

# Lewisham Council Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Wednesday, 23 May 2018.



Ian Thomas, Chief Executive  
May 15 2018

Mayor Damien Egan	
Councillor Obajimi Adefiranye	
Councillor Abdeslam Amrani	
Councillor Tauseef Anwar	
Councillor Chris Barnham	
Councillor Paul Bell	
Councillor Peter Bernards	
Councillor Chris Best	
Councillor Kevin Bonavia	
Councillor Andre Bourne	
Councillor Bill Brown	
Councillor Juliet Campbell	
Councillor Suzannah Clarke	
Councillor Patrick Codd	

Councillor Tom Copley  
Councillor Liam Curran  
Councillor Janet Daby  
Councillor Brenda Dacres  
Councillor Sophie Davis  
Councillor Amanda De Ryk  
Councillor Joe Dromey  
Councillor Colin Elliott  
Councillor Alex Feis-Bryce  
Councillor Aisling Gallagher  
Councillor Leo Gibbons  
Councillor Alan Hall  
Councillor Carl Handley  
Councillor Octavia Holland  
Councillor Sue Hordijkeno  
Councillor Coral Howard  
Councillor Mark Ingleby  
Councillor Liz Johnston-Franklin  
Councillor Caroline Kalu  
Councillor Silvana Kelleher  
Councillor Louise Krupski  
Councillor Jim Mallory  
Councillor Paul Maslin  
Councillor Sophie McGeevor  
Councillor Joan Millbank  
Councillor Hilary Moore  
Councillor Pauline Morrison  
Councillor John Muldoon

Councillor Olurotimi Ogunbadewa

Councillor Jacq Paschoud

Councillor John Paschoud

Councillor Stephen Penfold

Councillor James Rathbone

Councillor Joani Reid

Councillor Sakina Sheikh

Councillor Jonathan Slater

Councillor Alan Smith

Councillor Luke Sorba

Councillor Eva Stamirowski

Councillor Alan Till

Councillor James-J Walsh

Councillor Susan Wise



# Council Agenda

Wednesday, 23 May 2018  
**7.30 pm**, Council Chamber - Civic Suite  
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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Members of the public are welcome to attend committee meetings. However, occasionally, committees may have to consider some business in private. Copies of agendas, minutes and reports are available on request in Braille, in large print, on audio tape, on computer disk or in other languages.

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# Agenda Item 1

COUNCIL		
<b>Report Title</b>	Reasons for lateness and urgency	
<b>Key Decision</b>		Item No.
<b>Ward</b>		
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: May 23 2018

## Reasons for Lateness and Urgency

All reports listed on this agenda were not available for the original dispatch because of a total IT collapse affecting the three boroughs in the shared service. The reports are urgent and cannot wait until the next meeting of [the Council](#) on July 18 2018 as this would delay implementation of the entire Governance arrangements of the new Council.

Where reports are received less than 5 clear days before the date of the meeting at which the matter is being considered, then under the Local Government Act 1972 Section 100(b)(4) the Chair of the Committee can take the matters as a matter of urgency if he is satisfied that there are special circumstances requiring them to be treated as a matter of urgency. These special circumstances have to be specified in the minutes of the meeting.

## Recommendation

That the Chair of Council takes all matters listed on this agenda as matters of urgency.

# Agenda Item 2

COUNCIL AGM		
<b>Report Title</b>	Election of Chair	
<b>Key Decision</b>	No	Item No. 1
<b>Ward</b>		
<b>Contributors</b>	Chief Executive (Head of Business & Committee)	
<b>Class</b>	Part 1	Date: 23 May 2018

## Recommendation

The Council is invited to elect a Chair for the municipal year 2018/19



# Agenda Item 3

COUNCIL AGM		
<b>Report Title</b>	Election of Vice Chair	
<b>Key Decision</b>	No	Item No.
<b>Ward</b>		
<b>Contributors</b>	Chief Executive (Head of Business & Committee)	
<b>Class</b>	Part 1	Date: 23 May 2018

## Recommendation

The Council is invited to elect a Vice Chair for the municipal year 2018/19

# Agenda Item 4

COUNCIL AGM		
<b>Report Title</b>	Election of Mayor – Report of the Returning Officer	
<b>Key Decision</b>	No	Item No.
<b>Ward</b>		
<b>Contributors</b>	Chief Executive (Head of Business & Committee)	
<b>Class</b>	Part 1	Date: 23 May 2018

## Recommendation

The Council is asked to note that following the election held on 3 May 2018, Damien Egan was elected as Mayor for a four year period of office expiring in May 2022.

# Agenda Item 5

COUNCIL AGM			
<b>Report Title</b>	Election of Councillors – Report of the Returning Officer		
<b>Key Decision</b>	No		Item No.
<b>Ward</b>			
<b>Contributors</b>	Chief Executive (Head of Business & Committee)		
<b>Class</b>	Part 1	Date: 23 May 2018	

## Recommendation

The Council is asked to note that following the election held on 3 May 2018, the Councillors elected for the London Borough of Lewisham for a four year period of office expiring in May 2022 are as follows:-

Ward			
Bellingham	HALL Alan	2 Queens Garth, London, SE23 3UF	Labour and Co-operative Party
	HORDIJENKO Sue	31 Rutland Walk, London SE6 4LG	Labour and Co-operative Party
	PASCHOUD Jacq	39 Colfe Road, London, SE23 2ES	Labour and Co-operative Party
Blackheath	BONAVIA Kevin Andrew Martin	28 The Squirrels, Belmont Hill, London, SE13 5DR	Labour Party
	CAMPBELL Juliet	16c Belmont Park London SE13 5BJ	Labour Party
	DE RYK Amanda	71 Sunderland Road, London, SE23 2PS	Labour Party
Brockley	ADEFIRANYE Jimi	5 Wickham Gardens, SE4 1LY	Labour Party
	McGEEVOR Sophie	Basement Flat, 98 Manor Avenue, SE4 1TE	Labour Party

	PENFOLD Stephen	88 Cranbook Road SE8 4EJ	Labour Party
Catford South	AMRANI Skip	84A South Park Crescent, SE6 1JP	Labour Party
	SMITH Alan	53 Haddington Road, BR1 5RG	Labour Party
	STAMIROWSKI Eva	118 Arngask, London SE6 1XX	Labour Party
Crofton Park	ANWAR Tauseef	42 Brightling Road SE4 1SQ	Labour Party
	BARNHAM Chris	56 Shell Road, SE13 7TY	Labour Party
	MORRISON Pauline	26 Claybank Grove, SE13 7TD	Labour Party
Downham	BOURNE Andre Marcus	54 Vineyard Close, London, SE6 4PQ	Labour Party
	HOWARD Coral	31 Girton Road London SE26 5DJ	Labour Party
	OGUNBADEWA Olurotimi John	358 Whitefoot Lane, London, BR1 5SG	Labour Party
Evelyn	FEIS-BRYCE Alex	5 Chubworthy Street, SE14 6HD	Labour Party
	KALU Caroline	99 Killearn Road SE6 1BS	Labour Party
	KELLEHER Silvana	8 Tristan Court, Dorking Close SE8 5XA	Labour Party
Forest Hill	BERNARDS Peter	210 Leahurst Road London SE13 5NL	Labour Party
	DAVIS Sophie	80 Darfield Road London SE4 1ER	Labour Party

	GIBBONS Leo	6 Lowther Hill London SE23 1PY	Labour Party
Grove Park	CLARKE Suzannah	6 Coopers Lane, Grove Park, London, SE12 0QA	Labour Party
	ELLIOTT Colin Mackenzie	13 Seymour Gardens, London SE4 2DN	Labour Party
	MOORE Hilary Clare	175 Woodyates Road, SE12 9JJ	Labour Party
Ladywell	BROWN Bill	8 Paynell Court, SE3 9LW	Labour Party
	HANDLEY Carl	46 Francemary Road, SE4 1JS	Labour Party
	JOHNSTON- FRANKLIN Liz	73 Algiers Road, SE13 7JD	Labour Party
Lee Green	HOLLAND Octavia	122 Fernbrook Road, London, SE13 5NH	Labour Party
	MALLORY Jim	21 Aislibie Road, London, SE12 8QH	Labour Party
	RATHBONE James	57 Leyland Road London SE12 8DW	Labour Party
Lewisham Central	CODD Patrick	18 Duncreevie Road SE13 6TE	Labour Party
	GALLAGHER Aisling	5 Boone Street SE13 5SD	Labour Party
	REID Joani	131a Devonshire Road, SE23 3LZ	Labour Party
New Cross	DACRES Brenda	5 Barriedale, SE14 6RW	Labour and Co-operative Party
	DROMEY Joe	227B New Cross Road, SE14 5UH	Labour and Co-operative Party

	MASLIN Paul	39 Aislibie Road, SE12 8QH	Labour and Co-operative Party
Perry Vale	PASCHOUD John	39 Colfe Road, London, SE23 2ES	Labour and Co-operative Party
	SHEIKH Sakina	72 Newquay Road London SE6 2NP	Labour and Co-operative Party
	WISE Susan	85 Kilmorie Road, London, SE23 2SP	Labour and Co-operative Party
Rushey Green	KRUPSKI Louise	66 Canadian Avenue, London SE6 3BP	Labour and Co-operative Party
	MULDOON John Michael	19 Lutwyche Road, London, SE6 4EP	Labour and Co-operative Party
	WALSH James-J	Flat B, 44 Albacore Crescent, London, SE13 7HP	Labour and Co-operative Party
Sydenham	BEST Chris	52 Bishopsthorpe Road, London, SE26 4PA	Labour and Co-operative Party
	COPLEY Tom	Flat 2, 22 Canadian Avenue, London. SE6 3AS	Labour and Co-operative Party
	CURRAN Liam	33 Clowders Road, London, SE6 4DA	Labour and Co-operative Party
Telegraph Hill	BELL Paul	Willow House, Dragonfly Place, SE4 2FJ	Labour Party
	MILLBANK Joan	14A Wallbutton Road, SE4 2NX	Labour Party
	SORBA Luke	60 Ommaney Road, SE14 5NT	Labour Party
Whitefoot	DABY	86 Killearn Road,	Labour Party

	Janet Jessica	London, SE6 1BT	
	INGLEBY Mark	36 Longhill Road, London, SE6 1TY	Labour Party
	SLATER Jonathan	Flat 101, 23 Monson Road, London, SE14 5FF	Labour Party

# Agenda Item 6

COUNCIL		
<b>Report Title</b>	Minutes	
<b>Key Decision</b>		Item No.
<b>Ward</b>		
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: May 23 2018

## Recommendation

It is recommended that the minutes of the meetings of the Council which were open to the press and public, held on February 21 2018 and March 9, 14, and 23 2018 be confirmed and signed (copies attached).



# Public Document Pack

## MINUTES OF THE COUNCIL

Wednesday, 21 February 2018 at 7.30 pm

PRESENT: Sir Steve Bullock (Mayor), Obajimi Adefiranye (Chair), Abdeslam Amrani, Chris Barnham, Paul Bell, Peter Bernards, Chris Best, Kevin Bonavia, Andre Bourne, Bill Brown, Suzannah Clarke, John Coughlin, Liam Curran, Janet Daby, Brenda Dacres, Amanda De Ryk, Joe Dromey, Damien Egan, Colin Elliott, Alan Hall, Carl Handley, Maja Hilton, Simon Hooks, Sue Hordijkeno, Mark Ingleby, Stella Jeffrey, Liz Johnston-Franklin, Roy Kennedy, Jim Mallory, Paul Maslin, Sophie McGeevor, David Michael, Joan Millbank, Hilary Moore, Pauline Morrison, John Muldoon, Rachel Onikosi, Jacq Paschoud, John Paschoud, Pat Raven, Joan Reid, Gareth Siddorn, Jonathan Slater, Luke Sorba, Eva Stamirowski, Alan Till, Paul Upex and Susan Wise.

Apologies for absence were received from Councillor David Britton and Councillor Olurotimi Ogunbadewa.

Apologies for lateness were received from Councillors Adefiranye and McGeevor.

The entire meeting was chaired by Councillor Alan Till.

### 141. Declaration of Interests

Councillor Susan Wise declared a personal interest in Item 7 as a member of the Lewisham Homes Board and as the holder of a pension from Lewisham Council.

Councillor Alan Hall declared a personal interest in Item 7 as a member of the Phoenix Community Housing Board.

### 142. Minutes

RESOLVED that the minutes of the meeting held on January 17 2018 be confirmed and signed as a correct record.

### 143. Petitions

A petition supported by 450 persons was submitted by Father Boniface Akpoigbe MSP. The petition opposed parking restrictions on Sundays on Deptford High Street and daily after 6.30pm and called for their removal.

A petition supported by 27 residents of Blashford Street was submitted by Councillor Joan Reid. The petition called on the Council to introduce a CPZ for reasons stated.

### 144. Member questions

#### Member Questions

9 questions were received from the following Councillors which were answered by the Cabinet Members indicated. A copy of the questions and

answers was circulated separately and can be viewed on the Council's website with the meeting papers.

1.	Cllr Hall	Mayor
2.	Cllr Curran	Mayor
3.	Cllr Ingleby	Cllr Onikosi
4.	Cllr Jacq Paschoud	Cllr Bonavia
5.	Cllr Hall	Cllr Onikosi
6.	Cllr Jacq Paschoud	Cllr Bonavia
7.	Cllr Ingleby	Cllr Onikosi
8.	Cllr Jacq Paschoud	Cllr Bonavia
9.	Cllr Ingleby	Cllr Onikosi

#### 145. Public Questions

##### Public Questions

4 questions were received from the following members of the public which were answered by the Cabinet Member indicated. A copy of the questions and answers was circulated separately and can be viewed on the Council website with the meeting papers.

1	Martin Cox	Cllr Egan
2	Mrs Richardson	Cllr Bonavia
3	Mr Richardson	Cllr Best
4	Mr Richardson	Cllr Best

#### 146. Announcements or Communications

##### *Council meetings in March*

The Vice-Chair reminded members that there were to be two Friday evening meetings of the Council in March. On March 2 to bestow the Freedom of the Borough on Sir Ian Mills and on March 23 to give the same honour to Wozzie Brewster. Additionally, dependent on the outcome of the February 22 Appointments Panel, it was planned to convene a short meeting of the Council on Wednesday March 14 at 7pm to confirm the appointment of a new Chief Executive.

#### 147. 2018 19 Budget

The Budget proposals were introduced by the Mayor who thanked staff across all Directorates for their help in compiling the Budget. The Mayor confirmed that he was proposing a Council Tax rise of 3.99% and proposed to use Council reserves in order to ensure a balanced budget was achieved.

The Mayor confirmed that he did not intend to vary the budget proposals he had already fully set out at Mayor and Cabinet on February 7 and 14 and which did not require further amendment unless there was an unexpected late change to the GLA precept when that body met to set its budget the following day.

A motion that the proposals be accepted was moved by the Cabinet Member for Resources, Councillor Kevin Bonavia and seconded by Councillor Alan Hall. There was then a general debate to which Councillor Coughlin, contributed followed by a reply from Councillor Bonavia. During this general debate on the budget the 5 minute limit on speeches for the Mayor and Councillors Bonavia, Hall and Coughlin was suspended.

The Council was also addressed by Nike, aged 22, a care leaver who had been under the wing of the Council since she was 12 years old. She described her life journey and the various obstacles she had overcome to reach her current situation. She warmly welcomed the budgetary proposal that care leavers be exempted from Council Tax, which she said represented a meaningful impact for a vulnerable section of the community. The Council thanked Nike for her commentary and extended their thanks to her, wishing her well in her future education and career and standing to applaud her contribution.

Once the debate was concluded, there was, in accordance with statutory provisions, a recorded vote on the Mayor's proposed Budget. The result of the vote was as follows:

#### 46 Votes In favour of the Mayor's Budget Proposals

Councillor Abdeslam Amrani  
Councillor Chris Barnham  
Councillor Peter Bernhards  
Councillor Chris Best  
Councillor Kevin Bonavia  
Councillor Andre Bourne  
Councillor Bill Brown  
Mayor Steve Bullock  
Councillor Suzannah Clarke  
Councillor Liam Curran  
Councillor Janet Daby  
Councillor Brenda Dacres  
Councillor Amanda De Ryk  
Councillor Joe Dromey  
Councillor Damien Egan  
Councillor Colin Elliott  
Councillor Alan Hall  
Councillor Carl Handley  
Councillor Maja Hilton  
Councillor Simon Hooks  
Councillor Sue Hordijkenko  
Councillor Mark Ingleby  
Councillor Stella Jeffrey  
Councillor Liz Johnston-Franklin  
Councillor Roy Kennedy  
Councillor Jim Mallory  
Councillor Paul Maslin  
Councillor Sophie McGeevor  
Councillor David Michael

Councillor Joan Millbank  
Councillor Hilary Moore  
Councillor Pauline Morrison  
Councillor John Muldoon  
Councillor Rachel Onikosi  
Councillor Jacq Paschoud  
Councillor John Paschoud  
Councillor Pat Raven  
Councillor Joan Reid  
Councillor Gareth Siddorn  
Councillor Jonathan Slater  
Councillor Luke Sorba  
Councillor Eva Stamirowski  
Councillor Alan Till  
Councillor Paul Upex  
Councillor Susan Wise

Votes Against the Mayor's Budget Proposals nil

Abstentions (1)

Councillor John Coughlin

RESOLVED that:

- (1) the 2017/18 Quarter 3 Capital Programme monitoring position and the Capital Programme potential future schemes and resources as set out in section 5 be noted;
- (2) the 2018/19 to 2020/21 Capital Programme of £271.5m, as set out in section 5 of this report and attached at Appendices W1 and W2 be approved;

#### *Housing Revenue Account*

- (3) the consultation report on service charges to tenants' and leaseholders in the Brockley area, presented to area panel members on 12 December 2017, as attached at Appendix X2, be noted;
- (4) the consultation report on service charges to tenants' and leaseholders and the Lewisham Homes budget strategy presented to area panel members on 14 December 2017, as attached at Appendix X3, be noted;
- (5) a decrease in dwelling rents of 1.0% be set (an average of £0.97 per week) – as per the requirements from government as presented in section 6;
- (6) a decrease in the hostels accommodation charge by 1.0% be set (or £0.35 per week), in accordance with Government requirements;
- (7) the Mayor's approval of the following average weekly increases/decreases for dwellings be endorsed for:

(a) service charges to non-Lewisham Homes managed dwellings (Brockley);

- caretaking 4.90% (£0.24)
- grounds 4.90% (£0.12)
- communal lighting 4.90% (£0.06)
- bulk waste collection 4.90% (£0.02)
- window cleaning 4.90% (£0.01)
- tenants' levy 30.0% (£0.03)

(b) service charges to Lewisham Homes managed dwellings:

- caretaking -1.17% (-£0.12)
- grounds 16.27% (£0.27)
- window cleaning 51.41% (£0.03)
- communal lighting 0.38% (£0.01)
- block pest control 1.87% (£0.03)
- waste collection 1.93% (£0.01)
- heating & hot water no change
- tenants' levy 30.0% (£0.03)
- bulk waste disposal 2.96% (£0.02)
- sheltered housing 1.00% (£0.24)

(8) the Mayor's approval of the following average weekly percentage changes for hostels and shared temporary units be endorsed for;

- service charges (hostels) – caretaking etc.; no change
- energy cost increases for heat, light & power; no change
- water charges increase; no change

(9) the Mayor's approval of an increase in garage rents by Retail Price Inflation (RPI) of 3.9% (£0.46 per week) for Brockley residents and 3.9% (£0.46 per week) for Lewisham Homes residents be endorsed;

(10) the budgeted expenditure for the Housing Revenue Account (HRA) for 2018/19 is £156.8m, split £84.1m revenue and £72.7m capital, which includes the decent homes and new build programmes be noted;

(11) the HRA budget strategy savings proposals in order to achieve a balanced budget in 2018/19, as attached at Appendix X1, be endorsed;

#### *Dedicated Schools Grant and Pupil Premium*

(12) subject to final confirmation of the allocation, the provisional Dedicated Schools Grant allocation of £292.3m be the Schools' Budget for 2018/19;

- (13) the implementation of the national funding formula schools block for schools be noted;
- (14) Lewisham uses the national funding formula schools block to allocate funds to schools from April 2018;
- (15) Minimum Funding Guarantee for the schools block be set at 0.25% for 2018/19;
- (16) the change to the PFI factor in the formula to base it on estimates for the schools block be approved;
- (17) implementing the new banding systems in resource bases at a cost to the High Needs block of £251k be approved;
- (18) implementing the new banding system for Education Health Care Plans (EHCP) in mainstream schools at a cost to the High Needs block of £47k be approved;
- (19) the latest financial position in schools be noted;
- (20) the likely future cost pressures on schools be noted;
- (21) the estimated pupil premium of £17.0m be noted;
- (22) the changes to the way the High Needs block is calculated be noted;
- (23) the Loan Scheme consultation for the schools block be noted;
- (24) the position of the consultation on eligibility for free school meals and the early years pupil premium under Universal Credit be noted;

#### *General Fund Revenue Budget*

- (25) the projected Directorate Services overall variance against the agreed 2017/18 revenue budget of £12.9m as set out in section 8 be noted and that any year-end overspend will have to be met from reserves;
- (26) the previously approved revenue budget savings of £0.58m for 2018/19 and budget savings proposals of £4.28m as per the Mayor and Cabinet meeting of the 6 December 2017, as set out in section 8 and summarised in Appendix Y1 and Y2 be endorsed;
- (27) the transfer of £5.0m in 2018/19 from the New Homes Bonus reserve to the General Fund for one year to meet funding shortfalls be approved and that the position be reviewed again for 2019/20;
- (28) the use of £3.570m reserves to meet the budget gap in 2018/19 be approved;

(29) the allocation of £6.500m in 2018/19 be set aside for corporate risks and pressures, added to the £2.130m set aside for unidentified risks in 2017/18;

(30) the allocation of £6.915m in 2018/19 to fund quantified budget pressures be approved from the £8.630m set aside for corporate risks and pressures;

(31) a fund be created in respect of the identified but as yet un-quantified revenue budget risks in the sum of £1.715m in 2018/19 (the balance of budget for corporate risks and pressures), allowing the Executive Director for Resources & Regeneration to hold these resources corporately in case these pressures emerge during the year, and authorises the Executive Director for Resources and Regeneration to allocate these funds to meet such pressures when satisfied that those pressures cannot be contained within the Directorates' cash limits;

(32) the Executive Director for Resources and Regeneration identify up to £5m of earmarked reserves to fund service transformation costs to facilitate services change and develop further savings proposals;

(33) a General Fund Budget Requirement of £241.281m for 2018/19 be approved;

(34) a 3.99% increase in Lewisham's Council Tax element be approved, resulting in a Band D equivalent Council Tax level of £1,203.87 for Lewisham's services and £1,498.10 overall. This represents an overall increase in Council Tax for 2018/19 of 4.2% and is subject to the Greater London Authority (GLA) precept for 2018/19 being increased by £14.21 (i.e. 5.1%) from £280.02 to £294.23, in line with the GLA's draft budget proposal;

(35) the Council Tax Ready Reckoner which for illustrative purposes sets out the Band D equivalent Council Tax at various levels of increase be noted. This is explained in section 8 and is set out in more detail in Appendix Y3;

(36) the exemption from Council Tax for Care Leavers up to the age of 25 in the Borough, agreed by Council in January 2018 when setting the 2018/19 Council Tax base, and the review underway to assess other possible exemptions be noted;

(37) the Executive Director for Resources & Regeneration issues cash limits to all Directorates once the 2018/19 Revenue Budget is agreed;

(38) the draft statutory calculations for 2018/19 as set out at Appendix Y5 be noted;

(39) the prospects for the revenue budget for 2019/20 and future years as set out in section 9 be noted; as part of the Lewisham Future Programme to help meet the future forecast budget shortfalls;

(40) officers continue to develop firm proposals and bring them forward as soon as possible as part of the Lewisham Future Programme to help meet the future forecast budget shortfalls;

*Other Grants (within the General Fund)*

(41) adjustments to and impact of various specific grants for 2018/19 on the General Fund as set out in section 8 be noted;

*Treasury Management Strategy*

(42) the prudential indicators and treasury indicators, as set out in section 10 be approved;

(43) the Annual Investment Strategy and Credit Worthiness Policy, set out in further detail at Appendix Z3 be approved;

(44) the Minimum Revenue Provision (MRP) policy as set out in section 10 be approved;

(45) authority be delegated to the Executive Director for Resources & Regeneration authority during 2018/19 to make amendments to borrowing and investment limits provided they are consistent with the strategy and there is no change to the Council's authorised limit for borrowing;

(46) the credit and counterparty risk management criteria, as set out at Appendix Z3, be approved the proposed countries for investment at Appendix Z4, and that responsibility for managing transactions with those institutions which meet the criteria be delegated to the Executive Director for Resources & Regeneration; and

(47) a minimum sovereign rating of AA be approved.

