



AGENDA

OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Date: TUESDAY, 2 MAY 2017 at 7.00 pm

Committee Rooms 1 & 2

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 Liz Johnston-Franklin | Labour Group Representative | L |
| Councillor Carl Handley | Chair of Housing Select Committee | L |
| Councillor Jim Mallory | Labour Group Representative | L |
| Councillor Pauline Morrison | Chair of Safer Stronger Communities Select Committee | L |
| Councillor Maja Hilton | Chair of Public Accounts 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

Non-elected Voting Members

| | |
|---------------------|---|
| Sharon Archibald | Primary School Parent Governor Representative |
| Kevin Mantle | Parent Governor Representative for Special Schools |
| Monsignor N Rothern | 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, 24 April 2017



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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Agenda Item 1

| OVERVIEW & SCRUTINY (EDUCATION) BUSINESS PANEL | | |
|--|-----------------|------------------|
| Report Title | Minutes | |
| Key Decision | | Item 1 |
| Ward | | |
| Contributors | Chief Executive | |
| Class | Part 1 | Date: 2 May 2017 |

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 28 March 2017 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Tuesday, 28 March 2017 at 7.00 pm

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

13. Minutes

The Chair welcomed new and returning Business Panel Members to the meeting; Councillors Hilton, Johnston-Franklin, Morrison and Sorba. The Chair also thanked out-going members of the Panel; Councillors Dacres, Michael, Milne and Moore for all their hard work during their term of office.

RESOLVED that the minutes of the open meeting held on 31 January 2017 be confirmed as a correct record.

14. Declarations of Interests

Councillor Mallory declared a personal non pecuniary interest in item 3 as a Governor of Abbey Manor College.

Councillor Handley declared a personal non pecuniary interest in item 3 as a Board Member of Brent Knoll and Watergate Schools co-op Trust.

15. Decisions Made by Mayor and Cabinet on 22 March 2017

Lewisham Schools Place Planning Strategy

The Executive Director for Children and Young People introduced the report. The Chair stated that local authorities have a duty to provide school places for children in the borough. He asked what the future plans were for a new secondary school in Lewisham. The Executive Director for Children and Young People said the situation was complicated as there were still places available in some of the Lewisham secondary schools. The Executive Director for Children and Young People said this was mainly due to the high volume of export of secondary school children to neighbouring boroughs. She added that the bulge classes provision in primary schools had not yet worked through to secondary schools. Panel Members were told that the start of the serious deficit of secondary school places would be in 2019/20 hence the justification of 1 form entry for Bonus Pastor and a planned extension of Addey & Stanhope.

The Executive Director for Children and Young People said Panel Members should be aware that if there was to be a new secondary school it would only be a Free School. This would mean the Council would not have to identify a site for the school. She said finding a site in London was not easy, and the officers were focusing on filling up existing schools, and the Council hoped to export fewer pupils in future.

The Chair asked how long it would take to build a new school and was told that a large secondary school could take years. The Executive Director for Children and Young People said apart from the construction itself a suitable site would have to be identified, planning permission sought and all this could take about 3-4 years. The Chair said this was worrying, as talk of building a new school had been going on before the current administration and to date no progress had been made. The Executive Director for Children and Young People informed the Panel that the Council could not possibly open a new secondary school when there were vacant places in existing secondary schools. She emphasised that the urgency was in providing places for primary school children and this would continue till 2018/19.

Councillor Mallory said he was aware of the difficulty in securing a site to build a new school, and wanted to find out if there was any scope to expand existing schools, especially as most of them were built under the BSF programme. The Executive Director for Children and Young People said most of them have not got the facility to expand, and although Sedgehill School was on a large site this would be the wrong time to expand it.

Councillor Mallory asked if other sites have been investigated, and was told that officers had not yet done a site trawl for secondary schools as the priority currently was for primary school places. The Executive Director for Children and Young People said the Council could look at expanding schools that were popular but there were issues around optimum size for secondary schools, and this would have to be considered carefully.

Following a detailed discussion, and in response to a question about the Council's strategic plan to address the issue of secondary school places and securing additional funding for this, the Executive Director for Children and Young People said officers would set out clear steps to address this problem. She said things that were being discussed included recycling of bulge classes in Primary schools and focusing on increasing the number of special school places. She added that proposals would be brought to members in the next few months.

The Chair said he was happy that the Children and Young People Select Committee were constantly reviewing schools forecast on a yearly basis. The Chair requested the following briefings for Education Business Panel Members:

- i. the proposed church Free School.
- ii. proposal for getting SEN funding for out of borough school places.
- iii. plans for increasing secondary school places in the borough.

The Chair said these were very important issues and needed to be addressed. The Executive Director for Children and Young People said this information would be provided after the Easter Break.

Action >>>>> EC CYP

RESOLVED that the decision of the Mayor be noted.

Our Lady St Philp Neri – Land Transfer

The Capital Programme Delivery Services Manager introduced the report.

Business Panel Members asked if the Council would get any financial benefit from this transaction, and was told the Council would not. It was noted that the current value of the land was £30k and the Mayor had pledged £6.1m towards expansion works as it would be of significant benefit to Lewisham if the school was expanded. The Chair asked that officers ensure access to Home Park is part of the discussion, and was told by the Capital Programme Delivery Services Manager that this would be included in the contract.

Action >>>>> ED Resources & Regeneration

RESOLVED that the decision of the Mayor be noted

16. 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:

17. Decision Made by Mayor and Cabinet (Contracts) on 22 March 2017

Ashmead and Addey & Stanhope School Expansions

The Chair said Business Panel Members received and noted the Head of Law's letter.

RESOLVED that the decision of the Mayor be noted.

18. Decision Made by an Executive Director Under Delegated Authority - Award of Stage 1 Design and Build Contract Addey & Stanhope and Ashmead Schools

This item was not required for further discussion.

Meeting ended: 7:55pm

Chair

| OVERVIEW AND SCRUTINY (EDUCATION) BUSINESS PANEL | | |
|--|---------------------------|------------------|
| Report Title | Declarations of Interests | |
| 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 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 | Exclusion of the Press and Public | |
| Key Decision | | Item No. 3 |
| 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 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information:-

4. Decision made by an Executive Director Under Delegated Authority – Short Term Contract Extension for the Provision of FM Services for Two School Playing Fields.
5. Decision made by an Executive Director Under Delegated Authority – Award School Minor Works Contract Award – 2017/18

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

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of the Local Government Act 1972.

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