weekly 'check-in' plus the familiar delivery personnel provided a limited amount of social contact for people who otherwise had none.

People who were already in touch with organisations pre-Covid were less likely to become severely isolated (City Connections and St Lukes have been offering telephone befriending since the start of pandemic). Those – frequently men - whose social contact prior to Covid came through informal routes such as cafes, pubs and shops, have not had the same safeguards. In 'normal times' City Connections, AUKCL and St Lukes offer group-based clubs and activities rather than 1:1 befriending models<sup>3</sup>. Some isolated people, particularly men, find it difficult to engage in a group setting.

The independence to be able to get one's own shopping is connected to dignity and personal agency; moreover, for someone living alone the trip to the shops can form an intrinsic part of their daily interactions. Hence the story of a very infirm elderly gentleman who insisted on making the trip to Waitrose every day even though he received regular help with shopping from Barbican volunteers. This gentleman was not physically able to get to Waitrose and back unaided and would frequently collapse on the way home, however he was not prepared to forego the one piece of social interaction in his day.

### ***iv Digital exclusion***

Digital exclusion is closely interlinked with social exclusion, poverty and older age. The 'poverty premium' is replicated across all digital services, so an older person on a low income using Pay As You Go data to get online, will be paying considerably more for

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<sup>3</sup> City Connections have indicated an intention to continue with 1:1 telephone befriending post-Covid

their internet than someone with a broadband contract. Older people who are either not online, have limited internet access or are nervous about shopping online, miss out on choice, convenience and cost savings across the board.

However, a quick survey of my mailing list of 170 older City residents *who all have ready access to the internet at home* revealed that 82% do not regularly shop for groceries online. There are still others who have been cut off digitally since the start of lockdown as they are not able to access libraries and community centres. And a further large group who are not online at all.

None of my interviewees cited lack of digital skills/access as a key barrier to food access, or suggested that some form of online shopping service might be a solution worth exploring. This is probably due to the overwhelming preference of older people for shopping 'in person', as evinced by the survey cited above, coupled with a wariness about online financial transactions and fraud. It is also indicative of the important role that visiting the shops plays in the lives of some older City residents.

Nevertheless, it is clear that digital inclusion would bring many benefits to older residents, including the ability to choose from a wider range of products and retailers; the convenience of having shopping brought to your door; and the potential for cost savings.

### ***v Lack of cooking skills and motivation***

Many people who struggle with shopping due to mobility issues and health conditions also find cooking difficult. Claudia Stachelhaus of Bags of Taste noted that when they ran a course on Golden Lane about 20% of participants were older people "who appeared to come along mainly for the company. Most were not really able to participate fully because ... they had arthritis in their hands. They enjoyed taking part in the class but would not have been to prepare an equivalent meal at home."

Individuals with a care package usually have a carer visit daily to prepare them a hot meal.

There are a small group of older people for whom bereavement, separation, mental health issues or other factors affect their ability or motivation to cook for themselves. Older men in particular may lack confidence to take on responsibility for cooking in later life. Helen Evans and Beverley James, Social Prescribing worker at the Neaman Practice, spoke of the loss of motivation and confidence and said that "It's easier to nibble a piece of toast."

Yemi Omole of First Love Foundation also drew attention to the fact that FLF are only able to provide tinned and dried foods so older people using the food bank may be

missing out on vital nutrition which is especially important for a healthy diet at this time of life.

### ***vi The 'hidden poor'***

Several interviewees spoke of the people 'silently struggling' behind closed doors, attributing an especially strong sense of pride and of privacy to the older generation, who they said would be loth to ask for help or even to claim benefits they are entitled to.

The difficulty of identifying those hard-to-reach individuals is of course no secret and a problem to which there are no easy answers. Yemi Omole said that Covid had "exposed pre-existing faultlines" and perhaps the additional stresses of the pandemic have driven some people who were previously 'just about managing' to reach out for help from SMFB – particularly as this help was offered without any form of assessment, which can be perceived as intrusive and judgmental.<sup>4</sup>

This group is the hardest to quantify and to make generalisations about, as by their very nature they are difficult to reach and their views have not been recorded first hand in this research. However, any successful intervention with this group will need to offer support which is, at least initially, generic, non-means-tested, and perceived as non-stigmatising. Since food is a universal need, it can be a way in to this group.

### ***5.4 Barriers to accessing the support currently available***

While the City does not have a Meals on Wheels service or shopping service<sup>5</sup>, it does make provision for people needing assistance with shopping, by arranging carers to accompany individuals to the shops and, where needed, to prepare meals for them.

However, comments from a number of different sources suggest that there are some older people slipping through the net because of a lack of willingness to engage with social services.

More than one resident on Golden Lane described the pride of the older generation who don't want to accept "charity". They are "very wary of means testing" because of negative associations from the past and are extremely reluctant to disclose details of

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<sup>4</sup> About a quarter of SMFB beneficiaries chose not to transition to FLF once details of finances and personal circumstances were requested. We should remain open to the possibility that those 25% of individuals may have had a genuine ongoing food need but were deterred by entry requirements which were culturally off-putting

<sup>5</sup> CoL did formerly operate a limited shopping service as part of the Befriending contract held by Volunteering Matters up until 2016. Such an arrangement is however fraught with difficulty due to the safeguarding risks involved in using volunteers for a service involving financial transactions. The small number of individuals needing such a service means that it is not practical to commission a separate shopping service.

income etc. Many people who would be eligible are put off applying by fears about the complexity and intrusiveness of the process. This is borne out by a recent report by Independent Age.<sup>v</sup>

Conversely however, FLF found that in the vast majority of cases clients referred from the City were in receipt of all benefits they were entitled to.

All three of the staff members interviewed from FLF described a “surprising level of resistance to receiving help from the local authority” and a reluctance to disclose personal information about finances. This might be in part due to differences in demographics between the City and Tower Hamlets, where FLF is based. Anike Olaitan-Omole wondered whether ASC needed to better communicate its role and what it was able to offer.

In the sections above I have touched on some isolated incidences of older people with high support needs around food access who were not receiving any formal care. In at least some of these cases it seems that the individual has been offered help from social services and refused it. This may be because they did not meet the means-testing criteria and were not prepared to pay for a carer visit. They preferred to make use of the neighbourhood volunteering network, however volunteers were unhappy with the level of responsibility placed on them and felt unable to cope.

Some interviewees felt that there had been an over-reliance by the CoL on informal volunteering networks, particularly during Covid, citing examples of being asked to print things for the estate office and put them through people’s doors, for instance. Kevin Jones commented that “there seems to be an implicit assumption that CoL are willing to rely on volunteers to meet this need [shopping support] but not everyone has willing neighbours and some people will fall through the gaps.”

Staff teams within CoL are inclined to see informal volunteering networks as a neighbourhood asset, testament to the strength of the community within the square mile and something that should be encouraged. This view is also shared by the volunteers themselves but with the proviso that clearly delineated channels of communication are established between all of the various stakeholders: Adult Social Care, Age UK City of London, City Connections, City Advice, First Love Foundation, the estate office and volunteers and neighbours involved in supporting an individual. “We need to have a safe and appropriate way of sharing information between agencies that respects confidentiality” says Jo Bradman of Barbican Errands Network, “so that we aren’t going round in circles all trying to help the same individual.”

## Conclusion

Despite the challenges of food shopping in an area dominated by small and expensive outlets aimed at commuters, older City residents have established patterns which work. These include regular trips to the local shops on foot, which often play an important social role, and widespread use of informal neighbourhood volunteering schemes when unable to get to the shops themselves (for instance during the coronavirus pandemic). The Adult Social Care team is able to provide assistance with shopping and food preparation for people who are unable to manage this for themselves.

The Square Mile Food Bank was a valued resource which contributed to this wider picture by providing people on low incomes and those who were confined to their homes with fresh, appealing food, customised to meet the needs of the individual. The social contact derived from having a weekly delivery from a known volunteer also played an important part in its success. Although some commentators have remarked that SMFB “created a dependency”, it could also be said to be meeting a pre-existing demand, filling a gap between complete independence on the one hand and a reliance on carers on the other. With the closure of SMFB, that gap remains unfilled and there is some evidence to suggest that the ongoing Covid 19 pandemic has only widened it.

In addition to this there is good reason to suppose that food shortages may be a feature of the months and years to come due to a combination of Covid 19 and Brexit; this will push food prices up and make things very difficult for older people who are just about coping currently.

Older City residents need or want access to food shopping which is:

- Flexible
- Offers value, dignity and choice
- Close to home and easy to get to on foot – safe and accessible venue
- Provides an element of social interaction
- Has an easy point of entry without too many questions asked
- Offers more than just the brute basics: fresh fruit and veg and some luxuries

On the whole they would prefer to pay something for the service rather than being perceived as receiving ‘charity’. Paying for food (something they have done all their lives) is perceived in a more positive light than paying for a service such as home care.

Where vulnerable individuals are falling through the gaps this is sometimes due to a lack of communication between the various voluntary and statutory partners. Clear protocols and communication channels would largely solve this, and ease pressure sometimes felt by neighbourhood volunteers.

However, there is scope for bringing fresh, healthy, affordable food to older people living on estates in the square mile, bringing the dual benefits of convenience and social



inclusion<sup>6</sup>. Such a scheme is likely to be seen as non-stigmatising and provides obvious benefits to individuals in the form of cheaper food, as well as having clear public health benefits. In addition it has the potential to bring hard-to-reach individuals into contact with voluntary and/or statutory agencies, acting as a gateway to other services such as welfare benefits checks, health services, cookery classes and social services.

## Recommendations

- 1) **The establishment of a community food club for older people with a food need is considered . The food club would have a physical presence (ie in a community centre on a given day of the week) as well as a dedicated phone line at other times.** It's purpose would be
  - i) to act as a back-up for people who are slipping through the net of community volunteering or for whom it isn't working
  - ii) to reduce social isolation
  - iii) to provide access to low-cost basic groceries very close to people's homes, enabling more people to remain independent
  - iv) to coordinate and be a one-stop shop for knowledge about everything to do with food access and older City residents – including acting as a referral agency for FLF

The provision might include any or all of the following :

- a. A community food club offering subsidised groceries and fresh food based on a bulk-purchasing model and/or membership of London Food Alliance– see appendix 1
- b. An online shopping service, or referral to one operated by a third party
- c. A 'community fridge' to reduce food waste
- d. A drop-in where people can come for a cup of tea or coffee and pick up a few basics such as biscuits and long life milk at cost price
- e. Very basic cooking classes targeted at single older people
- f. The ability to hire or purchase white goods such as microwaves
- g. A Men's Shed-type club offering a men only space
- h. A delivery option for those people who are temporarily or permanently confined to their home.