**148. Pay Statement**

The report was introduced by Councillor Kevin Bonavia who highlighted a pay imbalance favourable to female employees.

Councillor Kevin Bonavia moved that the recommendations be approved and this was seconded by Councillor Maja Hilton and it was:

RESOLVED that the Pay Policy Statement as attached as Appendix 1 be approved.

**149. Scrutiny Report**

Councillor Alan Hall moved that the report recounting the work of scrutiny over the previous four years be noted and this was seconded by Councillor Gareth Siddorn. Following contributions from Councillors Morrison, Curran and Dacres, it was:

RESOLVED that the report be noted.



**150. Motion 1 Proposed Councillor Millbank Seconded Councillor Clarke**

The motion was moved by Councillor Joan Millbank and seconded by Councillor Suzannah Clarke. Following contributions from Councillors Kennedy, De Ryk and Hilton, the motion was put to the vote and declared to be unanimously carried.

RESOLVED that the following motion be agreed:

“This Council notes that 2018 is the centenary of Representation of the People Act 1918, which saw the start of women in the UK securing the right to vote and to take up opportunities in civic life including the right to stand as councillors. This Council welcomes events being organised to mark women’s achievements over the last 100 years, including ‘Vote Organise Participate’, a day of celebration, learning and action taking place in the Civic Suite Catford on International Women’s Day on March 8th.

While recognising the significant progress made on gender equality this Council believes that more action is needed for women to have full and equal rights. The World Economic Forum’s 2017 Global Gender Gap report that while women worldwide are closing the gap in critical areas such as health and education, significant gender inequality persists in the workforce and in politics, while the Census of Local Authority Councillors 2013 found less than a third of councillors nationally were female (36% in London) and only 12.3% of local authority leaders in England were women in 2014. This Council’s own Barriers to Politics Working Party in 2017 identified a range of attitudinal and practical measures still necessary to remove the barriers to political engagement by women, and other under-represented groups.

This Council welcomes the #BehindEveryGreatCity campaign set up by the Sadiq Khan, Mayor of London to mark progress made on women’s equality and to drive gender equality across the capital in 2018. This Council pledges its support to the campaign and to uses its influence to lead and umotivate its administration, its partners and its communities to think, act and be gender inclusive.”

**151. Motion 2 Proposed Councillor Brown Seconded Councillor Mallory**

The motion was moved by Councillor Bill Brown and seconded by Councillor Jim Mallory who accepted an amendment submitted in the names of Councillors Egan and Best. Following contributions from Councillors Egan, Best and Coughlin, the amended motion was put to the vote and declared to be unanimously carried.

RESOLVED that the following motion be agreed:

“Council notes and welcomes UNISON’s campaign for an Ethical Care Charter. Council agrees to sign up to the Ethical Care Charter and thereby to become an Ethical Care Council where:

- The starting point for commissioning of visits will be client need and not

minutes or tasks. Workers will have the freedom to provide appropriate care and will be given time to talk to their clients.

- The time allocated to visits will match the needs of the clients. In general, 15-minute visits will not be used as they undermine the dignity of the clients.
- Homecare workers will be paid for their travel time, their travel costs and other necessary expenses such as mobile phones.
- Visits will be scheduled so that homecare workers are not forced to rush their time with clients or leave their clients early to get to the next one on time.
- Clients will be allocated the same homecare worker(s) wherever possible.
- Zero hours contracts will not be used in place of permanent contracts.
- Providers will have a clear and accountable procedure for following up staff concerns about their clients' wellbeing.
- All homecare workers will be regularly trained to the necessary standard to provide a good service (at no cost to themselves and in work time).
- Homecare workers will be given the opportunity to regularly meet co-workers to share best practice and limit their isolation.
- All homecare workers will be paid at least the London Living Wage.
- All homecare workers will be covered by an occupational sick pay scheme to ensure that staff do not feel pressurised to work when they are ill in order to protect their vulnerable clients.

The meeting closed at 9.28pm.

## MINUTES OF THE COUNCIL

Friday, 9 March 2018 at 7.30 pm

PRESENT: Sir Steve Bullock (Mayor), Chris Barnham, Paul Bell, Peter Bernards, Kevin Bonavia, Bill Brown, Suzannah Clarke, Janet Daby, Brenda Dacres, Amanda De Ryk, Joe Dromey, Damien Egan, Colin Elliott, Mark Ingleby, Stella Jeffrey, Liz Johnston-Franklin, Jim Mallory, Sophie McGeevor, David Michael, John Muldoon, John Paschoud, Joan Reid, Jonathan Slater, Alan Till and James-J Walsh.

Apologies for absence were received from Councillor Obajimi Adefiranye, Councillor Chris Best, Councillor Alan Hall, Councillor Joan Millbank, Councillor Hilary Moore, Councillor Rachel Onikosi, Councillor Jacq Paschoud, Councillor Luke Sorba and Councillor Susan Wise.

### 151. Summons

*Sir Ian Mills*

In the absence of the Chair, the Vice-Chair welcomed everyone to the meeting and announced that this special meeting of the Council was to confer upon Sir Ian Mills the Honorary Freedom of the London Borough of Lewisham.

The Vice Chair then announced that, under Section 249(5) of the Local Government Act 1972, a Borough Council can admit to the Honorary Freedom of the Borough, 'persons of distinction and persons who have, in the opinion of the Council, rendered eminent services to the Borough'. He then called upon the Chief Executive to read out the resolution of the Council passed at a meeting of the Council on November 22 2017.

The Acting Chief Executive formally reported that it was resolved that Sir Ian Mills be admitted as an Honorary Freewoman of the London Borough of Lewisham "It is recommended that Sir Ian Mills be admitted as an Honorary Freeman of the London Borough of Lewisham in recognition of his service to the Borough and its citizens over many years. He has played key roles not only in Lewisham but across the city, including for the London NHS. He was a transformational chair of Age Exchange leading it to become the key hub it is today for Blackheath. He has been the founding chair of Youth First helping to secure quality provision for our young people. His personal contribution to its launch has been extraordinary and he continues to support our young people with an enthusiasm and a commitment that epitomises a lifetime of service and demonstrates why he is an appropriate recipient of the highest award the borough can make."

Sir Ian Mills then signed the Freedom Roll of Honour and his signature was witnessed by the Mayor and the Acting Chief Executive.

The Vice Chair, after paying his own personal tribute to Sir Ian then called upon, in turn, the Mayor, Canon Reverend Alan Race of St. Margaret's Church Lee, David Savill, Artistic Director of Age Exchange, Melanie Jones,

Chief Executive of Talkabout Arts Trust, Mervyn Kaye, Chief Executive of Youth First and Councillor Kevin Bonavia to speak in support of the Council's recommendation.

The Mayor, on behalf of the Council, then presented to Sir Ian Mills a casket containing the Council's resolution inscribed on a vellum scroll and sealed by the Council. The Mayor further highlighted congratulatory messages received from Freewoman Bridget Prentice and from Rafa Benitez, Manager of the legendary Newcastle United Football Club.

The Honorary Freeman then responded and concluded by thanking the Council for the honour that had been accorded to him.

The meeting closed at 8.59pm.

## MINUTES OF THE COUNCIL

Wednesday, 14 March 2018 at 7.00 pm

PRESENT: Sir Steve Bullock (Mayor), Councillors Obajimi Adefiranye (Chair), Chris Barnham, Paul Bell, Chris Best, Kevin Bonavia, Andre Bourne, Suzannah Clarke, Janet Daby, Brenda Dacres, Amanda De Ryk, Joe Dromey, Damien Egan, Colin Elliott, Alan Hall, Maja Hilton, Simon Hooks, Mark Ingleby, Stella Jeffrey, Liz Johnston-Franklin, Jim Mallory, Paul Maslin, Sophie McGeevor, David Michael, Jamie Milne, Hilary Moore, Pauline Morrison, John Muldoon, Rachel Onikosi, Jacq Paschoud, John Paschoud, Pat Raven, Joan Reid, Jonathan Slater, Alan Smith, Luke Sorba, Eva Stamirowski, Alan Till, James-J Walsh and Susan Wise.

Apologies for absence were received from Councillor Peter Bernards, Councillor Bill Brown, Councillor John Coughlin, Councillor Carl Handley, Councillor Joyce Jacca, Councillor Roy Kennedy and Councillor Joan Millbank.

### 152. Declaration of Interests

None were made.

### 153. Appointment of a new Chief Executive

The item was introduced and the recommendations moved by the Chair of Council who had also served as Chair of the Appointments Panel. He stated the Panel had been faced with a very difficult decision choosing a successful candidate from a very high quality field.

The recommendations were seconded by the Mayor who thanked those who had advised the Panel and the partners, including the Young Mayor, who had taken part in the process. The Mayor extended special thanks to Janet Senior, the Acting Chief Executive, for her work carried out with aplomb over many years culminating in service in her present interim role. The Council joined the Mayor's remarks by giving Janet Senior a standing ovation.

Councillor Alan Hall recorded his thanks to the Chair for the role he had taken on the Appointments Panel.

Once the recommendations had been formally agreed, Ian Thomas the Chief Executive designate addressed the Council for the first time. He thanked the Council for endorsing his appointment and then recounted his life history and relevant experience before setting out a number of issues which he expected the Council to tackle. He ended by promising to be an active Chief Executive who would work with elected members and be visible in the community.

Prior to the end of the meeting the Council noted this would be the last business meeting of the Council attended by Sir Steve Bullock and a presentation was made to him accompanied by detailed speeches of thanks from the Chair and former Leader of the Council, Councillor Jim Mallory.

RESOLVED that

- (1) the Appointments Panel's completion of a rigorous selection process to recruit a new Chief Executive be noted;
- (2) the recommendation of the Appointments Panel, that Ian Thomas is appointed as Lewisham Council's new Chief Executive, with an anticipated start date of 14 May 2018, be accepted;
- (3) the salary agreed was within the range approved by Council; and
- (4) the Interim Acting Chief Executive arrangements, agreed by Council on 24 November 2017, cease on the arrival of the new Chief Executive.

The meeting closed at 7.35pm

## MINUTES OF THE COUNCIL

Friday, 23 March 2018 at 7.30 pm

PRESENT: Damien Egan, Obajimi Adefiranye (Chair), Paul Bell, Peter Bernards, Chris Best, Kevin Bonavia, Bill Brown, Janet Daby, Colin Elliott, Alan Hall, Mark Ingleby, Jim Mallory, Joan Millbank, Hilary Moore, John Muldoon, Olurotimi Ogunbadewa, Jacq Paschoud, John Paschoud, Joan Reid, Alan Smith, Luke Sorba, Alan Till and James-J Walsh.

Apologies for absence were received from Councillor Abdeslam Amrani, Councillor Chris Barnham, Councillor David Britton, Councillor Suzannah Clarke, Councillor Brenda Dacres, Councillor Amanda De Ryk, Councillor Joe Dromey, Councillor Carl Handley, Councillor Liz Johnston-Franklin and Councillor Susan Wise.

### 154. Summons

*Wozzy Brewster*

The Chair welcomed everyone to the meeting and announced that this special meeting of the Council was to confer upon Wozzy Brewster the Honorary Freedom of the London Borough of Lewisham. He reported this was only the 15th time in the borough's 53 year history that a Freedom had been conferred.

The Chair then announced that, under Section 249(5) of the Local Government Act 1972, a Borough Council can admit to the Honorary Freedom of the Borough, 'persons of distinction and persons who have, in the opinion of the Council, rendered eminent services to the Borough'. He then called upon the Acting Chief Executive to read out the resolution of the Council passed at a special meeting of the Council on November 22 2017.

The Acting Chief Executive formally reported that it was resolved that Wozzy Brewster be admitted as an Honorary Freewoman of the London Borough of Lewisham "It is recommended that Wozzy Brewster OBE FRSA be admitted as an Honorary Freewoman of the London Borough of Lewisham in recognition of her service to the Borough and in particular its young people. She grew up in Deptford and has been making a difference to young people ever since, helping many of them become involved in music and arts. She founded the Midi Music Company and is still running it today. Her wider involvement in the life of the borough includes Deptford City Challenge whose board she sat on, and she has also been an extraordinary ambassador for Lewisham creating and delivering international arts projects in Italy, Lithuania, Ireland, Germany, the USA and Mauritius. She has been a marvellous source of advice, encouragement and inspiration to many in Lewisham across all ages, demonstrating why she is an appropriate recipient of the highest award the borough can make."

Wozzy Brewster then signed the Freedom Roll of Honour and her signature was witnessed by the Mayor and the Acting Chief Executive.

The Chair, after paying his own personal tribute to Wozzy, then called upon, in turn, the Mayor, Beverley Glean MBE, Artistic Director IRIE! Dance theatre, Rachel Bennett, Shovell, the percussionist from the dance band M People and Councillor Joan Millbank, Cabinet Member for the Third Sector, to speak in support of the Council's recommendation.

The Mayor, on behalf of the Council, then presented to Wozzy Brewster a casket containing the Council's resolution inscribed on a vellum scroll and sealed by the Council. The Mayor also presented Wozzy with a personal gift of her favourite alcoholic beverage.

The Honorary Freewoman then responded and concluded by thanking the Council for the honour that had been accorded to her. The Council then adjourned for an evening of musical entertainment.

The meeting closed at 9.09pm.



# Agenda Item 7

COUNCIL		
<b>Report Title</b>	Announcements or Communications	
<b>Key Decision</b>		Item No.
<b>Ward</b>		
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: May 23 2018

## **Recommendation**

The Council is invited to receive any announcements or communications from the Mayor or the Chief Executive.

## **Retiring Councillors**

The Mayor will present certificates to Members who concluded their service at the May 3 2018 election during his Mayoral address,

## **Mayoress**

The Mayor will bestow a chain of office on his choice for Mayoress for the municipal year 2018-19, Liane Segal.

# Agenda Item 8

COUNCIL AGM		
<b>Report Title</b>	Composition of the Executive	
<b>Key Decision</b>	No	Item No.
<b>Ward</b>		
<b>Contributors</b>	Chief Executive (Head of Business & Committee)	
<b>Class</b>	Part 1	Date: 23 May 2018

## To receive written notification from the Mayor of the constitution and composition of the Executive including the Deputy Mayor

The Mayor has informed the Chief Executive that the 10 members, listed below, will serve as members of the Cabinet in the municipal year 2018/19. The proposed appointments are subject to a confirmatory hearing of the Council scheduled to take place immediately prior to this meeting at 5.30pm on Wednesday May 23.

### Name

### Portfolio

- Deputy Mayor of Lewisham – Cllr Chris Best - Health & Adult & Children's Social Care
- Cabinet Member for Housing - Cllr Paul Bell
- Cabinet Member for Democracy, Refugees & Accountability – Cllr Kevin Bonavia
- Cabinet Member for Parks, Neighbourhoods & Transport - Cllr Brenda Dacres and Cllr Sophie McGeevor (job-share)
- Cabinet Member for School Performance – Cllr Chris Barnham
- Cabinet Member for Safer Communities – Cllr Joani Reid
- Cabinet Member for Finance, Skills & Jobs - Cllr Amanda de Ryk and Cllr Joe Dromey (job-share).
- Cabinet Member for the Community Sector – Cllr Jonathan Slater

The Council is therefore:

**RECOMMENDED** to note the constitution and composition of the Executive for the municipal year 2018/19

<b>COUNCIL</b>		
<b>Report Title</b>	<b>Constitutional Changes</b>	
<b>Key Decision</b>	<b>N/A</b>	
<b>Ward</b>	<b>All</b>	
<b>Contributors</b>	<b>Head of Law</b>	
<b>Class</b>	<b>Part 1</b>	<b>Date 23 May 2018</b>

## 1. Summary

This report proposes changes to the Council’s Constitution to enable executive decision making in accordance with the new Mayoral Scheme of Delegation which is presented at the Council’s Annual General Meeting. As it is the intention of the newly elected Mayor generally to delegate executive decision making to the Mayor and Cabinet acting collectively, the Council’s Executive Procedure Rules need to be amended to reflect that decision. It is also proposed that the requirement to nominate a post as the Council’s Data Protection Officer be reflected in the Council’s Constitution. Responsibility for considering neighbourhood planning matters lies with the Mayor and it is proposed to amend the Constitution to reflect that fact.

## 2. Purpose

The purpose of this report is to ensure that the Council’s Constitution reflects legal requirements in the General Data Protection Regulation (GDPR) and Data Protection Bill and to ensure that its decision making processes reflect the new Mayor’s Scheme of Delegation.

## 3. Recommendations

That the Council

- (i) delete the current Executive Procedure Rules which currently appear at Part D of the Council’s Constitution and replace them with those appearing at Appendix 1 to this report; and
- (ii) agree that Article 14.3 of the Constitution be amended to reflect the statutory requirement for the Council to nominate an officer as its Data Protection Officer to ensure data protection compliance in the organisation, in accordance with the General Data Protection Regulation and the Data Protection Bill when enacted and to agree that

the Head of Information Governance should fulfil that role

- (iii) Note that responsibility for decisions relating to neighbourhood planning are for the Mayor by law and not for the Council and to delete the reference to neighbourhood planning referendums from the list of Council functions at Article 4(2)(y) of the Constitution and to remove references to neighbourhood planning from the terms of reference of the Strategic Planning Committee at Article 9
- (iv) Amend Article 6.1 and Para E3 of the Constitution as shown in Appendix 2 to exclude members appointed to the Mayor & Cabinet for part of a year from being a member of Overview & Scrutiny and its Select Committees at any time during that year.

## **Background**

### **4. Mayoral decision making**

- 4.1 Under the Local Government Act 2000, as amended, it is a statutory requirement that the Council adopt a Constitution, containing elements required by Direction and that it be available for public inspection. The Council's Constitution complies with those statutory requirements. It is a requirement that the Mayoral Scheme of Delegation should be included in it.
- 4.2 Since the inception of the Mayoral model of governance in Lewisham in 2002, with the exception of decisions relating to contracts and grants, the Mayor has not generally delegated decision making to the Mayor and Cabinet acting collectively. The existing Mayoral Scheme of Delegation and the Council's Executive Procedure Rules have reflected the fact that Mayoral decisions were generally made by the Mayor acting alone at a meeting of the Mayor and Cabinet which was convened as if the decision were being taken collectively.
- 4.3 Elsewhere on this agenda, the Council is asked to note that the new Mayor, though by law he may take decisions alone should he wish to do so, has indicated in his Scheme of Delegation his intention that generally Mayoral decisions which are reserved to members should be taken by the Mayor and Cabinet acting collectively. The current Executive Procedure rules do not reflect that decision and so would not be fit for purpose under the new arrangements.
- 4.4 In order to facilitate decision making in accordance with the delegations of the new Mayor, the Executive Procedure Rules need to be changed and a proposed new set of Rules appears at Appendix 1. Council is asked to endorse them so that Mayor and Cabinet business may be conducted in accordance with the new Mayoral Scheme of Delegation.

### **5. Membership of Overview and Scrutiny Committees**

- 5.1 Currently the Constitution provides at Article 6 that all members of the Council who do not sit on the Executive shall serve on the Overview and Scrutiny

Committee, provided that such composition complies with the political balance requirements of the Local Government & Housing Act 1989. If that is not possible the Council will appoint one overview and scrutiny committee consisting of all members of the Council who are not members of the Executive, provided that this composition complies with the political balance requirements of the Local Government and Housing Act 1989. If that is not possible, or if there is not unanimous agreement at the Annual General Meeting to such arrangements in any year, then the Council will decide on the composition of this committee so as to give the widest possible membership to the committee, but excluding members of the Executive.

