



AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 14 FEBRUARY 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 Brenda Dacres | Labour Group Representative | L |
| Councillor Carl Handley | Chair of Housing Select Committee | L |
| Councillor David Michael | Chair of Safer Stronger Communities Select Committee | L |
| Councillor Jamie Milne | Chair of Public Accounts Committee | L |
| Councillor Hilary Moore | Chair of Children and Young People Select Committee | L |
| Councillor John Muldoon | Chair of Healthier Communities Select Committee | L |
| Councillor Jim Mallory | Labour Group Representative | L |

This is an open meeting and all items on the 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, 6 February 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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| 5. | Decisions Made by Mayor and Cabinet on 8 February 2017 - to follow | |
| 6. | Overview & Scrutiny Select Committees Work Programmes 2016-2017 - verbal update | |
| 7. | Exclusion of the Press and Public | 9 |
| 8. | Decision Made by Mayor and Cabinet on 8 February 2017 - to follow | |
| 9. | Decisions Made by Mayor and Cabinet (Contracts) on 8 February 2017 - to follow | |



Lewisham



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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: 14 February 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 & 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: 14 February 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 |
|--|-----------------------------|------------------------------------|--------------------------|----------------------------|
| Children and Young People Select Committee- Response to Review into Careers Information, Advice and Guidance | ED Children & Young People | 9 November 2016 | 15 February 2017 | No |
| Housing Select Committee and Sustainable Development Select Committee- Housing Zones | ED Resources & Regeneration | 9 November 2016 | 15 February 2017 | No |
| Response to Sustainable Development Select Committee Air Quality Action Plan | ED Community Services | 7 December 2016 | 15 February 2017 | No |
| Response to Safer Stronger Communities Main Grants Programme | ED Community Services | 7 December 2016 | 8 February 2017 | No |

| | | | | |
|--|-----------------------------|-----------------|------------------|-----|
| Response to Housing Select Committee on Handyperson Service | ED Customer Services | 7 December 2016 | 15 February 2017 | yes |
| Response to Sustainable Development Select Committee on Planning | ED Resources & Regeneration | 11 January 2017 | 22 March 2017 | No |

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 9 November 2016, 7 December 2016 & 11 January 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: 14 February 2017 |

1. Purpose of Report

| Report Title | Author | Reasons Stated for Urgency | Responsible Committee and Date |
|-------------------------|--|---|--|
| Budget Update 2017-2018 | ED Resources & Regeneration Head of Corporate Resources | This report was not available for the original dispatch because officers needed additional time to complete their review of the announcements in December on the provisional local government settlement and their budget impacts for 2017/18. The report is urgent and cannot wait until the next meeting of the Public Accounts Select Committee as their feedback on this report will influence the preparation of the budget report for Mayor and Cabinet on 8 February | Public Accounts Select Committee 25 Jan 2017 |
| 2017-18 Budget | ED Resources | Lateness: This report was not available for the original dispatch because officers needing additional time to complete their review of the financial details through the report. Urgency: The report is urgent and cannot wait until the | Mayor & Cabinet February 8 2017 |

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|--|--|---|--|
| | | next meeting of Mayor & Cabinet as their feedback on this this report will influence the preparation of the budget update report for Mayor and Cabinet on the 15 February and the final budget proposals to Council on the 22 February. | |
|--|--|---|--|

| 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: 14 February 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. Decision made by Mayor and Cabinet on 8 February 2017.
9. Decisions made by Mayor and Cabinet (Contracts) on 8 February 2017.