There is a large pool of volunteers, a legacy of the food bank, which could potentially be drawn upon if needed to help resource such a provision. However a dedicated part time staff member would likely be needed to ensure sustainability of the project over time.

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<sup>6</sup> Interviewees on Golden Lane indicated that such a scheme would be welcome

- 2) **Opportunities to partner with local supermarkets for the benefit of older City residents are explored.**
- 3) **Opportunities to work more closely with St Lukes Community Centre are explored.** Keren Wiltshire, service manager, indicated that “anything’s possible if it comes with funding attached” and that they would be open to offering their services, such as a lunch club and/or a daily hot food delivery, to more City residents who are currently outside of their catchment area. They also have a fantastic community kitchen space which is a great resource that can be hired.
- 4) **Communication channels are reviewed to ensure that where the ASC team are involved in conducting an assessment or putting support in place for a vulnerable older person, all stakeholders likely to be involved in supporting that individual with shopping or other food-related needs are included in the conversation.** This includes Barbican volunteers or other neighbours providing help with shopping and errands, City Connections, Age UK City of London and other agencies such as, where appropriate, St Lukes Community Centre and First Love Foundation. Whilst due regard must obviously be given to confidentiality, better information sharing can assist in solving complex problems more speedily.

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<sup>i</sup> Referred to in *Review of Food Desert Research in Portsoken (2007)*, 2019

<sup>ii</sup> *Review of Food Desert Research in Portsoken (2007)*, 2019

<sup>iii</sup> City of London Health Profile, 2018

<sup>iv</sup> ONS Census 2011

<sup>v</sup> The cost of pensioner poverty and non-take-up of Pension Credit, 2020



# Agenda Item 4

<b>Committees:</b> Streets and Walkways - <i>for information</i> Projects Sub - <i>for information</i> Community and Children's Services- <i>for information</i>	<b>Dates:</b> 12 October 2021 20 October 2021 08 November 2021
<b>Subject:</b> Middlesex Street Area Phase B New Open Space  <b>Unique Project Identifier:</b> PV Project ID: 10718	<b>Gateway 5</b> Regular <b>Progress Report</b>
<b>Report of:</b> Director of the Built Environment  <b>Report Author:</b> Leila Ben-Hassel	<b>For Information</b>

<b>1. Status update</b>	<b>Project Description:</b> Landscaping of Artizan Street, along with associated improvements to Middlesex Street Estate including new entrance canopy, signage and artwork  <b>RAG Status:</b> Amber (programme)  <b>Risk Status:</b> Low  <b>Total Estimated Cost of Project (excluding risk):</b> £993,278 (S106 funded)  <b>Spend to Date:</b> £641,791  <b>Costed Risk Provision Utilised:</b> N/A
<b>2. Key points to note</b>	<b>Next Gateway:</b> Gateway 6 Outcome report  <b>Key Points:</b> <ul style="list-style-type: none"> <li>• The main landscaping and paving works were completed on time and on budget in 2018.</li> <li>• Since this time, the remaining works (primarily to the building) have been on hold, due to the need to investigate and coordinate other works to the estate that could impact the scope and also as a result of staff resource shortages.</li> <li>• It is now proposed to resume the project and coordinate the implementation of the works with the Housing Division</li> </ul>
<b>3. Reporting period</b>	Gateway 5 to present.

<p><b>4. Progress to date</b></p>	<p>4.1 The main landscaping works involved new paving and planting beds on Artizan Street in order to enhance the local area and provide an appropriate setting for the Estate entrance and new library, after the earlier removal of the car park ramps. These works were carried out following a consultation exercise with the estate residents. They were completed in 2018. See photos in Appendix.</p> <p>4.2 The remaining works include a new entrance canopy on Artizan Street, trellis to the walls, signage and artwork, along with exercise equipment on the podium level.</p> <p>4.3 Following completion of the landscaping works, the remaining works were put on hold to enable the City Surveyor and Housing Division to investigate alterations to the building that could impact the scope of the project, including the future use of the first floor car park and possible changes to the building entrance lobby. Residents and Ward Members were kept updated throughout these investigations and this investigation process is now largely complete.</p> <p>4.4 Whilst the investigations were ongoing, the project manager was reassigned to other priority projects. The Housing Division has also been impacted by staff resource shortages. This has delayed the resumption of the project.</p>
<p><b>5. Next steps</b></p>	<p>5.1 A tender exercise to appoint an architect to finalise the design of the canopy and artwork has been undertaken this summer and the appointment will be confirmed following the extension of the project 'end date' in the IT financial system.</p> <p>5.2 A meeting with residents will be held in October to update them and seek their renewed feedback on the design of the outstanding elements.</p> <p>5.3 It has been agreed between the Departments that the public realm section will finalise this design work whilst the Housing Division will lead on communications with residents. Following this, the Housing Division will take on the management of the project and oversee the implementation of the works. The programme for the completion of the project will be finalised following the residents' meeting and will take account of staff resource availability and coordination with other works to the Estate.</p> <p>5.4 Members should also note that a budget adjustment will be required to move funds from the unspent landscaping and fees budgets to the staff costs budget in order to provide sufficient staff costs for the public realm section and Housing Division to</p>

	consult residents and oversee the implementation of the final elements. The works will be completed within the approved total budget.
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**Appendices**

<b>Appendix 1</b>	Project Coversheet
<b>Appendix 2</b>	Photos of completed works to date

**Contact**

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# Project Coversheet

## [1] Ownership & Status

**UPI:** 10718

**Core Project Name:** Middlesex Street Area - Redesign of new public space in Artizan Street post ramp demolition (phase B)

**Programme Affiliation** (if applicable): Part of Middlesex Street Area programme

**Project Manager:** Leila Ben-Hassel

**Definition of need:** Re-landscaping and associated works following removal of car park ramps on Artizan St.

### Key measures of success:

- New improved public space in the vicinity of the new Artizan Street Library and Community Centre, providing a flexible outdoor space to support the library and centre's activities;
- Better and more visible access to Petticoat Tower;
- Safer and more pleasant evening environment in the area;
- Improved wayfinding to Petticoat Tower, the new Library and Community Centre, the Post Office, local transport hubs and Petticoat Lane Market.

### Expected timeframe for the project delivery:

June 2017 – February 2018 (original) / December 2022 (proposed)

### Key Milestones:

#### Are we on track for completing the project against the expected timeframe for project delivery? N

The majority of the works were completed by spring 2018 with minor programme slippage incurred due to drainage issues and delays in the manufacturing of bespoke elements.

The outstanding associated works were put on hold as the lack of clarity about the use of the 1<sup>st</sup> floor car park was impacting the design scope of the canopy and the drainage issues on the podium (City Housing land) were impeding the installation of the gym equipment.

The Housing Division who are client of the project have undertaken various investigations over the past few years about options for the space of the first floor car park and this has helped establish clearer parameters of the design development for outstanding elements (incl. the canopy). Staff capacity issues have meant that the project was not be able to resumed sooner.

#### Has this project generated public or media impact and response which the City of London has needed to manage or is managing?

As the project is in a residential estate, from the outset it has generated a lot of resident and Member interest. This was managed by engagement of residents and members in the design development and regular communications through the Housing Division capital works newsletter.

## **[2] Finance and Costed Risk**

### **Headline Financial, Scope and Design Changes:**

#### **'Project Briefing' G1 report – NA**

#### **'Project Proposal' G2 report (as approved by PSC September 2012):**

- Total Estimated Cost (excluding risk): £200-400K (at the time only removal of ramps excl. re-landscaping)
- Resources to reach next Gateway (excluding risk): £17,939
- Spend to date: 0
- Costed Risk Against the Project: NA
- CRP Requested: NA
- CRP Drawn Down: NA
- Estimated Programme Dates: Implementation 2012/2013 (removal of car park ramps only)

#### *Scope/Design Change and Impact:*

*Removal Car-Park ramps to improve visibility of the new estate library and community centre and enhanced access to Petticoat Tower*

#### **'Options Appraisal and Design' G3 report Phase A Removal of Car Park Ramps (as approved by PSC 16/05/2013):**

- Total Estimated Cost (excluding risk): £130k-425K
- Resources to reach next Gateway: £30,000
- Spend to date: £15,505 (evaluation)
- Costed Risk Against the Project: NA
- CRP Requested: NA
- CRP Drawn Down: NA
- Estimated Programme Dates: Gateway 4 in Autumn 2014 for re-landscaping design / Start works on removal of ramps

#### *Scope/Design Change and Impact:*

*Recommendation of option to include removal of redundant car park ramps as well as resident-led re-landscaping of Artizan St.*

#### **'Authority to start Work' G5 report – Phase A Removal of Car Park Ramps (as approved by PSC under delegated August 2014):**

- Total Estimated Cost (excluding risk): £661,943
- Resources to reach next Gateway (excluding risk): £110,876
- Spend to date: £47,939
- Costed Risk Against the Project: NA
- CRP Requested: NA
- CRP Drawn Down: NA
- Estimated Programme Dates: Demolition of ramps and temporary reinstatement completed by October 2014. Start design development on new landscaping upon completion of ramps

removal as residents indicated they felt it would be easier to visualise the space and contribute to the design process only once the redundant car parks are removed.

*Scope/Design Change and Impact:  
Unchanged*

**'Options Appraisal and Design' G4 report – Phase B Re-Landscaping Approved May 2016**

- Total Estimated Cost (excluding risk): £994,755
- Resources to reach next Gateway: £43,000
- Spend to date: £47,755 (evaluation Phase B Re-landscaping – excl. phase A spend)
- Costed Risk Against the Project: NA
- CRP Requested: NA
- CRP Drawn Down: NA
- Estimated Programme Dates: Finalisation of design by June 2016; Gateway 5 June 2016; Start on site in August 2016; complete works on site in January 2017.