- 5.2 The Mayor has decided in his Scheme of Delegation that in his Cabinet two portfolios shall be shared between four people, with two serving in respect of each portfolio from January to June in any year, and the others serving from July to December.
- 5.3 The proposed Executive Procedure Rules provide that those nominated to serve on the Mayor and Cabinet for part of any year should nonetheless be entitled to attend meetings of Mayor and Cabinet and at the Mayor's invitation, to present to Mayor and Cabinet and speak during the period when they do not formally sit on Mayor and Cabinet. However, no member will be entitled to vote at Mayor and Cabinet except during the currency of their formal term on the Mayor and Cabinet.
- 5.4 The law is clear that no member may scrutinise a decision in which they have participated in making. Given the proposal in Para 5.3, there is potential for the lines between Executive and Overview and Scrutiny to become blurred. In order to comply with the letter and spirit of the law in this respect and to be clear, it is proposed that where a member serves on the Executive in any part of a municipal year he/she may not serve as a member of Overview and Scrutiny Committee in that year.

To put this into effect, the changes proposed in Appendix 2 are recommended to Council.

## **6. GDPR**

With effect from 25<sup>th</sup> May 2018, the Council must by law nominate an officer to be its Data Protection Officer. Their role will be to ensure data protection compliance within the organisation. To reflect this new statutory requirement, it is suggested that Article 14.3 of the Constitution which sets out the statutory roles for employees be amended by the addition of this post. It is proposed that the Head of Information Governance should fulfil this new statutory role.

## **7. Neighbourhood planning**

- 7.1 The Localism Act 2011 introduced the neighbourhood planning regime. It provides for the possibility of neighbourhood areas, neighbourhood forums and subject to approval in a referendum, neighbourhood plans which once agreed become part of the Council's development framework.

- 7.2 There are currently 5 neighbourhood areas and it is anticipated that during 2018, in relation to at least some of these the Council will receive proposals for a neighbourhood plan. By law, a referendum will be held in respect of each compliant proposal. The Council therefore needs to be prepared to deal appropriately with these proposals if and when they are received.
- 7.3 Currently the Council's Constitution states at Article 4(2)(y) that decisions relating to neighbourhood referendums are reserved to full Council, but this is an error and does not reflect current law and recently issued Government Guidance.
- 7.4 The general legal position is that all decisions are for the Mayor to make except to the extent that they are expressed not to be by law and in particular the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended. It is now clear from the legislation and from Government Guidance on neighbourhood planning, that decisions in relation to neighbourhood planning are executive functions and therefore are for the Mayor to make or delegate. Because of this, it is proposed that the referral to neighbourhood planning referenda be removed from paragraph 4(2)(y) of the Constitution.

## **8. Further changes**

The changes to the Constitution proposed in this report are changes which are needed promptly to reflect legal requirements and to enable the Mayoral Scheme of Delegation to work in practice. However, a more thorough review of the Constitution would be appropriate in the light of the election of a new administration. Officers already have this work in hand and propose that a further report be brought back to the Council as soon as possible, once the Constitution Working Party has had an opportunity to consider whether any further changes ought to be referred to Council.

## **9. Legal Implications**

- 9.1 These are broadly set out in the report. Changes to the Constitution are by law for the full Council to make.
- 9.2 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - advance equality of opportunity between people who share a protected characteristic and those who do not.

- foster good relations between people who share a protected characteristic and those who do not.
- 9.4 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed in the paragraph above.
- 9.5 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 10.6 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
- <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>
- <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>
- 10.7 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- [The essential guide to the public sector equality duty](#)
  - [Meeting the equality duty in policy and decision-making](#)
  - [Engagement and the equality duty: A guide for public authorities](#)
  - [Objectives and the equality duty. A guide for public authorities](#)
  - [Equality Information and the Equality Duty: A Guide for Public Authorities](#)
- 10.8 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four

documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

**11. Financial Implications**

There are no financial implications arising from this report.

**11. Crime & Disorder Implications**

None

**12. Conclusion**

The Council is asked to endorse the changes proposed and to ask officers to bring a further review of the Constitution to the Constitution Working Party and from there to full Council at the earliest opportunity.

For further information about this report please contact Kath Nicholson, Head of Law on 020 8314 7648.



**Proposed from May 2018**

**D EXECUTIVE PROCEDURE RULES**

**1 Terms of reference**

The Mayor will have responsibility for all executive decisions, namely those decisions not reserved to Council or delegated by Council or required to be so by law.

**2 Constitution**

(a) Generally

Subject to a minimum of 2 and a maximum of 9 other councillors as well as the Mayor, the constitution of the Executive will be as decided by the Mayor, reported to Council and set out in the Mayoral scheme of delegation for the time being.

(b) Confirmatory hearings

When the Mayor proposes to appoint a councillor to the Executive, he/she will be invited to inform all councillors of his/her proposal/s for appointment, by requesting the proper officer to serve notice on them to that effect. If so requested, and provided the Mayor consents in writing, the proper officer will comply.

The notice will set out details of the Mayor's proposals for the Executive membership, including the names of any councillors proposed for appointment to it, the portfolio for which they will take the lead, and the nature of any proposed delegation to them.

The notice will also contain details of a meeting, to take place at least five clear days after the date of the notice, when each of those proposed for membership will attend to address and answer questions from councillors generally. At these meetings, the Chair of Council, or in his/her absence the Vice Chair, will preside. If neither is present, the meeting will nominate a person from amongst those not proposed for membership of the Executive to preside.

The Mayor may address the meeting in respect of each proposed appointment for a period of no more than 2 minutes, though this may be waived by the Mayor. Each proposed appointee to the Executive will address the meeting for a period of no more than 5 minutes.

Immediately after each proposed appointee has spoken, questions may then be put by councillors to the proposed appointee. After questions have been

asked of each proposed appointee, the meeting will be asked to register by show of hands whether they support the appointment of that particular member to the Executive as proposed by the Mayor. The choice will be a simple yes or no.

The Chair will keep a written record of the results and communicate them to each member of the Council, and the proper officer in writing. Should he/she wish, the Mayor will take account of the outcome of this process before making appointments to the Executive. However, by law, the choice about appointments to the Executive is a choice entirely at the Mayor's discretion.

### **3 Who may make executive decisions?**

By law executive decisions are the responsibility of the Mayor. The Mayor may also delegate executive functions to the extent he/she wishes to:-

- The Executive as a whole
- A committee of the Executive
- An individual member of the Executive
- An officer
- An area committee
- A joint committee
- An individual ward member, to the extent the function is exercisable within the ward
- Another local authority or its executive in accordance with relevant regulations

The law provides that executive functions may not be discharged by the Council.

### **4 A Mayoral Scheme of Delegation**

At the Annual Meeting of the Council, the Mayor will present a written record of delegations made by him/her in relation to executive functions, for inclusion in the Council's scheme of delegation. The document presented by the Mayor must contain the following information in relation to the ensuing municipal year:-

- (i) The names, addresses and wards of the people appointed to the Executive by the Mayor.
- (ii) The nature and extent of the authority delegated to the Executive acting collectively as a whole, including details of any limitation on the delegated authority
- (iii) The nature and extent of the authority delegated to committees of the Executive, including the constitution and terms of reference of any such committees appointed, and the names of the Executive members who are to serve on them, and details of any limitation on their delegated authority

- (iv) The nature and extent of any authority delegated to individual members of the Executive, including the names of the people to whom such power has been delegated and details of any limitation on the delegated authority
- (v) The nature and extent of any authority delegated to individual ward members, including the names of the people to whom such power has been delegated and details of any limitation on the delegated authority
- (vi) The nature and extent of any authority delegated to individual officers, including the names of the people to whom such power has been delegated and details of any limitation on the delegated authority
- (vii) The nature and extent of any authority delegated to area committees, joint committees or other authorities including the name of the body to whom power has been delegated, its composition (where appropriate) and details of any limitation on the delegated authority

## **5 Sub-delegation of Executive functions**

- (a) If the Mayor delegates functions to the Executive, unless he/she decides otherwise, the Executive may delegate further to a committee of the Executive, an area committee, to an officer, to any joint arrangements, or to another authority.
- (b) If the Mayor delegates executive functions to a committee of the Executive, the Committee may delegate further to an officer of the Council or an area committee.
- (c) If the Mayor delegates executive functions to an individual member of the Executive, that member may delegate further to an officer or an area committee.
- (d) Where executive functions have been delegated, that fact does not prevent the discharge of those functions by the person or body who delegated them.

## **6 The Council's scheme of delegation and executive functions**

- (a) The Council's scheme of delegation is appended to the Constitution at Part VIII. It contains the details set out in Article 15 and may be amended from time to time. This includes details of the Mayoral scheme of delegation.
- (b) During the year, amendments to the Mayoral scheme of delegation may be made as follows:-
  - The Mayor may amend the Mayoral scheme of delegation of executive functions at any time during the year. To do so the Mayor must give written notice to the proper officer and report those changes to the next

ordinary Council meeting. When the Mayor seeks to amend or withdraw delegation to a committee, he/she must give notice to all members of that committee.

- The notice to the proper officer will set out the extent of the proposed amendment to the scheme of delegation and whether it entails the withdrawal of delegation from any person, body, committee of the Executive or the executive as a whole. It must also set out details of the nature and extent of any alternative delegations made to any person body, committee of the Executive, or the Executive as a whole. The amendment will take effect on the date when the proper officer gives notice to all councillors to that effect.

## **7 Executive spokespersons**

If the Mayor decides not to delegate any decision making powers to any individual member of the Executive, he/she may still appoint members from within the Executive to be the Council's spokesperson, with the Mayor, on all matters within such portfolio of activity as the Mayor decides.

Such members will speak on behalf of the Executive in relation to all matters within their allocated portfolio, unless the Mayor decides to the contrary.

Each spokesperson will ensure that reports on matters within their portfolio are considered by the Executive.

Nothing in this rule implies that any executive member is empowered to make any decisions alone unless that power is specifically delegated by the Mayor in accordance with these Rules, and then any such powers will be subject to any limitation placed on them by the Mayor.

## **8 Assistants**

The Mayor may invite non-Executive members of the Council to act as Assistants to the Executive in any year. There may be up to one Assistant for each of the portfolios established within the Executive. The Assistant would be a point of liaison between an Executive portfolio holder and the non-Executive members of the Council in relation to any matter within the portfolio holder's area, but they would have no formal decision making powers. The Assistant would not be obliged to accept the Mayoral invitation. Holders of the following positions may not become Assistants to the Executive

- The Chair of Council
- The Mayor
- Members of the Executive
- The Chair of the Overview and Scrutiny Committee
- The Chair of any Overview and Scrutiny Select Committee
- The Chair of the Strategic Planning Committee
- The Chair of a Planning Committee

The Mayor will keep under review the role and number of Assistants to the Executive should he/she wish to appoint them.

In the event that the Mayor chooses to appoint any Assistants to the Executive, within 1 month of the appointment, the Mayor will provide a written notification to the Proper Officer of the areas of liaison in which the Assistant is to be involved, and that notification will be sent by the Proper Officer to all members of the Council.

## **9 Conflicts of interest**

Members of the Executive, including the Mayor, are subject to the same rules relating to ethical matters as all members of the authority. They are bound to comply with the Member Code of Conduct appearing at Part V of this Constitution. Where decisions are taken collectively by the Executive, an individual member must declare and/or withdraw from consideration of a matter where the Member Code of Conduct requires that they do so.

If a decision falls to be made by the Mayor alone or an individual member of the Executive and that person has a declarable interest under the Member Code of Conduct, then he/she may not take the decision, or consider the matter further on an individual basis. The matter must be delegated elsewhere. Similar provisions apply where an executive decision is to be taken by an individual ward member, save that the decision may also be taken by the Mayor, unless he/she also has a declarable interest in it.

## **10 Executive meetings – where and when?**

The Executive will meet at least once in each calendar month with the exception of August, at times to be determined by the proper officer in consultation with the Mayor. Executive meetings will take place at a location to which the public have access.

## **11 Executive meetings in public or private**

- (a) Except when it considers a matter which, if considered in public, would entail the disclosure of confidential or exempt information within the meaning of Schedule 12A Local Government Act 1972 the Executive will meet in public if it meets to consider any item in respect of which any key decision may be made at the meeting.
- (b) Subject to the exemptions relating to confidential and exempt information, the Executive may only meet in private in the following circumstances:-
  - i. it meets to consider a matter which does not involve a key decision
  - ii. it meets in the presence of an officer, other than a political or Mayoral assistant, to consider a matter in respect of which a key

decision will be made, but the date for such decision included in the key decision plan is more than 28 days after the date of the meeting.

- iii. at any time it meets without officers present (save for a political or Mayoral assistant) to consider a matter in respect of which a key decision is to be made
  - iv. it meets with officers for the purposes only of briefing
- (c) The provisions relating to Access to Information for both Executive and other meetings of the Council, and the rules relating to confidential and exempt information are set out in full at Part G - Access to Information Rules.

## **12 Quorum**

The quorum for a meeting of the Executive or a committee of it will be one quarter of the total number of people on the Executive, or 3, whichever is the larger. A meeting of the Executive or a committee of it will not be quorate if neither the Mayor nor Deputy Mayor is present unless five other members of the Executive are present.

## **13 How are decisions to be taken by the Executive?**

The Executive will adhere to the principles of decision making set out in Article 16 of the Constitution in the same way as the Council itself, its committees and sub committees. When the Mayor or any other member(s) make any executive decision, they will do so on the basis of written reports which contain service, legal and financial implications as well as a consideration of options where necessary. Members will only take such executive decisions in the presence of the Head of Paid Service, Chief Finance Officer or Monitoring Officer or their nominee. Each of them has a right to attend any meeting of the Executive and all other Council meetings.

All decisions made by members must be recorded by the proper officer in accordance with Rule G22 (content of record of decisions) and the decision will not be deemed to be made until such a record is made and publicised in accordance with Rule 16 below.

Any reports written by officers for consideration by the Executive, whether by the Executive collectively, the Mayor or another individual member, whether for consideration in public or private, shall contain service, corporate, legal and financial considerations.

## **14 Who may attend Executive meetings**

The Access to Information Rules relating to the Executive are set out in this Part IV at Section G.

Any member who has been appointed by the Mayor to the Executive for part of a municipal year may nonetheless attend Executive meetings during the time in that year when he/she does not so serve. At the invitation of the Mayor such member may make a presentation to the Executive and/or speak on any matter being considered by it. However, no member may vote on any matter being considered by the Executive except during the period for which he/she has been appointed by the Mayor to serve on the Executive.

Any member appointed to the Executive by the Mayor for part of any municipal year may not during that year sit on the Council's Overview & Scrutiny Committee or any of its Select Committees.

## **15 What business is to be conducted at Executive meetings?**

At each meeting of the Executive the following business will be conducted:

- (a) consideration of the minutes of the last meeting;
- (b) declaration of interests if any;
- (c) matters referred to the Executive (whether by the overview and scrutiny committee, its Business Panel, a select committee, a joint select committee or the Council) for reconsideration or response by the Executive in accordance with the rules relating to call in or the councillor's call for action or any other provisions contained in the Overview and Scrutiny Procedure Rules, or the Budget and Policy Framework Procedure Rules set out in Part IV of this Constitution;
- (d) consideration of reports from overview and scrutiny committees;
- (e) consideration of reports from local assemblies and from Positive Ageing Council.
- (f) matters set out in the agenda for the meeting, which shall indicate which are key decisions and which are not in accordance with the Access to Information Procedure Rules set out in Part IV of this Constitution at Section G.

## **16 A programme of business**

- (a) As soon as practical in each year the Executive will establish a programme of business for the remainder of the year to the extent that it is possible to do so.
- (b) Items for consideration by the Executive may be rescheduled as necessary during the course of the year.

## **17 Decisions at meetings of the Executive**

Where the Mayor has delegated decision making to the Executive acting collectively, or to a committee of the Executive, decisions will be taken if agreed by a majority of those present and voting. The meeting will be chaired by the Mayor if present, or by the Deputy Mayor if not. If neither is present then the meeting will be chaired by the member nominated by the Mayor to do so, or in the absence of such a nomination, by the member elected by the meeting to do so.

If the Mayor has previously indicated to the proper officer that the Executive acting collectively may not make a decision under delegated authority, the proper officer will give notice to that effect to all members of the Executive, and in such cases the Mayor will make the decision himself usually at a meeting convened as if the decision was to be taken by the Executive collectively. If it is not practical for such a meeting to be convened, the Mayor may nonetheless make the decision himself on the basis of a written report containing service, corporate, legal and financial implications at a time and place at which notice has been given in accordance with the Access to Information Rules at Part G and at which the Head of Paid Service, Chief Finance Officer and/or the Monitoring Officer and/or their nominee are present.

## **18. Publication of decisions**

- (a) Within 2 working days of an Executive decision being taken it shall be published by the proper officer at the Council's main offices and sent to all members of the Council, where possible by electronic means. Decisions will also be recorded in a central register kept by the proper officer which will be available to all members of the Council and the public.
- (b) The period during which any decision may be 'called in' under these Procedure Rules (see Part E Rule 18) will only begin to run when notice of a decision has been published at the Council's main offices in accordance with this rule.

## **19 Consultation**

All reports to the Executive on proposals relating to the budget or policy framework will contain details of the consultation with stakeholders and relevant overview and scrutiny committees that has been carried out. Reports on other matters must set out the details and outcome of consultation as appropriate. The level of consultation required will be as is considered appropriate to the matter under consideration.

## **20 Who can put items on the agenda for a meeting of the Executive?**



The following people may place an item on the agenda for consideration by the Executive:-

- (a) The Mayor
- (b) Any member of the Executive
- (c) The proper officer will ensure that an item is placed on the agenda for the next available meeting of the Executive if so requested by the Business Panel, by the Council or by the Overview and Scrutiny Committee or any relevant sub-committee in response to a referral made under part E10 or E22 of these rules. Such items will be placed on the agenda in the order in which the request is made of the proper officer that they be so considered and there may only be two such items on the agenda of any Executive meeting unless the Mayor agrees to the contrary.
- (d) Any member of the Council may request the Mayor to put an item on the agenda for an Executive meeting. If the Mayor agrees, the item will be considered at the next available Executive meeting. The agenda will state that the item was referred to the Executive at the request of the individual member and will state the name of the member concerned who will be invited to attend the meeting and to address the Executive on the issue in question.
- (e) The Head of Paid Service, Monitoring Officer or the Chief Finance Officer may include an item for consideration by the Executive.
- (f) Local assemblies. Restricted to a maximum of two such items on any agenda, items will be prioritized in the order they are received. Any not placed on the agenda will have priority for the next agenda, subject always to the maximum of two such referrals per agenda. Only one referral may be made by any local assembly to the Mayor and Cabinet in any twelve month period, unless the Mayor agrees to the contrary.
- (g) The Positive Ageing Council may make referrals to the Mayor and Cabinet provided that the referral has been approved by a general meeting of the Positive Ageing Council.

## **21 No co-optees or substitutes**

There may be no formal co-optees or substitutions to the Executive.

## **22 Attendance of Executive members at overview and scrutiny meetings**

The Mayor and Deputy Mayor (in respect of any executive function) and any other Executive member (in respect of any executive function within their portfolio) may be required to attend any meeting of the Overview and Scrutiny Committee, or any of its select committees or the Business

Panel. If so required they will attend to give account for Executive action and/or performance as set out in Rule E 17. (OSC power to require attendance). Similar provisions apply to individual ward members to whom the Mayor has delegated decision making powers within their ward.

## Articles

### Article 6.1 now to read

6.1 Subject to the exception set out in this paragraph 6.1 , if that is not possible the Council will appoint one overview and scrutiny committee consisting of all members of the Council who are not members of the Executive, provided that this composition complies with the political balance requirements of the Local Government and Housing Act 1989. If that is not possible, or if there is not unanimous agreement at the Annual General Meeting to such arrangements in any year, then the Council will decide on the composition of this committee so as to give the widest possible membership to the committee, but excluding members of the Executive.

The exception referred to in this paragraph is as follows: Any member who is appointed by the Mayor to serve on the Executive for any part of a municipal year may not serve as a member of Overview and Scrutiny Committee or its Sub Committees during that year.

### Overview and Scrutiny Procedure Rules

E3 now to read

#### **3. Who may sit on overview and scrutiny committee?**

All councillors except members of the Executive may sit on the overview and scrutiny committee. However, any member who is appointed by the Mayor to serve on the Executive for any part of a municipal year may not serve as a member of Overview and Scrutiny Committee or its Sub Committees during that year. No member may be involved in scrutinising a decision which he/she has been involved in making.

(Proposed)

# **MAYORAL SCHEME OF DELEGATION**

## **(B) MAYORAL SCHEME OF DELEGATION**

### **A CONTENTS**

This scheme of delegation sets out:-

- 1) the names of those councillors whom the Mayor has decided shall be members of the Executive with him
- 2) the names of committees of the executive which the Mayor has decided should be appointed, together with their terms of reference and the extent and limit of delegation to them
- 3) those executive decisions which the Mayor has not delegated to anybody else to take and those which he/she has delegated to the Executive to take collectively
- 4) those executive decisions which the Mayor has delegated to officers to take
- 5) details of the appointment of members to joint committees exercising executive functions, together with the extent and limitation of executive delegation

### **B PURPOSES**

The purposes of this Mayoral scheme of delegation are to

- 1) be clear about who can make which executive decisions
- 2) facilitate the smooth running of Council business to produce better decisions
- 3) to ensure so far as possible that the Mayor, in leading the Executive, is concerned with the overall direction of the Council, and with the establishment and maintenance of effective partnership working with other agencies and bodies in the borough. This should ensure that officers assume responsibility for operational matters and policy implementation.

### **C THE CONSTITUTION**

Once reported to Council, this Mayoral scheme of delegation will form part of the Council's Constitution and will be appended to it. Its provisions apply in addition to the contents of the Council's Constitution, including its Rules of Procedure and Access to Information provisions.

## D AMENDMENTS TO THE MAYORAL SCHEME OF DELEGATION

This Scheme of Delegation remains in force for the term of office of the Mayor unless and until it is amended or revoked by the Mayor in accordance with Part IV D 6 of the Constitution.

