



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Kerry Nicholls  
*Kerry.Nicholls@bromley.gov.uk*

DIRECT LINE: 020 8461 7840

FAX: 020 8290 0608

DATE: 27 February 2024

## **DEVELOPMENT CONTROL COMMITTEE**

**Meeting to be held on Tuesday 5 March 2024**

Please see the attached addendum to the below listed item.

- 5 (23/00178/FULL1) BLENHEIM SHOPPING CENTRE, HIGH STREET, PENGE  
(PENGE AND CATOR WARD) - ADDENDUM (Pages 1 - 40)**

*Copies of the documents referred to above can be obtained from  
<http://cds.bromley.gov.uk/>*

This page is left intentionally blank

## Addendum

### Development Control Committee 5<sup>th</sup> March 2024

**Item 5: 23/00178/FULL1; Blenheim Shopping Centre, High Street, Penge, London, SE20 8RW.**

Officers would like to offer the following updates to the report published:

#### Additional Representations

Following the publication of the agenda, additional representations were received as follows:

- London Fire Brigade (LFB) provided their comments on the amended proposal on 29<sup>th</sup> February 2024. Their full response is attached to this addendum for completeness (Appendix 1), however it can be summarised as an objection raising the following points:
  - Fundamental concerns relating to single stair for Block A;
  - Fundamental concerns relating to single stair for Blocks B, D and E;
  - Ensuring suitable means of escape for all occupants in open plan apartments;
  - Evacuation lifts for Blocks A, B, C, D and E;
  - Access and facilities for the fire and rescue service for Blocks A, B, C, D & E;
  - Proposed vertical means of escape design in Block C;  
The use of mechanical ventilation as a justification for the enclosed horizontal means of escape;
  - Enclosed car parking areas and electric vehicle (EV) charging units, together with the potential fire risk posed by their battery systems; and
  - The cycle storage (and potential charging) of electric bikes and electric scooters and the potential fire risk posed by these electric powered personal vehicles (EPPV)s which may be located within these areas.
  
- Transport for London (TfL) have provided their final comments on 28<sup>th</sup> February 2023 and these are attached to this addendum for completeness (Appendix 2). In summary, their comments focus on the following:
  - Potential Healthy Streets improvements should be sought;
  - Trip generation (further work is required on the trip generation assessment);
  - Cycling (not compliant with the London Cycle Design Standards (LCDS));
  - Car parking (insufficient justification for the re-provision of 24 car parking spaces);
  - Delivery and servicing (condition to secure robust management measures to minimise large service vehicle movements and encourage smaller and sustainable means especially at peak times and when the area is busy with shoppers and those walking and cycling);
  - Construction (condition required); and

- Travel Plan (condition required).
- Updated comments were received from London Borough of Croydon (Appendix 3) stating no objection.
- The applicant has responded to the London Fire Brigade representation on 4<sup>th</sup> March 2024. The response is attached to this addendum for completeness (Appendix 4).
- Email expressing support for the scheme has been received from Iceland Foods Ltd (Appendix 5).
- Members are already aware of the comments circulated by Hannah Grey in her capacity as the Conservative Candidate for Beckenham and Penge (Appendix 6).
- Additional objections and support representations have been received from the publication date. No materially new points have been raised.

Officers' comments in relation to fire safety matters:

- Members are advised of the Written Statement 'Building Safety: Second Staircases' made on 24<sup>th</sup> October 2023 which advises of the intended transitional arrangements that will accompany the changes to Approved Document B (Appendix 7). In summary, developers have 30 months during which new building regulations applications can confirm to either the guidance as it exists today, or to the updated guidance requiring second staircases. When those 30 months have elapsed, all applications will need to conform to the new guidance.

*“Any approved applications that do not follow the new guidance will have 18 months for construction to get underway in earnest. If it does not, they will have to submit a new building regulations application, following the new guidance. Sufficient progress, for this purpose, will match the definition set out in the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023, and will therefore be when the pouring of concrete for either the permanent placement of trench, pad or raft foundations or for the permanent placement of piling has started.”*

- To clarify the Building Control aspect, for 'in scope' buildings, the Building Safety Regulator is responsible for the building control. They will form a multi-disciplinary team including London Fire Brigade to examine the scheme against the Building Regulations. LBB Building Control Team confirmed that in terms of height the proposed buildings would be classified as follows:

Block A – not in scope as under 18m and 6 storeys

Block B – in scope

Block C – in scope

Block D – in scope

Block E – in scope – lower height but it connects to block D so is in scope

Block F – not in scope – townhouses.

The other areas of concern in the LFB's comments which they do not expressly state, including the electric vehicles and the vertical means of escape are dealt with at the Building Regulation stage and will be considered by the Building Safety Regulator taking account legislation at the time. In particular, the proposed vertical means of escape in relation to blocks B, C and D are acceptable under current building regs legislation. With regard to the cycle storage area, it is noted that this is solely accessible from outside the building so would not necessitate a ventilated lobby.

- Whilst officers are of the view that the updated proposal satisfies the minimum requirements of fire safety as set out in the Building Regulations, Members will need to determine whether the proposed development would achieve the highest standards of fire safety as required by London Plan Policy D12 'Fire safety'. It is noted, however, that GLA officers considered in their Stage 1 response that the proposal complied with the requirements of Policy D12 and will have an opportunity to review and assess the updated proposal and the supporting updated Fire Statement before Stage 2 response is issued.

#### Report Corrections/Clarifications

- The letters of support listed as a petition in the representation summary table are individual letters of support, therefore the 72 should contribute to the overall number in support. The updated representation summary table below:

<b>Representation summary</b>  <b>(as of 5<sup>th</sup> March 2024)</b>	The application has been consulted previously in January and February 2023.	
	The re-consultation of the amended application included neighbour consultation letters sent on 12/01/24, 5 site notices displayed around the site on 17 <sup>th</sup> January and a press advert published on 24 <sup>th</sup> January 2024.	
Total number of responses	1547	
Number of representations	15	
Number in support	265(+72) = 337	
Number of objections	1195	
A petition raising objection signed by 2314 people was received on 15 <sup>th</sup> February 2023.		

- Vehicle parking summary table (cycle parking):
  - Residential: 414 long stay spaces + 10 short stay spaces (424 total spaces),
  - Commercial: 22 long stay spaces + 82 short stay spaces (104 total spaces),
  - In addition to the above, 12 cycle spaces in Empire Square/ Arpley Mews will be re-provided.
- Para 2.7: Changes were only made to Block C at this stage.
- Para 7.16: Include Regulation 122 of the Community Infrastructure Levy Regulations 2010 as well as the NPPF.

- Para 7.18 and Section 106 Heads of Term summary table: The Applicants confirmed their 'in principle' agreement to all of the planning obligations listed. The Healthy Streets contribution has been confirmed as £10,000.
- Para 8.12: the scheme does not provide general car parking provision (except for BB spaces).
- All NPPF references throughout the report should refer to the latest version of the Framework (2023): Para 6.2.1 should read 'The NPPF paragraph 135 and Para 8.2 should read 'The NPPF (2023)'.  
'
- Section 9 (Recommendation): that authority be delegated to the Assistant Director to finalise the negotiation on the s106 agreement and conditions.

Agnieszka Nowak-John  
Planning Services (Bromley)  
Civic Centre  
Stockwell Close  
Bromley  
BR1 3UH

The London Fire Commissioner is the  
fire and rescue authority for London

Date 29<sup>th</sup> February 2024  
Our Ref 92/002791/FEG/AS  
Your Ref 23/00178/FULL1

Dear Sir/Madam

## RECORD OF CONSULTATION/ADVICE GIVEN

### TOWN AND COUNTRY PLANNING ACT 1990

**SCOPE OF WORKS:** Phased development including demolition of existing buildings to facilitate a mixed-use development providing up to 250 dwellings, up to 2,828sqm of commercial/town centre floorspace and associated communal amenity space, play space, car parking, cycle parking, refuse storage and plant space in four buildings ranging between 3 and 18 storeys; alongside the provision of public realm and new pocket park with associated landscaping improvements (Re-consultation on the changes to the internal layout, modification to the ground floor refuse store and elevational changes of Block C, and updated relevant supporting information).

**PREMISES ADDRESS:** Blenheim Shopping Centre High Street Penge London SE20 8RW

### DOCUMENTS REVIEWED:

- 'Blenheim Shopping Centre (Penge) Fire Strategy Report – RIBA Stage 2' (Design Fire Consultants Ltd, Rev 05, dated 29/11/23)
- 'Design Note DN 003.0 – Response to London Fire Brigade' (Design Fire Consultants Ltd, dated 20/10/23)

### PLANS REVIEWED:

Site Plan 2049-FCB-ZZ-00-D-A-1000-Proposed Site Plan-Level 00 R03  
Level M0 2049-FCB-ZZ-00M0-D-A-1001-Proposed Site Plan-Level M0 R03  
Level L01 2049-FCB-ZZ-01-D-A-1002-Proposed Site Plan-Level 01 R03  
Level M1 2049-FCB-ZZ-01M1-D-A-1003-Proposed Site Plan-Level M1 R03  
Level L02 2049-FCB-ZZ-02-D-A-1004-Proposed Site Plan-Level 02 R03  
Level L03 2049-FCB-ZZ-03-D-A-1005-Proposed Site Plan-Level 03 R03  
Level L04 2049-FCB-ZZ-04-D-A-1006-Proposed Site Plan-Level 04 R03  
Level L05 2049-FCB-ZZ-05-D-A-1007-Proposed Site Plan-Level 05 R03  
Level L06 2049-FCB-ZZ-06-D-A-1008-Proposed Site Plan-Level 06 R03  
Level L07 2049-FCB-ZZ-07-D-A-1009-Proposed Site Plan-Level 07 R03  
Level L08 2049-FCB-ZZ-08-D-A-1010-Proposed Site Plan-Level 08 R03  
Level L09 2049-FCB-ZZ-09-D-A-1011-Proposed Site Plan-Level 09 R03  
Level L10 2049-FCB-ZZ-10-D-A-1012-Proposed Site Plan-Level 10 R03

Level L11 2049-FCB-ZZ-11-D-A-1013-Proposed Site Plan-Level 11 R03  
Level L12 2049-FCB-ZZ-12-D-A-1014-Proposed Site Plan-Level 12 R03  
Level L13 2049-FCB-ZZ-13-D-A-1015-Proposed Site Plan-Level 13 R03  
Level L14 2049-FCB-ZZ-14-D-A-1016-Proposed Site Plan-Level 14 R03  
Level L15 2049-FCB-ZZ-15-D-A-1017-Proposed Site Plan-Level 15 R03  
Roof 2049-FCB-ZZ-RL-D-A-1020-Proposed Site Plan-Roof R03  
Building A & F Elevations 2049-FCB-AF-ZZ-D-A-2810 R03  
2049-FCB-BC-ZZ-D-A-2820-Proposed Building BC GA Elevation 01-R03  
2049-FCB-DE-ZZ-D-A-2831-Proposed Building DE GA Elevation 02 and 04-R03

The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London. The Commissioner is responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (The Order) in London.