*Scope/Design Change and Impact:*

Taking resident's feedback into account, in addition to the re-landscaping of Artizan St, the following project elements were added into the scope:

- A new canopy to the Petticoat Tower entrance and associated metal work (public art and library signage)
- Outdoor gym equipment was identified as a need through consultation.

**'Authority to start Work' G5 report - Phase B Re-Landscaping**

Total Estimated Cost (excluding risk): £993,278

- Resources to reach next Gateway (excluding risk):
- Spend to date: £85,878
- Costed Risk Against the Project: NA
- CRP Requested: NA
- CRP Drawn Down: NA
- Estimated Programme Dates: Start on site June 2017; Finalise canopy design (subject to clarity on future of 1<sup>st</sup> Floor Car Park)

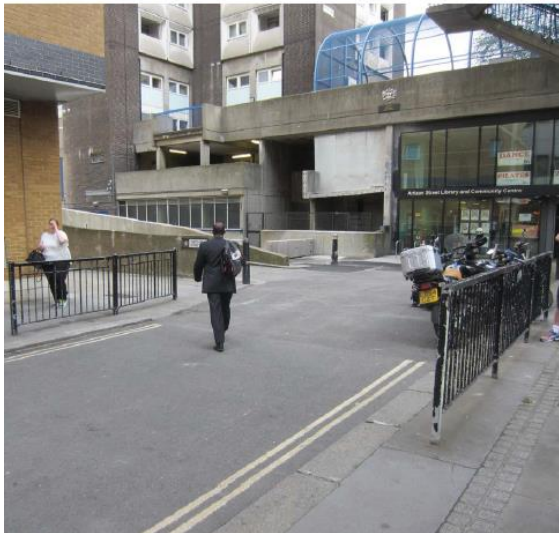
*Scope/Design Change and Impact:  
Unchanged*

**Total anticipated on-going commitment post-delivery [£]:**

A 20-year maintenance cost of the planting was included in the capital costs of the project. The use of new type of substrate and the type of planting were chosen to minimise maintenance requirements.

## **APPENDIX 2: Project and site pictures**

Pictures pre/post removal of redundant car park ramps in 2014/2015







Bird's eye view of site  
*Artizan Street* following  
completion of re-  
landscaping works (2018)

Post-implementation pictures once planting established (2020)







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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

<b>Committees:</b> Community and Children's Services' - <i>for information</i> Projects Sub - <i>for information</i>	<b>Dates:</b> 08 November 2021 17 November 2021
<b>Subject:</b> Sydenham Hill Redevelopment, Lewisham, SE26 6ND.  <b>Unique Project Identifier:</b> 11960	<b>Gateway 5</b> Complex <b>Progress Report</b>
<b>Report of:</b> City Surveyor  <b>Report Author:</b> Edwin Birch	<b>For Information</b>  <b>Non-Public</b>

## NOT FOR PUBLICATION

By virtue of paragraph(s) 3 of [Part I of Schedule 12A](#) of the Local Government Act 1972. Specifically, paragraphs 3 of the report contain sensitive information which may be exempted under the Act, and as this cannot be presented to Members as a separate appendix this report needs to be considered in closed session. It is considered that information falling under the following paragraphs outweighs the public interest in disclosing information:

- 3) Information relating to the financial or business affairs of any particular person or body (including the authority holding that information).

<b>1. Status update</b>	<p><b>Project Description:</b> To optimise the land and social housing provision within the Sydenham Hill Estate by demolition and redevelopment of Mais House and associated garages.</p> <p><b>RAG Status:</b> Red (Red at last G5 report)</p> <p><b>Risk Status:</b> High (High at last report to Committee) and Medium excluding risk.</p> <p><b>Total Estimated Cost</b> £47,768,500 (including risk), <b>at G5</b> £36,803,709 (excluding risk) and £42,416,609 (including an approved CRP of £5,612,900)</p> <p><b>Change in Total Estimated Cost of Project (excluding risk)</b> The total estimated cost including risk at GW5 was £42,416,609, a decrease by £5,351,891 from the previously reported and approved total Estimated Cost at Gateway 4C of £47,768,500.</p> <p><b>Total budget approved to date:</b> £37,049,030 (inclusive of £245,321 brought across from the approved CRP via the CRN process).</p> <p><b>Spend to Date:</b> £2,974,000.</p> <p><b>Costed Risk Provision Utilised:</b> £436,427 of which £245,321 all has been drawn down since the last Gateway 5 report to Committee in December 2020); use has been as a direct result of the Judicial Review.</p> <p><b>Slippage:</b> +11 Months since last report (Gateway 5) due to the successful Judicial Review challenge and subsequent required planning re-determination. Slippage also accounts for second Judicial Review Challenge received September 2021.</p> <p><b>Funding:</b> The funding source for this project is Section 106 affordable housing monies which are ringfenced and outside the fundamental review.</p>
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<p><b>2. Key Points to note</b></p>	<p><b>Next Gateway:</b> Gateway 6 – Outcomes Report</p> <p><b>Key Points:</b></p> <ol style="list-style-type: none"> <li>1. The initial Judicial Review Hearing went ahead on Tuesday 27 April 2021 and lasted for two days. The formal judgment was handed down on Tuesday 18 May 2021.</li> <li>2. Strategic Planning Committee held on 29th June. Planning application approved with a 5-1 majority.</li> <li>3. Signing of the Section 106 Agreement – completed on 17 August with the decision notice issued on 18 August.</li> <li>4. A further permission for a judicial review was issued to the Administrative Court Office on 29 September 2021 by the applicant.</li> <li>5. Options and their corresponding risks are being reviewed by officers and the Sydenham Hill project team. A report outlining the options, opportunities and risks will be submitted in December or January for members to approve the way forward.</li> <li>6. Note that Inflation costs are currently secured at £800k for January to September 2021 with a further forecast of c.£250k to reach Dec 2021. Whilst construction costs are volatile, it is estimated that cost could increase by c.£100k a month in 2022.</li> <li>7. Funds being drawn down from the approved CRP regarding JR related fees (estimated at £45,190 for October -December 2021);</li> <li>8. GLA extension currently set at 25 February 2022.</li> <li>9. The risk register has been updated and the current total value still remains the same at £5,612,900.</li> </ol>
<p><b>3. Reporting period</b></p>	<p>July – October 2021</p>
<p><b>4. Progress to date</b></p>	<p>A progress report outlining the verdict of the first Judicial Review was submitted in June/July 2021.</p> <p>A second planning committee was held on 29 June 2021 by the London Borough of Lewisham (LBL) Strategic Planning Committee. The application was approved (5-1), the Committee considered the significant social benefits delivered by the project, heritage matters, the 4th Design Review Panel feedback and local objectors' concerns which centred on the height and scale of the development.</p> <p>The Permission for Development decision letter was issued by the LPA on 18 August 2021.</p> <p>On 17 September 2021, the City (CoL) received a Judicial Review Pre-Action Protocol (PAP) Letter (Appendix 5) with three grounds for seeking the quashing of the planning permission. The PAP states that the decision was unlawful for the following reasons:</p> <ol style="list-style-type: none"> <li>i. The Council misunderstood policy, had no evidence and acted unreasonably in asserting that the scheme was the 'optimum viable use', or more accurately, that a smaller scheme was not viable.</li> <li>ii. The Council acted unfairly, in breach of the Statement of Community Involvement and in breach of the obligations with respect to background papers in publishing a large volume of material shortly before the committee meeting and proceeding with the meeting;</li> <li>iii. The Council failed to publish third party consultation responses at all in breach of the requirements on background papers.</li> </ol> <p>Both the City (CoL) (Appendix 6) &amp; London Borough of Lewisham (LBL) responded (Appendix 7) on 27 September 2021 to the PAP.</p> <p>On 29 September 2021, the Judicial Review challenge was submitted to the Administrative Court and acknowledged the same day.</p>

	<p><b>Timescales: (the following are approximate, advised by the Administrative Court and legal experience, but noting that demand for court time can be highly variable. Variations in demand would impact on the time estimates provided )</b></p> <ul style="list-style-type: none"> <li>• Once a Judicial Review permission application (JR) has been lodged with the High Court a response (Summary Grounds of Resistance) should be filed by any party wishing to contest the claim during w/c 25 October. To protect the City's position pending consideration of options it is proposed to submit Summary Grounds of Resistance</li> <li>• The Court is likely to rule "on the papers" within two months on whether permission to proceed is granted or refused. (end of November 21)             <ul style="list-style-type: none"> <li>○ If permission is refused "on the papers" the Claimant is generally entitled to renew the permission application by way of an oral hearing .</li> </ul> </li> <li>• If permission is granted on the papers – Hearing (end of January 22) -If there is a renewed oral hearing this may be rolled up with a full Hearing of the substantive application - Judgement on JR issued (end of March 22)</li> </ul>
<p><b>5. Next Steps</b></p>	<p><b>Judicial Review</b></p> <p>Options and their corresponding risks are being considered by officers and the Sydenham Hill project team. Lewisham's team are also likely to be considering options. The project team aims to liaise with Lewisham asap with the goal of minimising further costs escalation risks.</p> <p><b>GLA</b></p> <p>The deadline of 25<sup>th</sup> February 2022 may need to be extended if permission for the Judicial Review is granted noting the potential for further delay to obtaining a planning permission free from challenge. Officers withing C&amp;CS and CSD are currently considering the best approach so that the GLA have confidence in the proposed next steps being undertaken by the City (CoL).</p> <p><b>Main Contractor (Lovells)</b></p> <p>The contract has not been executed yet, following the initial Judicial Review received in December 2020. The successful supplier (Lovells) has remained supportive, but the initial accepted bid of <b>£34,259,303</b> has already increased by a further <b>£1,050,000</b> (£800k for Jan-Sept 21 which is secured and a further forecast of c.£250k to reach Dec 2021) due to inflation. The market is incredibly volatile and further increases in inflation are certain, with total increases dependent on when the contract is executed.</p> <p>Officer are considering options, but it might be necessary to undertake a new tender exercise.</p>

**Appendices**

<b>Appendix 1</b>	Front Cover Sheet
<b>Appendix 2</b>	PAP Grounds
<b>Appendix 3</b>	LB Lewisham PAP Response Letter
<b>Appendix 4</b>	The City (CoL) PAP Response Letter

**Contact**

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

# Project Coversheet

## [1] Ownership

**Unique Project Identifier:** 11960 **Report Date:** 28<sup>th</sup> October 2021  
**Core Project Name:** Sydenham Hill Redevelopment  
**Programme Affiliation** (if applicable): Housing development options  
**Project Manager:** Edwin Birch  
**Next Gateway to be passed:** 6

## [2] Project Brief

**Project Mission statement:** Intensification of Sydenham Hill Estate Development to provide additional housing.

**Definition of need:** Contribute to the objective to develop 3,700 housing units by 2025, of which 700 will be new social housing units located on existing housing estates.