## E NON-EXECUTIVE DECISIONS

Nothing in the Scheme of Delegation applies to any decision which is not an Executive decision, whether by law or under the Constitution (local choice matters).

## F THE COMPOSITION OF THE EXECUTIVE

The Executive shall consist of 10 people, namely the Mayor and 9 other Councillors as set out below:

Name	Address	Ward	Spokesperson for...
Mayor Damien Egan	38 Elthruda Road Hither Green, SE13 6SR	N/A	Mayor
Councillor Chris Best	52 Bishopsthorpe Rd Sydenham London SE26 4NY	Sydenham	Deputy Mayor and Health, Adult and Children's Social Care
Councillor Kevin Bonavia	28 The Squirrels, Belmont Hill, London, SE13 5DR	Blackheath	Democracy, Refugees and Accountability
Councillor Paul Bell	4 Willow House, Dragonfly Place, London SE4 2FJ	Telegraph Hill	Housing
Councillor Amanda de Ryk (H)	71 Sunderland Road, Forest Hill, London SE23 2PS	Blackheath	Finance, Skills and Jobs
Councillor Joe Dromey (I)	227B New Cross Road, London, SE14 5UH	New Cross	Finance, Skills and Jobs

Councillor Brenda Dacres (J)	5 Barriedale, London SE14 6RW	New Cross	Parks, Neighbourhoods and Transport
Councillor Sophie McGeevor (K)	Basement Flat, 98 Manor Avenue, Brockley, SE4 1TE	Brockley	Parks, Neighbourhoods and Transport
Councillor Chris Barnham	56 Shell Road, Lewisham SE13 7TY	Crofton Park	School Performance
Councillor Joani Reid	131a Devonshire Road, London SE23 3LZ	Lewisham Central	Safer Communities
Councillor Jonathan Slater	Flat 101, 23 Monson Road, London SE14 5FF	Whitefoot	Community Sector

Councillor Dromey and Councillor Dacres will serve as a member of the Executive in the months of January to June inclusive in any municipal year. Councillor de Ryk and Councillor McGeevor will serve as a member of the Executive in the months of July to December inclusive in any municipal year. . A member who has been appointed to serve on the Executive for part of the year, may nonetheless at other times attend meetings of the Executive and, at the invitation of the Mayor, make a presentation and/or speak. However, a member who has not been formally appointed to serve on the Executive for that time may not vote on any matter before the Executive.

None of the councillors appointed by the Mayor to the Executive has any decision making power delegated to them individually. Details of those decisions which are delegated to the Executive to exercise collectively as a whole are set out below.

## G DELEGATIONS TO THE EXECUTIVE ACTING COLLECTIVELY

The Mayor has delegated to the Executive acting collectively all decisions in relation to executive functions which he is entitled to make. When they act collectively the Executive shall be referred to as Mayor and Cabinet.

In addition the Mayor, in accordance with Part IV D 6 of the Constitution, may appoint such other committees of the Executive as he considers appropriate from time to time, but he does not create any such committees at this time.

## H GENERAL

- 1) This Scheme of Delegation is structured to ensure that the Mayor leads the Executive on proposals for policy, the budget and partnership working. It then goes on to state that authority to exercise executive functions and make executive decisions is delegated to officers save where there is a specific exemption to the contrary. Where such a specific exemption is made, the general rule is that those decisions will be made by the Executive collectively.
- 2) Notwithstanding delegations made under this Mayoral Scheme of Delegation, the Mayor may himself make any decision where he has delegated authority to others. Where he does so he will do so on the basis of a written report, and in accordance with the Council's Executive Procedure Rules appearing at Part IV D
- 3) Where an executive decision is exempted from delegation to an officer, the Mayor delegates those decisions to the Executive acting collectively. The decision will be taken at a quorate meeting of the Executive of which proper notice has been served and conducted in accordance with the Council's Executive Procedure Rules at Part IV D.
- 4) Where the Mayor is of the opinion that a matter for consideration at a meeting of the Executive under this paragraph H is of such a nature that the Executive should not exercise any delegated authority in relation to it in his absence, he will inform the proper officer in advance of the meeting. The proper officer will ensure that such notification is brought to the attention of the meeting of the Executive, and once the notification has been brought to the attention of the meeting, the Executive will not have power to exercise authority in relation to that matter at that meeting.
- 5) Where power is delegated to officers under this Scheme of Delegation, the power will be exercised in a manner that decisions are not made in isolation and that the decision maker takes into account the broader corporate implications for the Council. If officers take key decisions, the law requires them to comply with the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012. In addition for key executive decisions which are to be taken by officers individually the Chief Executive shall put in place a procedure to ensure that officer decision making is exercised in a manner which reflects corporate considerations. Officers may only exercise delegated authority in relation to key executive decisions by complying with the procedure approved by the Chief Executive.
- 6) Where authority to make an executive decision is delegated to an officer, that authority may also be exercised by the nominee of that officer,



provided that notification of the nomination has previously been given in writing to the Monitoring Officer or their nominee.

- 7) Unless the power to make an executive decision has been specifically reserved to members, the Executive Director with responsibility for the service area in which the subject matter of the decision falls, and/or their nominee, shall normally exercise the delegated power. However unless the officer acts in pursuance of a personal statutory duty, the delegated authority may also be exercised by the Chief Executive at his discretion. Where a decision straddles the remit of more than one Directorate, the decision shall be exercised by the Chief Executive or their nominee

## I MATTERS NOT DELEGATED TO OFFICERS

The decisions set out in Table 1 below are not delegated to officers unless a specific written delegation from the Mayor to that effect in relation to the particular matter has been given to the proper officer in writing. The specific delegations to officers set out in this Scheme of Delegation are all subject to these general exemptions. If specific delegations and the contents of Table 1 contradict each other then Table 1 shall prevail.

**TABLE 1  
EXECUTIVE MATTERS RESERVED TO MEMBERS  
GENERAL**

<p>1. Approval of proposals to be made by the Mayor in relation to the following plans:-</p> <ul style="list-style-type: none"> <li>• Children and Young People’s Plan</li> <li>• Sustainable Community Strategy</li> <li>• Crime and Disorder Reduction Strategy</li> <li>• Youth Justice Plan</li> <li>• Local Development Documents</li> <li>• Transport Local Implementation Plan</li> <li>• Housing Strategy</li> <li>• Food Law Enforcement Service Plan</li> <li>• Licensing Statement (Alcohol and entertainment and Gambling)</li> </ul>
<p>2. Approval of all other policy plans and strategy.</p>
<p>3. Approval of the Mayor’s proposals to the Council for the budget (capital and revenue)</p>

4. Decisions relating to the joint provision of a service by the Council and external agencies, where the value of that service is at least £500,000 per annum
5. Decisions relating to the introduction of new services or the cessation of a service where the value of the service concerned is or would be if introduced at least £500,000 per annum
6. Decisions relating to the options for future service delivery, including whether the service should be externalized, taken in house or commissioned jointly with another agency, where the value of the service is at least £500,000 per annum
7. Consideration of and action to be taken as a result of any external report on Council performance and the consideration of all other external reports and/or enquiries into council performance and/or administration
8. Any matter in which the officer who would otherwise have delegated authority to act is aware that a member (or a person, company or organisation with which the member is involved,) has a personal interest under the Council's Member Code of Conduct.
9. Any matter in which the officer who would otherwise have delegated authority to act has an actual or potential interest.
10. Approval of any application for external funding which would either:- (i) require match funding from the Council in excess of £250,000, or (ii) have revenue implications in excess of that amount per annum, or (iii) exceed £1 million
11. Any matter which in the opinion of the relevant Executive Director, the Chief Executive or the Head of Law because of the scale of the decision, its potential impact, the sensitivity of the decision or for any other reason would more appropriately be dealt with by members
12. Appointment of members or officers to outside bodies, save to relevant professional associations.
13. The appointment of members to the Executive or any committee of it, or to any joint committee, any body or panel appointed by the Executive, and any appeal or representation panel
14. All decisions relating to the determination of public realm works with a value in excess of £100,000 and the award of any contract relating to the same is reserved to the Mayor and Cabinet (Contracts).

## J EXECUTIVE DIRECTOR CHILDREN & YOUNG PEOPLE

Subject to those matters reserved to members in Table 2 below, unless the law, the Constitution or this Scheme of Delegation requires otherwise, the following executive powers are delegated to the Executive Director for Children and Young People:

- (a) Authority to exercise the Council's executive functions in relation to children's services under Section 18 Children Act 2004 and any other functions delegated to the Executive Director for Children and Young People from time to time. This includes, but is not limited to, decisions made in relation to those matters defined as social services functions in Section 1 Local Authority Social Services Act 1970. By way of example only this includes matters under the National Assistance Act 1948, Chronically Sick and Disabled Persons Act 1970, Children Act 1989, National Health Service and Community Care Act 1990, Health Act 1999, Health and Social Care Act 2000, Children Act 2004 and all other relevant legislation in force from time to time.

For the avoidance of doubt this includes, but is not limited to, executive decisions in relation to the following matters in so far as they relate to children:-

- Residential and day care placements
  - Family placements
  - Fostering and adoption services
  - Family support and intervention
  - Respite care
  - Social work with children and young people
  - Children with disabilities
  - Children with mental health problems and/or learning difficulties
  - Children with special needs
- (b) Authority to exercise the Council's executive education functions including but not limited to those matters contained or referred to in the Education Act 1996, Education Act 1997, School Standards and Framework Act 1998, Education Act 2002, Children Act 2004, Education Act 2005, Education and Inspections Act 2006, Education and Skills Act 2008, Apprenticeships, Skills, Children and Learning Act 2009, Academies Act 2010, Education Act 2011 and the Children and Families Act 2014 and all relevant legislation in force from time to time.
- (c) The exercise of executive functions in relation to education outside the school environment including pre-school learning.

- (d) All other executive functions relating to the internal management of the Directorate of Children and Young People which are not otherwise reserved to members.
- (e) Delegation to the Executive Director for Children and Young People does not include the matters referred to in Table 2 below

**TABLE 2  
EXECUTIVE MATTERS RESERVED TO MEMBERS  
CHILDREN AND YOUNG PEOPLE**

1.	Approval of the Mayor's proposals to be submitted to the Council in relation to the statutory policy framework as set out in Paragraph 1 of Table 1
2.	Other policy matters including agreeing the overall strategy for the service, in particular the approval of the Children and Young People Plan. This would include but not be limited to the schemes of delegation to schools.
3.	Approval of the Mayor's proposals for the budget for the service to be submitted to the Council (including revenue and capital) for approval
4.	Decisions relating to the provision, commissioning or purchasing of services, which in the opinion of the Executive Director would lead to major changes in service delivery methods or service levels
5.	Receipt and consideration of inspection reports and reports from external bodies, on any elements of children's services and/or particular cases and decisions arising out of that consideration which are pertinent to the Council.
6.	The receipt and consideration of any report relating to the death, serious injury, abuse, allegations of abuse or any other matter of serious concern in respect of a child, student, school, establishment or of any other matter which in the opinion of the Executive Director for Children and Young People gives rise to serious concern in relation to the conduct of any element of children's services.
7.	Decisions relating to the setting or amendment of permissible eligibility criteria for children's services, whether social services or otherwise, and charges in respect of those services

8.	Decisions relating to the joint commissioning of services with health organisations or other external bodies which would have financial implications for the Council in excess of £500,000
9.	Decisions relating to the publication of any statutory notice in relation to schools or other educational units
10.	Directions as to the occupation and use of school premises
11.	Matters relating to the schools admissions policy including admissions criteria.
12.	School reorganisation - decisions relating to whether to issue a notice in respect of an establishment, discontinuance or alteration of schools, including decisions about whether to consult on such matters
13.	Decisions relating to the instruments of government of any school
14.	Appointment of LA governors and LA appointments to outside bodies save where such appointments are reserved to Council in accordance with the law or the Constitution.
15.	Decisions relating to the Council's charging and remissions policy under Section 457 Education Act 1996
16.	Decisions relating to the Council's scheme for Financing of Maintained Schools.
17.	Decisions to issue a closure notice in respect of any school under any power of intervention relating to schools causing concern. All decisions relating to schools causing concern prior to authorization of the issue of a closure notice are delegated to the Executive Director for Children and Young People.
18.	All of those matters listed in Table 1.

## K. EXECUTIVE DIRECTOR COMMUNITY SERVICES

### **Adult Social Services**

Unless the law, the Constitution or this Scheme of Delegation requires otherwise, the following powers are delegated to the Executive Director of Community Services, subject to the matters reserved to members in Table 3 below.

- (a) Authority to exercise all the executive functions of the Director of Adult Social Services as defined by Section 6 Local Authority Social Services Act 1970, as amended by Section 18 and Schedule 2 of the Children Act 2004. This shall include but not be limited to the following matters:-
- Administration of the Supporting People Grant
  - Adult social work
  - Domiciliary care
  - Family placements for adults,
  - Funerals under the National Assistance Act 1948
  - Home care
  - Hospital social workers
  - Joint care planning, liaison and management with health organisations and other external bodies
  - Residential and day care for adults
  - Respite care for adults
  - Services for elderly people
  - Services for people with learning disabilities, mental health problems and/or learning disabilities
  - Youth offending services
- (b) Authority to exercise all of the Council's executive functions in relation to further and higher education and the provision of education, training and learning including adult and community learning.
- (c) Authority to exercise all of the Council's executive functions in relation to leisure, culture, arts, sports, recreational activities, libraries museums, art galleries, theatres, archives, local history activity, leisure centres, management of parks and open spaces, allotments and any other such facilities.
- (d) Any and all executive regulatory functions, including those relating to licensing, gambling, trading standards, noise, consumer protection, food safety and environmental protection.
- (e) All executive decisions relating to the internal management of these functions which are not otherwise reserved to members.
- (f) All executive functions in relation to community engagement and support including the enhancement of citizen participation at a neighbourhood level.
- (g) The delegation to the Executive Director Community Services does not include the matters listed in Table 3 below.

**TABLE 3**  
**MATTERS RESERVED TO MEMBERS**

1.	Approval of the Mayor's proposals to be submitted to the Council in relation to the statutory policy framework as set out in Paragraph 1 of Table 1
2.	Other policy matters including agreeing the overall strategy for the service, in particular the approval of a plan for adult social services and other plans
3.	Approval of the Mayor's proposals for the budget for the service to be submitted to the Council (including revenue and capital) for approval
4.	Decisions relating to the provision, commissioning or purchasing of services, which in the opinion of the Director would lead to major changes in service delivery methods or service levels
5.	Receipt and consideration of inspection reports on any elements of any part of the service within the remit of the Director of Adult Social Services and decisions arising out of that consideration
6.	The receipt and consideration of reports from any external body into the performance of the Council or the conduct of particular cases
7.	The receipt and consideration of any report relating to the death, serious injury, abuse, allegations of abuse of a client or any other matter of serious concern which in the opinion of the Director of Adult Social Services gives rise to serious concern in relation to the conduct of any element of the service
8.	Decisions relating to the setting or amendment of eligibility criteria for adult social services or other services within the remit of the Director of Adult Services, and charges in respect of those services
9.	Decisions relating to the joint commissioning of services with health organisations or other external bodies which would have financial implications for the Council in excess of £500,000
10.	Decisions relating to the provision of community education which would entail the cessation of the service, decisions relating to the level of charges to be made in respect of those services and any decision which would in the opinion of the Director entail a significant change in the level of service provision, and any other matter which the Director is of the opinion is more appropriate for member decision.
11.	All of those matters listed in Table 1.

## L EXECUTIVE DIRECTOR CUSTOMER SERVICES

Unless the law, the Constitution or this Scheme of Delegation require otherwise, the following executive powers are delegated to the Executive Director Customer Services:

- a) Subject to b) below, in so far as they are the responsibility of the Executive, all executive functions in relation to matters within the remit of the Executive Director Customer Services, including but not limited to:-
- (i) responsibility for the management of housing properties in the Council's ownership whether that function is carried out by the Council itself or through a third party under contract, including but not limited to:-
- The clienting, monitoring and reporting on all contracts for the provision of housing management services to the Council
  - the maintenance and management of all land and property held by the Council for housing purposes;
  - the provision of garden, open spaces and land for housing purposes, decisions in relation to the right to buy under the Housing Act 1985 (or other relevant legislation in force from time to time, (but not decisions relating to market value and sale prices which are delegated to the Executive Director of Resources and Regeneration),
  - responsibility for setting charges for heat, light and power to Council properties served by a communal supply in accordance with policy approved by the Mayor
  - dealings with housing associations, save to the extent that such decisions relate to housing development or capital schemes.
- (ii) all executive functions relating to the administration of revenues and benefits (both Council Tax and Housing Benefits), its one stop shop service, call centre services and internal communications.
- (iii) all executive functions in relation to the Council's use of information technology



- (iv) registration of births, deaths and marriages
  - (v) responsibility for the corporate emergency planning and business continuity functions
  - (vi) all executive functions relating to housing strategy and development, housing need and homelessness including private sector housing, environmental health in private sector leasing, housing partnerships and environmental health (housing).
  - (vii) the environment function, which shall include, but not be limited to all environmental matters, including:-
    - the maintenance of parks and community facilities
    - waste management (collection, disposal, recycling etc)
    - burial and cremation
    - animal welfare and pest control
  - (viii) responsibility for the management, maintenance and operation of the Councils vehicle fleet
  - (ix) All matters relating to parking control, including but not limited to the collection of parking charges, parking regulation and enforcement.
  - (x) Passenger Transport.
- (b) Delegation to the Executive Director Customer Services does not include the executive matters listed in Table 4 below, which are reserved to Members

**TABLE 4  
EXECUTIVE MATTERS RESERVED TO MEMBERS  
CUSTOMER SERVICES**

1. Approval of the Mayor’s proposals for submission to the Council in relation to the statutory policy framework as set out in paragraph 1 of Table 1 in so far as they relate to the remit of the Customer Services Directorate
2. Approval of all other policies and overall strategy in so far as they relate to the remit of the Customer Services Directorate, including housing policy and all other plans and priorities, including those relating to lettings and allocations, tenancy agreements and rent arrears collection

3. Approval of the Mayor's proposals for submission to the Council in relation to the budget relating to the remit of the Customer Services Directorate, including but not limited to the proposals for housing expenditure, Housing Revenue Account estimates, rent and charges.
4. Approval of proposals, for consideration by the Council prior to submission for ministerial consent (including any drafts of these proposals).
5. Monitoring of expenditure by the Council or other body where funds have been obtained externally (e.g. Single Regeneration Budget) where the Council is the accountable body
6. Decisions relating to charges for services
7. Decisions to write off debts arising out of rent arrears in excess of £10,000
8. Decisions relating to the establishment, amendment or abolition of controlled parking zones.
9. All of those matters listed in Table 1.

## M EXECUTIVE DIRECTOR RESOURCES AND REGENERATION

Unless the law, the Constitution, or this Scheme of Delegation require otherwise, the following executive powers are delegated to the Executive Director for Resources and Regeneration:-

- (a) Subject to (b) below, in so far as they are the responsibility of the Executive, all those matters which are necessary properly to exercise the administration of the Council's finances including but not limited to:-
- 1) **Day to day control** and regulation of the Council's finances
  - 2) **Virements** in accordance with Part K of the Constitution and Paragraph U of this Scheme of Delegation
  - 3) **Contracts** award and variation - Those delegated powers set out in Part IV I of the Constitution and Paragraph R of this Scheme of Delegation
  - 4) **Property** - those powers relating to property set out in Paragraph Sof this Scheme of Delegation in so far as they are stated to be delegated to the Executive Director for Resources and Regeneration.
  - 5) **Insurance** arrangements - Power to agree insurance arrangements where either

- (i) the value of the premium payable does not exceed £2.5 million or
  - (ii) the renewal premium payable does not exceed the last year's premium by more than 10%
- 6) **Treasury Management** In so far as they are executive decisions, matters delegated to the Executive Director for Resources and Regeneration in accordance with the Council's Treasury Management Strategy from time to time.
  - 7) **Grants** Those powers set out in relation to grants and assistance to voluntary and other external bodies set out in Paragraph P of this Scheme of Delegation.
  - 8) **Allocation** The approval of allocation of items of expenditure to the General Fund and Housing Revenue Account, subject to the submission of an information report to the Overview and Scrutiny Public Accounts Select Committee each year to inform them of the allocation.
  - 9) **Subscriptions** Affiliations to and payment of subscriptions to outside bodies up to a maximum of £25,000 per annum.
  - 10) **Bad debt** The approval of the write off of bad debt in accordance with Paragraph S of this Scheme of Delegation.
  - 11) **Employment & Training** The encouragement and development of employment and training opportunities and facilities.
  - 12) **Urban Regeneration Initiatives** The management and implementation of all urban regeneration initiatives including housing regeneration schemes which have been approved by the executive including management of the capital programmes and resources ensuring effective financial control of resources and the achievement of value for money.
  - 13) **External Funding** Application for external funding for schemes or projects relating to urban regeneration or other activities up to £1 million, save where such external funding would require match funding by the Council of £250,000 or involve revenue expenditure of that amount per annum.
  - 14) **Estate management** of Council assets including all assets but not schools (which is within the remit of Children & Young People) nor housing HRA ( which is within the remit of Customer Services).
  - 15) **All Executive functions** in relation to building control.

- 16) **All Executive functions** in relation to information to security and information governance.
- (b) Delegation to the Executive Director for Resources and Regeneration does not include the executive matters listed in Table 5 below

**TABLE 5  
EXECUTIVE MATTERS RESERVED TO MEMBERS  
RESOURCES AND REGENERATION**

1. Approval of the revenue and capital budget proposals for submission to the Council
2. Approval of proposals for medium term financial planning and budget strategy for submission to the Council
3. Approval of proposals for the borrowing and investment strategy for submission to the Council
4. The approval of any loan to any person, company or other organisation save in accordance with the Treasury Management Strategy in force from time to time, or to employees in accordance with a scheme previously approved by the Executive
5. Virements across budgets may only be made by members where the virement is outside the limits set out in Part IV.1 of the Constitution. In effect, virements of revenue budget up to £500,000 may be made by the Executive Director for Resources and relevant Executive Director. Virements over £500,000 and up to £1 million are reserved to executive members. Budget virements above that level are for the Council to make.
6. Contracts – Subject to decisions relating to the tendering, award and variation of contracts relating to public realm works of a value in excess of £100,000 which are reserved to the Mayor and Cabinet (Contracts) Committee, decisions relating to the tendering, award and variation of contracts for executive functions may only be taken by the Executive Director in the circumstances permitted in Section I of the Procedure Rules contained in Part IV of the Constitution, and Paragraph Q of this Scheme of Delegation
Decisions relating to the letting of building construction and engineering works contracts with a total value of £1 million or more may only be taken by members.