London Fire Brigade (LFB) has been consulted with regard to the above-mentioned premises and in response to the resubmission of this application makes the following comments/observations in relation to the comments originally addressed:

#### **Fundamental concerns relating to single stair for Block A**

1. We note that the updated design for the height of Block A has been reduced to below 18m however it is noted that the height of the building is identified at 17.7m and is reliant on a single staircase. We draw your attention to the announcements from government stating their expectation that multiple staircases will be required in residential buildings above 18m. Whilst we note that transitional arrangements will apply, it is the National Fire Chiefs Council (NFCC)'s position, as stated in the December 2022 NFCC 'Single Staircases Policy Position Statement' that all residential buildings over 18m or seven storeys in height should be provided with multiple staircases. We therefore do not see this as deferring to the spirit of the guidance used and doesn't ethically justify this decision.

Design teams and developers should also be planning for the new requirements under the Building Safety Act for in scope buildings once occupied, including the need to provide a safety case review. The design as currently proposed may have implications on those responsible for demonstrating the ongoing safety in the building.

#### **Fundamental concerns relating to single stair for Blocks B, D & E**

2. We note the addition of a secondary stair for Blocks B & D. It is noted that the design for two staircases serving all floors in these blocks is not satisfactory in relation to the relevant guidance used. It is noted that the proximity of all staircases do not provide a suitable secondary means of escape, as in all buildings escape to a second stair is either past an un-lobbied stair or through the lobby of the stair that is not being used. Whilst we appreciate the proposals include the provision of a second stair, we are of the opinion that occupants should be provided with an appropriate route to either escape stair without having to move through a lobby associated with one stairway to get to a lobby associated with another stairway  
We note the clarification of the amenity areas in Blocks B, D E, and expect this to be included in

subsequent building control consultations.

### **Ensuring suitable means of escape for all occupants in open plan apartments**

3. We await further information in subsequent building control consultations.

### **Evacuation lifts for Blocks A, B, C, D & E**

4. Noted. Our original comment regarding the provision for an additional evacuation lift in each core remains to ensure safe evacuation for all persons in the event of a lift failure. We expect this to be clarified in more detail in subsequent building control consultations.

### **Access and facilities for the fire and rescue service for Blocks A, B, C, D & E**

5. Noted. Our original comment regarding the provision for an additional firefighting lift in each core remains to ensure sufficient access for firefighters to all areas of the buildings in the event of a lift failure. We expect this to be clarified in more detail in subsequent building control consultations.

In addition to the responses above, further comments in relation to this application are:

### **Proposed vertical means of escape design in Block C**

6. It is noted that the design for two staircases serving Block C is not satisfactory in relation to the relevant guidance used. It is noted that the proximity of all staircases do not provide a suitable secondary means of escape for any 'Adaptable' flats, as escape to a second stair is either past an un-lobbied stair or through the lobby of the stair that is not being used. Whilst we appreciate the proposals include the provision of a second stair, we are of the opinion that occupants should be provided with an appropriate route to either escape stair without having to move through a lobby associated with one stairway to get to a lobby associated with another stairway

### **Mechanical Ventilation**

7. We note the decision to use mechanical ventilation as a justification the enclosed horizontal means of escape. We expect this to be justified by provided suitable CFD modelling documentation and a relevant 3rd party analysis in subsequent building control consultations.

### **Electric Vehicles**

8. We note that the proposals include enclosed car parking areas and recommend that consideration is given in relation to electric vehicle (EV) charging units, together with the potential fire risk posed by their battery systems. The following should be considered, preferably as part of a Qualitative Design Review (QDR) and, following the recommendations given in BS 7974. This is not intended to be an exhaustive list of considerations:

- Whether the smoke ventilation provisions for car parks are sufficient to manage the products of combustion from a fire involving one or more EVs

- Whether AWFSS require enhancements beyond the minimum recommendations of the relevant standards
- Whether the fire resistance of elements of structure should be increased beyond the minimum recommendations of this code of practice
- Whether car parking spaces served by EVCUs should be located closer to the access points to the car park for the fire and rescue services and to any fire main outlets in order to assist firefighters in applying extinguishing media to the fire
- Whether there should be provision for the safe removal of any EV car that has been involved in a fire and may still pose a risk of reignition. If access to the space is only via a car lift, for example, this may not provide such suitable provision
- Whether the water supplies provided for the fire and rescue services should be enhanced beyond the minimum requirements of BS 9990 and other relevant standards, in particular with regard to the duration of water supply available
- Suitable protection to car park internal surfaces and drainage systems to facilitate post-fire clean-up and environmental protection

A means of isolating the power supply to EVCUs should be provided for the fire and rescue services in a suitable location associated with, but outside of, the fire resisting enclosure to any car park containing EVCUs. This should be at the main designated access point to the building or car park for the fire and rescue services. Signage should be provided to identify the power supply isolation controls, and this should state:

"FIREFIGHTERS ELECTRICAL ISOLATION SWITCH FOR CAR PARK ELECTRIC VEHICLE CHARGING UNITS"

The signage should conform to BS 5499-1.

The location(s) of power supply isolation controls serving EVCUs should be indicated on premises information provided for firefighters. The power supply to all EVCUs should also be automatically isolated upon actuation of the fire warning and detection system or sprinkler system serving the car park in which they are located. EVCUs should be provided with a suitable level of water resistance to ensure that they do not pose a hazard to firefighters should they become immersed in water, either as a result of the activation of the sprinkler system or firefighting operations. It is our strong recommendation that car parks containing EVCUs should be provided with sprinkler coverage in accordance with BS 9251:2021 or BS EN 12845:2015+A1, irrespective of whether a building is otherwise provided with a sprinkler system.

## Cycle Storage Area

9. The proposals include a cycle storage area. It is our opinion that consideration is given to the storage (and potential charging) of electric bikes and electric scooters and the potential fire risk posed by these electric powered personal vehicles (EPPV)s which may be located within these areas. There is increasing evidence showing that EPPVs can spontaneously ignite and burn for long periods so there is an increased potential for toxic gases/smoke/fire spread. It is therefore our recommendation that adequate automatic fire suppression and smoke control systems for the area are necessary. As such storage would be deemed an ancillary area, we are of the view that it should be provided with a ventilated lobby in accordance with the recommendations given in clause 32 of BS 9991:2015.

Any queries regarding this letter should be addressed to [FSR-AdminSupport@london-fire.gov.uk](mailto:FSR-AdminSupport@london-fire.gov.uk). If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,



Assistant Commissioner (Fire Safety)  
Directorate of Operations



Reply to Inspecting officer 

E k

T 

**The London Fire Brigade promotes the installation of sprinkler suppression systems, as there is clear evidence that they are effective in suppressing and extinguishing fires; they can help reduce the numbers of deaths and injuries from fire, and the risk to firefighters.**

This page is left intentionally blank



TfL Spatial Planning Reference: BMLY/23/8  
- by e-mail only -

Transport for London  
City Planning

5 Endeavour Square  
Westfield Avenue  
Stratford  
London E20 1JN

Phone 020 7222 5600  
[www.tfl.gov.uk](http://www.tfl.gov.uk)

To Agnieszka,

## **RE: Blenheim Shopping Centre, High Street Penge, London SE20 8RW**

Thank you for consulting TfL Spatial Planning on this referable application. From the information submitted, it is understood that the proposal is:

Phased development including demolition of existing buildings to facilitate a mixed-use development providing up to 250 dwellings, up to 2,828sqm of commercial/town centre floorspace and associated communal amenity space, play space, car parking, cycle parking, refuse storage and plant space in four buildings ranging between 3 and 18 storeys; alongside the provision of public realm and new pocket park with associated landscaping improvements (REVISED APPLICATION. Main changes include a reduction in height of Blocks A-E; reduction in the number of units; elevational changes and alterations to landscaping and external amenity provision. Updated relevant supporting information submitted).

I write to provide detailed strategic transport comments on the above application. Please note that these are additional also to any response you may have received from my colleagues in infrastructure or asset protection and from TfL as a party with a property interest.

### **Healthy Streets**

The Active Travel Zone assessment (ATZ) has identified several potential improvements on and around the site, notably the existing pedestrian facilities at the site, which link eastwards with the High Street and into the residential area to the west, and the north-south connection between Evelina Road and Burham Close, which lead on to St Johns Primary School and Robin Hood Surgery. Funding towards and/or inclusion in the s278 agreement of other Healthy Streets improvements to the routes to/from public transport and other services and facilities in Penge should also be secured. This is to address deficiencies identified through the ATZ assessment and through other assessments and supporting the car-free residential development and low car parking provision of the other elements. This requirement is in line with Policy T2 part D (1).

Suggested areas for improvements include the footway on the walk to Penge East station and pedestrian crossings between the site and the opposite sides of the High

Street and Croydon Road. Particular consideration should be given to the needs of those requiring step-free access given the limited amount of disabled persons' car parking which is proposed. Works should also consider measures to prevent mopeds serving takeaways on the High Street from accessing the site's new public realm.

Enhanced public realm is proposed at Empire Square and Arpley Square. We note that these are proposed outside of the applicant's ownership boundary and should be secured through a S278 agreement.

As highlighted previously, the retention of parking for Colman House and the existing High Street retail units; the new vehicle access from Evelina Road; and the new on-street loading bays increases vehicle dominance, contrary to Policies T2 and T7.

Appropriate footway widths, landscaping, and natural surveillance in the design of Evelina Road and Burnham Close to encourage safe sustainable and active travel should be ensured by the Council. As currently proposed, these access routes are dominated by vehicle parking and loading areas and do not provide a visually attractive, comfortable, and safe public realm that encourages safe walking and cycling, contrary to London Plan policy, Vision Zero and Healthy Streets objectives.

Any improvements should be secured through the scheme design and section 106 agreement, including 24/7 public access, rights over land in other parties' ownership and control, and the s278 agreement in respect of the public highway.

