

# Public Document Pack

## Appointments committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Wednesday, 7 December 2016.



Barry Quirk, Chief Executive  
November 23 2016

Councillor John Coughlin Councillor Brenda Dacres Councillor Damien Egan Councillor Alan Hall (Chair) Councillor Alan Smith	
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# Appointments committee Agenda

Wednesday, 7 December 2016

**12.30 pm**, Civic Suite, Lewisham Town Hall, London SE6 4RU

Civic Suite

Lewisham Town Hall

London SE6 4RU

For more information contact: Kevin Flaherty 0208 3149327 (Tel: 0208 314 9327)

## Part 1

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APPOINTMENTS COMMITTEE		
<b>Report Title</b>	Declarations of Interests	
<b>Key Decision</b>	No	Item No. 1
<b>Ward</b>	n/a	
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: December 7 2016

## Declaration of interests

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)

# Agenda Item 2

APPOINTMENTS COMMITTEE		
<b>Report Title</b>	Minutes	
<b>Key Decision</b>	n/a	Item No.2
<b>Ward</b>	n/a	
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: December 7 2016

## Recommendation

It is recommended that the minutes of that part of the meetings of the Appointments Committee which were open to the press and public, held on October 31 2016 and November 9 2016 (copies ttached) be confirmed and signed as a correct record.



## MINUTES OF THE APPOINTMENTS COMMITTEE

Monday, 31 October 2016 at 5.30 pm

PRESENT: Sir Steve Bullock, Councillors John Coughlin, Brenda Dacres, Alan Hall, Paul Maslin and Joan Millbank.

### 57. Declaration of interests

None were declared.

### 58. Minutes

RESOLVED that the minutes of the meeting held on March 16 2016 be confirmed and signed as a correct record.

### 59. Exclusion of Press and Public

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 1 of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

4 Review of the Chief Executive's Working Arrangements.

### 60. Chief Executive's Working Arrangement

The confidential report was introduced by the Interim Head of Human Resources and People Transformation, who reported an independent review into the Chief Executive's working arrangements had been carried out by Jerry Cope of the t-three Group. Mr Cope was a Consultant with a senior management background that included executive positions in the Royal Mail. In summary his conclusion was that the arrangements the Appointments Committee had first agreed in 2011 continued to work well and that the Council should only consider any alternative should the Chief Executive decide to retire.

The Mayor stated that whenever the Chief Executive announced his retirement the authority should re-evaluate the role in the light of existing circumstances and decide at that point a way forward. He believed it would be premature to agree a succession route immediately.

The Chair asked about the implications for the authority of ending the arrangement without consent and was informed the Council would have to give 3 months notice and would be obliged to make an additional pension payment to the Chief Executive as originally agreed in 2011. The Interim

Head of Human Resources and People Transformation said this was a fairly standard arrangement.

The Chair noted the previously agreed review had been carried out as resolved and that the arrangement continued to operate satisfactorily. He believed the management capacity of the organisation at various levels, especially Heads of Service, needed to be carefully monitored.

The Chair accepted the suggestion that there be a full review of the Council's arrangements in the eventuality of the Chief Executive deciding to retire or leave. He believed a full exploration of issues and opportunities for change could take place at that juncture.

The Committee unanimously accepted the suggestion that there be a further review in 2018.

RESOLVED that

(1) the review of the Chief Executive's working arrangements be received;  
and

(2) a further review of the Chief Executive's working arrangements be conducted in 2018.

The meeting closed at 5.56pm

**MINUTES OF THE APPOINTMENTS  
COMMITTEE**

Wednesday, 9 November 2016 at 12.30 pm

PRESENT: Councillors John Coughlin, Brenda Dacres (Chair), Joe Dromey and Alan Smith.

Apologies for absence were received from Councillor Alan Hall.

**61. Declaration of interests**

None were declared.

**62. Exclusion of 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 1 of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

3 Appointment of Head of Service Change and Digital Transformation.

**63. Appointment of Head of Service Change and Digital Transformation**

RESOLVED that Duncan Dewhurst be appointed as Head of Service Change and Digital Transformation.

The meeting closed at 3.45pm.

# Agenda Item 3

APPOINTMENTS COMMITTEE		
<b>Report Title</b>	Exclusion of the Press and Public	
<b>Key Decision</b>	No	Item No. 3
<b>Ward</b>		
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: 7 December 2016

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 1 of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

- 4 Appointment of Head of Regeneration and Place