In the case of all other contracts those decisions may only be taken by members if the estimated value exceeds £500,000.
Decisions relating to the variation of building, construction and engineering contracts may only be taken by members if the estimated value of the variation is 10% of the original contract price or £500,000 whichever is the greater. In all other cases decisions relating to variations of contracts may be taken by the Executive Director for Resources or his nominee.
7. Property - The Executive Director for Resources and Regeneration may only exercise delegated authority in relation to the disposal or acquisition of property in accordance with paragraph R of this Scheme of Delegation. Decisions relating to property transactions which do not fall within that paragraph shall not be exercised by officers.
8. Insurance arrangements not falling within the criteria set out in paragraph M5 of this Scheme of Delegation
9. Grants falling outside the categories set out in paragraph P of this Scheme of Delegation
10. Affiliation to and the payment of subscription to external organisations in relation to executive functions where the subscription is more than £25,000 per annum
11. Approval of the Mayor's proposals for submission to the Council in relation to the statutory policy framework as set out in paragraph 2 of Table 1.
12. The approval of any proposal relating to the adoption or amendment of the local development framework to be referred to Council, including any draft for consultation
13. Decisions relating to increases in charges for services exceeding the rate of inflation.
14. Decisions relating to neighbourhood planning under Localism Act 2011 in so far as they are executive functions and not specifically delegated by the Mayor.
All of those matters listed in Table 1.

## N NEIGHBOURHOOD PLANNING

- The following neighbourhood planning matters are delegated to the Executive Director of Resources & Regeneration or such person as she may nominate:-

- All decisions in relation to neighbourhood planning as set out in the Localism Act 2011, and regulations made thereunder, including under any amendments made to the Act or secondary legislation in force from time to time, save those matters listed in the table below.
2. Neighbourhood planning matters shall include, but not be limited to, all decisions relating to proposals for and declaration of neighbourhood areas, neighbourhood forums, neighbourhood plans, neighbourhood development orders, community right to build orders and all other matters set out in Part 6 Localism Act 2011, amendments thereto and all relevant regulations in force from time to time.
  3. Where in the opinion of the Executive Director for Resources & Regeneration or the Council's Head of Planning a referral of a neighbourhood planning matter which has been reserved to Members, to them for decision, would entail a breach of the statutory timetable in which decisions relating to neighbourhood planning have to be made, the Executive Director for Resources & Regeneration, or such person as she may nominate, shall have authority to make that decision provided that she informs the Mayor, or in his absence the Deputy Mayor, in writing of that fact prior to making the decision and the Mayor agrees.
  4. Any decision delegated to the Executive Director for Resources & Regeneration, or such person as she may nominate, may be referred to Members for decision if either the Executive Director for Resources & Regeneration or the Head of Planning is of the opinion that the matter ought more properly to be dealt with by Members.
  5. If the Mayor requests an officer not to exercise delegated authority, then that officer will comply with the Mayor's request and refer the matter to Members for decision.
  6. For the avoidance of doubt, the Mayor notes and approves that the Executive Director for Resources & Regeneration nominates the Head of Planning to exercise all decision making powers in respect of neighbourhood planning matters which have been delegated to her.

Table 5 (a)

- |   |
|---|
| <ul style="list-style-type: none"> <li>• Any decision whether to decline to consider, refuse a proposal for a neighbourhood area, forum, plan, development order, or community right to build order.</li> </ul> |
|---|

- Any decision about the action to be taken in response to the report of an Examiner

O DELEGATION TO THE HEAD OF LAW

- (1) The following have delegated authority to initiate, conduct and defend all legal proceedings brought by or against the Council in any Court, Tribunal or Arbitration and may make representations at any public inquiry held by or on behalf of any Minister or public body:
  - (a) the Head of Law;
  - (b) any individual holding the position of Principal Lawyer, Senior Lawyer or Lawyer within the Legal Services Department
- (2) The Head of Law has delegated authority to settle proceedings for up to £500,000 subject to budgetary provision being available if she is of the opinion that it would be in the interests of the Council to do so. Subject to the same financial limit, the Head of Personnel & Development, Head of People Management Services, Strategic Advisors (Human Resources) and Human Resources Business Manager may also sign form COT3 in relation to potential claims arising out of the National Agreement on Pay & Conditions commonly known as the Single Status Framework Agreement on the advice of the Head of Law.
- (3) The Head of Law has delegated authority to settle proceedings up to £1 million if she is satisfied that it is in the interests of the Council to do so, has consulted with the Executive Director for Resources and Regeneration and she agrees with the terms of the proposed settlement. Decisions to settle proceedings for a sum above £1 million shall be taken by the Mayor.
- (4) Power to enter into financial settlement of up to £1 million in respect of any matter where legal proceedings are threatened against the Council where she has consulted the Executive Director for Resources and Regeneration and is satisfied that it is in the Council's overall interest to do so.
- (5) The Head of Law has delegated authority to act as the proper officer for those purposes listed in Table 6 below.
- (6) In the absence of the Head of Law, the functions delegated under Paragraph (2)-(5) above may be exercised by any person holding the position of Principal Lawyer with the Council.

**TABLE 6**

1. The certification of photographic and other copies of documents held in the custody of the Council and byelaws (Section 229 and 238 Local Government Act 1972)
2. To receive and retain documents deposited with the Council. This provision is without prejudice to the powers of any other person so authorised for this purpose. (Section 225 Local Government Act 1972)
3. To sign DS1 relating to the discharge of advances made pursuant to the Housing (Financial Provisions) Act 1958, the Housing Purchase and Housing Act 1959 and the Housing Act 1985
4. To sign on behalf of the Council any contract, deed or document including those for the purchase or sale of land, in accordance with the Council's procedure rules for the signing of contracts, as set out in Part IV I of the Constitution
5. To issue Notices pursuant to the making of any compulsory purchase order under statutory powers available to the Council; and Notices to Treat and Notices of Entry under any compulsory purchase order which has been approved by the appropriate government department.
6. Without prejudice to any powers delegated to other officers of the Council, to issue on behalf of the council all Notices, orders and/or similar documents pursuant to legislation in force from time to time
7 To determine applications in relations to Town Greens

**P DIRECTOR OF PUBLIC HEALTH**

Unless the law, the Constitution, or this Scheme of Delegation requires otherwise, executive powers relating to the Council's public health functions are delegated to the Director of Public Health, save to the extent that they are specifically excluded below, or from time to time.

**TABLE 7  
EXECUTIVE MATTERS RESERVED TO MEMBERS  
PUBLIC HEALTH**

1. Consideration of the annual report of the Director of Public Health.
2. All those matters listed in Table 1.



**Q GRANTS AND ASSISTANCE TO VOLUNTARY ORGANISATIONS**

- (1) Unless the law, the Constitution, or this Scheme of Delegation requires otherwise, the following executive powers are delegated to the Chief Executive and to each Executive Director in relation to grants and assistance to voluntary organisations:-
- (a) the power to make a grant or to give other assistance to a voluntary organisation within their area of responsibility, where the total value of the assistance in money or moneysworth does not exceed £10,000
  - (b) the power to reduce or withdraw a grant or other assistance, and the power to make a grant or give other assistance to a voluntary organisation (irrespective of the value of the grant or assistance) within their area of responsibility if the value of the grant or assistance is smaller or larger than that awarded in the previous year by no more than 10% or £5000 whichever is the larger
- (2) The decisions set out in Table 8 below are not delegated to officers in relation to grants and assistance to voluntary organisations .

**TABLE 8  
EXECUTIVE MATTERS RESERVED TO MEMBERS  
GRANTS AND ASSISTANCE TO VOLUNTARY ORGANISATIONS**

1. Making a grant or giving assistance to a voluntary organisation where the total value of the grant and/or assistance exceeds £10,000
2. Making a grant or giving assistance to a voluntary organisation where the grant and/or assistance (irrespective of the amount) is smaller or larger than that awarded in the previous year by 10% or £5000, whichever is the larger
3. Decisions to suspend or withdraw funding completely from a voluntary organisation, where the annual funding given exceeds £10,000
4. The consideration of monitoring reports on voluntary organisations' activity and decisions to be taken as a result of that consideration
5. Approval of the criteria for voluntary sector funding and/or assistance
6. Decisions in relation to grants and/or assistance below £10,000 per annum where the Mayor or Executive requests that the matter be reserved to members, or where in the opinion of the relevant Executive Director, the Chief Executive or the Head of Law the matter would more appropriately be dealt with by members.

## R CONTRACTS

- (1) The extent to which the letting of contracts (other than those relating to property which are set out at Section S below) is delegated to officers in relation to executive functions is set out below:-
- decisions relating to the tendering, award and variation of contracts relating to public realm works of a value not exceeding £100,000 shall be taken by the appropriate Executive Director or his/her nominee;
  - decisions relating to the tendering, letting and award of contracts for building, construction and engineering works, where the estimated total value is under £1 million shall be taken by the appropriate Executive Director or his/her nominee;
  - in the case of all other contracts, where the estimated total value is under £500,000, decisions shall be taken by the appropriate Executive Director or his nominee;
  - all such decisions shall be taken in accordance with the contract procedure rules set out in Part 1 of the Council's Constitution.
- (2) To the extent that the letting of contracts is not delegated to officers, in so far as they relate to executive functions, it is delegated to the Executive acting collectively in accordance with the terms of reference at Appendix 1.

## S PROPERTY

Unless the law, the Constitution, or this Scheme of Delegation require otherwise, the following executive powers are delegated to the Executive Director for Resources and Regeneration in relation to property matters:-

### (1) Acquisition

The acquisition of freehold and/or leasehold interest in land and property or other interest in land including the payment of Home Loss and Disturbance Payments, subject to the necessary financial provision having been made.

### (2) Property Management

In relation to all properties save dwelling houses let on secure tenancies, to take the following actions, provided where applicable, that the necessary financial provision has been made.

- a) The grant (including renewal) of leases, licences or tenancies, easements or wayleaves of all Council owned land and property for a rental or licence fee reflecting market value.
  - b) The grant (including renewal) of wayleaves or easements over or affecting Council owned land and property, including licences of advertisement hoardings.
  - c) Authority for the Council to take leases, licences, tenancies, wayleaves or easements (including renewal) of land and property .
  - d) The approval of rent or fee reviews of leases, licences, tenancies, wayleaves or easements granted or held by the Council.
  - (e) The alteration or waiver of terms and conditions of leases, licences, tenancies, wayleaves or easements granted or held by the Council.
  - (f) The approval of terms for the waiver, variation or amendment of covenants in transfer documents including those in respect of properties sold under the Right to Buy.
  - g) The approval of the terms for the assignment, subletting, surrender or operation of a break clause of any lease, licence, tenancies, wayleaves or easements granted or held by the Council in any land or property.
  - h) The approval of the terms for the settlement of any claim for dilapidations or other breaches of covenants in respect of land and property.
  - i) The authorisation of service of notices under all legislation relating to Council land ownership.
  - j) Authority to instruct the Head of Law to instigate court proceedings for the recovery of all monies owing to the Council and possession of land and property, including authorisation of the enforcement of a Court Order for Possession.
  - k) The authorisation of the levying of distress against occupants of land and property in arrears where the Executive Director Resources and Regeneration is of the opinion that it is appropriate to do so
- (3) Declaring Property Surplus

- a) Upon being advised by the Executive Director for the Directorate using a property that it is surplus to the requirements of that Directorate, the Executive Director for Resources and Regeneration may, following consultation with other Directorates as to any alternative use for the property, and having first informed the ward members in which the property is situated, declare the property surplus to corporate requirements and authorise its disposal, if no alternative use is identified by Directorates, provided that the estimated value of the property does not exceed £500,000.
- b) If a property no longer required for use by a Directorate is required for an alternative use, the Executive Director for Resources and Regeneration may authorise its appropriation to the new use and the value at the time of change of use, for capital charge purposes
- c) If in the view of the Executive Director for Resources and Regeneration, a property ought to be disposed of notwithstanding a proposed alternative use, the matter shall be referred to the Executive for decision.

(4) Disposal

A Disposal is defined as the sale of the Council's freehold interest or the grant of a lease exceeding 7 years in length in consideration of a premium and/or ground rent. Disposals will be effected in such a way to ensure that the Council receives the best consideration reasonably obtainable and in accordance with the Property Disposal Procedures approved by the Executive from time to time. Any proposed disposal at less than the best consideration reasonably obtainable will be referred to the Executive for approval. All disposals will be subject to any necessary Ministerial Consents being obtained.

- a) Subject to any limitations set out elsewhere in this scheme of delegation, the valuation of properties and the decision to dispose, and the approval of the terms for the disposal of land or property which has previously been declared surplus to requirements and approved for disposal by the Executive Director for Resources acting under delegated authority.
- b) The disposal of residential dwellings where there is a legal obligation on the Council to sell.
- c) The approval of terms for the disposal of mortgage repossession properties, subject to the other relevant provisions of this paragraph

- d) The approval of terms for the disposal of vacant land and property in charge to the Council, subject to the other relevant provisions of this paragraph 4.
  - e) The approval of the terms for the disposal of any residual freehold interest in a block/building to all leaseholders jointly, subject to all other relevant provisions of this paragraph 4. This is also subject all units having previously been sold and suitable arrangements being entered into by all parties regulating the future management of the whole block/building.
  - f) Authority to take such action as is necessary in accordance with agreed procedures concerning the disposal of land or property.
  - (g) The approval of the terms for the assignment, subletting, surrender or operation of any break clause of any lease, licence, tenancies, wayleaves or easements granted or held by the Council in any land or property which has been declared surplus to requirements.
- (5) Capital Finance Regulations

The Executive Director for Resources and Regeneration may make decisions to earmark the proceeds of sale from asset disposals for expenditure on in/out schemes under the Local Authorities (Capital Finance and Accounting) Regulations 2003 and any amendments thereto, including (without limitation) regeneration projects and replacement of asset schemes subject to the schemes themselves having previously been approved by the Executive or as delegated by the Mayor.

- (6) Property - General
- a) In accordance with the provisions of Part IV I of the constitution, authority to sign property related documentation for or on behalf of the Council in relation to all powers delegated by this Scheme of Delegation save for documents to be entered into by way of deed.
  - b) Authority to agree terms and enter into agreements for any matter of a minor or urgent nature affecting land or property either owned or leased by the Council.
  - c) Authority to undertake and sign valuations for statutory or other Council purposes.
  - d) The submission of planning applications.

- e) To approve the terms of such other agreements or transactions as may be in the best interests of the Council of a minor or urgent nature
  - f) to take such actions and incur such expenditure as is necessary to ensure the proper management of council owned property.
- (7) The executive decisions set out in Table 9 below are not delegated to officers but are reserved for decision by members

**TABLE 9  
EXECUTIVE MATTERS RESERVED TO MEMBERS  
PROPERTY**

1. Any decision relating to the use of the Council's compulsory purchase powers
2. Any decision to declare as surplus to requirements, market, acquire or dispose of property where the value of the property exceeds £500,000
3. Any decision where conditions on the exercise of delegated authority by the Executive Director for Resources and Regeneration have not been fulfilled

N.B. Delegated authority is given to the Mayor and Cabinet (Contracts) acting collectively in relation to property matters to the extent set out in Appendix 1 to this Mayoral Scheme of Delegation.

#### T WRITING OFF DEBT

Unless the law, the Constitution, or this Scheme of Delegation require otherwise, the following executive powers are delegated to officers in relation to bad debt:-

- (1) Save in relation to housing rent arrears, the Executive Director for Resources and Regeneration has delegated authority to write off bad debt up to £50,000. However if debts of the person or organisation to that total have been written off by the Council in the previous three years, the decision shall not be delegated to the Executive Director for Resources. In such cases the power is reserved to members.
- (2) Authority is delegated both to the Executive Director Customer Services and the Executive Director for Resources and Regeneration to write off bad debt in relation to housing rent arrears up to £10,000. Above that threshold, the authority to write

off bad debt in respect of housing rent arrears may only be exercised by members.

## U VIREMENTS

Unless the law, the Constitution, or this Scheme of Delegation requires otherwise, the following executive powers are delegated in relation to virements:-

- (1) Up to £500,000 authority is delegated to the Executive Director for Resources and Regeneration, and to other relevant Executive Directors with the approval of the Executive Director for Resources and Regeneration.
- (2) Decisions relating to virements of £500,000 up to £1 million are reserved to members.

## V EMPLOYMENT MATTERS

Save as required by law, the Council's Constitution or this Scheme of Delegation decisions relating to all employment procedures and processes are delegated to the Executive Director for Resources and Regeneration and/or such person as he may nominate, in so far as they are executive functions, unless they are specifically reserved to members.

The matters contained in Table 10 below are reserved to members.

**TABLE 10  
MATTERS RESERVED TO MEMBERS  
EMPLOYMENT**

Re-organisations involving at least 200 staff.
Appointment of members of, and membership of, the Council's two local joint committees (Teachers and Staff) and Works Council whose terms of reference are appended at Appendix 4.

## W BIDDING FOR EXTERNAL WORK

Decisions about whether the Council should bid for, and if successful, perform work or provide services to external bodies is delegated to the Chief Executive, to the extent that the proposed contract would relate to executive functions. Before exercising this function, the Chief Executive must first consult with the Head of Law and Executive Director for Resources and Regeneration. However, where the estimated value of the work exceeds £1 million per year, or £3 million

in total whichever is the smaller, the Chief Executive shall not exercise this delegated power.

X CRIME AND DISORDER

Decisions relating to the implementation of the Council’s Crime and Disorder Strategy are delegated to the Chief Executive and/or such persons as he shall nominate.

Y MAYORAL DECISIONS

The powers delegated by the Mayor in this Scheme of Delegation may be exercised by the Mayor at any time.

Z DIRECTORATE SCHEMES OF DELEGATION

The extent to which the power to make executive decisions is delegated to officers below Executive Director is set out in the Directorate Schemes of Delegation, which schemes may be amended by the relevant Executive Director at any time.

AA JOINT COMMITTEES

The Council participates in joint committees which exercise executive functions. They are SELWDG - South East London Waste Disposal Group, Joint Committee with the London Borough of Croydon on Street Lighting and the Association of London Government bodies shown as joint committees below. The Mayor has agreed to continue participation in these bodies and has appointed the following members to serve on them:

- a) South East London Waste Disposal Group (SELWDG) – Councillor **(to be confirmed at the AGM)**
- b) Joint Section 101 Committee with the London Borough of Croydon on Street Lighting – Councillor **(to be confirmed at the AGM)**
- c) London Councils Committee and Panels Councillor **(to be confirmed at the AGM)**

Committee/Panel	Membership	Appointee
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Leaders' Committee (s101 Joint Committee)	Boroughs nominate one voting member (usually Leader, but not necessarily) and up to two named deputies. All three members will receive papers for meetings	<b>(to be confirmed at the AGM)</b>
Greater London Employment Forum	Boroughs nominate directly (usually lead member for transport and/or environmental issues). One voting member and up to four named deputies	<b>(to be confirmed at the AGM)</b>
Transport and Environment Committee)	Boroughs nominate directly (usually lead member for transport and/or environmental issues). One voting member and up to four named deputies	<b>(to be confirmed at the AGM)</b>
London Boroughs Grants Committee	Boroughs nominate directly one voting member and up to four named deputies	<b>(to be confirmed at the AGM)</b>

Those members appointed may represent the Council within the terms of reference of the relevant Committee/Panel.

## BB HEALTH AND SAFETY AT WORK

Executive decisions relating to Health & Safety at Work in relation to the Council's role as employer are delegated to the Chief Executive and/or such officer as he may nominate.

CC ASSETS OF COMMUNITY VALUE (as defined in Part 5, Chapter 3  
Localism Act 2011)

Executive decisions are to be made in accordance with the attached Community Right to Bid Guidance for officers, (as may be amended from time to time by the Chief Executive). References in that Guidance to 'designated heads of service and to an executive director' will be to the head of service and/or executive director nominated by the Chief Executive in any particular case.

DD COMMUNITY RIGHT TO CHALLENGE

Executive decisions are to be made in accordance with the attached Guidance Note – Community Right to Challenge (as may be amended from time to time).

# Community Right to Bid Guidance for Officers

## 1. Introduction

The Community Right to Bid is a statutory right given to community and voluntary bodies to nominate assets of community value. The right also enables eligible community organisations to bid for the assets when they come up for sale. This note provides guidance to officers about how the Council will handle this statutory right.

## 2. Scope of responsibilities

The framework within which asset nominations are to be managed is provided for in regulations. The Council's responsibilities extend to:

- Making decisions on asset nominations
- Maintaining and publicising two lists; one for successful nominations and the other for unsuccessful nominations

- Ensuring that reviews are conducted fairly and in timely manner
- Maintaining audit trails of evidence used to inform decision making
- Making decisions on compensation claims

A decision making process has been developed which describes how the above-mentioned functions will be managed within the framework. This appears at Appendix A, whilst a flowchart illustrating the bidding process is at Appendix B.

