

## Public Document Pack

# Appointments Committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Tuesday, 3 July 2012.

Barry Quirk, Chief Executive  
Monday June 25

Councillor Damien Egan Councillor Alexander Feakes Councillor Alan Hall Councillor Chris Maines Councillor Alan Smith	
---	--



# Appointments committee Agenda

Tuesday, 3 July 2012

**2.00 pm**, Civic Suite, Lewisham Town Hall, London SE6 4RU

Civic Suite

Lewisham Town Hall

London SE6 4RU

For more information contact: Kevin Flaherty 0208 3149327 (Tel: 0208 314 9327)

## Part 1

<b>Item</b>		<b>Pages</b>
1.	Election of Chair	1
2.	Declarations of Interests	2 - 4
3.	Minutes	5 - 7
4.	Exclusion of Press and Public	8

# Agenda Item 1

APPOINTMENTS COMMITTEE		
<b>Report Title</b>	Election of Chair and Vice Chair	
<b>Key Decision</b>	No	Item No. 1
<b>Ward</b>		
<b>Contributors</b>	Chief Executive (Head of Business & Committee)	
<b>Class</b>	Part 1	Date: 3 July 2012

## Recommendation

To elect a Chair and Vice Chair of the Committee for the municipal year 2012/13

# Agenda Item 2

APPOINTMENTS COMMITTEE		
<b>Report Title</b>	Declarations of Interests	
<b>Key Decision</b>		Item No. 2
<b>Ward</b>		
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: 3 July 2012

## **Declaration of interests**

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

## **Personal interests**

There are two types of personal interest :-

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

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

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

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

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

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

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

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

### **Sensitive information**

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

### **Prejudicial interests**

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

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

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

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

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

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

### **Exception**

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

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

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

# Agenda Item 3

APPOINTMENTS COMMITTEE		
<b>Report Title</b>	Minutes	
<b>Key Decision</b>		Item No. 3
<b>Ward</b>		
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: 3 July 2012

## Recommendation

It is recommended that the minutes of that part of the meeting of the Appointments Committee which was open to the press and public, held on 22 March 2012 be confirmed and signed (copy attached).



## LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the APPOINTMENTS COMMITTEE, which was open to the press and public, held in the CIVIC SUITE, LEWISHAM TOWN HALL, CATFORD, SE6 4RU on THURSDAY 22 MARCH 2012 at 6.00PM.

### Present

Councillor Hall (Chair); Councillors Daby and Maines.

Apologies for absence were received from Councillor Feakes.

### Also Present

The Mayor, Sir Steve Bullock

<u>Minute No.</u>	<u>Action</u>
1.	<u>DECLARATIONS OF INTERESTS</u> (page There were none.
2.	<u>MINUTES</u> RESOLVED that the minutes of the meeting of the Appointments Committee which was open to the press and public held on 19 October 2011 be confirmed as a correct record.
3	<u>EXCLUSION OF THE PRESS AND PUBLIC</u> RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule 12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to information) (Amendments) (England) Regulations 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information:  4. Review of the Chief Executive's Working Arrangements

The following is a summary of the item considered in the closed part of the meeting.

Minute No.

Action

4 Review of the Chief Executive's Working Arrangements  
(page

- 4.1 The report was presented by the Head of Personnel and Development, who explained that the review had been requested by the Mayor and had been fully discussed with him prior to being reported to the Appointments Committee.
- 4.2 The Head of Personnel and Development reported that in order to undertake the review he had spoken to Cabinet Members and Executive Directors about the revised working arrangements and the broad conclusion which had been reached was that sufficient arrangements had been put in place and the Chief Executive's schedule adjusted so that the organisation and management of the Council was unaffected.
- 4.3 Councillor Maines asked if the lack of a named Deputy Chief Executive had been an issue. He was assured by the Executive Director for Resources & Regeneration that Executive Directors shared responsibility when the Chief Executive was unavailable for a specific issue or for any developing emergencies and that the Chief Executive had always proved contactable on days where technically he was not at work.
- 4.4 Upon questioning, Councillor Hall received confirmation that the arrangement had been independently assessed and that no recommendations for additional action had been made.
- 4.5 Councillor Maines asked if any further reviews were planned and was informed by the Mayor that unless requested by the Chief Executive no further review was intended until after the May 2014 elections. The Head of Personnel and Development emphasised that any review would relate to working arrangements and not individual performance.

RESOLVED That the review be noted and the arrangements put in place be endorsed.

The meeting ended at 6.28pm

Chair

# Agenda Item 4

APPOINTMENTS COMMITTEE		
<b>Report Title</b>	Exclusion of the Press and Public	
<b>Key Decision</b>	No	Item No. 4
<b>Ward</b>		
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: 3 July 2012

It is recommended that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule 12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006:-

5. Appointment of Head of Strategy