This development would benefit from new Legible London signs on the High Street and within the site. It is therefore requested that a contribution of £22,000 towards new signs and nearby existing Legible London signage map refreshes, is secured through the s106 agreement. This request is in line with Policy T3, by supporting "walk and cycle wayfinding improvements" in Table 10.1 and Policy T2 "Healthy Streets".

### **Trip Generation**

Our concerns with the trip generation assessment from the previous iteration of the scheme have not been addressed. Without an improved trip generation, TfL cannot determine the impacts on the scheme on public transport capacity and this is contrary to Policy T4.

There are a range of concerns with the assessment:

- For the existing trip generation, the applicant has used TRICS data for Local Shops and Superstores. The local shop data is from neighbourhood centres in Ireland and the Superstores are in Central London and are not comparable in size to this site. These locations are not comparable to this site and are inappropriate to determine existing trips. This data significantly overestimates the existing trip rate, reducing the suggested net impact of the scheme. With a lack of suitable TRICS data, we consider that the applicant should collect multi-modal survey data for the retail elements of the site in order for TfL to assess whether there are any uplift in trips which could impact on the transport network.
- As mentioned for the previous iteration of the scheme, the applicant has assigned mode share trips to the underground mode share, even though there is no underground station within reasonable walking distance. Similarly, the applicant has

included motorcycle trips, even though there is no motorcycle parking as part of this development. These should be re-assigned to other modes. We consider that Census 2011 data is outdated, and therefore recommend that TfL MoTiON data is used.

- For the residential element, affordable housing sites have not been selected. As the applicant is proposing around 30 per cent affordable housing, this should be included in the proposed trip generation.
- We also note that the applicant has stated that if the site is for retail use, most trips will be linked and pass-by trips. This has not been considered in the existing trip generation and therefore, we are concerned that the existing trips have been inflated.
- The train trip rates include overground. In order to assess impacts, information relating to which National Rail stations are considered for trip distribution should also be provided. The trip distribution per station should be presented, and thus the impact on services should also be considered (National Rail and London Overground Stations).

#### Servicing trip generation

- We note that the delivery and servicing information has been proposed from a Steer database. In order to ensure that a robust assessment has been undertaken, the sites used to determine the trip rates should be provided prior to determination. Cargo cycle deliveries have also not been considered within the servicing trip generation.

In sum, further work is required on the trip generation assessment in order to be acceptable to TfL and for TfL to assess strategic transport impacts.

#### **Cycling**

For the residential element, 402 long-stay and 10 short-stay spaces have been proposed, which does not align with the minimum quantity standards required by Policy T5. To meet Policy T5, 410 long-stay and 7 short-stay spaces are required. For the commercial element, 22 long-stay and 82 short-stay spaces have been proposed, which does meet the minimum quantity standards in Policy T5.

Policy T5 also requires compliance with the London Cycle Design Standards (LCDS). Good-quality cycle parking is important in achieving a strategic modal shift to align with Policy T1. We consider that currently the provision is not in line with LCDS. Details of non-compliance are provided below:

- Access to all ground floor cycle stores is through the public realm, which raises concerns over the personal security of users who could easily be followed into these stores or, given that there is only one door, pushed back in when they try to exit. The LCDS recommends that access to residential cyclists' facilities should utilise the communal entrances to improve safety. The way to resolve these concerns is to provide access to cycle stores through the residential lobby or office space of each building. This provides a space, with a high probability of passing foot traffic, for a cyclist to wait before entering the cycle store, affording cyclists the same level of personal security as residents without cycles, or allows them to escape from the store if tailgated in. If this is proved not to be possible at least two access points to each cycle

store should be created to provide a cyclist with an escape route and a choice of access points into the store.

- Two-tier racks with the bottom tier as Sheffield stands are proposed. For this type of stand, 1.2 metre spacings should be provided between stands. This is to ensure that bottom tier cycle parking is accessible and usable.
- The cycle store doors along with bin store doors open outward onto the public realm reducing the footway space. Doors should open inwards. These should be rectified prior to determination.
- It is unclear whether the long-stay cycle parking will include facilities such as lockers and showers particularly for commercial users to align with Policy T5 of the London Plan.

Design amendments are required prior to determination to align with Policy T5.

### **Car Parking**

We do not consider that the re-provision of 24 car parking spaces for the retail element is justified. The London Plan Policy T6 requirement is for a car-free development in this highly accessible location by active and sustainable means. It is also contrary to Policy T1 'Mayor's Strategic Mode Shift target' which aims for 80 per cent of trips in Outer London to be through active modes of travel by 2041. We note that the justification given for the parking is to prevent parking in the surrounding streets; however, we consider that providing parking does not help to solve this problem. Rather, investment in active travel improvements to the site as identified in the ATZ including those to bus stops and the railway station; more and better cycle parking, securing of a travel plan including measures to encourage active travel and the implementation of a CPZ would help reduce parking stress and consequently the traffic attracted by this development. Re-provided car parking would perpetuate both. Therefore, we maintain that these spaces should be removed and instead the space used for improved servicing arrangements and improved cycle parking.

The applicant has stated that they cannot meet Policy T6 to identify how additional spaces equating to seven per cent of dwellings can be provided on-site. We disagree with this assessment; if 24 car parking spaces are being re-provided, these could be repurposed into disabled persons' parking if the need arises.

If the 24 spaces were removed from the site, this would provide a more robust justification for not meeting this policy requirement. As it stands, not meeting the requirements of Policy T6 is not suitably justified.

If seven per cent of spaces cannot be identified, at the very least, the applicant should provide a contribution towards improving step-free access to the site for residents, e.g., step-free improvements to the route towards Beckenham Road tram stop and Penge West NR station, step-free improvements at Penge East and/or Kent House in consultation with Network Rail. This was highlighted for the previous iteration of the scheme.

### **Delivery and Servicing**

We understand that mopeds currently use Arpley Square as a turning and waiting area when taking deliveries from McDonalds and other takeaways on the High Street. Two options to provide moped parking have been proposed. From the plans provided, we support these options to remove parking from Arpley Square and consider that there will be little detrimental impact on the SRN and bus infrastructure. It is understood that no bus stop/cage relocation is proposed. If this is required, TfL would need to be reconsulted. Complementary measures to prevent mopeds parking on Arpley Square should be provided, such as cycle parking or planting.

We note that Arpley Mews/Terrace is planned to be a shared vehicle-cyclist-pedestrian space. We consider that this is contrary to Vision Zero objectives. If this continues to be proposed, robust management measures for servicing vehicles to reduce impacts on pedestrian safety would be required and should be secured in any permission.

Previously, we raised concerns about vehicle access to the Pizza Hut loading bay. The manoeuvre requires vehicles to reverse in and exit in forward gear. This is contrary to the Mayor's 'Vision Zero' approach outlined in Policy T2 (which aims to reduce road danger and eliminate all deaths and serious injuries from London's roads by 2041).

Moving all servicing activity into what is the currently the proposed podium car park would help to reduce vehicle dominance on-site and provide increased opportunity for improved public realm and a site that is further in line with Healthy Streets objectives and London Plan policy.

For the previous reiteration of the scheme, we requested that at least one rapid electric vehicle charging point for the servicing bays are provided to facilitate more sustainable delivery and servicing movement to align with Policy T7.

A full Delivery and Servicing Plan (DSP) is required by Policy T7. This should be secured through condition and developed in line with TfL guidance. The DSP should contain targets to minimise large service vehicle movements and encourage smaller and sustainable means especially at peak times and when the area is busy with shoppers and those walking and cycling. Consolidation/sharing of deliveries should be included.

### **Construction**

A full Construction Logistics Plan (CLP) should also be secured through condition and given the town centre location, should pay particular attention to managing and mitigating impacts on pedestrians, cyclists and buses on the High Street and Croydon Road to align with Policy T7 K and support Vision Zero (Policy T2).

We note that in the draft CLP retail servicing access is proposed via the High Street during construction. The full CLP should demonstrate that there will be no impacts of this on bus operations or bus infrastructure.

This should show vehicle access via Evelina Road and Burnham Close, not via A234 High Street. Swept-path analysis, estimated vehicle numbers and mitigation should all be provided in line with our most up to date guidance. In order to minimise impacts on traffic flow and bus operations, no construction vehicles/equipment, skips, or construction materials should be parked/stored on the SRN at any time. Any pit lane/vehicle holding area on the SRN will need to be approved in consultation with TfL.

All construction vehicles exiting the site must undergo wheel-washing prior to entering the public highway and do so in forward gear.

Generally, contractors should be encouraged to arrive to the site through active modes or public transport where feasible.

All haulage operators associated with construction should meet a minimum Freight Operation Recognition Scheme (FORS) rating of silver. All HGVs must comply with the Direct Vision Standard and HGV Safety Permit scheme.

This should be secured by condition and/or s106 as appropriate.

### **Travel Plan**

A full Travel Plan (TP) for both elements of the scheme should be secured. This should contain targets for higher mode shares for active travel in line with London Plan policy T1 and the Mayor's Transport Strategy (MTS). Measures, outside of policy requirements, should be provided to encourage a strategic modal shift in this location.

Please do not hesitate to contact me if you would like to discuss the above further.

Yours sincerely

Alex Weir  
**TfL Spatial Planning**  
Email: AlexWeir@tfl.gov.uk  
Phone: 07872112236

LB Bromley  
Planning DEpt

Development Management  
Sustainable Communities, Regeneration and  
Economic Recovery Department  
3rd Floor, Bernard Weatherill House  
8 Mint Walk  
Croydon CR0 1EA

Please ask for/reply to: Yvette Ralston  
Tel/Typetalk: 020 8726 6000 Ext 28216  
Minicom: 020 8760 5797  
Email: development.management@croydon.gov.uk

Your ref:  
Our ref: P/PC/North Area Team/DCYR  
Date: 27th February 2024

Dear Sir/Madam,

Town and Country Planning Act 1990. Town and Country Planning (Development Management Procedure) (England) Order 2015

**Application Number:** 24/00402/AUT

Phased development including demolition of existing buildings to facilitate a mixed-use development providing up to 250 dwellings, up to 2,828sqm of commercial/town centre floorspace and associated communal amenity space, play space, car parking, cycle parking, refuse storage and plant space in four buildings ranging between 3 and 18 storeys; alongside the provision of public realm and new pocket park with associated landscaping improvements (REVISED APPLICATION. Main changes include a reduction in height of Blocks A-E; reduction in the number of units; elevational changes and alterations to landscaping and external amenity provision. Updated relevant supporting information submitted) - Adjoining borough consultation from London Borough of Bromley at: Blenheim Shopping Centre High Street Penge London SE20 8RW, , , ,

I refer to your correspondence received on 5th February 2024 together with the accompanying copy of a planning application referred to above.

