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Appointments committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Wednesday, 29 April 2015.



Barry Quirk, Chief Executive
April 21 2015

Councillor Chris Best	
Councillor Kevin Bonavia	
Councillor John Coughlin	
Councillor Brenda Dacres	
Councillor Alan Hall	

Appointments committee Agenda

Wednesday, 29 April 2015

1.30 pm, Civic Suite, Lewisham Town Hall, London SE6 4RU

Civic Suite

Lewisham Town Hall

London SE6 4RU

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Part 1

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Agenda Item 1

APPOINTMENTS COMMITTEE		
Report Title	Election of Chair and Vice Chair	
Key Decision	No	Item No. 1
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: 29 April 2015

Recommendation

To consider the election of a Chair and Vice Chair of the Committee for the municipal year 2015/16.

APPOINTMENTS COMMITTEE		
Report Title	Declarations of Interests	
Key Decision	No	Item No.
Ward	n/a	
Contributors	Chief Executive	
Class	Part 1	Date: April 29 2015

Declaration of interests

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

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.

- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
- (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes , or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members’ Interests (for example a matter concerning the closure of a school at which a Member’s child attends).

(5) Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (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)

Agenda Item 3

APPOINTMENTS COMMITTEE		
Report Title	Minutes	
Key Decision		Item No.
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 29 April 2015

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 2 December 2014 be confirmed and signed (copy attached).

MINUTES OF THE APPOINTMENTS COMMITTEE

Tuesday, 2 December 2014 at 4.00 pm

PRESENT: Councillors Kevin Bonavia, Alan Hall, Stella Jeffrey and Alan Smith and Mayor Sir Steve Bullock.

Apologies for absence were received from Councillor John Coughlin.

30. Election of Chair

RESOLVED that Councillor Alan Hall be elected as Chair for the Municipal Year 2014-15.

31. Declaration of interests

None were made.

32. Minutes

RESOLVED that the minutes of the meeting held on March 12 2014 be confirmed and signed as a correct record.

33. Exclusion of Press and Public

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 paragraph 1 of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

5. Chief Executive's Working Arrangements.

34. Chief Executive Working Arrangements

The report was introduced by the Head of Personnel & Development who reminded the Committee they had previously agreed there should be regularly scheduled reviews of the Chief Executive's working arrangements.

The Head of Personnel & Development advised the Committee that he had interviewed the Mayor, the Chair of Overview & Scrutiny and all Executive Directors and all shared the conclusion that the working arrangements previously agreed continued to be practical and effective. He advised the Committee the financial arrangements represented an on-going cost saving to the Council and that the initial increased demand on the Pension Fund had been totally recouped.

The Chair asked for further information on the input of Stephen Taylor of

Blakesley Associates. The Head of Personnel & Development stated Mr Taylor had reviewed all of his findings and the comments he had provided were included verbatim in the report. The Mayor added that he found the comments helpful and that operationally a further review at the end of 2016 appeared appropriate.

RESOLVED that

- (1) the results of the review be received and the arrangements put in place be endorsed; and
- (2) a further similar review be undertaken at the end of 2016.

The meeting closed at 4.14pm.

Agenda Item 4

APPOINTMENTS COMMITTEE		
Report Title	Exclusion of the Press and Public	
Key Decision	No	Item No.
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 29 April 2015

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 1 of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

- 5 Appointment to Senior Management Positions.
6. Appointment of the Director of Adult Social Care.

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

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