Key stages	Note
<b>Processing applications</b>	
<p>1. On receipt of an application to nominate an asset of community value, <b>the list administrator (acting on behalf of the Principal Property Lawyer) must notify the designated Head of Service (generally the Head of Community and Neighbourhood Development)</b> that an application has been submitted and requires a decision.</p> <p>2. <b>The list administrator must then forward details</b> of the application to the designated Head of Service for consideration and advise <b>the Principal Property Lawyer who must provide written notification</b> to the owner and lawful occupant of the land, that their property has been nominated.</p>	<p>A dedicated email account: 'community assets' has been set up to receive nominations for assets of community value.</p> <p>A number of officers from across the Council have direct access to the 'community assets' email account. Collectively this group will ensure that there will always be an officer available to identify and process new applications as they arrive.</p> <p>In order to ensure that the land/ asset owner is given notification that their asset is being considered for nomination, Land Registry searches and other enquiries may need to be made in order to establish ownership and occupancy.</p>
<b>Making an initial decision</b>	
<p>3. <b>On receipt of the application the designated Head of Service must consider the application and make an initial decision.</b> Specifically, the designated Head of Service will need to determine:</p> <ul style="list-style-type: none"> <li>• whether the application is <b>made by an eligible organisation</b></li> </ul>	<p>Only a voluntary or community body with local connection is eligible to make a community nomination. The regulations identify the following organisations as those able to nominate an asset of community value:</p> <ul style="list-style-type: none"> <li>• a charity</li> <li>• an unincorporated body whose members include at least 21 individuals and which does not distribute any surplus it makes to its members</li> </ul>

<ul style="list-style-type: none"> <li>• whether the application <b>meets the definition</b> of an ‘asset of community value’.</li> </ul> <p>4. If additional information is <b>required the designated Head of Service may (at their discretion) contact the nominating organisation</b> and ask for this to be supplied.</p> <p>5. <b>The designated Head of Service must reach a decision</b> as to whether or not to list the asset within <u>8 weeks</u> of receiving the nomination.</p> <p>6. <b>Once the designated Head of Service has reached a decision they must advise</b> the Principal Property Lawyer of that decision.</p> <p>7. <b>The designated Head of Service must then write to the nominating organisation and the property owner</b> to advise them of the decision. In the event that a nomination has been unsuccessful, the letter must include reasons for the decision not to list the asset.</p> <p>8. <b>The designated Head of Service must</b> maintain an audit trail of the evidence that informed their decision and <b>forward this to the list administrator or Principal Property Lawyer.</b></p>	<ul style="list-style-type: none"> <li>• a body designated as a neighbourhood forum</li> <li>• a company limited by guarantee which does not distribute any surplus it makes to its members</li> <li>• an industrial and provident society which does not distribute any surplus it makes to its members</li> <li>• a community interest company</li> </ul> <p>The legislation provides that an asset satisfies the definition of an asset of community value if:</p> <ul style="list-style-type: none"> <li>• the local authority decides that the actual main, current use of the building or land is to further the social wellbeing or social interests of the local community and it is realistic to think that there can continue to be a main use of the building or land which will further the social wellbeing or social interests of the local community; or</li> <li>• in the opinion of the local authority there is a time in the recent past when the actual and main use of the building or land furthered the social well being or social interests of the local community and, it is realistic to think that there is a time in the next five years when there could be a main use of the building or land that would further the social wellbeing or social interests of the local community.</li> </ul> <p>“Social interests” includes (in particular) cultural, recreational and sporting interests.</p>
<p><b>Review of the initial decision</b></p>	
<p>9. If within eight weeks of being notified in writing, the asset owner requests a review of the decision, the Council must undertake a review of its decision within eight weeks. The review</p>	<p>The owner of the land has the right to ask for the Council’s decision to be reviewed. However, the owner of the land must request a review within <u>8 weeks</u> from time they are notified that the asset is to be included on the list.</p>

<p><b>must be heard by an Executive Director.</b></p> <p>10. In advance of the review, <b>the Executive Director must write to the asset owner</b> advising them when a decision will be made and whether any additional information will be required to inform that decision.</p> <p>11. To inform the review, the <b>Head of Service who made the original decision must</b> compile the relevant documentation to enable the Executive Director to reach their decision.</p> <p>12. Following the review <b>the Executive Director must</b> write to the asset owner and nominating body advising of the decision, set out how the decision was reached and the implications.</p> <p>13. If the request to review the listing of the asset is successful the entry must be removed from the successful nominations list <b>by the list administrator (acting on behalf of the Principal Property Lawyer)</b> and included on the list of unsuccessful nominations.</p> <p>14. <b>The Executive Director must</b> maintain an audit trail of the evidence that informed their decision and <b>forward this to the list administrator or Principal Property Lawyer.</b></p>	<p>The Council may however, extend the review request period if it so chooses.</p> <p>If requested, the review of the decision to list must be completed within <u>8 weeks</u> unless parties otherwise agree in writing.</p> <p>An oral hearing must be held at owner's written request. If no request is made, the Council can decide whether or not an oral hearing is required.</p> <p>Representations to the Executive Director reviewing the decision may be made by the owner/owner's representative orally and/or in writing.</p> <p>The listing can also be removed if the Council for any reason no longer considers the land to be of community value and after a period of five years has elapsed (however after five years the asset can be re-nominated).</p> <p>If the asset owner wishes to appeal against listing review decision they can lodge their appeal to a First-Tier Tribunal</p> <p>The list must be published and be available for free inspection. One free copy of list must be provided on request</p> <p>Local authorities are required to add that an asset has been listed to the local land charges register. This will ensure that all prospective new owners will be aware that an asset has been listed, since local land charges apply to both registered and unregistered land.</p> <p>Local authorities are required to apply to the Land Registry for entry of a restriction on the Land Register when they list a building or other land as an Asset of Community Value, or, if necessary, where the owner of the</p>
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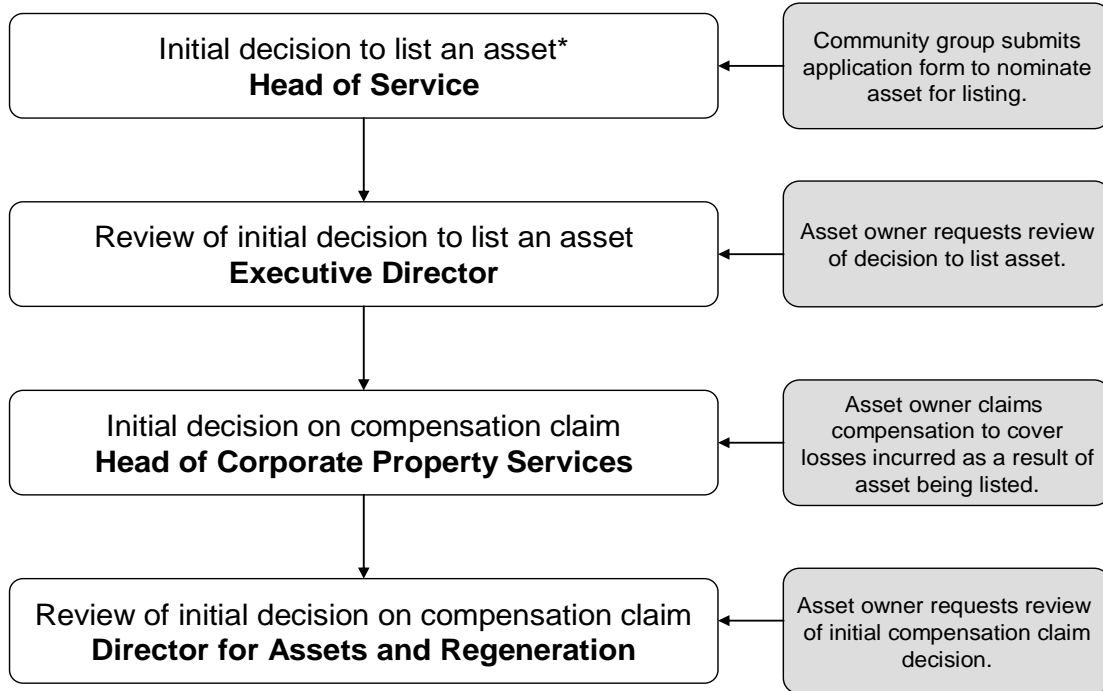
	listed asset has changed. The local authority is also required to apply to the Land Registry for cancellation of the restriction when it removes an asset from its list.
<b>Disposal of a listed asset</b>	
<p>15. Once the asset owner notifies the Council of their intention to sell the listed asset, <b>the Principal Property Lawyer must give written notification</b> to the community organisation which nominated the asset for listing and arrange for public notification of the proposed disposal (in the area where the land is situated). The letter to the nominating body as well as the public notification must clearly set out the process and timescales involved.</p> <p>16. Upon notification, <b>the Principal Property Lawyer must amend the successful nominations list to show that:</b></p> <ul style="list-style-type: none"> <li>• the notice of disposal has been received,</li> <li>• the date the notice was received and the end of the: <ul style="list-style-type: none"> <li>- interim moratorium period (<u>6 weeks</u> from date of notification),</li> <li>- full moratorium period (<u>6 months</u> from date of notification) and</li> <li>- protected period (<u>18 months</u> from date of notification).</li> </ul> </li> </ul> <p>17. If during the six week moratorium period no eligible community organisation submits a written expression of interest to bid for the asset, <b>the Principal Property Lawyer must write to the asset owner</b> advising them</p>	<p>The asset owner must notify the Council in writing that they wish to enter into a relevant disposal. A “relevant disposal” is a disposal with vacant possession.</p> <p>During this moratorium period a community interest group may request in writing to be treated as a potential bidder for the asset; this will bring the full moratorium period into force (see Appendix B).</p> <p>Only a defined “community interest group” may express an interest in bidding for an asset. The community interest group does not have to provide any evidence of intention or financial resources to make such a bid.</p> <p>However, a community interest group must have one or more of the following structures:</p> <ul style="list-style-type: none"> <li>• a charity</li> <li>• a community interest company</li> <li>• a company limited by guarantee that is non profit distributing</li> <li>• an industrial and provident society that is non profit distributing (these groups will be renamed as community benefit societies by the Co-operative and Community Benefit Societies and Credit Unions Act 2010 when the relevant provisions come into force)</li> </ul>

<p>that they are free to proceed with the sale of their asset to whomsoever they wish.</p>	
<b>Responding to a request to bid</b>	
<p>18. If the Council receives a written request (in any form) within the six week interim moratorium period from a <b>community interest group</b> wishing to be treated as potential bidder, <b>details must be passed to the owner of the land by the Principal Property Lawyer.</b></p> <p>19. <b>The Principal Property Lawyer must also write to the eligible organisation</b> advising that their expression of interest has been received and has been forwarded on to the asset owner.</p>	<p>During this period it is up to the bidding organisation or organisations to pull together a business plan and finances to bid for the asset.</p> <p>Other than passing on the details of a potential bidder to the asset owner the Council is not required to play any further role in facilitating a possible sale.</p>
<b>Dealing with compensation claims</b>	
<p>20. <b>Claims for compensation will be handled by the Head of Corporate Property Services.</b> Upon receipt of a claim <b>the Head of Corporate Property Services must</b> write back to the claimant confirming receipt.</p> <p>21. <b>In considering the claim, the Head of Corporate Property Services must</b> ensure that there is sufficient evidence available to reach a decision.</p> <p>22. At their discretion the <b>Head of Corporate Property Services may</b> need to undertake a more detailed investigation in order to establish the validity of the claim. This may include inviting the claimant to provide additional evidence.</p>	<p>The owner of land is entitled to claim compensation where they have “incurred loss or expense in relation to the land which would not have been incurred if the land had not been listed”.</p> <p>However, the claim must be made within <u>13 weeks</u> after loss or expense incurred/finished being incurred.</p> <p>There is no time frame for a decision to be reached.</p>

<p>23. <b>Once the decision has been made the Head of Corporate Property Services must</b> write to the claimant with details of the decision.</p> <p>24. <b>The Head of Corporate Property Services must</b> maintain an audit trail of the evidence that informed their decision and <b>pass this on to the Principal Property Lawyer.</b></p>	
<p><b>Compensation claim review</b></p>	
<p>25. In the event that the Council rejects a claim for compensation and the owner requests a review, <b>the review must be conducted by the Director for Assets and Regeneration.</b></p> <p>26. <b>The Head of Corporate Assets and Property, who made the original decision, must</b> assemble the relevant documentation to enable the Director for Assets and Regeneration to undertake their review.</p> <p>27. <b>The Director for Assets and Regeneration must</b> maintain an audit trail of the evidence that informed their decision and <b>forward this to the Principal Property Lawyer.</b></p>	<p>A request to review a compensation claim must be made within <u>8 weeks</u> of written notification of reasons for decision on compensation, or such longer period as the Council may allow</p> <p>The asset owner has the right to lodge an appeal against the compensation review decision. This appeal will need to be lodged before a First-Tier Tribunal.</p>

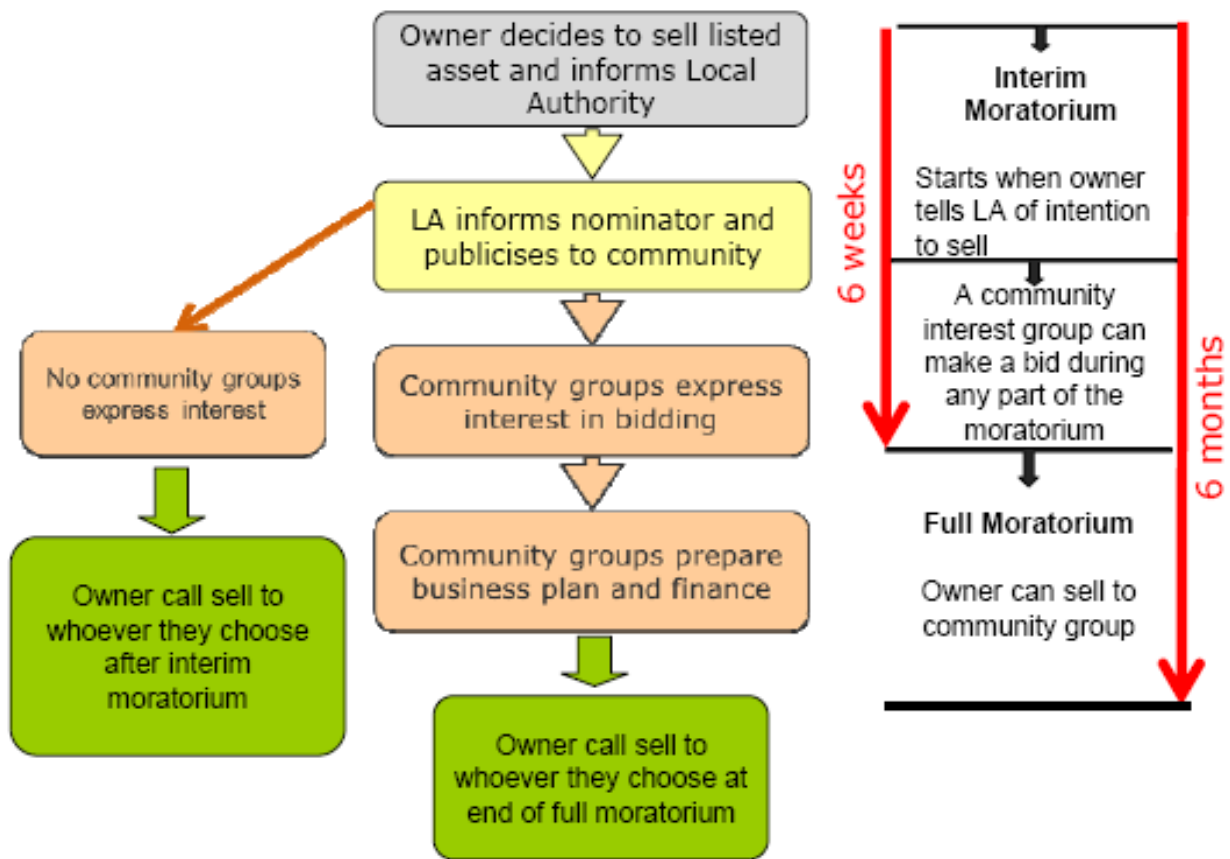


## Decision making flow chart



\*The asset lists for both successful and unsuccessful nominations will be maintained by Legal Services.

### Flow chart for bidding process



DD COMMUNITY RIGHT TO CHALLENGE (as defined in Part 5, Chapter 3  
Localism Act 2011)

Executive decisions relating to the Community Right to Challenge as set out in Part 5, Chapter 2 Localism Act 2011, are delegated in accordance with the Guidance Note attached (as may be amended from time to time by the Chief Executive).

# Guidance Note

## Community Right to Challenge

### 1 Introduction

The community right to challenge is a statutory right given to community, voluntary and employee bodies to express an interest in providing or assisting to provide Council services. This note provides guidance for officers about how the Council will handle this statutory right.

### 2 Advertising for Expressions of Interest

The Council can advertise that if organisations are interested in submitting an Expression of Interest (EOI) in providing a service they must do so within a period set by the Council. For those services which are already subject to contract, the Council's Procurement Team places an advert annually setting out details of contracts coming to expiry, with the periods in which organisations must make their Expression of Interest should they wish to do so. For services that are not under contract, the Council has decided that organisations must submit their Expression of Interest between 1st May and 30<sup>th</sup> June 2013

### 3 Considering an Expression of Interest

What goes into an expression of interest is defined in law, and in deciding whether to accept an Expression of Interest the Council may only make its assessment on the information which must be the basis of the EOI. If the Council accepts an EOI, then a procurement exercise must take place.

### 4 Assessment of EOIs

This first stage of the assessment process is concerned with making sure that the EOI is compliant with the legal requirements, and will be conducted by the Procurement Team on legal advice. The steps in the process are set out below with notes to assist.

Step	Note
<i>Stage 1</i>	
1. On receipt of an EOI, Head of Procurement to notify the organisation submitting it of the maximum time it will take for a decision to be reached on the EOI	<p>This notification must be sent within 30 days of receipt of EOI, or 30 days of end of period for submission of EOI</p> <p>It must also be published on the website</p> <p>Different periods may apply to different services. The period should be reasonable and reflect such factors as the complexity of the service, the number of EOIs received, the likelihood of modifications to the EOI</p>
2. Check whether the service is exempt or not	<p>The community right to challenge applies to almost all Council services with the exclusion of those provided to people with complex individual health or social care needs.</p> <p>In addition, those services provided in partnership with health, or by health on behalf of the Council, will only be subject to the community right to challenge from April 2014.</p> <p>Services commissioned by people in receipt of direct payments are also exempt.</p>
3. Check that the EOI is made by a relevant body	<p>Relevant bodies are community, voluntary and certain employee bodies as well as bodies/trusts established for charitable purposes and parish councils. The Secretary of State may add to this list. Statutory guidance published June 2012 expands on this definition. Refer to attached guidance</p> <p>EOIs may be submitted by a number of organisations acting in partnership. They do not all have to be relevant organisations, but any information required in an EOI must be provided in relation to all organisations making the submission.</p>
4. Check whether a decision has been made, evidenced in writing to stop the provision of the service	If so, the EOI should be rejected on this ground
5. Check whether the Council is in negotiations with a third party for provision of the service	<p>If so, the EOI should be rejected on this ground.</p> <p>The negotiations must be, at least in part, in writing.</p>

6. Check whether the service is already the subject of a procurement exercise	If so, the EOI should be rejected on this ground
7. Check whether the Council has published its intention to consider the provision of the service by two or more of its employees	If so, the EOI should be rejected on this ground
8 Check whether the Council advertised a period for receipt of an EOI in respect of the service, and if so was the EOI received in that period	See Para 2 above. If not, the EOI should be rejected
9. Has the organisation provided the necessary information about the financial resources of the organisation(s) submitting the EOI.	This is likely to include copies of the organisation's audited accounts for the last three years, business plans, and company structure. The information may differ depending on the service and the nature of the organisation. Seek legal advice if necessary.  If there is insufficient information on this point the Council may ask for the organisation to modify its EOI
10. If the Procurement Team is satisfied that the EOI is compliant, the Head of Procurement will inform the ED Resources and Regeneration and establish a working group to complete the evaluation of the EOI	The working group will consist of the ED Resources and Regeneration, the ED of the relevant service area(s), the Head of Law and the Head of Procurement (or their nominees). That group will assess Stage 2 of the process. Consideration will have to be given to ensuring that there is no conflict of interest for members of this group. Legal advice should be sought if necessary on this point.  If the Head of Procurement is not satisfied on legal advice that an EOI is compliant, he will submit a full report to the Executive Director for Resources & Regeneration for formal consideration.  If it is agreed by the ED that the EOI is non-compliant it will not be further considered and will be rejected. The Council will inform the organisation who submitted the EOI the ground(s) upon which it has been rejected.

<i>Stage 2</i>	
11. Assess whether the organisation(s) submitting the EOI will be capable of providing the service by the time of any procurement exercise	The critical words here are “at the time of any procurement”. The organisation may not be ready at the time of the assessment, but may have realistic plans to be so by the time of procurement.
12. Assess whether the outcomes proposed by the organisation(s) submitting the EOI would enhance the social economic or environmental wellbeing of the area, and how it will meet the needs of service users.	<p>This reflects the best value duty and the requirements of the Public Services (Social Value) Act 2012 which is in force now. It means the Council should take into account social considerations as well as service requirements. It may include such matters as creating local jobs, improving local skills, increasing volunteering opportunities. Proportionate engagement with users would be expected.</p> <p>The Council can also take into account value for money that a procurement exercise would entail greater costs or reduced costs including staffing and transfer costs.</p>
13. A report must then be prepared as the basis on which a decision is to be made about whether to accept or reject the EOI	<p>If the value of the service exceeds £500,000, the report must be considered by the Mayor in accordance with the Mayoral Scheme of Delegation. Below that limit, the report is referred to the ED Resources and Regeneration, who may in any event refer the decision to the Mayor if appropriate to do so.</p> <p>Any rejection may only be based on information contained in an EOI or a modification to it.</p> <p>An EOI may only be rejected on the following grounds:-</p> <ul style="list-style-type: none"> <li>• Non compliance with the Act or regulations</li> <li>• Inadequate or inaccurate information in the EOI</li> <li>• Unsuitability of the organisation, consortium member or sub contractor</li> <li>• Decision made to stop the service</li> <li>• Integration of service with health is critical to wellbeing of users</li> <li>• Ongoing procurement exercise</li> <li>• Ongoing negotiations with an employee body</li> <li>• The EOI is frivolous or vexatious</li> <li>• Acceptance would contravene the law or entail a breach of statutory duty</li> </ul>

14. The Council must then inform the organisation of its decision.	If the EOI is refused, the reasons must be specified. If the EOI is accepted, the Council must specify the length of time between acceptance and the commencement of the procurement exercise.
15. The procurement exercise ensues in accordance with the law and Council standing orders.	In house proposals are not prohibited by the legislation or guidance, though the Council would need to be able to show that any internal proposal had been evaluated on the same terms as external bids.

