



AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: MONDAY, 12 JUNE 2017 at 6.00 pm

Committee Room 3
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 John Muldoon	Chair of Healthier Communities Select Committee	L
Councillor Maja Hilton	Chair of Public Accounts Select Committee	L
Councillor Jim Mallory	Labour Group Representative	L
Councillor Liz Johnston-Franklin	Labour Group Representative	L
Councillor Pauline Morrison	Chair of Safer Stronger Communities Select Committee	L
Councillor Luke Sorba	Chair of Children and Young People 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: Thursday, 1 June



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Lewisham



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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: 12 June 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 22 May 2017 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Monday, 22 May 2017 at 7.00 pm

PRESENT: Councillors Alan Hall (Chair), John Muldoon, Maja Hilton, Jim Mallory, Liz Johnston-Franklin, Pauline Morrison and Luke Sorba

ALSO PRESENT:

Apologies for absence were received from Councillor Gareth Siddorn and Councillor Liam Curran

1. Minutes

Minutes 106 – Decision made by an Executive Director Under Delegated Authority – Appointment of Landscape Architects for the Delivery of Beckenham Place Park

The Chair requested that the Head of Law and the Executive Director for Resources and Regeneration be reminded to action Business Panel's request with a written response circulated to Business Panel Members.

Action >>>>> ED Resources & Regeneration, Head of Law

RESOLVED that the minutes of the open meeting held on 2 May 2017 be confirmed as a correct record.

2. Declarations of Interests

None declared.

3. Outstanding Scrutiny Items

Report noted.

4. Notification of Late and Urgent Items

Report noted.

5. Decisions Made by Mayor and Cabinet on 10 May 2017

Catford Regeneration Partnership Limited 2017-18 Business Plan

The Capital Programme Delivery Services Manager introduced the report.

The Chair said that in the past Business Panel had requested that the number of the Company's Directors be increased from 2 to 3, and for a non-Executive Member input in the decision making process. The Chair said it was important that the Legal Team and the Constitution Working Party look at this closely especially as the Company is expected to become more active. The Chair added that in the

current situation it could be down to just one person making decisions, which he did not think was acceptable.

The Principal Lawyer said she was aware of some advice being given about the number of Directors in the Company. The Chair said when the proposal was made by Business Panel the feedback was that it was a welcome proposal, but no changes had been made to date.

Councillor Muldoon commented that as a Councillor for Rushey Green Ward, he has been questioned about the future of the Catford Cat. He said he was aware that the current Mayor had made a commitment that the Cat would not be going anywhere whilst he was Mayor, but as his term of office nears its end Councillor Muldoon was concerned about the Cat's future. The Capital Programme Delivery Services Manager said he was not aware of any decision being made about the location of the Cat, and thought the local community would be involved in deciding the future of the Cat.

Councillor Mallory asked whether TFL were as committed as before to the Regeneration Project. The Capital Programme Delivery Services Manager said he had been part of the project for the last 2 years and during that time TFL had demonstrated very positively their commitment to the project. They had paid for all the work that had been done to date and were very keen to work with the Council.

The Chair said he heard rumours about moving the South Circular Road, and that Developers and Partners were to be appointed to do the work. The Capital Programme Delivery Services Manager informed Panel Members that it would take over two years into the programme before the appointment of a Developer. He added that the decision for the alignment of the road, the master plan briefing and the master plan architect would have to be in place before a Partner Developer was appointed.

The Chair said it had been mentioned in the past that the Partner Developer would be in place in March 2017. He asked whether there would be public consultation before this decision. The Capital Programme Delivery Services Manager said officers had already engaged with the public via Common Place, a web platform. He said the brief would be done in conjunction with Members public interaction. The Chair said officers should ensure wider member interaction and full public consultation to engage with the public and target groups. He added that this should be done before the Partner Developer was appointed.

Councillor Sorba stated that he would have thought it was Members' duty and role to have a vision and direction instead of being led by others. He asked how Members could input into the process. The Capital Programme Delivery Services Manager said the Sustainable Development Select Committee had been engaged with the principles that were set up in a previous local plan.

Business Panel Members said they were concerned that some groups could be side-lined, and would ask that officers ensure the consultation process was sound and inclusive. The Capital Programme Delivery Services Manager said Common Place was just one of many platforms that would be utilised this included face to face meetings.

Councillor Johnston-Franklin said that officers should ensure plans were put in place and be mindful of leaving residential blocks empty as this could result in the creation of derelict buildings which could lead to a ghost town. The Capital Programme Delivery Services Manager said the Council had a good working relationship with Nottingham and the masterplan would include a phasing plan to avoid empty places. Councillor Johnston-Franklin said it was important to keep the momentum going.

The Chair proposed that a recommendation should be sent to Council requesting that they direct the Constitution Working Party to review the governance of Catford Regeneration Partnership Limited, with a view to increase the current number of Directors to include a non-Executive Member, this was agreed.

Business Panel also agreed to request that the Sustainable Development Select Committee and the Executive Director for Resources ensure that officers engage with all elected members before the masterplan brief is drafted, and proper public engagement should be done before the appointment of the Development Partner.

