

AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 2 MAY 2017 at 7.05 pm

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

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MEMBERS

Councillor Alan Hall	Chair of the Overview and Scrutiny Committee	L
Councillor Gareth Siddorn	Vice Chair of the Overview and Scrutiny Committee	L
Councillor Liam Curran	Chair of Sustainable Development Select Committee	L
Councillor Carl Handley	Chair of Housing Select Committee	L
Councillor Maja Hilton	Chair of Public Accounts Committee	L
Councillor Liz Johnston-Franklin	Labour Group Representative	L
Councillor Jim Mallory	Labour Group Representative	L
Councillor Pauline Morrison	Chair of Safer Stronger Communities Select Committee	L
Councillor John Muldoon	Chair Healthier Communities Select Committee	L
Councillor Luke Sorba	Chair of Children and Young People Select Committee	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	L

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, 24 April 2017**



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Agenda Item 1

OVERVIEW & SCRUTINY BUSINESS PANEL			
Report Title	Minutes		
Key Decision			Item No. 1
Ward	All		
Contributors	Chief Executive		
Class	Part 1	Date: 2 May 2017	

Recommendation

It is recommended that the minutes of that part of the meeting of the Overview and Scrutiny Business Panel which was open to the press and public, held on 28 March 2017 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 28 March 2017 at 7.05 pm

The meeting convened at 7:12pm and reconvened at 7:55pm

PRESENT: Councillors Alan Hall (Chair), Gareth Siddorn (Vice-Chair), Liam Curran, Carl Handley, John Muldoon, Maja Hilton, Jim Mallory, Liz Johnston-Franklin, Pauline Morrison and Luke Sorba

85. Minutes

RESOLVED that the minutes of the open meeting held on 9 March 2017 be confirmed and signed as a correct record.

86. Declarations of Interests

Councillor Curran declared a personal non pecuniary interest as a member of the Friends of Sydenham Community Group. .

87. Outstanding Scrutiny Items

Report noted.

88. Notification of Late and Urgent Items

Report noted.

89. Decisions made by the Better Placed Joint Committee (Lambeth, Lewisham and Southwark) on 23 March 2017

The Chair said he was concerned that Panel Members only received the notification of decision on Monday for their Tuesday meeting, he asked that the process be improved going forward. The Head of Business and Committee informed Panel Members that this had occurred because the meeting date of the Business Panel had been brought forward from its original 4 April date.

The Strategic Partnership Manager introduced the report.

The Chair asked whether the Council has now readjusted their aspiration following the realisation that the European Social Fund (ESF) was unlikely to materialise. The Strategic Partnership Manager said that although this was an opportunity for officers to improve the programme, they were now back to what was agreed at the start. It was noted that the programme would now be extended for a year.

Councillor Sorba asked why the bids were delayed and not successful, and was told that the delay stemmed from the GLA and other Councils who submitted bids were in the same position. It was noted that the Joint Councillors had agreed to write to the GLA complaining about the effect of the delay on their residents.

The Strategic Partnership Manager said that this had been a positive programme for Lewisham residents. She said at the start of the programme, they had 1,200 residents, and currently there were 180 residents supported to work, 90 being Lewisham residents. 20 of the 90 residents were now in sustained employment.

The Chair thanked officers for the report.

RESOLVED that the decision of the Better Placed Joint Committee (Lambeth, Lewisham and Southwark) be noted.

90. Decisions made by Mayor and Cabinet on 22 March 2017

New Homes Programme Update

The Programme Manager Housing Matters introduced the report. The Chair asked when the rest of the homes would be built, and was told the total was still 500 as there was capacity for this amount and pending planning permission it could take up to 9 months. The Chair asked what Lewisham Homes view was, and if there was any factor that would delay the plan.

The Lewisham Homes representative said that although there was quite a bit of work to be done they were trying to keep within the timeframe. The Chair asked why the plan was being delayed, he said members were told that building a tower block in Eliot Bank would not be problematic, but Panel Members have since discovered this was not true.

The Programme Manager Housing Matters said that officers had discovered that the loss of green space and infill site proved to be problematic. Councillor Handley asked whether there were alternative sites being considered, and was told that officers were looking at alternatives and would welcome any recommended sites. Councillor Johnston-Franklin said it was important to involve the community earlier in the process so that things are made very clear to avoid problems at a later stage.

The Chair asked if the Ladywell Pool site could be utilised, and was told there were currently pop up homes on this site with 3 years still to go, and these homes were housing homeless people. Councillor Morrison said there was a large fenced off site next to St Stephens Church that had been vacant for a long time, and the Programme Manager Housing Matters said officers would investigate this site.