## 5. EOI by employees

When an EOI is submitted by 2 or more employees of the Council, arrangements will be put in place to ensure that there is no conflict between the interest of the employees concerned and that of the Council. It is likely that “Chinese walls” will have to be put in place to ensure that no conflict arises and that in any future procurement process the employee body is not seen to have had an unfair advantage over other tenderers by preferential treatment by the Council.

Following any expression of interest by employees, it is possible that they would have to take unpaid leave, or be moved to other unrelated duties until they have worked up any proposals in the procurement process in their own time. The arrangements will depend upon the circumstances of each case, but the underlying principle will be to treat all potential bidders, internal or external, with fairness.



**Appendix 1****LONDON BOROUGH OF LEWISHAM WORKS COUNCIL CONSTITUTION AND FUNCTIONS**1. Title

The Joint Committee shall be called the "Works Council".

2. Terms of reference

## A. The functions of the Works Council shall be;

- I. a forum for consultation and negotiation between the Council and its employees on corporate issues in relations to conditions of service;
- II. to provide a forum for the discussion and prevention of differences and the resolution of disputes where they arise;
- III. to establish regular consultation between the local authority and its employees on matters such as personnel policy initiatives;
- IV. to make recommendations to the appropriate Committee on the application and interpretation of terms and conditions of service of employees;
- V. to consider any relevant matter referred to it by a Committee of Council, or by the Joint Secretary of either Side; and
- VI. to carry out such other functions as are specifically assigned to it.

It should be noted that any issue of relevance solely to one set of national conditions, or which is considered by one employee group to be of particular relevance to its conditions, may in the first instance be considered by the appropriate Local Joint Committee. It may be referred to the Works Council if both sides of the LJC considered it appropriate. Collective appeal rights to go directly from the LJC to provincial or national level will not be affected.

## B. The Works Council shall not consider:

- I. any matter concerning an individual employee, e.g. discipline, grievance, promotion or efficiency;
- II. any matter which is properly the function of any other body, including the governing bodies of locally-managed institutions.

- C. In the event of any matter arising upon which the Works Council cannot agree, the matter may be referred by either side to the appropriate recognised negotiating body, in accordance with the relevant National Scheme of Conditions of Service.
- D. The Works Council may refer any question before it for consideration by, and the advice of, the appropriate negotiating body and shall inform that body of any recommendation of the Works Council which appears to be of more than local interest, always provided that such recommendation shall be approved by the local authority prior to its submission to the provincial body.
- E. The Works Council shall use its best endeavours to ensure that all relevant collective agreements are applied throughout the Council.

### 3. Membership

- (a) The Councillors who sit on the Works Council should be such members of the Executive as the Mayor shall appoint and he appoints all members of the Executive with the exception of himself.
- (b) The Union Side shall comprise not more than 17 employees.
- (c) The Council and the constituent trade unions shall both appoint substitute members of the Works Council, any one of whom shall act as a substitute for a full member of the appropriate side in the event of the latter being unable to attend a meeting. A substitute attending a meeting in place of a member shall have the same powers as the member.
- (d) If a member or a substitute member of the Works Council ceases to be a Member of the Council or an employee of the Council, that member shall cease to be a member of the Works Council. Any such vacancy arising shall be filled by the Employer's Side of the Union Side as appropriate.

### 4. Chair

A Chair and a Vice-Chair shall be appointed by the Works Council at its first meeting in each municipal year. The Chair shall be a member of the Employer's Side, the Vice-Chair shall be appointed from the Union Side.

### 5. Officers and Advisers

- (a) Each Side of the Works Council shall appoint a Joint Secretary.
- (b) Each Side may invite advisers to attend meeting of the Works Council. The Joint Secretaries shall notify each other of the advisers they are inviting to each meeting. Persons attending under this provision shall be entitled to speak.

## 6 Meetings

- (a) The Works Council shall meet as required and not less than once a quarter. Either Joint Secretary may call a meeting at any time. The Joint Secretaries shall arrange agenda, dates and times of meetings and for the circulation of documents for meetings. The Union Side Joint Secretaries of the other Local Joint Committees may attend any meetings arranged to discuss agendas with the Joint Secretaries.
- (b) Items not included on the agenda for a meeting may be considered by the Works Council with the agreement of both Sides.
- (c) A special meeting of the Works Council shall be called within 10 working days at the request of either Joint Secretary.
- (d) The minutes of the Works Council shall be agreed by the Chair and Vice-Chair. Disputes about the minutes shall be resolved through the Joint Secretaries.
- (e) The minutes shall be reported to the Executive.

## 7. Quorum

Three members of the Employer's Side and five members of the Union Side with at least one representative from each of the following groups; manual, craft, officer and teacher, shall constitute a quorum.

## 8. Payment to Union Side and their Advisers

Members of the Union Side shall receive payment at plain time rate for attendance at Works Council meetings.

# Agenda Item 10

COUNCIL AGM		
<b>Report Title</b>	Committee Terms of Reference	
<b>Key Decision</b>		Item No.
<b>Ward</b>		
<b>Contributors</b>	Chief Executive	
<b>Class</b>	Part 1	Date: 23 May 2018

**To agree the terms of reference for, size and composition of an Overview and Scrutiny Committee, a Standards Committee and such other committees as the Council thinks fit to deal with matters which are neither reserved to Council nor Executive functions.**

There are no changes to the terms of reference of the Overview & Scrutiny Committee, Standards Committee or other committees.

The Council is therefore

**RECOMMENDED** to note that there are no changes to the terms of reference of the Overview & Scrutiny Committee, Standards Committee or other committees.

COUNCIL		
<b>Report Title</b>	Allocation of Seats to Political Groups on the Council	
<b>Key Decision</b>		Item No.
<b>Ward</b>		
<b>Contributors</b>	Chief Executive (Head of Business & Committee) & Head of Law	
<b>Class</b>	Part 1	Date: May 23 2018

## 1. Summary

This report sets out a proposed allocation of seats on committees to political groups on the Council and asks the Council to agree to that proposal.

## 2. Purpose

The purpose of this report is to comply with the Local Government and Housing Act 1989, which requires the allocation of seats on committees in accordance with the level of representation of political groups on the Council as a whole.

## 3. Background

Section 15 of the Local Government and Housing Act 1989 places a duty on the Council to review the representation of political groups on its committees where the members of the Council are split into different political groups. A council is deemed to be split into different political groups where there is at least one such group on the Council. There is a particular duty to conduct this review at the Annual General Meeting or as soon as practicable after that.

The Act requires that when it reviews membership of its committees, the Council is under a duty to determine the allocation to the different political groups into which the members are divided, in accordance with principles which are set out in the Act those principles are:-

- That not all the seats are allocated to the same group.
- That the majority of the seats are allocated to the group which has the majority of seats on the Council.
- Subject to the 2 principles above, the number of seats *on the total* of all the ordinary committees allocated to each political group bears the same proportion to the proportion on full Council.

- Subject to the 3 principles above, the number of seats *on each* committee of the authority allocated to each group bears the same proportion to the proportion on full Council.

A political group can only be properly established under the Local Government (Committees and Political Groups) Regulations 1990 if at least 2 members give notice to the Proper Officer that they wish to be treated as a political group.

Once the allocations to political groups have been determined, it is the duty of the Council to exercise the power to make appointments to that committee to give effect to the nominations of the political groups concerned.

These political balance requirements also apply to the Overview and Scrutiny Committee and its sub committees (select committees and business panels).

The Act also provides that the Council can make arrangements other than those complying with the political balance requirements if those arrangements are approved without any member of the authority voting against them.

Following the Local Government and Public Involvement in Health Act 2007, Leading Counsel advised that an elected Mayor did not qualify as a member for the purpose of (inter alia) the allocation of seats on Council decision making bodies. That situation was reversed by implementation of the Localism Act 2011 and the Mayor is now included in the majority party number for the purposes of seat allocation.

#### **4. Proposed arrangements**

The table attached at Appendix 1 shows the proposals for the Council's ordinary Committees. The Proper Officer has been asked to confirm that he has received written confirmation from the Labour Party regarding its group membership and that only the Labour Party has the required minimum number of Councillors to sustain a political group.

Lewisham's Constitution provides that the Council will appoint one overview and scrutiny committee consisting of all members of the Council who are not members of the Executive provided that this composition complies with the political balance requirements of the Local Government and Housing Act 1989. If that is not possible or if there is not unanimous agreement at the Annual General Meeting to such arrangements in any year, Article 6 provides that the Council will decide on the composition of the Committee so as to give the widest possible membership to the committee, but excluding members of the Executive. As the Mayor has invited 10 Labour councillors to serve with him in the Cabinet, there would be 44 members of the Overview and Scrutiny Committee as follows:-

Labour

44

The select committees, which are effectively sub committees of the main Overview and Scrutiny Committee under the Constitution, have to have between 7 and 11 members. In the previous administration there were six select committees with 10 members each.

#### **5. Constitution Working Party**

The Constitution provides that this should consist of one representative of each political group and six or the smallest number higher, of councillors required to ensure the political composition of the Council is reflected.

#### **6. Appointments Committee**

The Constitution provides that this should consist of the Chair of Overview & Scrutiny, and two such executive members as the Mayor, as Leader of the largest political group, may nominate on a meeting by meeting basis, and two or the smallest higher number of non-executive members required to ensure that the political composition of the Council is reflected.

#### **7. Council Urgency Committee**

The Constitution provides that this should consist of the Chair of Council, the Deputy Mayor, one member of the Executive other than the Mayor, the Chair of the Overview and Scrutiny Committee and 2, or the smallest number higher of Councillors required to ensure the political balance of the Council is reflected.

#### **8. Other Committees**

In addition to the bodies referred to above, Article 9 of the Constitution also provides for the establishment of 3 Planning Committees, a Strategic Planning Committee, a Licensing Committee, a Licensing (Supplementary) Committee, a Pensions Investment Committee, a Health & Safety Committee, an Elections Committee, a Health and Wellbeing Board and an Audit Panel with the Terms of Reference set out in that Article. No changes to the composition or Terms of Reference are proposed..

#### **9. Chairs of Overview and Scrutiny Select Committees**

The Constitution provides in Paragraph 8 of Section E Overview & Scrutiny Procedure Rules that the Chairs and Vice Chairs of the Overview & Scrutiny Select Committees will be allocated in accordance with the proportion of seats held by the political groups on the Council.

#### **10. Legal Implications**

The legal implications are contained in the body of the report. The political balance requirements of the Local Government and Housing Act 1989 do not apply to the Mayor and Cabinet. There is no legal requirement for the Chairs or Vice Chairs of any committee to be reserved for members of any particular group,. Any such requirement would be a constitutional and not a statutory provision..

## **11. Financial implications**

There are no specific implications arising from this report

## **12. Recommendations**

Members are asked to:

- (i) approve the proposals in this report in relation to the allocation of seats on ordinary committees as shown in Appendix 1;
- (ii) agree the size of, and allocation of seats on the overview and scrutiny committee and its select committees;
- (iii) agree the composition of the Constitution Working Party,
- (iv) agree the composition of the Appointments Committee;
- (v) agree the composition of the Council Urgency Committee



**COUNCIL MEETING Appendix 1 to Item**

**POLITICAL BALANCE**

<b><u>Lab.</u></b>
55 (100%)

<b><u>Committee</u></b>	<b><u>Total</u></b>	<b><u>Lab.</u></b> <b><u>Actual</u></b>
Planning (A)	10	10
Planning (B)	10	10
Planning (C)	10	10
Strategic Planning	10	10
Licensing	10	10
Licensing (Supplementary)	10	10
Pensions Investment	8	8
Health & Safety	6	6
Elections	6	6
Audit Panel	6	6

<b><u>Committee</u></b>	<b><u>Total</u></b>	<b><u>Lab.</u></b>
Constitution W.P.	10	10
Appointments	6	6
Council Urgency	6	6
Standards	10	10

**Overview & Scrutiny**

The numbers for Overview and Scrutiny below assume that the Mayor invites 9 members of the Labour Group to serve with him in the Cabinet

	<b><u>Total</u></b>	<b><u>Lab.</u></b>
<b>Overview &amp; Scrutiny Committee (balanced)</b>	44	44

	<b><u>Total</u></b>	<b><u>Lab.</u></b>
<b>Overview &amp; Scrutiny Business Panel</b>	10	10
<b>Overview &amp; Scrutiny Education Business Panel</b>	10	10

<b>Select Committees</b>		<b>Lab.</b>
Healthier Communities	10	10
Children & Young People	10	10
Public Accounts	10	10
Safer & Stronger Communities	10	10
Sustainable Development	10	10
Housing	10	10

<b>Overview &amp; Scrutiny Proportionality (43 Members)</b>	
<b>Lab.</b>	
44 (100%)	

## **NOTES**

1. Planning Committees A, B and C must include no more than 1 member from each Council ward.
2. Strategic Planning Committee shall comprise the Chairs of Planning Committees A, B and C, 5 other Planning Committee members and 2 members of the Cabinet.
3. The membership of the Licensing Committee and Licensing Supplementary Committee shall be identical.
4. The Elections Committee must have at least three non-Executive Councillors.
5. The Standards Committee membership was revised by the Council in June 2012 in accordance with the requirements of the Localism Act 2011.
6. The Constitution Working Party shall comprise of 1 representative of each political group and six other Councillors.
7. Appointments Committee consists of the Chair of Overview & Scrutiny Committee, 2 Cabinet members appointed on a meeting by meeting basis and 2 non-Executive members.
8. The Council Urgency Committee consists of the Chair of Council, the Deputy Mayor, one member of the Executive other than the Mayor, the Chair of the Overview & Scrutiny Committee and 2 other Councillors.

<b>COUNCIL AGM</b>		
<b>Report Title</b>	Appointments to Committees	
<b>Key Decision</b>		Item No.
<b>Ward</b>		
<b>Contributors</b>	Chief Executive (Head of Business & Committee)	
<b>Class</b>	Part 1	Date: 23 May 2018

### **Council appointments to committees for the municipal year 2018/2019**

The Council is invited to appoint named members to the following bodies:

- (a) Planning Committee (A)
- (b) Planning Committee (B)
- (c) Planning Committee (C)
- (d) Strategic Planning Committee
- (e) Licensing Committee
- (f) Licensing (Supplementary) Committee
- (g) Pensions Investment Committee
- (h) Health and Safety Committee
- (i) Elections Committee
- (j) Standards Committee
- (k) Council Urgency Committee
- (l) Constitution Working Party
- (m) Appointments Committee
- (n) Audit Panel

**NB A schedule of proposed appointments for ratification will be circulated at the meeting**

# Agenda Item 13

COUNCIL AGM		
<b>Report Title</b>	Appointments to other bodies	
<b>Key Decision</b>		Item No.
<b>Ward</b>		
<b>Contributors</b>	Chief Executive (Head of Business & Committee)	
<b>Class</b>	Part 1	Date: 23 May 2018

## **Appointments to other committees and organisations for the municipal year 2018/2019**

The Council is invited to appoint named members to the following bodies:

The Council is invited to appoint named members to the following bodies:

- (a) Ackroyd Community Centre Management Committee (1)
- (b) Age Exchange Reminiscence Theatre (1)
- (c) Albany 2001 Council of Management (1)
- (d) Albion Millennium Green Trust (1)
- (e) Blackheath Joint Working Party (3)
- (f) Deptford Challenge Trust (1)
- (g) Forest Hill and Sydenham Voluntary Service Association (2)
- (h) Green Chain Joint Committee (2)
- (i) Ladywell Centre (1)
- (j) Lewisham Citizen's Advice Bureau Management Committee (2 )
- (k) Lewisham Disability Coalition (1)
- (l) Lewisham Local History Council/Society (1)
- (m) Lewisham Pensioners' Forum Management Committee (1)
- (n) London Youth Games (2)
- (o) Marsha Phoenix Memorial Trust (1)

- (p) Safer Neighbourhood Board (1)
- (q) Youth First Board (1)
- (r) Our Healthier South East London (OHSEL) JHOSC (2)
- (s) SLaM Mental Health of Older Adults JHOSC (2)

**NB A schedule of nominations received will be circulated at the meeting.**

# Agenda Item 14

COUNCIL AGM		
<b>Report Title</b>	Council Calendar 2018-19	
<b>Key Decision</b>	No	Item No.
<b>Ward</b>		
<b>Contributors</b>	Chief Executive (Head of Business & Committee)	
<b>Class</b>	Part 1	Date: 23 May 2018

## **Programme of council meetings for the municipal year 2018/2019**

The Council is

RECOMMENDED to

- (i) agree that ordinary meetings of the Council be held on 18 July, 3 October 2018, 28 November 2018, 23 January 2019, 27 February and 6 March (fall-back) and that the Annual General Meeting be held on 3 April 2019; and
- (ii) approve the attached schedule of meetings (Appendix A) for the municipal year 2018/19

## Council Calendar 2018-19

Wednesday	2 May		
Thursday	3 May	ELECTION	
Friday	4 May		
Monday	7 May	<b>BANK HOLIDAY</b>	
Tuesday	8 May		
Wednesday	9 May		
Thursday	10 May	Adoption Panel	
Friday	11 May	<b>IT COLLECTION DAY</b>	
Monday	14 May	<b>LABOUR GROUP</b>	
Tuesday	15 May		
Wednesday	16 May	Corporate Parenting Group	
Thursday	17 May	<b>COUNCIL WELCOME MEETING</b>	
Friday	18 May		
Monday	21 May	<b>LABOUR GROUP</b>	
Tuesday	22 May	<b>COUNCIL MANDATORY TRAINING EVENING</b>	
Wednesday	23 May	<b>COUNCIL AGM</b>	
Thursday	24 May	Licensing Committee	
Friday	25 May		
Monday	28 May	<b>BANK HOLIDAY</b>	Sch Hols
Tuesday	29 May		Sch Hols

## Council Calendar 2018-19

Wednesday	30 May		Sch Hols
Thursday	31 May		Sch Hols
Friday	1 June		Sch Hols
Monday	4 June	IT Support Session	
Tuesday	5 June	PLANNING TRAINING Planning- Chairs	
Wednesday	6 June	Fostering Panel  Mayor and Cabinet  Mayor and Cabinet (Contracts)  Chairing Skills (external trainer)	
Thursday	7 June	Planning Committee (B)  LICENSING TRAINING  Licensing Committee	
Friday	8 June		
Monday	11 June	Health and Safety Committee  Strategic Planning Committee  Personal Safety Session (external)	
Tuesday	12 June	Introduction to Local Health Partners  Coordinating Group Event	
Wednesday	13 June	Local Assemblies Training	
Thursday	14 June	Adoption Panel  Health Scrutiny Training	



## Council Calendar 2018-19

		Croydon & Lewisham Street Lighting Joint Committee	
Friday	15 June		
Monday	18 June	<b>LABOUR GROUP</b>	
Tuesday	19 June	Overview and Scrutiny Business Panel  Overview and Scrutiny (Education) Business Panel  Licensing Committee	
Wednesday	20 June	Introduction to Scrutiny	
Thursday	21 June	Licensing Committee  Planning Committee (C)	
Friday	22 June		
Monday	25 June	<b>IT SUPPORT SESSION</b>  <b>LABOUR GROUP</b>	
Tuesday	26 June	Overview and Scrutiny Business Panel  Overview and Scrutiny (Education) Business Panel	
Wednesday	27 June	Mayor and Cabinet  Mayor and Cabinet (Contracts)  Introduction to Housing  Healthier Select Committee	
Thursday	28 June	Pensions Investment Committee (and training)  Children and Young People Select Committee	
Friday	29 June		

## Council Calendar 2018-19

Monday	2 July	Fostering Panel Children's Safeguarding Training Sustainable Development Select Committee	
Tuesday	3 July	Pension Board Licensing Committee Public Accounts Select Committee PAC Training	
Wednesday	4 July	Corporate Parenting Group Local Government Finance Training Joint IT Committee of Brent, Lewisham and Southwark	
Thursday	5 July	Planning Committee (A) Housing Select Committee	
Friday	6 July		
Monday	9 July	Equalities Training	
Tuesday	10 July	Overview and Scrutiny Business Panel Overview and Scrutiny (Education) Business Panel	
Wednesday	11 July	Mayor and Cabinet Mayor and Cabinet (Contracts) Looked After Children Training	
Thursday	12 July	Audit Panel Training	

## Council Calendar 2018-19

		Audit Panel Adoption Panel Safer Stronger Communities Select Committee	
Friday	13 July		
Monday	16 July	<b>LABOUR GROUP</b> Prevent Counter Terrorism Training	
Tuesday	17 July	Strategic Planning Committee Licensing Committee	
Wednesday	18 July	<b>COUNCIL</b>	
Thursday	19 July	Sustainable Development Select Committee Planning Committee (B)	
Friday	20 July		
Monday	23 July		Sch Hols
Tuesday	24 July	Overview and Scrutiny Business Panel Overview and Scrutiny (Education) Business Panel	Sch Hols
Wednesday	25 July	Mayor and Cabinet (call in)	Sch Hols
Thursday	26 July		Sch Hols
Friday	27 July		Sch Hols
Monday	30 July		Sch Hols
Tuesday	31 July	Licensing Committee	Sch Hols
Wednesday	1 August		Sch Hols

### Council Calendar 2018-19

Thursday	2 August	Planning Committee (C)	Sch Hols
Friday	3 August		Sch Hols
			Sch Hols
Monday	6 August		Sch Hols
Tuesday	7 August		Sch Hols
Wednesday	8 August		Sch Hols
Thursday	9 August	Adoption Panel	Sch Hols
Friday	10 August		Sch Hols
			Sch Hols
Monday	13 August		Sch Hols
Tuesday	14 August	Licensing Committee	Sch Hols
Wednesday	15 August		Sch Hols
Thursday	16 August	Planning Committee (A)	Sch Hols
Friday	17 August		Sch Hols
Monday	20 August		Sch Hols
Tuesday	21 August		Sch Hols
Wednesday	22 August		Sch Hols
Thursday	23 August		Sch Hols
Friday	24 August		Sch Hols
Monday	27 August	<b>BANK HOLIDAY</b>	Sch Hols
Tuesday	28 August		Sch Hols
Wednesday	29 August	Licensing Committee	Sch Hols
Thursday	30 August	Planning Committee (B)	Sch Hols
Friday	31 August		Sch Hols

