



AGENDA

OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Date: TUESDAY, 20 SEPTEMBER 2016 at 7.00 pm

Committee Rooms 1 & 2
Civic Suite
Lewisham Town Hall
London SE6 4RU

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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 David Michael	Chair of Safer Stronger Communities Select Committee	L
Councillor Jamie Milne	Chair of Public Accounts Select Committee	L
Councillor Hilary Moore	Chair of Children and Young People Select Committee	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	L

Non-elected Voting Members

Sharon Archibald	Primary School Parent Governor Representative
Kevin Mantle	Parent Governor Representative for Special Schools
Monsignor N Rother	Roman Catholic Archdiocese of Southwark Commission for Schools and Colleges
Mark Saunders	Secondary School Parent Governor Representative

This meeting is an open meeting and all items on the open agenda may be audio recorded and or/filmed

Members are summoned to attend this meeting

Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Monday, 12 September 2016



INVESTOR IN PEOPLE

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.

ORDER OF BUSINESS – PART 1 AGENDA

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Lewisham



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Agenda Item 1

OVERVIEW & SCRUTINY (EDUCATION) BUSINESS PANEL		
Report Title	Minutes	
Key Decision		Item 1
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 20 September 2016

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 12 July 2016 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Tuesday, 12 July 2016 at 7.02 pm

PRESENT: Councillors Alan Hall (Chair), Gareth Siddorn (Vice-Chair), Liam Curran, Brenda Dacres, Carl Handley, Jim Mallory, David Michael and John Muldoon

1. Minutes

RESOLVED that the Minutes of the open meeting held on 24 May 2016 be confirmed as a correct record.

2. Declarations of Interests

None received.

3. 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 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:

The following is a summary of the items considered in the closed part of the meeting:

4. Decisions Made by Mayor and Cabinet on 29 June 2016

Lewisham Education Commission Progress Report

Councillor Hall queried the practical implications that would effect Sedgehill School and how the financial budgeting and deficit of schools within the borough will affect the Education Commission. He also brought into question, the climate of financial budgeting in Lewisham with DSG funding, and it's barring on the financial work of Commission.

The Executive Director for CYP's, Kate Bond, stated that as Sedgehill becomes an enforced academy, there is still a search for a suitable sponsor. The establishment of a school led partnership for the borough is something that the Commission hope will make sure that all academies still remain as part of the family of Lewisham schools, and that collaboration and co-operation continues

The Commission has already met with a number of representatives from the school sector, including primary and secondary schools, special school head-teachers and

governors to talk about how to establish a school improvement partnership, which is a process that is ongoing.

In regards to budget deficits, the Commission have a process that is done annually: - to call schools to account their deficit positions. It is challenging for secondary schools whose pupil numbers have changed- but this shouldn't have any restraint on the outcomes of the Education Commission. They are still continuing to address and action those and schools will undoubtedly need to take action to address the budget issues they are facing, and the Commission will work alongside them to deal with such issues.

Part of the activity for the group of representatives and teachers, working with representatives from the local authority, will be to understand and establish the basis for which the partnership will be set up. Other authorities and partnerships have done that on the basis of a subscription in effect. The Education Commission are waiting to find out what will happen nationally as the most recent government announcements were that the local authority responsibilities and funding for statutory school improvements would be removed by this time next year.

RESOLVED that:

- i. Officers be asked to develop a detailed response to the findings and recommendations alongside an action plan which would first be considered by CYP Select Committee; and
- ii. Any action plan to take forward the recommendations from the Education Commission Report be presented to the Children and Young People Select Committee for consultation.

Agenda Item 2

OVERVIEW AND SCRUTINY (EDUCATION) BUSINESS PANEL		
Report Title	Declarations of Interests	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 20 September 2016

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 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

OVERVIEW & SCRUTINY (EDUCATION) BUSINESS PANEL		
Report Title	Decisions made by Mayor and Cabinet on 7 September 2016	
Key Decision		Item No. 3
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 20 September 2016

1. Recommendation

To consider key decisions made by the Mayor and Cabinet on 7 September 2016 which will come in to force on 21 September 2016.

2. Background

2.1 The Mayor and Cabinet considered the following key decision on 7 September 2016.-

2.2 The notice of decision made in respect of this report is attached as an Appendix. Under the provisions of Standing Orders Part IV E 14, members may call in an executive decision within 7 days. If the report is not called in it will come into force on 21 September 2016.

- (i) The Transfer of Lewisham Music Service
- (ii) Primary School Expansion Proposal – Permission for Consultation
- (iii) Federations – Revision to Instruments of Government



NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor made the following decision on 7 September 2016. This Decision will become effective on 21 September 2016 unless called in by the Overview & Scrutiny (Education) Business Panel on 20 September 2016.

1. The Transfer of Lewisham Music Service

Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Cabinet agreed that:

- (1) the responses from users, stakeholders and staff from the consultation about the future of the Music Service which overwhelmingly support the Service's proposal that it becomes an independent charity be noted;
- (2) the business case for the transfer of the Music Service to charitable status be approved;
- (3) the Music Service is a named resident organisation in the Fellowship Inn development proposed by Phoenix Community Housing and supported by the Heritage Lottery Fund;
- (4) the setting up of a new charity, *Lewisham Music* (working title) be approved, in anticipation that once established Lewisham Music Service transfers into this new organisation;
- (5) the proposed governance structure for *Lewisham Music* be approved
- (6) a final decision on the future of the Music Service be made at a Mayor and Cabinet meeting in January 2017 or as soon thereafter as possible, on presentation of a Business Plan for *Lewisham Music* and details of the transfer terms.

2. Primary School Expansion Proposal – Permission for Consultation

Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the

Cabinet agreed that there should be a consultation on the proposal to enlarge Ashmead Primary School from 1 to 2 forms of entry with effect from September 2017 and that officers should report back to Mayor and Cabinet by the end of 2016 with the results and next steps.

3. Federations – Revisions to Instruments of Government

Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Cabinet agreed that:

(1) the Instrument of Government for the federation of schools identified below be made by Local Authority order dated 7 September 2016.

The Leathersellers' Federation
The King Alfred Federation
The Fairlawn and Haseltine Federation

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford SE6 4RU
8 September 2016**

Agenda Item 4

OVERVIEW & SCRUTINY (EDUCATION) BUSINESS PANEL		
Report Title	Exclusion of the Press and Public	
Key Decision		Item No. 4
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 20 September 2016

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. Decision made by Mayor and Cabinet (Contracts) on 20 September 2016

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

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