I write to advise you that at the Delegated Business Meeting meeting held on 27th February 2024, it was resolved that this Council as adjoining Local Planning Authority wishes to raise no objection to the application.

Yours faithfully,

**Nicola Townsend**  
Head of Development Management

Drawing No's:

## Design Note – DN 003.3

Project: Blenheim, Penge, London  
Subject: Response to London Fire Brigade  
Date: 4 March 2024  
Author: Gemma Grant  
Checked: Roy Little



### 1 Introduction

Following issue of the relevant Fire Statements<sup>1</sup> & <sup>2</sup> for Blenheim Shopping Centre - Residential development, the London Fire Brigade (LFB) have provided comments on the fire safety design.

There has been a previous round of comment and response:

- Town and Country Planning Consultation Response 2327338 Blenheim Shopping Centre, Penge, SE20 8RW 92-002791, date response sent 13 October 2023
- 1771\_DN003.1\_Blenheim Shopping Centre\_Response to LFB Comments\_231025

In response to the previous round of comments, and Government statements regarding future intent, the design was altered significantly. To support the revised design the fire statements were updated and resubmitted.

The HSE have provided a substantive response to the revised design:

- pgo-4629 (HSE Substantive Response) LPA 23-00178-FULL1

The HSE response confirms that the HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.

The LFB have provided a separate response<sup>3</sup> to the revised design. These comments highlights areas where they consider further information to be required, or areas of the design which vary from the relevant design standards and as such could impact on planned requirements if not demonstrated to meet Building Regulations as the design develops.

The comments raised by LFB have been reviewed by DFC.

This design note documents the response and actions taken to address each of these comments.

---

<sup>1</sup> DFC, Blenheim Shopping Centre, Penge, London, SW20 ERW, Fire Statement, London Plan, Revision 06, 29 November 2023

<sup>2</sup> DFC, Blenheim Shopping Centre, Penge, London, SW20 ERW, Fire Statement, Town and Country Planning, Revision 06, 29 November 2023

<sup>3</sup> Town and Country Planning Consultation Response 2327338 Blenheim Shopping Centre, Penge, SE20 8RW 92-002791, date response sent 29 February 2024

## 2 Response to LFB Comments

### 2.1 LFB Comment (1):

#### Fundamental concerns relating to single stair for Block A.

We note that the updated design for the height of Block A has been reduced to below 18m however it is noted that the height of the building is identified at 17.7m and is reliant on a single staircase. We draw your attention to the announcements from government stating their expectation that multiple staircases will be required in residential buildings above 18m. Whilst we note that transitional arrangements will apply, it is the National Fire Chiefs Council (NFCC)'s position, as stated in the December 2022 NFCC 'Single Staircases Policy Position Statement' that all residential buildings over 18m or seven storeys in height should be provided with multiple staircases. We therefore do not see this as deferring to the spirit of the guidance used and doesn't ethically justify this decision.

Design teams and developers should also be planning for the new requirements under the Building Safety Act for in scope buildings once occupied, including the need to provide a safety case review. The design as currently proposed may have implications on those responsible for demonstrating the ongoing safety in the building.

#### 2.1.1 DFC Response:

As noted in the LFB response, the recent policy issued by the National Fire Chiefs Council and the recent announcement from Government, there is a call for two stairs to be provided in buildings over 18m / seven storeys or more.

Block A is a six storey (L00-L05) building, which measures 17.7m in height. As such it does not fall within the requirements for building over 18m to have a secondary escape stair. The building is designed with a single escape stair, as permitted by current guidance (ADB Vol.1 and/or BS9991).

It is the design teams' opinion that this approach of compliance, fits with the intent of the current and future Government guidance.

The design team are aware of the requirements under the Building Safety Act on occupation for the responsible person, and consider a building constructed in accordance with current guidance to be demonstratable safe.

### 2.2 LFB Comment (2):

#### Fundamental concerns relating to single stair for Blocks B, D & E.

We note the addition of a secondary stair for Blocks B & D. It is noted that the design for two staircases serving all floors in these blocks is not satisfactory in relation to the relevant guidance used. It is noted that the proximity of all staircases do not provide a suitable secondary means of escape, as in all buildings escape to a second stair is either past an un-lobbied stair or through the lobby of the stair that is not being used. Whilst we appreciate the proposals include the provision of a second stair, we are of the opinion that occupants should be provided with an appropriate route to either escape stair without having to move through a lobby associated with one stairway to get to a lobby associated with another stairway. We note the clarification of the amenity areas in Blocks B, D E, and expect this to be included in subsequent building control consultations.

#### 2.2.1 DFC Response:

The building design has been developed in accordance with the recommendations of ADB Vol.1 and BS 9991. These documents represent the relevant guidance used.

All stairs are lobby protected as shown on the drawings provided. No accommodation (dwelling, ancillary space etc) is accessible from the stair lobby. The stair lobbies are accessed from the common corridor or adjoining stair lobby. Therefore, there is no escape passed an un-lobbied stair.

Escape passes through the protected lobby of one stair to reach the second stair in a number of instances. This is permitted with ADB Vol.1 under clause 3.33, which states: .

*‘An escape route should not pass through one stair enclosure to reach another. It may pass through a protected lobby (minimum REI 30) of one stair to reach another’.*

As such, it is the opinion of the design team, that the design has been developed in compliance with the recommendations of ADB Vol.1.

The design will be developed further in the subsequent design stages and will be subject to the Gateway 2 process, where the Building Safety Regulator will review the detailed design for compliance with the function requirements of the Building Regulations. This will include a representative of LFB. This additional consultation will ensure that of any remaining items relating to Building Regulation compliance are resolved prior to construction.

### **2.3 LFB Comment (3):**

#### Ensuring suitable means of escape for all occupants in open plan apartments

We await further information in subsequent building control consultations.

#### **2.3.1 DFC Response:**

The LFB comments are noted, and will be duly considered, as part of the design development of the open plan apartments at the detailed design stage.

The detailed design will progress to Gateway 2 where compliance with the Building Regulations will occur prior to construction.

### **2.4 LFB Comment (4):**

#### Evacuation lifts for Blocks A, B, C, D & E

Noted. Our original comment regarding the provision for an additional evacuation lift in each core remains to ensure safe evacuation for all persons in the event of a lift failure. We expect this to be clarified in more detail in subsequent building control consultations.

#### **2.4.1 DFC Response:**

The LFB comments are noted. Evacuation lift provisions will be designed to ensure compliance with the requirements of the London Plan and integrated into the wider fire strategy. The fire strategy will address maintenance requirements, in so far as they relate the requirements of the Building Regulations.

The detailed design will progress to Gateway 2 where compliance with the Building Regulations will occur prior to construction.

### **2.5 LFB Comment (5):**

#### Access and facilities for the fire and rescue service for Blocks A, B, C, D & E

Noted. Our original comment regarding the provision for an additional firefighting lift in each core remains to ensure sufficient access for firefighters to all areas of the buildings in the event of a lift failure. We expect this to be clarified in more detail in subsequent building control consultations.

### 2.5.1 DFC Response:

The LFB comments are noted.

Each storey area within each block is less than 900m<sup>2</sup>. Current guidance permits the use of a single firefighting shaft (with single firefighting lift) to be used in buildings with floor areas less than 900m<sup>2</sup>.

As such, the firefighting lift provisions reflect the recommendations set out in current guidance.

The fire strategy will address maintenance requirements, in so far as they relate the requirements of the Building Regulations.

The detailed design will progress to Gateway 2 where compliance with the Building Regulation will occur prior to construction.

### 2.6 LFB Comment (6):

#### Proposed vertical means of escape design in Block C

It is noted that the design for two staircases serving Block C is not satisfactory in relation to the relevant guidance used. It is noted that the proximity of all staircases do not provide a suitable secondary means of escape for any 'Adaptable' flats, as escape to a second stair is either past an un-lobbied stair or through the lobby of the stair that is not being used. Whilst we appreciate the proposals include the provision of a second stair, we are of the opinion that occupants should be provided with an appropriate route to either escape stair without having to move through a lobby associated with one stairway to get to a lobby associated with another stairway.

#### 2.6.1 DFC Response:

The building design has been developed in accordance with the recommendations of ADB Vol.1 and BS 9991. These documents represent the relevant guidance used.

All stairs are lobby protected as shown on the drawings provided. No accommodation (dwelling, ancillary space etc) is accessible from the stair lobby. The stair lobbies are accessed from the common corridor or adjoining stair lobby. Therefore, there is no escape passed an un-lobbied stair.

Escape passes through the protected lobby of one stair to reach the second stair in a number of instances. This is permitted with ADB Vol.1 under clause 3.33, which states: .

*'An escape route should not pass through one stair enclosure to reach another. It may pass through a protected lobby (minimum REI 30) of one stair to reach another'.*

As such, it is the opinion of the design team, that the design has been developed in compliance with the recommendations of ADB Vol.1.

The design will be developed further in the subsequent design stages and will be subject to the Gateway 2 process, where the Building Safety Regulator will review the detailed design for compliance with the function requirements of the Building Regulations. This will include a representative of LFB. This additional consultation will ensure that of any remaining items relating to Building Regulation compliance are resolved prior to construction.

### 2.7 LFB Comment (7):

We note the decision to use mechanical ventilation as a justification the enclosed horizontal means of escape. We expect this to be justified by provided suitable CFD modelling documentation and a relevant 3rd party analysis in subsequent building control consultations.

### 2.7.1 DFC Response:

CFD modelling of the mechanical ventilation system shall be completed during the detailed design stage.

The detailed design will progress to Gateway 2 where compliance with the Building Regulation will occur prior to construction.

### 2.8 LFB Comment (8):

We note that the proposals include enclosed car parking areas and recommend that consideration is given in relation to electric vehicle (EV) charging units, together with the potential fire risk posed by their battery systems. The following should be considered, preferably as part of a Qualitative Design Review (QDR) and, following the recommendations given in BS 7974. This is not intended to be an exhaustive list of considerations:

- Whether the smoke ventilation provisions for car parks are sufficient to manage the products of combustion from a fire involving one or more EVs
- Whether AWFSS require enhancements beyond the minimum recommendations of the relevant standards
- Whether the fire resistance of elements of structure should be increased beyond the minimum recommendations of this code of practice
- Whether car parking spaces served by EVCUs should be located closer to the access points to the car park for the fire and rescue services and to any fire main outlets in order to assist firefighters in applying extinguishing media to the fire
- Whether there should be provision for the safe removal of any EV car that has been involved in a fire and may still pose a risk of reignition. If access to the space is only via a car lift, for example, this may not provide such suitable provision
- Whether the water supplies provided for the fire and rescue services should be enhanced beyond the minimum requirements of BS 9990 and other relevant standards, in particular with regard to the duration of water supply available
- Suitable protection to car park internal surfaces and drainage systems to facilitate post-fire clean-up and environmental protection

A means of isolating the power supply to EVCUs should be provided for the fire and rescue services in a suitable location associated with, but outside of, the fire resisting enclosure to any car park containing EVCUs. This should be at the main designated access point to the building or car park for the fire and rescue services. Signage should be provided to identify the power supply isolation controls, and this should state:

“FIREFIGHTERS ELECTRICAL ISOLATION SWITCH FOR CAR PARK ELECTRIC VEHICLE CHARGING UNITS”

The signage should conform to BS 5499-1.