## Council Calendar 2018-19

Monday	3 September	Sitting on Outside Bodies Training	
Tuesday	4 September	Healthier Select Committee	
Wednesday	5 September	Children and Young People Select Committee	
Thursday	6 September	Using Social Media Training	
Friday	7 September		
Monday	<b>10 September</b>	<b>LABOUR GROUP</b>	
Tuesday	11 September	Pensions Investment Committee Planning Committee (C) Licensing Committee	
Wednesday	12 September	Adult Safeguarding Training	
Thursday	13 September	Sustainable Development Select Committee Adoption Panel	
Friday	14 September		
Monday	17 September	<b>LABOUR GROUP</b>	
Tuesday	18 September	Housing Select Committee Public Transport Liaison Committee	
Wednesday	19 September	Mayor and Cabinet Mayor and Cabinet (Contracts) Safer Stronger Select Committee	

## Council Calendar 2018-19

Thursday	20 September	Audit Panel  Mental Health First Aid Training	
Friday	21 September		
Monday	24 September	<b>LABOUR GROUP</b>	
Tuesday	25 September	Public Accounts Select Committee  Licensing Committee	
Wednesday	26 September	Strategic Planning Committee	
Thursday	27 September	Planning Committee (A)  Community Leadership Training	
Friday	28 September		
Monday	1 October	<b>LABOUR GROUP</b>	<i>Labour Party Conference?</i>
Tuesday	2 October	Lewisham Safer Neighbourhood Board  Overview & Scrutiny Business Panel  Overview & Scrutiny (Education) Business Panel	<i>Labour Party Conference?</i>
Wednesday	3 October	<b>COUNCIL</b>	<i>Labour Party Conference?</i>
Thursday	4 October	<b>Held for Member Development</b>	
Friday	5 October		
Monday	8 October		
Tuesday	9 October	Fostering Panel	

## Council Calendar 2018-19

		Healthier Communities Select Committee	
Wednesday	10 October	Licensing Committee Mayor and Cabinet Mayor and Cabinet (Contracts)	
Thursday	11 October	Planning Committee (B) Adoption Panel Croydon & Lewisham Street Lighting Joint Committee	
Friday	12 October		
Monday	15 October	<b>LABOUR GROUP</b>	
Tuesday	16 October	Standards Committee Overview & Scrutiny Business Panel Overview & Scrutiny (Education) Business Panel Tri-Borough IT Committee Coordinating Group Event	
Wednesday	17 October	Strategic Planning Committee Children and Young People Select Committee	
Thursday	18 October	Planning Committee (C)	
Friday	19 October		
Monday	22 October		Sch Hol
Tuesday	23 October		Sch Hol
Wednesday	24 October		Sch Hol
Thursday	25 October	Licensing Committee	Sch Hol

## Council Calendar 2018-19

Friday	26 October		Sch Hol
Monday	29 October	Sustainable Select Committee	
Tuesday	30 October	Overview and Scrutiny Committee	
Wednesday	31 October	Mayor and Cabinet Mayor and Cabinet (Contracts) Housing Select Committee	
Thursday	1 November	Planning Committee (A)	
Friday	2 November		
Monday	5 November	Fostering Panel Safer Stronger Communities Select Committee Health and Safety Committee	
Tuesday	6 November	Licensing Committee	
Wednesday	7 November	Public Accounts Select Committee	
Thursday	8 November	Adoption Panel	
Friday	9 November		
Monday	12 November		
Tuesday	13 November	Overview and Scrutiny Business Panel  Overview and Scrutiny (Education) Business Panel	
Wednesday	14 November	Corporate Parenting Group	
Thursday	15 November	Planning Committee (B)	



## Council Calendar 2018-19

		Licensing Committee	
Friday	16 November		
Monday	19 November	<b>LABOUR GROUP</b>	
Tuesday	20 November	Pensions Investment Committee Strategic Planning Committee	
Wednesday	21 November	Mayor and Cabinet Mayor and Cabinet (Contracts)	
Thursday	22 November		
Friday	23 November		
Monday	26 November	<b>LABOUR GROUP</b>	
Tuesday	27 November		
Wednesday	28 November	<b>COUNCIL</b>	
Thursday	29 November	Planning Committee (C)	
Friday	30 November		
Monday	3 December	Healthier Communities Select Committee	
Tuesday	4 December	Overview and Scrutiny Business Panel Overview and Scrutiny (Education) Business Panel	
Wednesday	5 December	Licensing Committee	
Thursday	6 December	Children and Young People Select Committee	
Friday	7 December		

### Council Calendar 2018-19

Monday	10 December	<b>LABOUR GROUP</b>	
Tuesday	11 December	Audit Panel	
Wednesday	12 December	Mayor and Cabinet Mayor and Cabinet (Contracts)  Sustainable Development Select Committee	
Thursday	13 December	Planning Committee A  Adoption Panel	
Friday	14 December		
Monday	17 December	Housing Select Committee	
Tuesday	18 December	Strategic Planning Committee  Overview and Scrutiny Business Panel (call-in)	
Wednesday	19 December	Safer Stronger Communities Select Committee  Mayor and Cabinet (call-in)	
Thursday	20 December	Public Accounts Select Committee	
Friday	21 December		
Monday	24 December		Sch Hols
Tuesday	<b>25</b> December		Sch Hols
Wednesday	<b>26</b> December		Sch Hols
Thursday	27 December		Sch Hols
Friday	28 December		Sch Hols
			Sch Hols
Monday	<b>31 December</b>	<b>BANK HOLIDAY</b>	
Tuesday	<b>1 Jan</b>	<b>BANK HOLIDAY</b>	Sch Hols

## Council Calendar 2018-19

Wednesday	2 January		Sch Hols
Thursday	3 January		Sch Hols
Friday	4 January		Sch Hols
Monday	<b>7 January</b>		
Tuesday	8 January		
Wednesday	9 January		
Thursday	10 January	Planning Committee (B)	
Friday	11 January		
Monday	14 January	<b>LABOUR GROUP</b>	
Tuesday	15 January	Licensing Committee	
Wednesday	16 January	Mayor and Cabinet Mayor and Cabinet (Contracts) Healthier Communities Select Committee	
Thursday	17 January		
Friday	18 January		
Monday	21 January	<b>LABOUR GROUP</b>	
Tuesday	22 January		
Wednesday	23 January	COUNCIL	
Thursday	24 January	Children and Young People Select Committee Planning Committee (C)	
Friday	25 January		

## Council Calendar 2018-19

	26 January		
Monday		Overview and Scrutiny Committee	
Tuesday	29 January	Overview and Scrutiny Business Panel  Overview and Scrutiny (Education) Business Panel	
Wednesday	30 January	Sustainable Development Select Committee  Licensing Committee  Corporate Parenting Group	
Thursday	31 January	Housing Select Committee  Strategic Planning Committee	
Friday	1 February		
Monday	4 February	Safer Stronger Communities Select Committee	
Tuesday	5 February	Public Accounts Select Committee	
Wednesday	6 February	Mayor and Cabinet (Budget)  Mayor and Cabinet (Contracts)	
Thursday	7 February	Planning Committee (A)	
Friday	8 February		
Monday	11 February	Healthier Communities Select Committee	
Tuesday	12 February	Overview and Scrutiny Business Panel	

## Council Calendar 2018-19

		Overview and Scrutiny (Education) Business Panel  Licensing Committee	
Wednesday	13 February	Mayor and Cabinet (Update)	
Thursday	14 February	Strategic Planning Committee  Pensions Investment Committee	
Friday	15 February		
Monday	18 February	<b>LABOUR GROUP</b>	Sch Hols
Tuesday	19 February	Overview and Scrutiny Business Panel (exceptionally)	Sch Hols
Wednesday	20 February		Sch Hols
Thursday	21 February		Sch Hols
Friday	22 February		Sch Hols
Monday	25 February	<b>LABOUR GROUP</b>	
Tuesday	26 February	Overview and Scrutiny Business Panel  Overview & Scrutiny (Education) Business Panel	
Wednesday	27 February	Council  Mayor and Cabinet (call-in)  Mayor and Cabinet (Contracts) (call-in)	
Thursday	28 February	Planning Committee (B)	
Friday	1 March		

## Council Calendar 2018-19

Monday	4 March	Health and Safety Committee Sustainable Development Select Committee	
Tuesday	5 March	Licensing Committee	
Wednesday	6 March	Housing Select Committee Council (fall back)	
Thursday	7 March	Overview and Scrutiny Committee	
Friday	8 March		
Monday	11 March		
Tuesday	12 March	Safer, Stronger Communities Select Committee	
Wednesday	13 March	Mayor and Cabinet Mayor and Cabinet (Contracts) Children and Young People Select Committee	
Thursday	14 March	Planning Committee (C)	
Friday	15 March		
Monday	18 March		
Tuesday	19 March	Overview and Scrutiny Business Panel Overview and Scrutiny (Education) Business Panel	
Wednesday	20 March	Public Accounts Select Committee	
Thursday	21 March	Licensing Committee	
Friday	22 March		
	23 March		

### Council Calendar 2018-19

Monday			
Tuesday	26 March	Strategic Planning Committee Audit Panel	
Wednesday	27 March	Mayor and Cabinet Mayor and Cabinet (Contracts)	
Thursday	28 March	Planning Committee (A)	
Friday	29 March		
	30 March		
Monday			
Tuesday	2 April	Licensing Committee	
Wednesday	3 April	<b>COUNCIL AGM</b>	
Thursday	4 April		
Friday	5 April		

# Agenda Item 15

COUNCIL AGM		
<b>Report Title</b>	Appointments by the Mayor	
<b>Key Decision</b>	No	Item No.
<b>Ward</b>		
<b>Contributors</b>	Chief Executive (Head of Business and Committee)	
<b>Class</b>	Open	Date: 23 May 2018

## Appointments by the Mayor

A schedule of annual appointments made by the Mayor will be circulated at the meeting for the information of the Council.



<b>COUNCIL AGM</b>		
<b>Report Title</b>	Annual Report of the Standards Committee 2017/18	
<b>Key Decision</b>	No	Item No.
<b>Ward</b>		
<b>Contributors</b>	Head of Law/Chair of the Standards Committee	
<b>Class</b>	Part 1	Date: 23 May 2018

**ANNUAL REPORT OF THE STANDARDS COMMITTEE 2017/18 presented by the Chair of the Committee, Councillor Bourne**

- 1 INTRODUCTION – PERSONAL STATEMENT OF THE CHAIR
  - 1.1 This report sets out the membership of the Standards Committee, some key developments in the past year and our aspirations for the future.
  
- 2 MEMBERSHIP OF THE STANDARDS COMMITTEE
  - 2.1 The Council’s Constitution provides for the Standards Committee to consist of 16 members – 6 of whom are independent and 10 of whom are councillors. This reflects the abolition of the legislative provisions allowing independent members of the Standards Committee to vote. Consequently the Committee cannot be independently chaired and since July 2012, only those members who are elected members of the Council are allowed to vote on matters before it.
  - 2.2 Throughout this year, the following people have served as independent members of the Committee:-
    - Gill Butler
    - David Roper Newman
    - Cathy Sullivan
    - Leslie Thomas
    - Joy Walton
    - Fasil Bhatti
  - 2.3 Appendix 1 gives a short summary of the background of current independent members.
  - 2.4 Throughout the year the following councillors have been members of the Standards Committee:-

- Councillor Adefiranye
- Councillor Bernards
- Councillor Bourne
- Councillor Brown
- Councillor Elliott
- Councillor Hooks
- Councillor Mallory
- Councillor Milne
- Councillor Moore
- Councillor Morrison

2.5 As Chair of the Committee I would like to express my thanks to all my fellow members of the Committee for their hard work throughout the year.

2.6 As required by the Localism Act 2011 all local authorities must appoint at least one independent person whose views are to be sought and then taken into account by the local authority before it makes a decision on an allegation that has been investigated. Following public advert and interview by the former Chair of the Committee assisted by the Monitoring Officer, Wendy Innes and Erica Pienaar were appointed to act as Independent Persons to the Council to assist in the investigation of complaints under the Council's Member Code of Conduct. Appendix 2 gives a short summary of the background of current Independent Persons.

### 3 THE ROLE OF THE STANDARDS COMMITTEE

3.1 The role of the Standards Committee is reflected in our terms of reference, which appear in the Council's Constitution.

3.2 The key roles of the Standards Committee are:-

- To promote and maintain the highest standards of conduct within the Council and to assist members to follow the member Code of Conduct
- To consider allegations of breach of the Member Code of Conduct and any sanction where appropriate.

3.3 To fulfil these dual aims, the Committee embarks on other work such as training, reviewing compliance with and the effectiveness of the Code, monitoring whistleblowing allegations and corporate complaints to name but a few, but at no time does it lose sight of the fact that all of this work is geared towards achieving the highest standards of ethical conduct in Lewisham.

### 4 THE MEMBER CODE OF CONDUCT

- 4.1 The Council adopted a revised Member Code of Conduct to replace the previous national member Code of Conduct which was abolished by the Localism Act 2011. The Code and accompanying protocols appear in the Constitution at Part V - Ethics. It is also available on the Council's website

<http://www.lewisham.gov.uk/mayorandcouncil/aboutthecouncil/how-council-is-run/Pages/constitution.aspx>

- 4.2 There is a dedicated email address, again easily accessed from the Council's website [monitoring.officer@lewisham.gov.uk](mailto:monitoring.officer@lewisham.gov.uk) on which complaints can be made. The email address is checked daily for complaints.

## 5 THE WORK OF THE STANDARDS COMMITTEE IN 2017/18

- 5.1 This year the Committee has met on 2 occasions:-

- 9 May 2017
- 17 October 2017
- 

Standards Sub Committee A met on the 11<sup>th</sup> July 2017

- 5.2 At those meetings the Committee has considered the following items, the reports in relation to which and the minutes are available on the Council's website at:

<http://www.lewisham.gov.uk/CouncilAndDemocracy/CouncilMeetings/>

- 5.3 At the May meeting, the Committee considered:-

- Introductions and Role of the Committee
- Review of Code of Corporate Governance 2016-2017
- Work Programme 2017

- 5.4 At the October meeting, the Committee considered:-

- Local Code of Corporate Governance –Review of Compliance 2016-17
- Review of use of RIPA 2017
- Council Review of Whistleblowing Referrals and Policy
- Compliance with Member Code of Conduct
- DCLG – Consultation on Disqualification for Councillors and Directly Elected Mayors
- Local Government Inspection Framework

- 5.5 Standards Sub Committee A met on the 11<sup>th</sup> July 2017 to consider a complaint in relation to non-disclosure of directorships in the Members'

Register of Interests. The Sub Committee concluded that there had been a technical breach of the Member Code of Conduct. However the Sub Committee also noted that the breach had been promptly rectified. In light of the minor technical nature of the breach the Sub Committee unanimously agreed that no sanction should be imposed.

## 6 FORMAL COMPLAINTS RECEIVED

- 6.1 This year there have been 7 formal complaints received. All the complaints with one exception have been brought by members of the public. One has been made by a member against another member.
- 6.2 In 5 of the cases on initial assessment by the Monitoring Officer, she concluded that the complaints did not warrant formal investigation. In 2 of those cases the Monitoring Officer concluded that the members complained about were not at the relevant time engaged on Council business. In the other 3 cases the Monitoring Officer concluded that the complaint raised did not raise any issue capable of formal investigation under the Member Code of Conduct or that the allegations even if substantiated would not amount to a breach of the Member Code of Conduct.
- 6.3 The other two complaints are still under consideration and the Deputy Monitoring Officer is currently responding to these complaints.

## 7 TRAINING AND OTHER EVENTS

- 7.1 In this period, the following training (and other) activities on ethical and related matters have taken place:-

Event	Date
Statement of Chair and annual report to Council AGM	March 2017
Election issues - training for governance and Mayor's office	May 2017
All member briefing – Registering interests /social media	October 2017
Update on Regulation of Investigatory Powers Act 2000 – Standards committee members	October 2017
Election issues/ briefing	February 2018

## 8 THE FUTURE

- 8.1 In 2018/19, the Committee is keen that the diligent approach that the Council has fostered, over the last decade and more, towards ethical governance should be further promoted. We want to encourage a high degree of compliance with the Member Code.
- 8.2 The Committee has requested that at the next review of the Member Code of Conduct there should be a specific reference to the need to include registration of interests in subsidiary as well parent companies in the Code.
- 8.3 The reports we have received as a Committee have demonstrated a high degree of compliance with the Code of Conduct and a willingness to keep the ethical agenda high. It seems that in the coming year the Committee will need to plan ahead as to what level of support will be necessary to assist members in the new administration following the recent local and Mayoral elections. The Committee will be keen to ensure that there will be no diminution in the level of compliance and that the ethical agenda remains very high within the Council.
- 8.4 Arrangements are in place for the Head of Law /Monitoring Officer to present a briefing on “Decision-Making” at the Welcome Evening for all members on the 17<sup>th</sup> May 2018. A session on Ethics and Governance is also scheduled to take place on the 22<sup>nd</sup> May as part of the Member Induction programme. The Monitoring Officer has also suggested that it is timely that Council wide training on the Employee Code of Conduct is delivered.
- 8.5 The Committee hopes that the new administration ensures that the ethical regime continues to have the same high profile as to date. It will be for the new Standards Committee appointed at the Council’s Annual General Meeting to establish its priorities for the coming year.

## 9 CONCLUSION

- 9.1 There has been much good practice in Lewisham in so far as the ethical governance agenda is concerned. We believe however that there is no room for complacency and urge the Council to ensure that robust arrangements remain in place and continue to give to the ethical agenda its continuing commitment to inspire public confidence in its elected representatives.

## 10 LEGAL IMPLICATIONS

- 10.1 The constitution and operation of the Standards Committee, as well as recruitment to it and appointment to be its Chair are all defined by regulation. The current legal requirements are reflected in the

Council's constitution and our practice accords with those legal requirements. Save where reflected in this report, there is nothing that requires further legal advice.

11 FINANCIAL IMPLICATIONS

11.1 There are none associated with this report.

12 ENVIRONMENTAL, EQUALITIES, HUMAN RIGHTS AND CRIME  
AND DISORDER IMPLICATIONS

12.1 No specific implications are associated with this report.

## **APPENDIX 1**

### **Cathy Sullivan**

Holds a BA (Hons) Social Science and completed Graduate Research in Social Studies of Science. Currently Senior Lecturer, Department of Social Sciences at London Metropolitan University. Has an interdisciplinary background including extensive professional experience in education policy, research and planning at LEA level, Social researcher and evaluator in the field of Information Studies on British Library supported projects and senior manager within Inner and Outer London local authorities. Very experienced in research and analysis.

### **Gill Butler**

Gill is a consultant in a firm of solicitors, Burton Woods, and advises on all aspects of family law. Gill has a degree in Economics from the London School of Economics and has been working in the justice system for 29 years. She has both public and private sector experience, as well as being involved with a number of community organisations. From 1991-2002 Gill was the Chair of Stonewall.

### **David Roper Newman**

David is employed in a Unit within the Department for Works and Pensions dealing with the detection, prevention and investigation of internal fraud and related abuse by employees where he is a Policy and Professional Standards Manager. David has broad experience of investigating grievances and employee related matters. His experience spans over 30 years.

### **Leslie Thomas Q.C.**

Leslie is a practicing barrister who resides within the Borough. Leslie was called to the bar in 1998 and has developed a strong “human rights” dimension to his work. He is regarded as a leading junior barrister who handles many difficult and complex police jury trials. He is a well-known jury advocate and is instructed nationally by solicitors.

Leslie Thomas is also recognised as a leading barrister in the field of inquest law and has represented families in many high profile inquests especially in cases involving deaths whilst in police custody. Leslie regularly speaks and provides training in the area of inquests and is one of the co-authors of “Inquests – A Practitioners Guide”. Leslie was also co –counsel to the New Cross Fire Parents Committee in the fairly recent second inquest.

Leslie is a former director of the Civil Liberties Trust and is a member of the INQUEST management committee. Leslie is also currently Chair of the Central London Law Centre. He was appointed Queen's Counsel in 2014.

### **Joy Walton**

Now living in East London, Joy has a B.A. in European Studies and completed an M.Sc in Corporate Governance in 2015. She has 13 years experience as a Council officer having worked in Newham and Islington where she was Head of Policy and Performance. She also has 8 years experience in housing companies and associations.

### **Fasil Bhatti**

A native of South East London, Fasil has a BSc in Information Systems from Brunel and is a freelance consultant in Property and Digital Marketing. He has been a member of 4 independent fostering panels for 3 years and previously worked for Action for Employment advising a group of 18-25 year olds seeking full time employment



## APPENDIX 2

### **Erica Pienaar**

Erica lives in Bromley and has a B.A. Certificate in Education from Goldsmiths as well as an MBA in Education from London South Bank University. She held various teaching posts in Bromley for 25 years before being appointed to the position of head teacher at Prendergast School in 1998, a position she held until 2008 when she was appointed as Executive Headteacher. Though working in Lewisham for the last 15 years, she never been a Lewisham Council employee. Throughout her professional life she has conducted a number of sensitive investigative and disciplinary procedures and hearings. She also served on the Council of Queen Mary College of London University. Having retired recently, she serves as a Chair of Governors at a Lewisham primary School. Erica has been granted the Freedom of Lewisham.

### **Wendy Innes**

Wendy is based in Newcastle upon Tyne. She has an M.A. in Swedish Studies and is a solicitor with extensive experience of advising North Tyneside Council where she was employed for 17 years until 2013, most recently as head of the legal service and deputy monitoring officer there. Before that she worked for 5 years in a commercial legal firm. North Tyneside operates a directly elected mayoral system like Lewisham and Wendy is very familiar with the new ethical framework under the Localism Act, has conducted two independent investigations into allegations of breach of the Member Code of conduct in North Tyneside and presented reports about the investigations to their Standards Committee.

# Agenda Item 17

COUNCIL AGM		
<b>Report Title</b>	Annual Report from the Mayor	
<b>Key Decision</b>	No	Item No.
<b>Ward</b>		
<b>Contributors</b>	Mayor's Office	
<b>Class</b>	Open	Date: 23 May 2018

The new Mayor will deliver his first annual report. A full text will be available on the Council website following the AGM.