The Chair said proposals for the Ladywell Pool site started 10 years ago and although the pop up homes were now on site plans should be put in place to develop this land as soon as the pop up homes come down in 3 years. The Programme Manager Housing Matters response was that lot of work had been done on how much development could be put on the site, and there had been some consultation to work out the scope of development.

The Chair said because of the urgency and volume of need things had to move quickly. The Chair added that the Housing Select Committee would be looking at the pathway for the next administration to look at future development of this site. Councillor Handley said it was important to have alternatives as backup. The Chair

responded saying that the Council needed a broader strategy to look at this, and thanked officers for the presentation.

Deptford Anchor

The Capital Programme Delivery Services Manager introduced the report.

The Chair invited representatives from the Deptford Society to make a presentation to the Panel. They highlighted the following points for consideration by the Business Panel:

- the position of the Anchor need to be central not marginalised as it is a symbol and landmark and that should be at the Heart of Deptford.
- residents would like to influence the design of the platform for the Anchor as they know Deptford more than officers do.
- residents are concerned about the proposal to use crowdfunding to return the Anchor, as Deptford is one of the poorest part of the borough and asking residents to contribute to this project would not be appropriate.
- Deptford is one of the areas that have seen property prices rise dramatically and with all the developments that were being built and the profits from them, SIL could contribute towards this project. As Developers should invest in the development of the local area.

Councillor Handley stated that crowdfunding was not to be rejected as the money did not have to come from Deptford residents. Councillor Johnston-Franklin commented that Deptford had changed over the years and the Council needed to ensure that the Anchor was placed at the centre of the high street to maintain its status.

Councillor Sorba asked whether there was a short cut to the process which could save time and money. The Capital Programme Delivery Services Manager said a safety audit had to be carried out, and the view of the police which was that it encourages people to loiter around its location had to be considered. He said officers would do their best to return it to an agreed position as soon as possible.

Panel members agreed to make a referral to Mayor and Cabinet endorsing the Deptford Society's proposals to Business Panel.

The Chair thanked the Mayor for his positive response following Business Panel's referral. The Chair also thanked representatives of the Deptford Society and Councillor Curran for their perseverance to address this issue. He said he would welcome an update from officers by the end of the year.

RESOLVED that:

- i. the decision of the Mayor be noted.
- ii. the Mayor be requested to consider the following requests from the Deptford Society to Mayor and Cabinet:
 - that the Deptford Society be fully consulted on the positioning and landscaping of the anchor within the preferred location, as they

believe the present recommendation does not allow the anchor to resume its role as an important landmark, focal point and symbol of Deptford's maritime heritage and that a much more central position can be achieved without impeding services, pedestrians, traffic or cyclists.

- that the Deptford Society influence the design of the proposed consultation, and is kept informed of the terms of the consultation (such as number of people surveyed), has approval of the questions asked, and that the 4000+ signatories wishes will be weighted into any results arising from consultation.
- the Council fully explore the use of CIL monies as an alternative to the previously suggested 'crowdfunding' option.
- the Council look into reducing costs in association with the Society.
- A Schedule of implementation be immediately set out and made known to the society.

91. Decisions made by Mayor and Cabinet (Contracts) on 22 March 2017

Libraries Savings Programme – Approval of Preferred Provider for Manor House

The Interim Head of Community and Neighbourhood Development introduced the report.

Councillor Mallory informed Panel Members that the meeting of the Stakeholders Panel went well. He said there were concerns raised about the financial arrangements of the Provider V22. The Interim Head of Community and Neighbourhood Development said that V22 was a not for profit arts organisation that would be responsible for running the community library. Councillor Mallory said the holding company was based in the Isle of Man which is worrying and members needed assurance that the library funds would be used for its intended purpose by the V22 Foundation.

The Interim Head of Community and Neighbourhood Development summarised the set-up of V22 and its various strands as set out in appendix 1 of the report. She highlighted that V22 PLC was registered in the stock exchange and this was set up to ensure that the people involved own a share of the organisation. She said those who could not afford to pay cash for their share could donate their artwork. The Interim Head of Community and Neighbourhood Development informed Panel Members that valuing artwork in the UK was very costly, hence their decision to be located in the Isle of Man where they had a simpler way of valuing artwork.