**Key measures of success:** <1-3 qualitative/quantitative (not, on time/budget) (Project Briefing [12])>

The project will be designed to stipulated standards as per Funders requirements and

1) City of London Corporation Housing Design Standards and guidelines

2) Progression of the contract works before the funding deadline of 30<sup>th</sup> September 2021

3) Minimum of 80% of units achieving LABC Gold Standard

## [3] Highlights

### Finance:

**Total anticipated cost to deliver [£]:**42,416,609

**Total potential project liability (cost) [£]:**47,768,500

**Total anticipated on-going commitment post-delivery [£]:**50,000-100,000

[A] Budget Approved to Date*	[B] New Financial Requests	[C] New Budget Total (Post approval)
37,079,268	0	N/A
[D] Previous Total Estimated Cost of Project	[E] New Total Estimated Cost of Project	[F] Variance in Total Estimated Cost of Project (since last report)
42,416,609	N/A	0
[G] Spend to Date	[H] Anticipated future budget requests	
2,974,000	TBC – Due to Judicial Review Challenges, the contract has not been placed with Lovells. As a result of this, there will be an inflation cost to negotiated, dependant on when the contract is entered into.	

### Headline Financial changes:

Since 'Options Appraisal and Design' (G3) report: ▼ A decrease in the total

estimated budget due to points 1-8 requiring a further £34,259,303 (£39,872,203 including risk) to reach the next gateway (GW6);

▶ 0

**Project Status:**

**Overall RAG rating:** RED

**Previous RAG rating:** RED

**[4] Member Decisions and Delegated Authority**

N/A – Report for information only.

**[5] Narrative and change**

**Date and type of last report:**

Gateway 5 – Progress Report (March 21)

**Key headline updates and change since last report.**

1. Judicial Review upheld by the High Court and as a result the previously approved planning certificate has been quashed;
2. Strategic Planning Committee held on 29th June. Planning application approved with a 5-1 majority.
3. A further permission for a judicial review was issued to the Administrative Court Office on 29 September 2021 by the applicant.
4. Funds being drawn down from approved CRP regarding JR related fees;
5. GLA extension has been extended to the 25<sup>th</sup> February 2022.

**Headline Scope/Design changes, reasons why, impact of change:**

**Since ‘Options Appraisal and Design’**

▶ No Change

**Timetable and Milestones:**

**Expected timeframe for the project delivery:** TBC

**Milestones:**

- 1) Review permission application of Judicial Review – End of November
- 2) If permission is granted on the papers – Hearing (end of January 22)
- 3) GLA extension formally advised till the end of February 2022

**Are we on track for this stage of the project against the plan/major milestones?** Yes

**Are we on track for completing the project against the expected timeframe for project delivery?** No

**Risks and Issues**

**Top 3 risks:** <things that have not come to pass>

2<sup>nd</sup> Judicial Review being successful

Loss of Main Contractor

Project missing deadline for GLA funding as a result of future JR Challenge.



**Top 3 issues realised** <risks which have come to pass:>

<i>Issue Description</i>	Impact and action taken	<i>Realised Cost</i>
Car parking requirement	Planned basement car park included in the cost plan	4,805,000
Landscaping		1,350,00
Fire suppression	Additional sprinklers to apartments and carpark	603,000

**Has this project generated public or media impact and response which the City of London has needed to manage or is managing?**

Yes – The recent Judicial Review has prompted a lot of press enquiries as wells as MP enquires.

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**IN THE HIGH COURT OF JUSTICE**  
**QUEEN'S BENCH DIVISION**  
**PLANNING COURT**

CO/\_\_\_\_\_/2021

**In the matter of an application for permission for judicial review**

**BETWEEN:**

**THE QUEEN**

**(on the application of HELEN KINSEY)**

**Claimant**

**- and -**

**LONDON BOROUGH OF LEWISHAM**

**Defendant**

**- and -**

**CITY OF LONDON CORPORATION**

**Interested Party**

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**Draft/STATEMENT OF FACTS AND GROUNDS**

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1. The Claimant seeks permission to apply for judicial review of the decision of Lewisham London Borough Council to grant planning permission for demolition of Mais House and Otto Close garages and redevelopment to provide a part four, six and seven storey building and a part two and three storey terrace building providing a total of 110 residential units at Sydenham Hill, London SE26.
2. The decision was unlawful for the following reasons:
  - (i) The Council misunderstood policy, had no evidence and acted unreasonably in asserting that the scheme was the 'optimum viable use', or more accurately, that a smaller scheme was not viable.

(ii) the Council acted unfairly, in breach of the Statement of Community Involvement and in breach of the obligations with respect to background papers in publishing a large volume of material shortly before the committee meeting and proceeding with the meeting;

(iii) the Council failed to publish third party consultation responses at all in breach of the requirements on background papers.

### **Factual Background**

3. The site, The Sydenham Hill Estate is located on the eastern side of Sydenham Hill. The application site comprises Mais House, existing houses at Otto Close and their garages. Mais House comprises a part two/part three/part four storey block of 63 flats. Immediately adjacent to the site, to the south west, is Lammas Green which is a post-War housing estate, all of which has been made grade II listed buildings under list entries Sydenham Hill Community Hall and Retaining Walls, 1-12, 13-23, 24-29,30-39 and 40-57 Lammas Green.
5. Mais House, one house in Otto Close, Castlebar and Lammas Green are within the Sydenham Hill/Kirkdale Conservation Area. Part of Lammas Green is within an Area of Special Character. To the west is Dulwich Wood (within the London Borough of Southwark) which is designated as Metropolitan Open Land, a Local Nature Reserve of Metropolitan Importance and Conservation Area.

#### *The initial submission of the application*

6. Planning application DC/20/115160 was made on behalf of the Interested Party on 3<sup>rd</sup> January 2020 for:

“Demolition of existing buildings at Mais House and Otto Close garages, SE26, and redevelopment to provide a part four, six and seven storey building and a part two and three storey terrace building providing a total of 110 residential units (use class C3), community room and estate office; together with alterations to the existing ball court; associated works to vehicular and pedestrian access from Sydenham Hill, Lammas Green and Kirkdale; provision of car and cycle parking, refuse storage and landscaping including amenity space and play area.”
7. No viability assessment was submitted with the scheme. Nor was it asserted in the application documents that a smaller scheme would not be viable. In a local meeting

the City of London said 'Reducing the scale of the buildings will not address the significant housing need facing Lewisham and City Corporation and the negative impact of reducing the current number of new homes further will push the project over an acceptable deliverable value in terms of cost per home' (4<sup>th</sup> August 2020, point 24)

8. Objections were made by the Claimant and other persons, including the Twentieth Century Society. The Council's website records that the 'consultee consulted' included the Council's Urban Design and its Conservation Officer and the Twentieth Century Society.

*The first decision and judicial review proceedings*

9. On 27<sup>th</sup> August 2020 the Council's Planning Committee resolved to grant planning permission. The permission was issued on 20<sup>th</sup> November 2020.
10. Following pre-action correspondence, Ms Kinsey began judicial review proceedings.
11. On 18<sup>th</sup> May 2021, Mrs Justice Lang handed down judgment, quashing the planning permission on four grounds: a failure to lawfully apply legislation and policy on heritage; failure to adequately report the conservation officer's objections to the committee; failure to publish background papers, in particular the conservation officer's response; and failure to ask the Council's Design Review Panel to consider the application as submitted. This case did not concern a failure to publish documents from the applicant.
12. The learned judge refused permission to amend the claim to question whether third party representations which had been provided to the committee members were part of the committee report.

*The second decision*

13. The planning application was returned to the Council's Strategic Planning Committee on 29<sup>th</sup> June 2021.
14. On 27<sup>th</sup> May the Design Review Panel meeting held a meeting to consider the application, issuing its report on 10<sup>th</sup> June.
15. The Council published 26 new documents on its website on 17<sup>th</sup> June. These constituted internal council and external statutory consultee responses which had been received prior to the first decision in 2020.
16. On 18<sup>th</sup> June the Council published 13 new documents which had been produced either by the Interested Party or the Council:

- a) Urban greening factor score (June 2021);
  - b) Lewisham design review panel reports 1, 2, 3 and 4;
  - c) Lewisham sustainability manager comments;
  - d) Applicant response to drp [Design Review Panel] 4 (6 pages);
  - e) Applicant response to sustainability manager comments;
  - f) Heritage statement and tvia addendum; Otto close/lammas green retaining wall; Ecology technical note May 2020;
  - g) Ecology technical note June 2021 (14 pages; including a new bat survey);
  - h) Demolition site plan rev 01 (which adds 'Proposed Demolition of Retaining Wall at 23 Lammas Green');
17. The deadline for the publication of the Committee report and background papers was 21<sup>st</sup> June. The report was published on that date, listing as background papers:
- "(1) Submission drawings
  - (2) Submission technical reports and documents
  - (3) Internal consultee responses
  - (4) Statutory consultee responses
  - (5) Design Review Panel responses"
18. The listed background papers did not include representations from local and national amenity societies or the public. 'Application publicity' was summarised for 5½ pages from paragraphs 52 to 58, including summaries of representations from local societies.
19. The committee report accepted the view of the Council's conservation officer that the scheme caused harm to the conservation area and nearby listed buildings. Unlike the report for the first decision, the report recorded that she objected and that the level of harm was moderate to high for the conservation area (para 484, 505, 533, 871) and a moderate degree of less than substantial harm to listed buildings (para 477-479, 505, 533, 871). The conservation officer questioned whether the harm was justified by viability.
20. The report referred to the National Planning Policy Framework paragraph 196 (report para 459, 503, 529, 532, 870):

“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

21. At paragraph 873 the planning officers said:

“the proposed development secures the optimum viable use of the site and that whilst great weight has been afforded to the heritage harm, the significant public benefits presented by the scheme outweigh the less than substantial harm that has been identified.”

