



AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 24 APRIL 2018 at 7.05 pm

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

Enquiries to: **Olga Cole**
Telephone: **0208 314 8577 (direct line)**
Email: **olga.cole@lewisham.gov.uk**

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: Monday, 16 April 2018



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

Item No		Page No.s
1.	Minutes	1
2.	Declarations of Interests	2 - 5
3.	Outstanding Scrutiny Matters	6 - 7
4.	Notification of Late and Urgent Items	8 - 9
5.	Overview & Scrutiny Select Committees Work Programmes - oral update	
6.	Exclusion of the Press and Public	10
7.	Decision made by Mayor and Cabinet on 18 April 2018	11 - 12
8.	Decisions made by Mayor and Cabinet (Contracts) on 18 April 2018	13 - 15
9.	Decision made by an Executive Director under Delegated Authority - Contract award for Lewisham Stop Smoking Service	16 - 21



Lewisham



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.

Agenda Item 1

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Minutes	
Key Decision		Item No. 1
Ward	All	
Contributors	Chief Executive	
Class	Part 1	Date: 24 April 2018

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 10 April 2018 be confirmed and signed.

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: 24 April 2018

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 3

OVERVIEW AND 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: 24 April 2018	

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 – LGBT Provision in Lewisham	ED Resources & Regeneration	14 February 2018	6 June 2018	No
Response to Overview and Scrutiny Committee – Building Regulations	ED Resources & Regeneration	14 February 2018	6 June 2018	No
Response to Overview and Scrutiny Committee – Sustainability and Transformation Plans	ED Community	14 February 2018	6 June 2018	No

Response to Children and Young People Select Committee – Recruitment and Retention Review	ED Children & Young People	14 February 2018	6 June 2018	No
Response to Children and Young People Select Committee – SEND	ED Children & Young People	14 February 2018	6 June 2018	No
Response to Healthier Communities Select Committee – Social Prescribing	ED Community	28 February 2018	6 June 2018	No
Response to Housing Select Committee – Housing delivery models in-depth review	ED Customer Services	21 March 2018	6 June 2018	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 14 & 28 February 2018 and 21 March 2018 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: 24 April 2018

1. Purpose of Report

Report Title	Author	Reasons Stated for Urgency	Responsible Committee and Date
Torridon Amalgamation – Decision to change the age range of Torridon Infant and Nursery School and to close Torridon Junior School	ED CYP	<p>This report was not available for the original dispatch date due to the fact that the related consultations didn't close until noon on Friday 13 April, the results of which needed to be included to ensure that the Mayor (as LA statutory decision maker) has all relevant information with which to make a reasoned decision, and to also ensure that the statutory process is followed.</p> <p>This report is urgent and cannot wait until the next meeting of the Mayor & Cabinet on 6 June 2018, as this will prevent the amalgamated schools to make appropriate decisions regarding both leadership and logistics in time for the</p>	Mayor & Cabinet April 18 2018

		<p>new 2018/19 school year in line with the September 2018 implementation date as per the proposals upon which the decisions are to be based, and upon the process that has been followed up to this point. Additionally it is imperative that the Mayor (as LA statutory decision maker) makes a decision before 13 June 2018, otherwise they are referred to the Office of the Schools Adjudicator to make.</p>	
--	--	---	--

Agenda Item 6

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Exclusion of the Press and Public	
Key Decision		Item No. 6
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 24 April 2018

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:-

7. Decision made by Mayor and Cabinet on 18 April 2018
8. Decisions made by Mayor and Cabinet (Contract) on 18 April 2018
9. Decision made by an Executive Director under Delegated Authority – Contract award for Lewisham Stop Smoking Service

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

Document is Restricted

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

Document is Restricted

Agenda Item 9

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

Document is Restricted