Panel Members asked what would happen if V22's application for charitable status got turned down and they were told that V22 would still retain their not for profit status but the art studio would not get automatic rate relief. The Interim Head of Community and Neighbourhood added that V22 would have to meet their rates responsibilities. Councillor Sorba asked why it was cheaper to value artwork in the Isle of Man, and was told that Isle of Man value artwork collectively, whilst the UK value artwork individually which is time consuming and more costly.

Councillor Hilton asked whether the Council had its note of value, and what was the income streams for the library. The Interim Head of Community and Neighbourhood Development said the income streams would be mainly through letting out art studios. Councillor Hilton asked whether the rent could be affordable rent. She was told that the Artists would share the profit. Councillor Hilton asked how they could share the profit if they were not making any profit. She asked if Members could be assured that all the library money was at arms length. The Interim Head of Community and Neighbourhood Development said V22 Foundation was separate and could not pass its profit on.

Councillor Curran asked how this contract differs from the rest of the community library contracts and was told that the Council would maintain liability and the external fabric of the building and V22 would maintain the inside of the building and its plant. It was noted that another SLA between the Council and Community Libraries was that no money would change hands, and if the contract was terminated, then the lease would be terminated. The Chair said there should be a review of community libraries in future to ensure parity. He requested that the Executive Director for Resources and Regeneration provide Business Panel Members with information on Fair Tax Mark. He also asked that Business Panel be updated with the outcome of V22 application for Charity Status. Councillor Mallory asked officers to enquire if V22 would be excluded from CIO if they did not achieve the Charitable Status.

Action >>>> ED Resources & Regeneration.

92. Overview & Scrutiny Select Committees Work Programmes - verbal update

The Scrutiny Manager informed Business Panel that the Select Committees would set their work programmes for the new municipal year to be considered at the next Business Panel meeting. Councillor Hilton said there was a clash on the calendar which would affect PASC and CYP Select Committees. The Chair said officers would not have been aware of any clash until the membership of Select Committees had been finalised. The Scrutiny Manager suggested that once the work programmes had been finalised officers could see if they could be managed within the current calendar, or if an amendment to the calendar should be done.

The Chair said Select Committees Chairs should be aware that this was the last year of this Administration and they would need to look at what they want to focus on during the next Administration. He said Business Panel could give guidance on the policy areas for 2017/18, and Chairs and Scrutiny Managers need to focus their minds on this. The Chair requested that the Scrutiny Manager ask Scrutiny officers to include these in their work programmes.

93. Exclusion of the Press and Public

Noted.

94. Decisions made by Mayor and Cabinet on 22 March 2017

No item was identified for further discussion.

95. Decisions made by Mayor and Cabinet (Contracts) on 22 March 2017

No item was identified for further discussion.

Meeting ended: 9.12pm

Chair

Agenda Item 2

OVERVIEW AND SCRUTINY BUSINESS PANEL		
Report Title	DECLARATIONS OF INTEREST	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 2 May 2017

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 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)

Agenda Item 3

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Outstanding Scrutiny Items	
Key Decision	No	Item No.
Ward	n/a	
Contributors	Head of Business and Committee	
Class	Part 1	Date: 2 May 2017

1. Purpose of Report

To report on items previously reported to the Mayor for response by directorates and to indicate the likely future reporting date.

2. Recommendation

That the reporting date of the items shown in the table below be noted.

Report Title	Responding Author	Date Considered by Mayor & Cabinet	Scheduled Reporting Date	Slippage since last report
Response to Sustainable Developement Select Committee Work and Skills	ED Resources & Regeneration	8 February 2017	10 May 2017	No
Response to Sustainable Developement Select Committee Catford Regeneration	ED Resources & Regeneration	8 February 2017	10 May 2017	No
Response to Safer Stronger Communities Select Committee Voluntary Sector Review	ED Community	15 February 2017	10 May 2017	No
Response to OSBP – Sustainable Community Strategy	ED Resources & Regeneration	22 March 2017	10 May 2017	Yes (positive)

Response to CYP Select Committee – Transition Review	ED CYP	22 March 2017	7 June 2017	No
Response to SDSC on Housing Zones	ED Resources & Regeneration	22 March 2017	7 June 2017	No
Response to SDSC Post Office Services in Lewisham	ED Customer	22 March 2017	7 June 2017	No
Response to SDSC Home Energy Conservation	ED Resources & Regeneration	22 March 2017	7 June 2017	No
Response to SSCSC Local Assemblies Review	ED Community	22 March 2017	7 June 2017	No
Response to SSCSC NPS and CRC	ED Community	22 March 2017	7 June 2017	No
Response to HCSC Health and Adult Social Care Integration Review	ED Community	22 March 2017	7 June 2017	No
Response to HSC Housing and Mental Health Review	ED Customer	22 March 2017	7 June 2017	No
Response to PAC – Audit Panel	ED Resources & Regeneration	19 April 2017	28 June 2017	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 8 & 15 February 2017, 22 March 2017 and 19 April 2017 available from Kevin Flaherty 0208 3149327.