22. No explanation was given for the view that this was the optimum viable use.

23. On 23<sup>rd</sup> June the Interested Party’s Social Infrastructure Study rev D was published by the Council.

24. On Friday 25<sup>th</sup> June the Interested Party’s March 2020 response to Conservation Officer comments was published. This was 14 pages long. Part of it had been quoted in the committee report, para 480.

25. The Claimant’s solicitors wrote to the members of the committee on 28<sup>th</sup> June. The letter asked the committee to ask for a redesign and to defer the application. It said that the conservation officer, the Twentieth Century Society and the Council’s Design Review Panel considered that a better, lower alternative could be found and said:

“Late information

6. Residents are having to consider a large amount of material which has been put on the Council’s website on this application. 41 documents have been published since 17<sup>th</sup> June. These include all of the Council’s consultees reports, which the Council had unlawfully failed to publish before the first committee meeting, as well as the new Design Review Panel report. There are also significant additional documents from the applicant which have been published late. These documents include a Heritage Statement and TVIA Addendum, a Social Infrastructure Survey (published 23<sup>rd</sup> June), two ecological reports, an Urban Greening Factor Score and responses to the Design Review Panel report and the conservation officer comments (published 25<sup>th</sup> June). The applicant’s material contains a considerable amount of new evidence. Some of this was available last year and no explanation has been given for the failure to publish it. Other documents are new and very important, such as the Social Infrastructure Survey, the latest ecological report and the responses to the Design Review Panel and the Conservation Officer.

7. These are documents which require careful and expert analysis and will be of interest to the public and specialist commentators.

8. Bringing the application back to committee when a large amount of material has been published less than a fortnight before the meeting, and in two critical respects, less than a week before the meeting, is grossly unfair. There is no real opportunity for the public – even if they are very heavily engaged in the application – to consider the material and comment on it.”

26. Criticising the failure to address criticisms of the scheme, the neighbouring MP, Helen Hayes, and councillors expressed concern that ‘officers have moved with extreme haste to bring the application before your committee again’ (29<sup>th</sup> June 2021).

*The Addendum Report*

27. An addendum to the committee report was produced by officers on the day of the meeting. It summarised additional representations as including:

“The public have not had adequate time to comment on new documents uploaded to the Council’s website”

28. The report changed figures on the numbers of pupils at schools and school places ‘Following the submission of an Updated Social Infrastructure Study’ (para 3.4, changing paragraphs 395 to 397).

29. On the additional documents the addendum said:

*“Consultation of Additional Documents*

3.18 Representations have been received in relation to no consultation having been carried out in relation to additional documents which have been made public on the Council’s website.

3.19 The NPPG states that where an application has been amended it is up to the local planning authority to decide whether further publicity and consultation is necessary in the interests of fairness. In deciding what further steps may be required local planning authorities should consider whether, without re-consultation, any of those who were entitled to be consulted on the application would be deprived of the opportunity to make any representations that they may have wanted to make on the application as amended.

3.20 Lewisham’s Statement of Community Involvement states that the re-notification of changes to an application will be undertaken at the discretion of



the Council having regard to the nature and extent of the change and its impact on the local area and those who have made representations.

3.21 The additional documents include all consultation responses (internal and external), the applicant's response to the Senior Conservation Officer comments, Heritage Statement and TVIA addendum, an updated Ecology Report, Urban Greening Factor Score and Social Infrastructure Survey and the Design Review Panel responses. Public reconsultation has not been undertaken in this instance due to the nature of the documents which have been made public and that the proposed development has not been amended. As such, officers do not consider that any of those who are entitled to be consulted on the application would be deprived of the opportunity to make any representations that they may have wanted to make on the application as amended. Those who are entitled to be consulted on the application have been, and have made representations as they saw fit – given the proposed development has not changed, it is not considered necessary for reconsultation to occur."

30. At the meeting, the planning officer presenting the item said 'Overall, officers consider that the proposed development secures the optimum viable use of the site' (transcript, 00:25:44). The applicant's team were asked by Councillor Penfold why not scale back the scheme. Mr Rush replied for the applicant, 'We have to balance what we're bringing forward with a viable and deliverable scheme and we feel that the scheme we have before you does that' (transcript 00:47:30). Councillor Penfold followed up with a further question (transcript 00:49:07):

"would the scheme not be viable if it was reduced further?"

31. Mr Anderson, Deputy Chairman of the Community and Children's Services Committee of the City of London, said any further reduction 'would make it non viable for us'.
32. For objectors the Claimant spoke and was also represented by Richard Harwood QC. Ms Kinsey pointed out 'We've not seen a viability report'. Mr Harwood said on the late documents issue:

"The application has come back very quickly following the judgment and the part of the result of that is that a lot of late material, which should have been published last year, has been put onto the Council website in the last week and a half, in some cases within the last couple of days. Background papers have come late. Some haven't even been produced at all. And it would in the

present circumstances be unfair to objectors who have had to deal with that to grant permission this evening.”

33. In response to questions, Mr Harwood QC listed some of the documents, including the applicant’s 2020 response to the conservation officer comments which only appeared on the council website on Friday. A ward councillor, Councillor Hall, also expressed concern, saying that time was needed to interrogate the documents which had been released.
34. A committee member, Councillor Penfold expressed concern at the late information and the inability of the public to comment on it. He said that this was not fair.
35. The Chair then commented:
- “I mean from some view points this application has not been processed quickly at all, but as you say, there has been a short delay between some of the very large volume of documents that have been published recently, that as I thought I had made somewhat clear, that is because we are trying to respond to new points that members of the public are raising up until the last possible minute.”
36. He later expanded upon his view that late documents were due to late representations.<sup>1</sup>
37. The Council had junior Counsel in attendance. He said:
- “the vast majority of these documents that have been made available primarily on the 17<sup>th</sup> and 18<sup>th</sup> of June are what the officers considered to be background documents or background papers and that in itself was one of the grounds of challenge on which the claimant succeeded in front of the High Court. In terms of making those documents available, background papers, it is the view of the council and it is my view, that those documents have been made available in sufficient time within what is required by the legislation. Now, objectors may feel that they haven’t been given a significant period of time to consider those and make representations, but the fact remains that that those documents have been made available for the requisite period of time as set out in in the legislation, so whilst there may be concerns about to whether there is enough time or not to make representations on those documents, that wasn’t a matter that gives rise to an error or any issue on behalf of the council and it is really a matter to take up with

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<sup>1</sup> Transcript 01.27.28.

national government in terms of the requirement to make them available for longer, if that is what what's felt necessary.

I think there were other points raised about the alleged haste with which this had been brought back to committee for consideration. The only point that I will make there from a legal standpoint was that there is no obligation or requirement to wait a certain period of time from registering being quashed to have it [something] for reconsideration, so again legally speaking we see no error or issue in doing it and the speed at which it is brought back to Council is a matter within the discretion of Officers. I think those were the two main points that were asked of me."

38. He did not address fairness.

39. Later on the Chair said:

"so I am satisfied that there is no difference in detail of the application and that is why I also felt quite satisfied that in terms of consultation of any interested parties on the impacts of the proposed development that that has been done quite sufficiently and if there are new responses there are new responses to something that has been there on the table for a long time."

40. The Chair twice said that 'with nearly all new development applications that there is a degree of harm'.<sup>2</sup> Mr Harwood pointed out in response after the first occasion that the Council's policies and the statute were that harm should not be caused and this scheme could be designed to avoid harm.

41. The committee resolved to grant planning permission by 5 votes to 1.

### **The Statement of Community Involvement**

42. The Council's Statement of Community Involvement explains the information available to the public on planning applications:

"Planning application-specific consultation tools

3.9 Alconet is available on the Lewisham website and provides information on planning applications and planning appeals, including drawings and plans."

43. Paragraph 4.2 explains that current planning applications can be accessed at the Planning Information Office and the Council website. A 'Copy of current applications'

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<sup>2</sup> Transcript 01.18.58; 2:15:02.

is available in those places and Lewisham Library. These categories are additional to the application register. Paragraph 6.7 says 'Section 4 identifies where planning applications can be inspected.'

44. Paragraph 6.11 deals with notification to participants of amendments:

"The re-notification of changes to an application will be undertaken at the discretion of the Council having regard to the nature and extent of the change and its impact on the local area and those who have made representations."

*National policy*

45. The National Planning Policy Framework

**Law and National Policy**

*Heritage legislation*

46. Listed buildings are listed by the Secretary of State as being of 'special architectural or historic interest': Planning (Listed Buildings and Conservation Areas) Act 1990, s 1(1). Section 66(1) applies a duty to the determination of planning applications:

"In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

47. Conservation areas are designated by local planning authorities as 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance': s 69(1). By section 72(1):

"In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

48. These provisions include the Town and Country Planning Act 1990: see s 72(2).

*National Planning Policy Framework*

49. At the time of the committee meeting the NPPF was in its 2019 version. The 2021 NPPF was published in July, before the planning permission was issued. For present purposes it simply altered some of the paragraph numbers. Listed buildings and

conservation areas are 'designated heritage assets' under the National Planning Policy Framework: see Annex 2: Glossary.

50. Paragraph 193 (2019) ascribed great weight to any harm to a designated heritage asset:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

51. By paragraph 194 (2019):

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

52. After setting very strict tests where total loss or substantial harm is caused to a designated heritage asset, the NPPF addressed less than substantial harm at paragraph 196 (2019):

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

53. The Planning Practice Guidance explains that optimum viable use relates to the use of individual heritage assets rather than areas (ID: 18a-016-20190723).

54. Under 'what is the optimum viable use' it says that:

"If there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. The optimum viable use may not necessarily be the most economically viable one."