The location(s) of power supply isolation controls serving EVCUs should be indicated on premises information provided for firefighters. The power supply to all EVCUs should also be automatically isolated upon actuation of the fire warning and detection system or sprinkler system serving the car park in which they are located. EVCUs should be provided with a suitable level of water resistance to ensure that they do not pose a hazard to firefighters should they become immersed in water, either as a result of the activation of the sprinkler system or firefighting operations. It is our strong recommendation that car parks containing EVCUs should be provided with sprinkler coverage in

accordance with BS 9251:2021 or BS EN 12845:2015+A1, irrespective of whether a building is otherwise provided with a sprinkler system.

### **2.8.1 DFC Response:**

The LFB comments are noted, and will be duly considered, as part of the design development of the enclosed car park in relation to the risks posed by EV's.

It is noted that there is a lack of formal Government guidance in regard to EV car parks, such that input from the LFB is welcome.

The design will be developed further in the subsequent design stages and will be subject to the Gateway 2 process, where the Building Safety Regulator will review the detailed design for compliance with the function requirements of the Building Regulations. This will include a representative of LFB. This additional consultation will ensure that of any remaining items relating to Building Regulation compliance are resolved prior to construction.

## **2.9 LFB Comment (9):**

The proposals include a cycle storage area. It is our opinion that consideration is given to the storage (and potential charging) of electric bikes and electric scooters and the potential fire risk posed by these electric powered personal vehicles (EPPV)s which may be located within these areas. There is increasing evidence showing that EPPVs can spontaneously ignite and burn for long periods so there is an increased potential for toxic gases/smoke/fire spread. It is therefore our recommendation that adequate automatic fire suppression and smoke control systems for the area are necessary. As such storage would be deemed an ancillary area, we are of the view that it should be provided with a ventilated lobby in accordance with the recommendations given in clause 32 of BS 9991:2015.

### **2.9.1 DFC Response:**

DFC recognise that electric bikes can pose a fire safety risk. The cycle stores are to be enclosed in fire resisting construction and provided with sprinkler protection, therefore reducing the fire intensity and the risk of fire spread.

The cycle stores are not directly connected to the residential buildings to minimise the risk of a fire in the cycle store impacting on the means of escape from residential units.

The cycle stores accessed externally, such that smoke can be ventilated directly to outside.

## **Blenheim Centre, Penge - 23/00178/FULL1**

I am writing on behalf of Iceland Foods Ltd to express our support for the proposed redevelopment of the Blenheim Centre. We are excited about the prospect of being part of a project that promises not only to rejuvenate the local area but also to enhance the shopping and commercial experience for the community.

Iceland has been engaging with Hadley Property Group throughout the planning process for the new development. We are particularly pleased that the redevelopment plans include the provision of a new Iceland store. Hadley has engaged extensively with us from the outset, ensuring that our requirements and specifications have been considered.

The new Iceland store will be an essential component of the redeveloped Blenheim Centre, continuing to offer a wide range of high-quality, affordable food products to the community. We have every confidence that the redevelopment of the Blenheim Centre will bring about a positive transformation and will serve the community for many years to come.

This page is left intentionally blank

**Subject:** FW: Blenheim Shopping Centre

## AGENDA ITEM 5

**From:** Cllr Hannah Gray  
**Sent:** Monday, March 4, 2024 1:17 PM  
**Subject:** Blenheim Shopping Centre

You don't often get email from [hannah@hannahgray.uk](mailto:hannah@hannahgray.uk). [Learn why this is important](#)

Dear Mr Horsman and Councillors

I am aware that this is coming to DC tomorrow and I am writing in my capacity as the Conservative Candidate for Beckenham and Penge. I've been closely following the development plans for the Blenheim Shopping Centre, and on the doorstep I have heard numerous concerns from residents in our community. It's evident that there's widespread unease about the proposed project.

Whilst I acknowledge the need for a modernised centre and additional housing in our area, the proposed development appears out of sync with the community. The sheer height and imposing nature of the project raises valid concerns. Furthermore, the insufficient provision for parking is likely to worsen existing congestion issues, affecting all residents in the vicinity.

It is clear that the current proposal falls short of complying with various policies too, particularly concerning height, scale, layout, architecture, and materials. I particularly note the concerns raised by GLA officers regarding the impact on the nearby conservation area.

I urge a reconsideration of the plans, with a focus on designing a project that sympathetically considers the surrounding area rather than merely meeting housing quotas. Our community's character and quality of life should be paramount in any development decision.

Councillor Hannah Gray

This page is left intentionally blank

**Session 2022-23  
No. 214**



**Tuesday  
24 October 2023**

**PARLIAMENTARY DEBATES  
(HANSARD)**

# **HOUSE OF LORDS**

## **WRITTEN STATEMENTS AND WRITTEN ANSWERS**

**Written Statements .....3**

**Written Answers.....7**

[I] indicates that the member concerned has a relevant registered interest. The full register of interests can be found at <http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests/>

Members who want a printed copy of Written Answers and Written Statements should notify the Printed Paper Office.

This printed edition is a reproduction of the original text of Answers and Statements, which can be found on the internet at <http://www.parliament.uk/writtenanswers/>.

Ministers and others who make Statements or answer Questions are referred to only by name, not their ministerial or other title. The current list of ministerial and other responsibilities is as follows.

<i>Minister</i>	<i>Responsibilities</i>
<b>Lord True</b>	Leader of the House of Lords and Lord Privy Seal
<b>Earl Howe</b>	Deputy Leader of the House of Lords
<b>Lord Ahmad of Wimbledon</b>	Minister of State, Foreign, Commonwealth and Development Office
<b>Baroness Barran</b>	Parliamentary Under-Secretary of State, Department for Education
<b>Lord Bellamy</b>	Parliamentary Under-Secretary of State, Ministry of Justice
<b>Lord Benyon</b>	Minister of State, Department for Environment, Food and Rural Affairs
<b>Lord Caine</b>	Parliamentary Under-Secretary of State, Northern Ireland Office, Whip
<b>Lord Callanan</b>	Parliamentary Under-Secretary of State, Department for Energy Security and Net Zero
<b>Viscount Camrose</b>	Parliamentary Under-Secretary of State, Department for Science, Innovation and Technology
<b>Earl of Courtown</b>	Deputy Chief Whip
<b>Lord Davies of Gower</b>	Whip
<b>Lord Evans of Rainow</b>	Whip
<b>Baroness Goldie</b>	Minister of State, Ministry of Defence
<b>Lord Harlech</b>	Whip
<b>Lord Johnson of Lainston</b>	Minister of State, Department for Business and Trade
<b>Lord Markham</b>	Parliamentary Under-Secretary of State, Department of Health and Social Care
<b>Earl of Minto</b>	Minister of State, Department for Business and Trade
<b>Lord Mott</b>	Whip
<b>Lord Murray of Blidworth</b>	Parliamentary Under-Secretary of State for Migration and Borders, Home Office
<b>Baroness Neville-Rolfe</b>	Minister of State, Cabinet Office
<b>Lord Offord of Garvel</b>	Parliamentary Under-Secretary of State, Department for Business and Trade and Scotland Office
<b>Lord Parkinson of Whitley Bay</b>	Parliamentary Under-Secretary of State, Department for Culture, Media and Sport
<b>Baroness Penn</b>	Parliamentary Secretary, HM Treasury
<b>Baroness Scott of Bybrook</b>	Parliamentary Under-Secretary of State, Department for Levelling Up, Housing and Communities
<b>Lord Sharpe of Epsom</b>	Parliamentary Under-Secretary of State, Home Office
<b>Lord Stewart of Dirleton</b>	Advocate-General for Scotland
<b>Baroness Swinburne</b>	Whip
<b>Baroness Vere of Norbiton</b>	Parliamentary Under-Secretary of State, Department for Transport
<b>Baroness Williams of Trafford</b>	Chief Whip
<b>Viscount Younger of Leckie</b>	Parliamentary Under-Secretary of State, Department for Work and Pensions

© Parliamentary Copyright House of Lords 2023

This publication may be reproduced under the terms of the Open Parliament licence, which is published at [www.parliament.uk/site-information/copyright/](http://www.parliament.uk/site-information/copyright/)

# Written Statements

Tuesday, 24 October 2023

## Building Safety: Second Staircases

[HLWS1076]

**Baroness Swinburne:** My Right Honourable friend the Secretary of State for Levelling Up, Housing and Communities and Minister for Intergovernmental Relations (The Rt Hon. Michael Gove MP) has made the following Written Ministerial Statement:

This Government is committed to ensuring that people can be confident that our buildings are safe. The Building Safety Act set up a new, robust regime, with a new Building Safety Regulator at its heart. In recent years, we have also changed statutory guidance on fire safety, with new measures including:

- a ban on combustible materials for residential buildings, hotels, hospitals and student accommodation above 18m, and additional guidance for residential buildings between 11m-18m;
- a lower threshold for the provision of sprinklers in new blocks of flats from 30m to 11m;
- a requirement for wayfinding signage for firefighters in residential buildings above 11m; and
- requirements for residential buildings over 18m to have an Evacuation Alert System, and for new residential buildings over 11m to include a Secure Information Box (SIB).

We must never be complacent in our approach to safety. In July, I confirmed that I intend to introduce new guidance requiring second staircases in new residential buildings in England above 18m. This not only reflects the views of experts including the National Fire Chiefs Council and Royal Institute of British Architects, but also brings us into line with countries – including Hong Kong and the UAE – in having a reasonable threshold for requiring second staircases.

I can now announce the intended transitional arrangements that will accompany this change to Approved Document B. From the date when we publish and conform those changes to Approved Document B formally, developers will have 30 months during which new building regulations applications can conform to either the guidance as it exists today, or to the updated guidance requiring second staircases. When those 30 months have elapsed, all applications will need to conform to the new guidance.