Action >>>>> ED Resources & Regeneration, Head of Law, Interim Head of Scrutiny

The Chair requested the South Circular plan to be circulated to Business Panel Members, and asked Business Panel Members to attend relevant meetings when they are arranged.

Action >>>>> ED Resources & Regeneration

RESOLVED that:

- i. the decision of the Mayor be noted.
- ii. Council be requested to direct the Constitution Working Party to review the governance of Catford Regeneration Partnership Limited, with a view to increase the current number of Directors to include a non-Executive Members.
- iii. Officers engage with all elected Members before the masterplan brief is drafted.
- iv. Officers engage with the public properly before the appointment of the Development Partner.
- v. Officers circulate the South Circular Plan to Business Panel Members as soon as possible.

6. Overview and Scrutiny Select Committees Work Programmes 2017/18

The Interim Scrutiny Manager introduced the report and informed Panel Members that the Sustainable Development Select Committee would agree the topic for its in-depth review at its next meeting and an update would be brought to Business Panel on 11 July 2017.

Councillor Sorba, Chair of Children and Young People Select Committee informed the Panel that the Children and Young People Select Committee would be doing an annual report on pupils' attendance and exclusions. He said an urban synergy

would take place on 20 June and they would be looking at improving the community. Councillor Sorba also told members that there would be an external speaker at the joint school funding meeting, and the Chair said he would encourage Select Committees Chairs to attend this meeting. The Chair added that it would be useful if more external speakers were invited to Select Committee meetings whenever possible as this would bring in ideas from outside the Council.

Councillor Hilton, Chair of the Public Accounts Select Committee informed Members the Committee would be doing an in-depth review of household budgets and residents input would be sought. She said they also intend to visit ward assembly meetings with questionnaires about the effect of austerity on household budgets and how residents were coping with its challenges. It was noted that the Scrutiny Manager would attend these meetings once the scope had been agreed.

Councillor Sorba stated that information from the Lewisham Poverty Commission and other organisations like the Roundtree Agency would be valuable to the review. The Interim Scrutiny Manager stated that Scrutiny Manager for PAC had contacted the Lewisham Poverty Commission to ensure there would be no duplication of information. The Chair said it would be brilliant to have a wider range of issues.

Councillor Muldoon, Chair of Healthier Communities Select Committee informed Panel Members that much of the Select Committees agenda would be imposed upon them because of their statutory duties, hence their programme had to be fluid. He thanked the Scrutiny Team for their support to him as Chair of the London Scrutiny Network. He said he would like to send a thank you letter to the Chair of St Thomas Trust for inviting him to their meeting, and he would report back to the Panel.

Action >>>>> Interim Head of Scrutiny

Councillor Morrison, Chair of Safer, Stronger Communities Select Committee said the Select Committee would meet soon to discuss their programme. She informed Panel Members that the Chief Executive gave an interesting presentation to the Select Committee in April on Demographics, and this would become a major piece of work. Councillor Sorba asked to see a summary of the presentation, and the Chair requested the presentation to be circulated to Council Members.

Action >>>>> Interim Head of Scrutiny

RESOLVED that the report be noted.

7. Exclusion of the Press and Public

Noted.

8. Decisions made by Mayor and Cabinet on 10 May 2017

None of the confidential decisions made by Mayor and Cabinet on 10 May 2017, was identified for further discussion.

9. Decisions Made by Mayor and Cabinet (Contracts) on 10 May 2017

None of the confidential decisions made by Mayor and Cabinet (Contracts) on 10 May 2017, was identified for further discussion.

Meeting ended 7:41pm

Chair

OVERVIEW AND SCRUTINY BUSINESS PANEL		
Report Title	DECLARATIONS OF INTEREST	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 12 June 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 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)

Overview and Scrutiny Business Panel		
Report Title	Outstanding Scrutiny Items	
Key Decision	No	Item No. 3
Ward	n/a	
Contributors	Head of Business and Committee	
Class	Part 1	Date: 12 June 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 Safer Stronger Communities Select Committee Voluntary Sector Review	ED Community	15 February 2017	21 June 2017	yes
Response to SDSC on Housing Zones	ED Resources & Regeneration	22 March 2017	28 June 2017	yes
Response to SDSC Post Office Services in Lewisham	ED Customer	22 March 2017	28 June 2017	yes
Response to SSCSC Local Assemblies Review	ED Community	22 March 2017	21 June 2017	yes
Response to SSCSC NPS and CRC	ED Community	22 March 2017	21 June 2017	yes

Response to HCSC Health and Adult Social Care Integration Review	ED Community	22 March 2017	28 June 2017	yes
Response to HSC Housing and Mental Health Review	ED Customer	22 March 2017	28 June 2017	yes
Response to PAC – Audit Panel	ED Resources & Regeneration	19 April 2017	28 June 2017	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes

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>

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: 12 June 2017

1. None to report

Agenda Item 7

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Exclusion of the Press and Public	
Key Decision		Item No. 7
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 12 June 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 7 June 2017
9. Decision Made by an Executive Director Under Delegated Authority – Sydenham Park Footbridge – Approval to Enter an Agreement with Network Rail
10. Decision of an Executive Director Under Delegated Authority - Request for authority to participate in the Inter Authority Agreement for the Pan-London sexual health 'e-service' contract for online testing'.

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

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