ID: 18a-015-20190723

***Fairness***

55. The local planning authority is under a duty to act fairly. As was said in respect of consultation in *R(Holborn Studios Ltd) v Hackney London Borough Council* [2017] EWHC 2823 (Admin), [2018] P.T.S.R. 997 at para 77 per John Howell QC:

“The purpose of the relevant requirements for consultation in this case is not only to contribute to better decision-making when that application is considered, by ensuring that the decision-maker receives all relevant information, but it is also to ensure procedural fairness for those whose interests may be adversely affected by any grant of planning permission and to provide for public participation and involvement in decision-making on applications for such permission.”

***Statement of Community Involvement***

56. A local planning authority is required by the Planning and Compulsory Purchase Act 2004, s 18(1) to prepare a statement of community involvement. By section 18(2) ‘The statement of community involvement is a statement of the authority’s policy as to the involvement in the exercise of the authority’s functions under ... Part 3 of the principal Act of persons who appear to the authority to have an interest in matters relating to development in their area’. The principal Act is the Town and Country Planning Act 1990 and Part 3 is sections 55 to 106C, including the handling and determination of planning applications. A promise in a Statement of Community Involvement to act in a certain way in handling a planning application gives rise to a legitimate expectation that this will be done: *R(Majed) v London Borough of Camden* [2009] EWCA Civ 1029, [2010] JPL 621. This has been followed in numerous cases, including the first *Kinsey* judgment.

***Access to reports and background papers***

57. The Local Government Act 1972 ss 100A to 100D applies to meetings of councils and their committees (s 100E(1)). By s 100B(1) the agenda and any report for a meeting shall be ‘open to inspection by members of the public at the offices of the council’.
58. Additionally if the whole or part of report has to be made available for inspection then by Local Government Act 1972, s 100D(1):

“(a) those copies shall each include a copy of a list, compiled by the proper officer, of the background papers for the report or the part of the report, and  
(b) at least one copy of each of the documents included in that list shall also be open to inspection at the offices of the council.”

59. By section 100D(3) 'Where a copy of any of the background papers for a report is required by subsection (1) above to be open to inspection by members of the public, the copy shall be taken for the purposes of this Part to be so open if arrangements exist for its production to members of the public as soon as is reasonably practicable after the making of a request to inspect the copy'.
60. Background papers are (Local Government Act 1972, s 100D(4)):  
"those documents relating to the subject matter of the report which—  
(a) disclose any facts or matters on which, in the opinion of the proper officer, the report or an important part of the report is based, and  
(b) have, in his opinion, been relied on to a material extent in preparing the report, but do not include any published works."
61. Access to the reports and background papers not only allow the public to be informed, but to take part by making written representations to councillors and officers in advance of the meeting and also assisting the preparation of oral representations. A breach of these provisions is significant: see *R(Joicey) v Northumberland County Council* [2014] EWHC 3657 (Admin), [2015] PTSR 622 at para 47 per Cranston J:  
"The very purpose of a legal obligation conferring a right to know is to put members of the public in a position where they can make sensible contributions to democratic decision-making."
62. This decision was recently affirmed by Dove J in *R(Holborn Studios Limited) v London Borough of Hackney (No2)* [2020] EWHC 1509 (Admin), [2021] JPL 17 at para 71. See also *Kinsey* para 99 to 103.

### **The Grounds**

- (i) *The Council misunderstood policy, had no evidence and acted unreasonably in asserting that the scheme was the 'optimum viable use', or more accurately, that a smaller scheme was not viable.*
63. An issue raised by the Conservation Officer and the Twentieth Century Society amongst others had been that a lower scheme could still deliver adequate affordable housing and be less harmful. The Interested Party did not submit any documents asserting that a redesigned or smaller scheme would not be viable. There was a comment at a meeting about an acceptable cost per unit, but that was unspecified.
64. Whilst the Council had not made this claim in the first decision, the second committee report asserted the planning officers' view that the application scheme was the

'optimum viable use of the site' and considered that the public benefits of the scheme outweighed the harm (para 873). They repeated that view in the oral presentation to committee. At the meeting, the City of London asserted, for the first time, that a smaller scheme would not be viable.

65. The Council misunderstood the point of 'optimum viable use' which concerns the use to which an individual heritage asset (but not a conservation area) is put, rather than the use and development of a site which is not itself a heritage asset. However the point which officers seemed to be making was that whilst the scheme was harmful, a less harmful scheme would not be viable. On that approach it was the optimum viable use, in being the least harmful use of the site that could be afforded. When pressed at the meeting, the City of London Corporation adopted that position.
66. The officer and applicant assertion that no less harmful scheme would be viable had no evidential basis behind it. As Ms Kinsey pointed out to the committee, there was no viability assessment produced. Beyond oral responses when pressed, the applicant had never suggested this was the 'optimum viable use' or that a redesigned (if smaller) scheme would not be viable. A City of London concession at the committee meeting, that perhaps an improved design could be built would have been fatal to the application.
67. There was no evidential basis for the planning officer's conclusion that the proposal was the optimum viable use. Since that was put forward as a public benefit or other justification for harming designated heritage assets, it needed some basis and justification. There was no material on which the assertion could be judged – as the heritage consultees had previously pointed out – and no doubt for that reason it had not been part of the application material or the first committee report.
68. In repeating their recommendation despite the unlawful approach to harm in the original decision, the Council's planning officers made an important assertion for the first time, on policy they had misunderstood, where there was no evidence to support it.
69. That was a significant factor raised unlawfully, as policy was misinterpreted, there was no evidence on which the finding could be made and it was unreasonable to do so.
  - (i) the Council acted unfairly, in breach of the Statement of Community Involvement and in breach of the obligations with respect to background



papers in publishing a large volume of material shortly before the committee meeting and proceeding with the meeting;

70. As context, the Council had unlawfully failed to publish background papers before the first decision. The High Court in *Kinsey* had found this in respect of the conservation officer's response. It transpired that external consultee responses, from statutory consultees, amenity groups and local residents had been sent to the committee by officers, but had been withheld from public consideration. At the substantive hearing the High Court refused to allow an amendment to the grounds to contend that these submitted documents were part of the committee report.
71. The Council has accepted that all of the internal and external 'statutory' consultee responses are background documents which should have been published before the first decision. It therefore published those responses on 17<sup>th</sup> June, shortly before the new committee report was published.
72. In all, 41 documents were published by the Council shortly before or after the committee report. Those consisted of:
  - (a) various consultation responses received in 2020;
  - (b) the Interested Party's response, dated March 2020, to the conservation officer's comments;
  - (c) various Council documents, some older and some post the High Court judgment;
  - (d) new documents from the Interested Party.
73. Document (b), the 2020 response to the conservation officer's comments was published in breach of the background papers obligation, since it was in existence when the new committee report was published, but was made available only two working days before the meeting.
74. The failure to publish that document earlier was also a breach of the Statement of Community Involvement, as it was part of the planning application. The planning application in the SCI is distinct from the register of planning applications which is separately listed in the document. The register includes the application form, plans and drawings and the design and access statement (Town and Country Planning (Development Management Procedure) (England) Order 2015, art 40). The planning application referred to in the SCI must therefore be wider, including any supporting material submitted by the applicant. The lengthy response to the conservation officer's

comments was therefore expected by the SCI to be published. That must mean published in a reason time after receipt. The legitimate expectation created by the SCI was breached.

75. The Council failed to address the breaches in respect of this document at all in or before the meeting.
76. The remainder of the 41 documents were published, at the second time of asking, in accordance with the Local Government Act. They were published shortly before the committee report or, in the case of the Social Infrastructure Study, following receipt after the report was published.
77. However the fairness of the process is a separate matter, and this was unfair in the circumstances. A very large amount of new material appeared less than a fortnight before the meeting. That was either material which should have been published a long time previously, or had been produced by the Interested Party or the Council extremely late.
78. Numerous, well-formed participants said that they had not had time to assess that material. Other persons had even less chance to even appreciate that it had appeared.
79. This is not a question of reconsultation – whether the Council sent out notice of the new material – but whether it should choose to hold the meeting and proceed with it, so soon after the material was published. That decision was unfair. There was inadequate opportunity for those interested to consider and respond to the new material. Objectors would have wanted to address the Interested Party's arguments and to draw on support, where it was available, from the Design Review Panel and consultees. They did not have any adequate opportunity to do so.
80. The Council failed to address the fairness of proceeding in this way at all. The addendum dealt with reconsultation in the SCI, but not fairness, despite that being raised. Their counsel's comments at the committee meeting were directed to the background papers issue (albeit overlooking the response on conservation). The timing of the return of the application to committee was said to be a matter for officers. He made no reference to fairness. The Chair seemed to think that the issue was late representations by third parties.

*(ii) the Council failed to publish third party consultation responses at all in breach of the requirements on background papers.*

81. As the Council has now accepted with the 'statutory' consultation responses, consultation responses can be background papers. The third party responses had to be taken into account in preparing the report. Some 3 and a half pages of the report were spent seeking to summarise them, in particular the views of the Sydenham Hill Society, the Forest Hill Society and Sydenham Hill Ridge Neighbourhood Forum and Helen Hayes MP. Despite referring specifically to CPRE, the Sydenham Hill Ridge Forum and the 20th Century Society, their representations were not individually summarised.
82. The third party representations did, on any view, disclose any facts or matters on which the report or an important part of the report is based, and were relied on to a material extent in preparing the report. That sizeable part of the report could not have been produced otherwise.
83. This issue was not the subject of the proposed amendment in the first proceedings. As the Council's subsequent partial publication recognises, it was caught by the breadth of ground (iv), although the argument and judgment focussed on the conservation officer's report.

Richard Harwood QC

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# NOT FOR PUBLICATION

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.