Any approved applications that do not follow the new guidance will have 18 months for construction to get underway in earnest. If it does not, they will have to submit a new building regulations application, following the new guidance. Sufficient progress, for this purpose, will match the definition set out in the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023, and will therefore be when the pouring of concrete for

either the permanent placement of trench, pad or raft foundations or for the permanent placement of piling has started.

With these transitional arrangements, we ensure that projects that already have planning permission with a single staircase, the safety of which will have been considered as part of that application, can continue without further delay if they choose. This means that, for some years yet, we will continue to see 18m+ buildings with single staircases coming to the market. I want to be absolutely clear that existing and upcoming single-staircase buildings are not inherently unsafe. They will not later need to have a second staircase added, when built in accordance with relevant standards, well-maintained and properly managed. I expect lenders, managing agents, insurers, and others to behave accordingly, and not to impose onerous additional requirements, hurdles or criteria on single-staircase buildings in lending, pricing, management or any other respect.

Those who live in new buildings over 18m can be reassured that those buildings are already subject to the additional scrutiny of the new, enhanced building safety regime. Their fire-safety arrangements are scrutinised in detail at the new building control gateways and planning gateway one.

I realise that developers and the wider market are waiting for the design details that will go into Approved Document B. The Building Safety Regulator is working to agree these rapidly, and I will make a further announcement soon. In the meantime, I am confident that this announcement of the intended transitional arrangements will give the market confidence to continue building the high-quality homes that this country needs.

## Director of Labour Market Enforcement: Publication of Interim Annual Strategy 2023-24

[HLWS1074]

**Lord Sharpe of Epsom:** My hon Friend the Parliamentary Under-Secretary of State for Safeguarding (Sarah Dines) has today made the following Written Ministerial Statement:

Alongside my Honourable friend the Minister for Enterprise, Markets and Small Business, I am publishing today the Labour Market Enforcement Annual Strategy for 2023-24, submitted by the DLME Margaret Beels OBE. The Strategy will be available on GOV.UK

The Director of Labour Market Enforcement's role was created by the Immigration Act 2016 to bring better focus and strategic co-ordination to the enforcement of labour market legislation by the three enforcement bodies which are responsible for state enforcement of specific employment rights:

- The Employment Agency Standards Inspectorate (EAS);

- Her Majesty's Revenue and Customs National Minimum and Living Wage enforcement team (HMRC NMW/NLW team); and
- The Gangmasters and Labour Abuse Authority (GLAA).

Under Section 2 of The Act, The Director of Labour Market Enforcement is required to prepare an annual labour market enforcement strategy, which assesses the scale and nature of non-compliance in the labour market and sets priorities for future enforcement by the three enforcement bodies and the allocation of resources needed to deliver those priorities. The annual strategy, once approved, is laid before Parliament.

The Director is a statutory office-holder independent from Government, but accountable to the Department for Business and Trade's Secretary of State and the Home Secretary.

In line with the obligations under the Act, Margaret Beels submitted this strategy for 2023-24 on 31<sup>st</sup> March 2023.

This strategy continues on from the 2022-23 strategy by using the same four themes to provide an assessment of the scale and nature of non-compliance and notes sectors where the risk level has changed. The strategy sets out the DLME's desire to achieve improved cohesion and join-up between the DLME and the three state enforcement bodies through non-legislative measures, including suggestions of where the enforcement bodies and sponsor departments should be focusing their efforts.

The Government's view is that the enforcement bodies have been funded sufficiently to deliver the activities set out in the strategy.

The DLME carried out stakeholder engagement for the 2023-24 strategy with a call for evidence and also by engaging with the enforcement bodies prior to submission.

As with previous reports, these recommendations are not formal Government policy. We have worked with the Director, their office, and the enforcement bodies to understand the recommendations, and will carefully consider them moving forward.

## **Gaza: Humanitarian Situation and UK Humanitarian Efforts**

[HLWS1072]

**Lord Ahmad of Wimbledon:** My Right Honourable Friend the Minister of State for Development and Africa (Andrew Mitchell MP) has made the following written statement:

Today I am updating the House on the UK's response to the situation in Gaza.

The UK is committed to easing the desperate - and deteriorating - humanitarian crisis in Gaza, while standing alongside the people of Israel against the terrorist group Hamas and supporting Israel's right to defend itself.

Yesterday, the Prime Minister announced an additional £20 million in humanitarian aid for civilians in Gaza in response to the severe humanitarian crisis.

This assistance is in addition to the **£10 million of aid announced by the Prime Minister** last week and brings the total UK contribution to the Occupied Palestinian Territories since Hamas' terrorist attack against Israel on 7 October to £30 million – doubling our existing aid commitment this year and making us one of the largest donors.

The funding will allow key UN agencies and trusted partners, including the UN Office for the Coordination of Humanitarian Affairs (OCHA), the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA) and the United Nations International Childrens Emergency Fund (UNICEF), a number of whom have presence in Gaza and Egypt, to provide essential relief items and services. The aid will respond to critical food, water, healthcare, shelter and protection needs for those affected by this severe humanitarian crisis. We are committed to ensuring UK aid is allocated to address the greatest needs.

The Prime Minister welcomed the limited opening of the Rafah crossing - it is important progress, and testament to the power of diplomacy. Sustained, unimpeded and safe humanitarian access must be allowed so civilians can receive vital, lifesaving support, including food, water, shelter, and fuel as quickly and effectively as possible.

Civilians must be protected and we continue to stress to all the importance of humanitarian access. Hamas, who have no regard for Palestinian civilians, continues to indiscriminately terrorise the Israeli people and the region as a whole. We unequivocally support Israel's right to self-defence. The UK has been clear that international humanitarian law must be followed and every effort made to avoid civilian casualties.

The UK is at the forefront of the global effort to help Palestinian people access the vital lifesaving support they need. We will consider further support depending on the changing humanitarian needs on the ground.

This support goes beyond funding alone and includes intensive diplomatic efforts to prevent regional escalation, back Israel's security and support long-term solutions to the crisis in the Middle East. The Prime Minister raised humanitarian support in his meetings with the leaders of Israel, Egypt, Saudi Arabia, Qatar and the Palestinian Authority last week. During the Foreign Secretary's recent visit, he spoke to counterparts in Egypt, Turkey and Qatar to work with them to push for agreement on ongoing humanitarian access to Gaza. Lord Ahmad has also spoken with the Foreign Ministers of Iraq, Tunisia, Bahrain, Morocco, Algeria and the Palestinian Authority. I am in regular contact with Development Ministers and our humanitarian partners to discuss response and co-ordination efforts.

## Investigatory Arrangements following Police Use of Force and Police Driving-related Incidents: Terms of Reference

[HLWS1077]

**Lord Sharpe of Epsom:** My right hon Friend the Secretary of State for the Home Department (Suella Braverman) has today made the following Written Ministerial Statement:

Police officers across England and Wales do an incredibly difficult job, in some instances having to make life or death decisions in a split second to keep us safe. It is vital the public and officers have clarity and confidence in the accountability system relating to police use of force and police driving, including the efficacy of investigations.

Successive Governments have referred to the need to consider the balance between ensuring the police can do their job to keep the public safe, while ensuring operational guidelines are complied with and officers act within the law.

On 24 September I announced a Home Office-led review to assess the existing legal frameworks and guidance on practice that underpin police use of force and police driving, and the framework for investigation of any incidents that may occur. It will examine:

- Whether use of force or police driving frameworks provide clear, understandable and well understood guidance for officers;
- Whether a lack of clarity or the frameworks themselves in any way inhibit or prevent the police from carrying out their role to protect life;
- Whether they serve to maintain public confidence in the police, in particular for those impacted by police use of force;
- How the UK meets its obligation to independently investigate situations where a death or serious injury (DSI) results from an incident involving law enforcement;
- Whether necessary lessons have previously been understood and acted upon after historic incidents; and
- Whether individuals are held to account appropriately.

I am pleased to announce that today we will publish the Terms of Reference for the review on Gov.UK. A copy of the Terms of Reference will also be placed in the Libraries of both Houses.

These make it clear that the review will not consider live or ongoing investigations or proceedings. The need to ensure it does not in any way prejudice or interfere with ongoing or concluded investigations or proceedings is paramount. To that end, the Home Office will keep under consideration any potential effect of the review on such investigations or proceedings.

The review will be co-ordinated by the Home Office, reporting to me and working with other government departments such as the Ministry of Justice and the

Attorney General's Office. It will aim to provide findings to me by the end of year.

## Proceeds of Crime Act 2002: Appointed Person Report

[HLWS1071]

**Lord Sharpe of Epsom:** My right hon Friend the Secretary of State for the Home Department (Suella Braverman) has today made the following Written Ministerial Statement:

Today I lay before Parliament the Proceeds of Crime Act 2002 (POCA) Appointed Person report covering England and Wales for the period 2022-23. The Appointed Person is independent of Government and scrutinises the circumstances and manner in which search and seizure powers conferred by the Act are exercised without prior judicial approval and where nothing is seized for more than 48 hours.

I am pleased that we are now able to publish the Appointed Person's latest report. The report details that search and seizure powers were used in these circumstances on seven occasions.

The Appointed Person has confirmed in the report that he is satisfied that the criteria required for justifying the searches without prior judicial approval were met and that the powers of search were exercised appropriately. The Appointed Person has made no new recommendations for the period. This would indicate that the powers are being used reasonably and appropriately in accordance with the Act. We will continue to monitor the way that the powers have been used closely.

Copies of the report will be available in the Vote Office.

## Relationships, Sex and Health Education

[HLWS1075]

**Baroness Barran:** My Right Honourable Friend, the Secretary of State for Education (Gillian Keegan MP), has made the following statement:

Earlier this year, I wrote to schools to set out that schools can and should share curriculum materials with parents, in light of the current concerns in relation to materials used to teach relationships, sex and health education (RSHE).

Parents are one of their children's most important teachers. It is vital that they know what their children are being taught in relationships, sex and health education, and that they are reassured that the materials used by schools are thoughtful and appropriate.

Today, I have written to schools again to provide further information in the light of some important cases. This letter confirms that, where contractual clauses exist that seek to prevent schools sharing resources with parents at all, they are void and unenforceable. This is because they contradict the clear public policy interest in

ensuring that parents are aware of what their children are being taught in relationships, sex and health education.

The letter is clear that, if faced with such clauses, schools should write to providers asking for those clauses to be withdrawn on the ground that they are unenforceable. In the event that providers refuse to withdraw the clauses, legislation allows schools to still share resources proportionately, for the purposes of explaining to parents what is being taught.