<http://councilmeetings.lewisham.gov.uk/ieListMeetings.aspx?CId=139&Year=0>

Agenda Item 4

Overview & Scrutiny Business Panel			
Report Title	Notification of Late and Urgent Items		
Key Decision	No		Item No. 4
Ward			
Contributors	Head of Business and Committee		
Class	Part 1	Date: 2 May 2017	

1. Purpose of Report

Report Title	Author	Reasons Stated for Urgency	Responsible Committee and Date
Young Persons Health and Well Being Service Contract Award	ED CYP	This report was not available for the original dispatch on 11/04/17 because officers were only made aware of the need to recommend a new contract award on 31st March 2017. The report is urgent and cannot wait until the next meeting of the Mayor & Cabinet Contracts on May 10 2017 due to the need to enter into a new contract as soon as possible.	Mayor & Cabinet Contracts April 19

Agenda Item 5

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Decisions made by Mayor and Cabinet on 19 April 2017	
Key Decision		Item No. 5
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 2 May 2017

1. Recommendation

To consider key decision made by the Mayor and Cabinet on 19 April 2017 which will come in to force on 3 May 2017.

2. Background

2.1 The Mayor and Cabinet considered the following key decision on 19 April 2017.

2.2 The notice of the decision made in respect of the 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 this report is not called in they will come into force on 3 May 2017.

(i) New Homes Programme Update



NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor and Cabinet made the following decision on 19 April 2017. This Decision will become effective on 3 May 2017 unless called in by the Overview & Scrutiny Business Panel on 2 May 2017.

1. New Homes Programme Update

Having considered an officer report and a presentation by the Cabinet Member for Housing, Councillor Damien Egan, the Mayor agreed that:

- (1) the progress update on the New Homes, Better Places Programme be noted;
- (2) the success of PLACE/Ladywell and the lessons learnt during the delivery of the project as set out be noted;
- (3) the feasibility work undertaken by Rogers Stirk Harbour and Partners on behalf of Perfect Circle for a proposed development to be known as PLACE/Deptford on the site of the former Edward Street MUGA, and how this work builds on the lessons learned from PLACE/Ladywell, be noted; and
- (4) the Budget for the PLACE/Deptford development as set out in section 12 be approved.

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

20 April 2017

Agenda Item 6

OVERVIEW & SCRUTINY BUSINESS PANEL			
Report Title	Decisions made by Mayor and Cabinet (Contracts) on 19 April 2017		
Key Decision			Item No. 6
Ward	All		
Contributors	Chief Executive/Head of Business and Committee		
Class	Part 1		Date: 2 May 2017

1. Recommendation

To consider key decisions made by the Mayor and Cabinet (Contracts) on 19 April 2017 which will come in to force on 3 May 2017.

2. Background

2.1 The Mayor and Cabinet (Contracts) considered the following key decisions on 19 April 2017:

(i) Main Grants 2017-18 - London Boxing Allocation

2.2 The notice of decisions made in respect of these reports are 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 a report is not called in it will come into force on 3 May 2017.



NOTICE OF DECISIONS MADE BY THE MAYOR AND CABINET (CONTRACTS)

The Mayor and Cabinet (Contracts) made the following decision on 19 April 2017. This decision will become effective on 3 May 2017 unless it is called in by the Overview & Scrutiny Business Panel on 2 May 2017.

1. Main Grants 2017/18 – Boxing allocation to London Sport

Having considered an open officer report, and a presentation from the Cabinet Member for the Third Sector, Councillor Joan Millbank, Mayor and Cabinet (Contracts) agreed that an award of £15,000 be made to London Sport for 2017/18.

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford SE6 4RU
20 April 2017**

Agenda Item 8

OVERVIEW & SCRUTINY BUSINESS PANEL					
Report Title	Exclusion of the Press and Public				
Key Decision		Item No. 8			
Ward					
Contributors	Chief Executive				
Class	Part 1	Date: 2 May 2017			

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:-

8. Decisions made by Mayor and Cabinet (Contracts) on 19 April 2017.

Agenda Item 9

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

Document is Restricted

Agenda Item 10

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

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Agenda Item 11

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

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Agenda Item 12

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

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