27 September 2021

Harrison Grant Solicitors  
115 Castlehaven Road  
London  
NW1 8SJ

## By email only

susanring@hglaw.co.uk

Dear Sir

**Demolition of existing buildings at Mais House and Otto Close garages, SE26 and redevelopment of land at Sydenham Hill Estate SE26  
Application No. DC/20/115160**

## Response to a Pre-Action Protocol Letter for Judicial Review

### The Claimant

Helen Kinsey of 30 Otto Close, Kirkdale, Sydenham Hill Estate, London SE26 4NA (**Claimant**)

Represented by Harrison Grant

### From

The London Borough of Lewisham (**Defendant**)

Represented by Womble Bond Dickinson

### Reference Details

CB6X/SMD4/LON/70.76

### The details of the matter being challenged

The decision of the Council to grant planning permission, issued on 18 August 2021, for 'Demolition of existing buildings at Mais House and Otto Close garages, SE26, and redevelopment to provide a part four, six and seven storey building and a part two and three storey terrace building providing a total of 110

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residential units (use class C3), community room and estate office; together with alterations to the existing ball court; associated works to vehicular and pedestrian access from Sydenham Hill, Lammas Green and Kirkdale; provision of car and cycle parking, refuse storage and landscaping including amenity space and play area' under reference DC/20/115160.

### **Aarhus Convention Claim**

The Council agrees that the Claimant may be entitled to rely on the costs protection in this context. However, it will be necessary for her to comply with the requirements of the CPR in order do so.

### **Response to the proposed claim**

The Council reserves its right to amend its response to these draft grounds in the event that a claim is filed notwithstanding its replies below.

Ground 1 - the Council misunderstood policy, had no evidence and acted unreasonably in asserting that the scheme was the 'optimum viable use', or more accurately, that a smaller scheme was not viable.

1. This ground is unarguable. It rests on an impermissibly legalistic and forensic reading of the officer's report. Properly understood there is no reference or reliance placed upon the viability of the scheme. This is hardly surprising given the fact that by virtue of being a proposal for 100% affordable housing there was no requirement for the interested party to adduce evidence relating to the viability of the scheme.
2. The applicable legal principles relating to officer's reports are very well established and ideally should not require being repeated here. Unfortunately, however, given the nature of this ground of challenge it is necessary to reiterate a number of these principles:
  - a. In relation to an officer's report, the question is always, on a fair reading of the report as a whole, whether the officer's advice was seriously misleading on a matter bearing upon the committee's decision;
  - b. Legalistic challenges should not be mounted and are actively discouraged by the courts; and
  - c. Local authority decision makers are expert and can therefore be expected to properly understand the legal context in which their decisions are taken.
3. Applying these uncontroversial principles, it is clear that there is no error relating to "viability". First, each reference in the Report (except for paragraph 873) is merely a quotation of paragraph 202 of the NPPF. Following the judgment of Lang J in *R (Kinsey) v LB Lewisham* [2021] EWHC 1286 (Admin) it might be argued that such explicit reference within an officer's report is necessary. Otherwise, it might be suggested that a decision is unlawful because members have not received "*explicit guidance on how to give effect to the statutory duties under the Listed Buildings and Conservation Areas Act 1990*" (paragraph 87 of her judgment). This was therefore a wholly lawful

and proper exercise that ensured members were fully appraised of the approach to be taken to heritage (notwithstanding the fact that members are clearly familiar with this approach without explicit reference being made).

4. Second, reading the report fairly and as a whole, paragraph 873 of the officer's report is a brief summary of the balancing exercise of heritage harm against public benefit as required by the NPPF. Paragraph 873 of the report, read in the context of the report as a whole, identifies the optimum use of "the site" as a public benefit to be weighed against the less than substantial harm to the heritage asset identified. This is an entirely lawful and unchallengeable approach. This approach accords with both the guidance in the PPG "Historic Environment" (which the officer properly understood and applied), that makes clear that "optimum viable use" is concerned with assets and not sites, and *a/so* with the fact that paragraph 873 is a summary of the conclusions reached in the report in which the officer's properly exercised planning judgment was that the scheme was an optimal use of the site resulting from, among other things, the significant public benefits of delivering 100% affordable housing.
5. It is wholly incorrect to try and read reference to "optimum viable use" in paragraph 873 of the report in isolation from the report as a whole, given it is abundantly clear from a fair and reasonable reading of the report that (i) there has never been an assessment of economic viability and (ii) the significant public benefits of the scheme deliver an optimum use of the site.
6. For these reasons, this suggested ground of challenge is hopeless.

Ground 2 - the Council acted unfairly, in breach of the Statement of Community Involvement and in breach of the obligations with respect to background papers in publishing a large volume of material shortly before the committee meeting and proceeding with the meeting.

7. Although pleaded as a single ground, it appears that there are three strands to this ground. Each of them is wholly unarguable.
8. Your first submission is that the interested party's response to the conservation officer's comments, dated March 2020, was not published in the time required by the 1972 Act. This is wholly misguided for two clear reasons. First, this response is not a background paper (within Section 100D) in that it does not disclose any facts or matters on which, in the opinion of the proper officer, the report or an important part of the report is based. Second, this response is not a background paper in that, in the opinion of officer, it was not relied on to a material extent in preparing the report. In any event, whilst not addressed by Lang J in R (Kinsey) v LB Lewisham [2021] EWHC 1286 (Admin) we remind you that for there to be an actionable legal error there not only has to be a failure to publish documents (which is not accepted) but that failure must cause prejudice. In this case, it is unarguable that there is any such prejudice in that context.

9. Your second submission is that this response was part of the “planning application” and accordingly had to be published in accordance with the Statement of Community Involvement. This is again wholly misguided. It is not accepted that this document is part of the “planning application” and, in any event, it was made available online. Even if it was part of the planning application (which is not accepted), it is hopeless to contend this led to any prejudice or material error.
10. Your third submission is that, notwithstanding compliance with the requirements of the 1972 Act, it was unfair for the meeting to occur without giving individuals more time than the 5 clear days prescribed by the 1972 Act to appraise themselves of the published material. This is, yet again, wholly misguided. There was clear unchallenged (in relation to 40 of the 41 identified documents) compliance with the 1972 Act. Members considered whether the application should be deferred and concluded, in a lawful exercise of their judgment, that there was no requirement to defer. In the circumstances, there was not anything unfair about holding the meeting when it was done.
11. For these reasons, this suggested ground(s) of challenge is hopeless.

Ground 3 - the Council failed to publish third party consultation responses at all in breach of the requirements on background papers.

12. We remind you that for a document to be a background paper it must both disclose any facts or matters on which, in the opinion of the proper officer, the report or an important part of the report is based, and have, in the officer’s opinion, been relied on to a material extent in preparing the report.
13. Your contention seems predicated on a submission that all and any documents referred to in a report must be background documents. This is obviously a hopeless position for you to take. It is quite clearly not the case that all documents referred to or put before a committee are a background document.
14. The third party consultation responses were not background papers. The report provides a brief summary of them for information at paragraphs 52 – 55. They were provided in full to the committee. In fact, and as made clear in the tables at paragraphs 52 – 55, reference to the objections was limited to explaining where each point of objection had been dealt with in the body of the report. As such, this ground is hopeless.

**What the Defendant is required to do**

For the reasons set out above, it follows that the Council will not be consenting to the quashing of the grant of permission.

**Details of any other Interested Parties**



None

**Response to requests for information and documents**

15. The duty of candour requires the Defendant as a public authority to assist the court with a “full and accurate explanation of all the facts relevant to the issue the court must decide” (per Laws L.J. in R. (on the application of Quark Fishing Ltd) v Secretary of State for Foreign & Commonwealth Affairs (No.1) [2002] EWCA Civ 1409 at [50]). Thus the duty, which is owed primarily to the court, comes into existence once judicial review proceedings are commenced by the issuance of a claim form, and requires frank disclosure of *facts* and not necessarily disclosure of *documents*.
  
16. The Council is fully aware of its duty to the Court and will comply with it as required. In so far as your requests at this stage fall within the scope of the FOIA they will be addressed by that process except where they are already in the public domain, in which case you will be directed to where they are able to be viewed.

**Address for further correspondence and service of court documents**

Postal Address

Womble Bond Dickinson (UK) LLP (FAO Stephen Dagg)  
St Ann's Wharf  
112 Quayside,  
Newcastle Upon Tyne,  
NE1 3DX

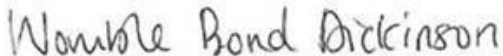
Email

stephen.dagg@wbd-uk.com

**Period for reply**

The Council has replied with the period requested.

Yours faithfully



**Womble Bond Dickinson (UK) LLP**

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**NOT FOR PUBLICATION**

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

**Comptroller and City Solicitor**

Michael Cogher LLB (Hons), Dip.L.G., Solicitor  
Comptroller and City Solicitor

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**Our Ref:** CSD001/400

**Your Ref:** KIN0011/SR

**Telephone** 0207 332 1677

**Email** [deborah.cluett@cityoflondon.gov.uk](mailto:deborah.cluett@cityoflondon.gov.uk)

**Date** 27 September 2021

Dear Sirs,

Demolition of existing buildings at Mais House and Otto Close garages, SE26 and redevelopment of land at the Sydenham Hill Estate SE26  
Application No. DC/20/115160

**JUDICIAL REVIEW PRE-ACTION PROTOCOL RESPONSE LETTER**

I write in response to your letter of 17 September 2021 (“**the PAP Letter**”) sent pursuant to the Judicial Review Pre-Action Protocol (“**the Protocol**”). This response is sent pursuant to the Protocol, following the form of the response letter at Annex B to the Protocol.

**1. The claimant**

- 1.1. The proposed claimant is Helen Kinsey.
- 1.2. The address for reply is given at [17] and [18] of the PAP Letter.

**2. From**

- 2.1. **The City of London Corporation (“the Corporation”) of Guildhall, PO Box 270, London EC2P 2EJ.**

**3. Reference details**

- 3.1. The Corporation’s reference is CSD001/400. All correspondence should be marked with this reference.

- 3.2. Deborah Cluett has conduct of this matter for the Corporation and all correspondence should be marked for her attention.

**4. The details of the matter being challenged**

- 4.1. The decision of the London Borough of Lewisham ("**LB Lewisham**") by a decision notice dated 18 August 2021 ("**the Decision**") to grant planning permission for the following development:

*"Demolition of existing buildings at Mais House and Otto Close garages, SE26, and redevelopment to provide a part four, six and seven storey building and a part two and three storey terrace building providing a total of 110 residential units (use class C3), community room and estate office; together with alterations to the existing ball court; associated works to vehicular and pedestrian access from Sydenham Hill, Lammas Green and Kirkdale; provision of car and cycle parking, refuse storage and landscaping including amenity space and play area."* ("**the Permitted Development**")

- 4.2. The Corporation made the application for planning permission the subject of the Decision. You have correctly identified the Corporation as an Interested Party in the proposed claim on this basis.