For example, it is best practice to do this via a “parent portal” or if this is not possible, by a presentation. This is providing access to the documents is accompanied by a sufficient acknowledgment of the provider’s authorship and includes a statement, which parents agree to as a condition of access, that the content should not be copied or shared further except as authorised by copyright law. Where relevant and possible, IT systems should also be in place to prevent downloading.

Where parents cannot attend a presentation or they are unable to view materials via a “parent portal”, schools may provide copies of materials to parents to take home on request, providing parents agree to a similar statement that they will not copy the content or share it further except as authorised by copyright law.

The points made in both of my letters will be reflected in the updated statutory RSHE guidance, on which we will publicly consult. This additional content will help to further strengthen schools’ position, as they have a statutory duty to have regard to the RSHE guidance and can communicate this duty to their external providers.

We are clear that in all circumstances, parents have a right to see the materials being used to teach RSHE, which is why we have written to schools and parents today clarifying the legal position and reiterating that right.

### Shared Services Connected Ltd: Sale of Cabinet Office Stake

[HLWS1073]

**Baroness Neville-Rolfe:** My Rt Hon Friend the Minister for the Cabinet Office and HM Paymaster General, Jeremy Quin MP, has today made the following statement:

I am pleased to announce that the Cabinet Office has exercised its option to sell its 25% stake in Shared Services Connected Limited (SSCL) to its joint venture partner, Sopra Steria Group S.A., which owns the remaining 75% stake. The sale is expected to complete in early November.

Sale of the stake will generate cash proceeds of £82.3 million payable on completion. Of the £57 million proceeds retained by the Cabinet Office, up to £45 million of the proceeds will be reinvested into accelerating programmes that increase cross-government productivity. This will include a particular emphasis on digital capability across Government.

The change in ownership arrangements is neither expected to affect the management nor staff of SSCL. Sopra Steria has confirmed that SSCL will remain a key component of the Sopra Steria’s UK family of businesses and that there will be no impact on services to customers.

#### *Background and rationale*

The SSCL joint venture was established in 2013 as part of a strategy to consolidate and transform the provision of shared business support services to central Government and the wider public sector. Founding customers included the Department for Work and Pensions, the Department for Environment, Food and Rural Affairs and the Environment Agency.

Over the last 10 years, SSCL has successfully expanded its customer base to cover other public sector bodies including the Home Office, Ministry of Justice, Ministry of Defence, Metropolitan Police and the Construction Industry Training Board. Revenue has grown from £123 million in the year to 31 December 2014 to £292 million in the year to 31 December 2022.

It had always been envisaged that the Cabinet Office might one day sell its stake. When the joint venture was established, Sopra Steria granted the Cabinet Office a put option exercisable in 2022 and 2023.

The sale follows a review triggered by the approaching expiry of the put option. The Cabinet Office concluded that SSCL had been a successful joint venture delivering significant savings and value to the Government and the taxpayer, that the business was now well-established and that it was time for it to move to the next stage in its evolution. The sale price was based on an independent valuation advisory report and exceeds the Cabinet Office’s retention value. As at 31 March 2023, the carrying value of the stake and related put option in the Cabinet Office accounts was some £48.2 million.

#### *Fiscal Impacts*

The impact on the fiscal aggregates, in line with fiscal forecasting convention, are not discounted to present value. The net impact of the sale on a selection of fiscal metrics are summarised as follows:

<i>Metric</i>	<i>Impact</i>
Sale proceeds	£82.3 million.
Hold valuation	The price achieved is above retention value.
Public Sector Net Borrowing	The sale will generate cross-Government productivity savings and reduce future debt interest costs for Government, offset by the loss of dividends Government might otherwise have received from its shareholding.
Public Sector Net Debt	Immediate reduction of £25.3 million (£82.3 - £57 million).
Public Sector Net Liabilities	Immediately improved by £34.1 million (£82.3 - £48.2 million) less the extent to which the £57 million retained by the Cabinet Office is spent.
Public Sector Net Financial Liabilities	Immediately improved by £34.1 million (£82.3 - £48.2 million) less the extent to which the £57 million retained by the Cabinet Office is spent.

## Written Answers

Tuesday, 24 October 2023

### Antibiotics: Prescriptions

Asked by *Baroness Bennett of Manor Castle*

To ask His Majesty's Government what steps they are taking to ensure the safety of NHS England's plan to allow community pharmacists to prescribe certain antibiotics. [HL10493]

**Lord Markham:** Pharmacists with an additional prescribing qualification are already allowed to prescribe medicines within their competence, including antibiotics. These skills are already being used in general practice and hospitals where many pharmacists have a prescribing qualification. Changes have been made to the initial training and education of pharmacists so that from 2026 all pharmacists will qualify with a prescribing qualification.

As part of the Delivery plan for recovering access to primary care, an additional investment up to £645 million will support a new Pharmacy First service which will allow community pharmacists to assess patients and provide treatments, including the supply of certain antibiotics. These will be supplied against Patient Group Directions (PGDs) which have been designed following extensive input from expert clinicians across the National Health Service to mitigate against the risk of increased antimicrobial resistance. The PGDs will be informed by the latest National Institute for Health and Care Excellence guidance to embed best practice and the new service will be closely monitored to ensure treatments, including antibiotics, are being supplied appropriately. In addition, a separate evaluation of the service will be commissioned by the National Institute for Health and Care Research.

### Brain Cancer: Research

Asked by *Baroness Hayter of Kentish Town*

To ask His Majesty's Government, further to the report by the All-Party Parliamentary Group on Brain Tumours, Pathway to a Cure – breaking down the barriers, published on 28 February 2023, what is the expected timescale to develop a strategy for adequately resourcing discovery, translational and clinical research into brain tumours as recommended by the report; and whether they will commit to ring fencing the recommended £110 million for this resourcing. [HL10540]

**Lord Markham:** The Department of Health and Social Care welcomes the All-Party Parliamentary Group report, recommendations of which continue to be worked through with the Department for Science, Innovation and Technology, UK Research and Innovation and the

Medical Research Council (MRC), and with the National Institute for Health and Care Research (NIHR).

The report recommended action by the research funding agencies on coordinating activities and making funding available. We are taking steps to ensure that funders work closely together to coordinate work along the translational pathway, from the discovery and early translational science typically supported by the MRC, feeding through to the applied health and care research funded by the NIHR.

It is not usual practice to ring-fence funds for particular topics or conditions. As with other Government funders of health research, the NIHR does not allocate funding for specific disease areas. The level of research spend in a particular area is driven by factors including scientific potential and the number and scale of successful funding applications.

### Charities: Voluntary Work

Asked by *The Lord Bishop of Durham*

To ask His Majesty's Government what assessment they have made of the impact of COVID-19 on the number of volunteers in the charity sector, and what steps they are taking to support charities to recruit a sufficient number of volunteers. [HL10525]

**Lord Parkinson of Whitley Bay:** His Majesty's Government recognises how vital volunteering is for society, reaping benefits for those who volunteer as well as the organisations they assist. The Government aims to remove barriers which prevent people from getting involved.

The Government's Community Life Survey shows that approximately 7 million people in England (16%) took part in volunteering with groups and organisations at least once a month in 2021/22. This is in line with rates recorded in 2020/21 (17%) and lower than before the pandemic.

HM Government funded the National Council for Voluntary Organisations (NCVO) to carry out the 'Time Well Spent' survey on volunteer experiences, which was published in June 2023. We are also working closely with the Vision for Volunteering, and funding it this financial year. This is a strategic initiative from the voluntary sector to lead the ongoing support and development of volunteering in England with the aim of changing the volunteering landscape for the better by 2032.

My Department has also funded several other initiatives to support volunteering. The Volunteering Futures Fund supports organisations to develop more inclusive volunteering opportunities. The Know Your Neighbourhood fund aims to widen participation in volunteering and to tackle loneliness. We also provided funding for the Big Help Out the day after the Coronation of His Majesty The King, on 8 May 2023, which encouraged people to help out in their communities and to volunteer with charities in their local area.

## Drax Power Station

Asked by *Lord Birt*

To ask His Majesty's Government, further to the answer by Lord Callanan on 3 July (HL Deb col 984) on the use of Biomass at the Drax Power Station, on the basis of what evidence officials advised that “the Panorama Programme provided an inaccurate representation of practices by the forestry and business sector on the ground”, as set out in a briefing note obtained through a Freedom of Information request and published on 12 October. [[HL10613](#)]

**Lord Callanan:** I refer the noble Lord to the answer I gave to him on 18 September to Question UIN [HL9759](#).

## Electric Vehicles: UK Trade with EU

Asked by *Lord Taylor of Warwick*

To ask His Majesty's Government, following any negotiations with the EU concerning the implementation of tariffs on electric vehicles, what support they are providing to the industry in relation to any possible changes to tariffs. [[HL10640](#)]

**Lord Offord of Garvel:** The rules agreed in the Trade and Co-operation Agreement were designed to reflect industry capabilities, whilst encouraging onshoring of battery supply chains. Due to unforeseen and shared external shocks, carmakers across Europe have said they cannot meet the TCA's rules from 2024 and could face tariffs. This is a shared problem and HMG is determined to work with the EU to fix the specific issue faced in 2024. Government continues to support the UK automotive industry through the Automotive Transformation Fund, facilitating the creation of an internationally competitive electric vehicle supply chain in the UK.

## Energy: Prices

Asked by *Lord Taylor of Warwick*

To ask His Majesty's Government what steps they will take to help households struggling to pay their energy bills this winter if they fail to make an application for financial support. [[HL10669](#)]

**Lord Callanan:** The Government recognises the cost-of-living challenges families are facing and in response last winter we launched a package of support for households and businesses, spending £40 billion and paying around half a typical household's energy bill.

In order to continue protecting the most vulnerable, in 2023-24 the Government is already providing additional cost of living payments of up to £900 to households on means-tested benefits, of £300 to pensioner households, and of £150 to those on eligible disability benefits. The vast majority of this support has been and will be made available automatically to households and without the need for an application process.

## Household Support Fund

Asked by *Baroness Ritchie of Downpatrick*

To ask His Majesty's Government whether they plan to extend the Household Support Fund beyond its scheduled end date of 31 March 2024. [[HL10581](#)]

**Baroness Penn:** I refer the noble Baroness to the answer given to PQ [196466](#)

Asked by *Lord Palmer of Childs Hill*

To ask His Majesty's Government, further to the letter from Viscount Younger of Leckie to all members of the House of Lords on 13 October, whether the money allocated in the Household Support Fund is new money or money that has already been spent. [[HL10693](#)]

**Baroness Penn:** The Government is providing £842m to Local Authorities in England to deliver the Household Support Fund in England over 2023/24. The Devolved Administrations have received additional funding via the Barnett formula.

