AGENDA

OVERVIEW AND SCRUTINY
EDUCATION BUSINESS PANEL

Date: TUESDAY, 28 APRIL 2015 at 7.00 pm

Council Chamber
Civic Suite
Lewisham Town Hall
London SE6 4RU

Enquiries to: Olga Cole 0208 3148577
Telephone: 0208 314 8577 (direct line)
Email: olga.cole@lewisham.gov.uk

MEMBERS

Councillor Alan Hall Chair of Overview and Scrutiny Committee (L)
Councillor Gareth Siddorn Vice Chair of Overview and Scrutiny Committee (L)
Councillor Liam Curran Chair of Sustainable Development Select Committee (L)
Councillor Brenda Dacres Labour Group Representative (L)
Councillor Carl Handley Chair of Housing Select Committee (L)
Councillor Jim Mallory Labour Group Representative (L)
Councillor Jamie Milne Chair of Public Accounts Select Committee (L)
Councillor Hilary Moore Chair of Children and Young People Select Committee (L)
Councillor Pauline Morrison Chair of Safer Stronger Communities Select Committee (L)
Councillor John Muldoon Chair of Healthier Communities Select Committee (L)

Non-elected Voting Members

Sharon Archibald Primary School Parent Governor Representative
Lisa Palin Special School Parent Governor Representative
Monsignor N Rothon Roman Catholic Archdiocese of Southwark Commission for Schools and Colleges
Mark Saunders Secondary School Parent Governor Representative

Members are summoned to attend this meeting

Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Monday, 20 April 2015

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.
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## ORDER OF BUSINESS – PART 1 AGENDA

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It is recommended that the minutes of that part of the meetings of the Overview and Scrutiny (Education) Business Panel which were open to the press and public, held on 7 April 2015 be confirmed and signed.
LONDON BOROUGH OF LEWISHAM

Minutes

MINUTES of that part of the meeting of the OVERVIEW & SCRUTINY (EDUCATION) BUSINESS PANEL, which was open to the press and public, held on TUESDAY, 7 APRIL 2015 at LEWISHAM TOWN HALL, CATFORD, SE6 4RU at 7.06PM

Present

Councillors Hall (Chair), Curran, Handley, Mallory, Morrison, and Muldoon

Apologies were received from Councillors Dacres, Milne, Moore, Siddorn, and Monsignor Rothon, Lisa Palin and Mark Saunders

The meeting was adjourned at 7.06pm, and reconvened at 7.07pm.

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<td>1.</td>
<td>MINUTES</td>
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<td>1.1</td>
<td>The Chair said he noted work was continuing on the audit of all Lewisham schools’ governing bodies, but not yet reported to Children and Young People Select Committee nor Overview and Scrutiny Business Panel. The Chair said this was an important work and Panel members would not want to lose sight of it.</td>
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<td></td>
<td>RESOLVED that the minutes of that part of the meeting which was open to the press and public held on 17 February 2015 be confirmed and signed.</td>
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<td>2.</td>
<td>DECLARATIONS OF INTERESTS (page )</td>
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<tr>
<td>2.1</td>
<td>None received.</td>
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<td>3.</td>
<td>DECISIONS MADE BY MAYOR AND CABINET ON 25 MARCH 2015</td>
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<td>3.1</td>
<td>Schools Admissions 2016 - 2017</td>
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<td>The Head of Standards and Achievement introduced the report. Councillor Handley asked if officers were confident all secondary schools would adopt the amended criteria. The Head of Standards and Achievement responded saying they have been assured that there would not be any issues for the Federations, and other non-community schools said they would adopt it once they had received agreement from their Governors.</td>
</tr>
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</table>
3.2 Councillor Mallory asked why the Council wanted to change the process if there was not a need for change. The Head of Standards and Achievement replied that they anticipated numbers would increase for undersubscribed schools, and more high achievers would go to these schools.

3.3 Councillor Muldoon asked whether this change would be monitored to find out if it was beneficial, and if it was not how this would be addressed. The Head of Standards and Achievement response was that from 2016 when this new change was implemented, it would take 2 years to assess its impact. This was because the increase in numbers of pupils needing primary school places would affect secondary schools in 2017, and it would be necessary to review the impact of abolishing banding in 2018.

3.4 The Chair asked if this would address the problems of failing schools, and was told that schools that do not have parents’ confidence would still need to improve. Councillor Mallory asked what would happen if the review concluded that this was the wrong approach. The Head of Standards and Achievement responded saying the Schools Forum, Mayor and Cabinet and Scrutiny Committees would have to consider how this would be dealt with.

3.5 The Chair said Business Panel noted that Schools Forum, and Mayor and Cabinet would review this decision by 2018. The Head of Standards and Achievement said this was his personal assumption, as it was not in the report to review this decision by 2018. The Chair thanked officers for the report.

RESOLVED that the decision of the Mayor be noted.

4. EXCLUSION OF THE 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 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:
The following is a summary of the items considered in the closed part of the meeting.

5. DECISIONS MADE BY MAYOR AND CABINET ON 25 MARCH 2015

5.1 Measures to Increase Places at Turnham Foundation Primary School

RESOLVED that the decision of the Mayor be noted.

The meeting closed at 7:35 p.m.  

Chair
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 member's 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 not
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)
OVERVIEW & SCRUTINY (EDUCATION) BUSINESS PANEL

Report Title | Exclusion of the Press and Public
---|---
Key Decision | Item No. 3
Ward
Contributors | Chief Executive
Class | Part 1
Date: 28 April 2015

Recommendation

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 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information:-

1. Decisions made By Mayor and Cabinet (Contracts) on 22 April 2015
2. Decisions Made by an Executive Director Under Delegated Authority – Award of Contract for the Temporary Accommodation at Turnham Primary School
3. Decision Made by an Executive Officer Under Delegated Authority – Contract Award for Building Works at Horniman Primary School
4. Decisions Made by an Executive Director Under Delegated Authority – Determination of the School Term and Holiday Dates 2016/17 Academic Year
By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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