**5. Response to the proposed claim**

- 5.1. The Corporation resists the proposed claim in its entirety. All of the grounds of challenge are unarguable. If the proposed claim is issued, the Corporation will resist the claim and will seek to recover its costs of so doing from the proposed claimant.

- 5.2. The principles on which the court will act when, as in this case, criticism is made of a planning officer's report to committee are well settled and were summarised in **R. (Mansell) v Tonbridge and Malling Borough Council** [2017] EWCA Civ 1314, [2019] PTSR 1452 per Lindblom LJ at [42]. Planning officers' reports to committee are not to be read with undue rigour but with reasonable benevolence and the "*question for the court will always be whether, on a fair reading of the report as a whole, the officer has materially misled the members on a matter bearing upon their decision, and the error has gone uncorrected before the decision was made. Minor or inconsequential errors may be excused*". It is also important to note the need for the Planning Court to "*be vigilant against excessive legalism infecting the planning system*": *ibid* at [41].

- 5.3. References below in the form “OR paragraph” are to paragraphs in the officer’s report to the LB Lewisham’s planning committee (“the OR”).

**Ground 1 – alleged misunderstanding of policy or irrational conclusion regarding optimum viable use**

- 5.4. This ground fails to read the OR fairly or as a whole, and is unarguable as a result. The conclusion at OR 873 that the Permitted Development ‘*secures the optimum viable use of the site*’ reflects the extensive iterative design process that was undertaken to assess the possible options for the site. This is described in the report: for example at OR 418 the committee were informed that ‘*through exploration of many alternative layout studies, the design team have demonstrated that the layout now proposed is optimum for the site*’ and at OR 766 the committee were informed that ‘*alternatives to demolition and retention of Mais House have been considered by the application however for multiple reasons ... this has not been found to be a viable solution*’. This process is also well documented throughout the application documents and was part of the pre-application and design review panel consultations. It follows that this conclusion was rational.
- 5.5. As to OR 873, it is clear that the heritage balance which was undertaken was on the basis of the factors listed in the previous paragraph, OR 872 (as is clear from that paragraph itself). You make no criticism of OR 872. The additional comment in OR 873 about the optimum viable use of the site was not part of that balance because it was not one of ‘*the significant public benefits presented by the scheme*’ which were listed in OR 872. As a result, criticism of the heritage balance in the Draft Statement of Facts and Grounds (“DSFG”) is unfounded and there is no error of law.

**Ground 2 – alleged unfairness, alleged breach of the Statement of Community Involvement and alleged breach of obligations with respect to background papers**

- 5.6. This ground is unarguable for the following reasons.

Background papers obligation

- 5.7. The OR listed the background papers pursuant to s. 100D(1)(a) of the Local Government Act 1972 (“LGA 1972”). That list did not include Corporation’s response to the comments from the Council’s conservation officer (“**the Corporation’s Heritage Response**”).

- 5.8. Whether a document is a background paper for the purposes of s. 100D LGA 1972 is a matter of judgment for the proper officer: see the references to *'the opinion of the proper officer'* in s. 100D(5) LGA 1972.
- 5.9. The Council's conclusion that the Corporation's Heritage Response was not a background paper within s.100D(5) LGA 1972 was rational. Nether of the two criteria in s.100D(5) were satisfied. The DSFG advances no basis on which either criterion was satisfied. The DFSG appears to proceed on the basis that if internal and external statutory consultee responses are background papers, then so too is the Corporation's Heritage Response. There is no equivalence: the Corporation's Heritage Response was not prepared by either an internal or external statutory consultee.

Statement of Community Involvement

- 5.10. The DSFG fails to identify a proper basis for contending that there was a legitimate expectation in the Statement of Community Involvement ("SCI") that the Corporation's Heritage Response was required to be published either at all or at a specific point in time. Taken at its highest, the SCI simply indicates that current planning applications will be published in various locations. Accordingly, even if the Corporation's Heritage Response formed part of a *'planning application'* for the purposes of the SCI (which is not conceded), there was compliance with the SCI as the Corporation's Heritage Response was published.

Fairness

- 5.11. It follows from the above that all of the 41 documents the subject of this ground were published in accordance with the LGA 1972. In these circumstances, the Proposed Claimant is seeking to rely on fairness to supplement the statutory procedure. There is no basis for doing so. By following the procedure prescribed in the LGA 1972, the Council ensured fairness. This is particularly the case on the part of the Proposed Claimant: the Proposed Claimant was represented by Leading Counsel who was more than capable of reading the documents published before the committee meeting and representing the Proposed Claimant accordingly.

**Ground 3 – alleged failure to publish third party consultation responses at all in breach of the requirements on background papers.**

- 5.12. This ground is unarguable for the following reasons.

- 5.13. As above, the OR listed the background papers pursuant to s. 100D(1)(a) LGA 1972. That list did not include the third party consultation responses.
- 5.14. As above, whether a document is a background paper for the purposes of s. 100D LGA 1972 is a matter of judgment for the proper officer: see the references to '*the opinion of the proper officer*' in s. 100D(5) LGA 1972.
- 5.15. The Council's judgment that the third party consultation responses were not background papers within s. 100D(5) LGA 1972 was rational.
- 5.16. The third party responses did not '*disclose any facts or matters on which, in the opinion of the proper officer, the report or an important part of the report is based*'. The matters raised in the third party responses were simply summarised in the report. That summary formed no part of the substantive analysis of the planning merits of the Permitted Development which was based on the officer's own assessment of the Permitted Development. As such, neither the report, not an important part of the report, was based on the facts and matters in the third party responses.
- 5.17. For essentially the same reasons, the third party responses were not relied on to a material extent in preparing the report: the analysis of the planning merits of the Permitted Development was the officer's own assessment and he did not rely on any matters in the third party responses to a material extent in preparing that assessment.
- 5.18. The only basis advanced in the DSFG for considering that the third party responses were background papers is that a '*sizeable part of the report*' being '*some three and half pages*' was a summary of the third party consultation responses. The suggestion that (at most) four pages in the OR was '*sizeable*' is misplaced: the OR ran to over 250 pages. Further, the length of the part of the OR dealing with third party consultation responses is not determinative of whether '*an important part*' of the report was based on them or whether the responses were relied upon '*to a material extent*' within s. 100D(5) LGA 1972. Both concepts require qualitative not quantitative assessment. As explained above, on a qualitative basis, neither criterion is met: the responses were simply summarised in the OR.
- 5.19. In any event, even if there was a failure, that failure was immaterial and caused the Proposed Claimant no prejudice: as is clear from OR 52 - 54, the third party consultation

responses were all the product of consultation in early 2020. Those responses were all disclosed to the Proposed Claimant by the Council in the first proceedings. Accordingly, the Proposed Claimant had all the information that would have been available to her even if the third party consultation responses had been treated as background papers.

- 5.20. Finally, this ground is an abuse of process. In the first proceedings, the Proposed Claimant was aware of the third party consultation responses and sought to amend her claim to allege that those responses formed part of the first report to the Council's planning committee, such that there was a breach of ss. 100B & 100C LGA 1972. Lang J refused that application to amend *inter alia* on the basis that it was unarguable. This ground is a continuation of that argument, albeit now relying on s. 100D LGA 1972. This argument based on s. 100D both could have been, and should have been, raised in the first proceedings and thus the Proposed Claimant is precluded from raising that argument in the proposed claim pursuant to the rule in *Henderson v Henderson* (1843) 3 Hare 100.

### **Relief**

- 5.21. The Corporation will also rely on s. 31 of the Senior Courts Act 1981 ("**SCA 1981**") as it is highly likely that the outcome for the proposed claimant (namely the Decision) would have been the same even if, contrary to the above, there was an error of law as alleged in the DSFG. None of the grounds of challenge provide any basis for considering that the OR's conclusions on compliance with the development plan, the planning balance or the heritage balance would have been anything other than identical even if the alleged errors had not occurred. Accordingly, permission to proceed with the proposed claim would be refused pursuant to s. 31(3D) SCA 1981 and in any event, relief would be refused pursuant to s. 31(2A) SCA 1981).

### **6. Details of any other Interested Parties**

- 6.1. As noted above, the Corporation agrees that it is an Interested Party in the proposed claim. The Corporation does not consider there to be any other Interested Parties.

### **7. ADR proposals**

- 7.1. The PAP Letter makes no proposals for ADR but asks at [11] that the Corporation reconsiders its scheme.



- 7.2. The Corporation does not consider that this is a claim which is amenable to ADR.
- 7.3. As to the request that the Corporation reconsiders its scheme, the PAP Letter fails to provide any justification for such a reconsideration and patently ignores the extensive design process which was undertaken by the Corporation, including extensive public engagement and engagement with other stakeholders. The grounds of challenge do not provide any justification for reconsideration, even if the claim was to succeed in its entirety, because none of the grounds of challenge undermine either the principle or the detail of the Permitted Development; rather the grounds of challenge are focussed exclusively on alleged errors which could all be made good by LB Lewisham in the course of a redetermination of the Corporation's application for planning permission without any amendment to the Permitted Development. Notably, the PAP Letter does not contend to the contrary.

**8. Response to requests for information and documents**

- 8.1. The PAP Letter does not contain any requests for information or documents from the Corporation.

**9. Address for further correspondence and service of court documents**

9.1 The address for further correspondence and service of court documents is:  
Comptroller & City Solicitor, City of London Corporation, Guildhall, PO Box 270,  
London EC2P 2EJ

Due to the Coronavirus pandemic, please copy all correspondence and court documents by email to . [deborah.cluett@cityoflondon.gov.uk](mailto:deborah.cluett@cityoflondon.gov.uk) and [laura.goddard@cityoflondon.gov.uk](mailto:laura.goddard@cityoflondon.gov.uk) .Please ensure that all such correspondence is marked in accordance with [3], above.

Yours sincerely

*Deborah Cluett*

Deborah Cluett  
Assistant City Solicitor

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