This is additional funding to Local Authorities, not re-allocated from elsewhere.

## Individual Savings Accounts: Stocks and Shares

Asked by *Lord Hodgson of Astley Abbotts*

To ask His Majesty's Government what plans, if any, they have to permit fractionated shares to be held in ISAs. [[HL10542](#)]

**Baroness Penn:** HMRC's long standing view on interpretation of the current law is that a fraction of a share is not a share for the purposes of the ISA legislation.

The government is committed to ensuring the ISA market works for both industry and consumers. We are aware of representations from the industry to allow fractional shares to be included in ISAs going forward, and are considering the issue.

## Mental Health Services: Children and Young People

Asked by *The Lord Bishop of Derby*

To ask His Majesty's Government, following the Children's Society's The Good Childhood Report 2023, published on 20 September, what steps the Department of Health and Social Care's Major Conditions Strategy will take to prevent poor mental health and promote wellbeing in children and young people. [[HL10519](#)]

**Lord Markham:** As part of the development of the Major Conditions Strategy, we are considering the most effective ways to prevent and treat poor mental health and promote wellbeing for people of all ages. We will continue to work closely with stakeholders, the public and the National Health Service to identify actions that will have the most impact.

## Mobocertinib

Asked by **Lord Rogan**

To ask His Majesty's Government what discussions they have had, or are intending to have, with (1) Takeda Pharmaceuticals, and (2) EGFR Positive UK, following the withdrawal of the drug Mobocertinib from the UK market. [HL10582]

**Lord Markham:** The Medicines and Healthcare products Regulatory Agency (MHRA) is engaging with Takeda Pharmaceuticals. This is to ensure that where appropriate, patients can have continued access to Mobocertinib following its withdrawal from the United Kingdom market.

The MHRA has not had discussions with EGFR Positive UK, but if approached would answer any questions they may have regarding the withdrawal of Mobocertinib from the UK market.

## National Grid

Asked by **Lord Taylor of Warwick**

To ask His Majesty's Government what progress they have made towards establishing the Future System Operator; and when they expect it to be fully operational. [HL10668]

**Lord Callanan:** The Department for Energy Security & Net Zero and Ofgem continue to work closely with National Grid, the Electricity System Operator and National Gas Transmission to establish the Future System Operator. This has included taking forward legislation as part of the Energy Bill; undertaking further consultation on the roles of the Future System Operator; and developing the relevant licences and detailed implementation plans. Depending on a number of factors, including passage of the Energy Bill and discussing timelines with key parties, our aim continues to be for the FSO to be operational in 2024.

## NHS: Drugs

Asked by **Lord Warner**

To ask His Majesty's Government, further to the proposed update to the 2023 Statutory Scheme to control the cost of branded health services medicines, what policy options were included in the Department of Health and Social Care's long list as alternatives to the options that were included in the final consultation. [HL10591]

**Lord Markham:** The statutory scheme consultation sets out the options under consideration. We are in the process of analysing the responses provided, including consideration of any alternative options proposed, and will update on our preferred policy approach later this year. A copy of the impact assessment is attached.

The Answer includes the following attached material:

Statutory Scheme Impact Assessment [Statutory Scheme Impact Assessment.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2023-10-16/HL10591>

Asked by **Lord Warner**

To ask His Majesty's Government, further to the proposed update to the 2023 Statutory Scheme to control the cost of branded health services medicines, what analysis and evidence the Department of Health and Social Care considered when it proposed to keep growth in the cost of branded medicines in real-terms decline, at 2 per cent a year. [HL10593]

Asked by **Lord Warner**

To ask His Majesty's Government, further to the Proposed update to the 2023 Statutory Scheme to control the cost of branded medicines, whether the 2 per cent cap in growth in the cost of branded medicines was assessed against (1) inflation expectations, and (2) demographic pressures. [HL10594]

**Lord Markham:** 2% allowed growth per annum represents an 80% rise in allowed growth compared to the 1.1% per annum which applied in the statutory scheme from 2019 to 2023. The proposal is consistent with the approach that underpinned the current statutory scheme's 1.1% allowed growth, i.e., it equals the average allowed growth of the preceding voluntary scheme.

The proposed allowed growth rate considered multiple factors including the overall fiscal path. Furthermore, consideration of the pipeline of upcoming new treatments featured within our forecast growth in spend on new treatments and, ultimately, continued growth forecast in medicine sales.

Controlling growth at this level is considered to allow for a viable overall envelope for the statutory scheme more favourable for industry compared to the existing statutory scheme arrangements, whilst continuing to ensure that spend on branded medicines is affordable to the National Health Service.

Asked by **Lord Warner**

To ask His Majesty's Government what plans they have to refer the Impact Assessment for the 2023 Statutory Scheme to control the cost of branded health services medicines to the Regulatory Policy Committee. [HL10595]

**Lord Markham:** There are no plans to refer the statutory scheme Impact Assessment to the Regulatory Policy Committee. The proposals only impact companies which choose to sell to the National Health Service and are therefore considered to be in connection with procurement. Given this, the statutory exclusion from the Better Regulation Framework "Procurement 22(4)(b)" applies as confirmed previously by the Economic and Domestic Affairs Secretariat at the Cabinet Office.

*Asked by Lord Warner*

To ask His Majesty's Government what plans they have to introduce an end of scheme reconciliation exercise for the Statutory Scheme to control the cost of branded health services medicines. [HL10596]

**Lord Markham:** No end of scheme reconciliation exercise was proposed in the recent consultation on updating the statutory scheme. We are in the process of considering consultation responses.

### **NHS: Staff**

*Asked by Lord Hunt of Kings Heath*

To ask His Majesty's Government, with reference to the article Practice under pressure: how can the exodus of GPs be reversed published on 31 August by Dr Imelda McDermott and Dr Sharon Spooner, how they intend to make sustainable work schedules an integral part of the NHS Long Term Workforce Plan. [HL10246]

**Lord Markham:** The NHS Long Term Workforce Plan commits to implementing the actions from the NHS People Plan, including ensuring staff can work flexibly. However, as independent contractors, it is for general practitioner practices to decide staffing levels and distribution of work across their teams.

### **Peers: Leave of Absence**

*Asked by Lord Young of Cookham*

To ask the Senior Deputy Speaker whether letters applying for Leave of Absence from the House of Lords are in the public domain. [HL10601]

**Lord Gardiner of Kimble:** No. Members applying for leave of absence are required under Standing Order 21 to specify in their written application both their reason for seeking leave of absence and either a date by which they expect to return to the House or, if they are unable to specify a date, the circumstances which will allow their return. Letters requesting leave of absence may therefore contain sensitive personal information, which it would be inappropriate to disclose.

### **Public Expenditure**

*Asked by Lord Patten*

To ask His Majesty's Government what assessment they have made of the sustainability of UK debt levels. [HL10578]

**Baroness Penn:** The Government is committed to ensuring debt is on a sustainable footing. This is reflected in the Prime Minister's priority to reduce national debt in the medium term and the legally binding fiscal rule to

have debt as a share of GDP to be projected to fall in the fifth year of the forecast horizon.

The independent OBR assesses performance against the fiscal rules twice a year alongside each fiscal event. In March 2023, the OBR confirmed that the fiscal rules had been met with debt falling as a percentage of GDP in 2027-28. The OBR will publish an updated economic and fiscal forecast on 22 November alongside the Autumn Statement

In the Charter for Budget Responsibility, the Government requires the OBR to publish an annual Fiscal Risks and Sustainability report, which includes long-run projections of the Government finances. The government will respond to the latest FRS at a future fiscal event. To manage longer-term spending pressures and maintain high quality public services, the Chancellor has recently announced a major public sector productivity programme.

### **Public Expenditure: Wales**

*Asked by Lord Wigley*

To ask His Majesty's Government what additional funding they have made available to the Welsh Government over and above the basic budget provision for Wales in the financial year 2023-24; and for what purposes any specific use was stipulated. [HL10647]

**Baroness Penn:** Spending Review 2021 set the largest annual block grant, in real terms, of any spending review settlement since the devolution Acts. This provided the Welsh Government with £2.5 billion in 2023-24 through the Barnett formula, on top of their £15.9 billion baseline. They also received over £320 million of ringfenced non-Barnett funding for 2023-24 for farming and fisheries.

On top of this settlement, the Welsh Government have received an additional £745 million through the Barnett formula for 2023-24, largely as a result of decisions made at Autumn Statement 2022 and Spring Budget 2023. They have also received around £450 million in non-Barnett funding for 2023-24 since Spending Review 2021.

It is for the devolved administrations to allocate their Barnett-based funding in devolved areas as they see fit. They can therefore take their own decisions on managing and investing available resources, reflecting their own priorities and local circumstances, and they are accountable to the devolved legislatures for these decisions. Non-Barnett funding is generally ringfenced, meaning it can only be spent for the purpose it was given.

A breakdown of Barnett and non-Barnett funding, including the policy areas for which the non-Barnett funding is ringfenced, can also be found in the Block Grant Transparency publication. This publication is updated regularly, and the most recent report was published in July 2023.

<b>Written Statements.....</b>	<b>3</b>
Building Safety: Second Staircases .....	3
Director of Labour Market Enforcement: Publication of Interim Annual Strategy 2023-24 .....	3
Gaza: Humanitarian Situation and UK Humanitarian Efforts .....	4
Investigatory Arrangements following Police Use of Force and Police Driving-related Incidents: Terms of Reference .....	5
Proceeds of Crime Act 2002: Appointed Person Report .....	5
Relationships, Sex and Health Education.....	5
Shared Services Connected Ltd: Sale of Cabinet Office Stake .....	6
<b>Written Answers.....</b>	<b>7</b>
Antibiotics: Prescriptions .....	7
Brain Cancer: Research .....	7
Charities: Voluntary Work .....	7
Drax Power Station.....	8
Electric Vehicles: UK Trade with EU .....	8
Energy: Prices.....	8
Household Support Fund.....	8
Individual Savings Accounts: Stocks and Shares.	8
Mental Health Services: Children and Young People .....	8
Mobocertinib .....	9
National Grid.....	9
NHS: Drugs .....	9
NHS: Staff .....	10
Peers: Leave of Absence .....	10
Public Expenditure .....	10
Public Expenditure: Wales .....	10

This page is left intentionally blank