



AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 19 MARCH 2019 at 7.00 pm

Committee Rooms 1 & 2

Civic Suite

Lewisham Town Hall

London SE6 4RU

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MEMBERS

Councillor Bill Brown	Chair of Overview & Scrutiny Committee	L
Councillor Juliet Campbell	Vice Chair of Overview & Scrutiny Committee	L
Councillor Liam Curran	Chair of Sustainable Development Select Committee	Labour Co-op
Councillor Alex Feis-Bryce	Labour Group Representative	L
Councillor Jim Mallory	Chair of Public Accounts Select Committee	L
Councillor Joan Millbank	Labour Group Representative	L
Councillor Pauline Morrison	Chair of Safer Stronger Communities Select Committee	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	Labour Co-op
Councillor Luke Sorba	Chair of Children and Young People Select Committee	L
Councillor Susan Wise	Chair of Housing Select Committee	Labour Co-op

This is an open meeting and all items in the open agenda can be recorded and/or filmed

Members are summoned to attend this meeting

Janet Senior

Acting Chief Executive

Lewisham Town Hall

Catford

London SE6 4RU

Date: Monday, 11 March 2019



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

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Lewisham



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Agenda Item 1

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Minutes	
Key Decision		Item No. 1
Ward	All	
Contributors	Chief Executive	
Class	Part 1	Date: 19 March 2019

Recommendation

It is recommended that the minutes of that part of the meeting of the Overview and Scrutiny Business Panel which was open to the press and public, held on 19 February 2019 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 19 February 2019 at 7.05 pm

PRESENT: Councillors Bill Brown, Juliet Campbell, Liam Curran, Jim Mallory, John Muldoon, Luke Sorba and Susan Wise

ALSO PRESENT: Councillor De-Ryk and Councillor Kalu

Apologies for absence were received from Councillor Joan Millbank and Councillor Alex Feis-Bryce

172. Minutes

RESOLVED that the minutes of the open meeting held on 29 January 2019 be confirmed and signed as a correct record.

173. Declarations of Interests

None received.

174. Outstanding Scrutiny Matters

RESOLVED that the report be noted.

175. Decisions made by Mayor and Cabinet on 13 February 2019

Budget 2019/20 and Budget Report Update

Councillor Wise said she was concerned that the Council was looking to make additional cuts of £11.8m in 2020/21. Councillor Wise commented that she knew about the overspend in Children's social care, and Adult Social care, and asked how these services were being monitored.

The Acting Chief Financial Officer responded that there were further cuts to be made but not more than those decided. He said the numbers had moved in relation to the timing, but the aggregate remained the same. The Acting Chief Financial Officer said the Fair Funding Review would make things clearer. He reported that incidentally there was an underspend in Adult Social Care, and the work done with the CCG reflects how Fair Funding money was utilised.

Councillor Sorba asked whether the money left over from Adult Social Care could be used to expand services, and was told £200k in a budget of £72m was not a significant amount that could be diverted or reshaped. Councillor Sorba also asked about the consequences of pausing cuts in the number of Health Visitors.

Business Panel noted that the numbers were not problematic, but the grades of the posts were, and the kind of duties they could do. The Acting Chief Financial Officer said the Trust made a commitment not to reduce posts, and they would not be changing the establishment. He said discussions would continue, and officers would do some more work which would result in proposals to Mayor and Cabinet next year.

Councillor Mallory said given the overall pressure on the Council budget officers should try to manage spending effectively. Councillor Muldoon said the Council should now be looking at radical transformation of services by officers acting under strong political leadership.

Councillor Curran said the Council should be more enterprising. He said the Council owned a lot of land and the land should make money for the Council, especially as land prices in the locality are so high. Councillor Curran said it would be helpful to have a single database of all Council's assets, which Members have requested several times but still had not been produced.

The Acting Chief Financial Officer said the Asset register had been compiled, but was told by Councillor Curran that Members were expecting a more sophisticated Asset Register that would include all the necessary information but that that had not been provided. Councillor Curran said Members had received a presentation in the past of what could be provided, and the proposed template was very good. It was what Members needed, but nothing came of it.

The Acting Chief Financial Officer informed Business Panel that an update on the Council's asset register will be going to the Public Accounts Select Committee on 20 March, and Members could voice their concerns at this meeting. Councillor Mallory said Members were welcome to attend the meeting. Councillor Wise suggested that officers check the list of properties diligently to ensure what is on paper corresponds with reality.

Following a question from Councillor Wise, the Acting Chief Financial Officer told Panel Members that parks income had been scrutinised and some doubts were raised which resulted in the Mayor asking for an update, and it was also agreed that scrutiny would continue.

The Cabinet Member for Finance, Skills & Jobs (Job Share) thanked Members for their questions and said that she agreed complete transformation was necessary. She said the Council would not be able make further cuts in Adult Social Care unless there was total transformation. The Cabinet Member for Finance, Skills & Jobs (Job Share)said she shared Members concerns and aspirations.

RESOLVED that the decision of Mayor and Cabinet be noted.

176. Overview and Scrutiny Select Committees Work Programmes 2018-19 update

The Scrutiny Manager introduced the report and informed Business Panel Members that there would be a meeting of Our Healthier South East London Joint

Health Overview and Scrutiny Committee on 20 February 2019 to discuss population health and life expectancy.

Business Panel Members noted that those Select Committees conducting in-depth reviews this year have largely concluded their evidence sessions, visits and observations and would be preparing their final reports and recommendations soon.

Councillor Sorba said he understood that the number of meetings for the year had been cut from 8 to 6 to allow for new Members induction, but hoped that it would revert back to 8 meetings next year as their Select Committee found it very difficult to absorb all the items over the 6 meetings. He asked that proper thought be given to how this is managed in future election years.

Councillor Mallory said Public Accounts Select Committee focused on fewer major items. He added that Select Committees need to look at the number of meetings available and see how best their items could be managed.

Councillor Wise reported that out of the 6 meetings she was not able to attend one of them. She said new Members needed to learn about their committees and committees work. She said the Housing Select Committee would be looking at this, and their in-depth review at their next meeting.

Councillor Curran said he did not think there was enough time to deal with their items therefore he had asked for information reports and updates for most items unless an item was very important. He said the Sustainable Development Select Committee's main focus was on Catford Town Centre Regeneration.

Councillor Muldoon reported that it was still unclear what work scrutiny could do and Members awaited guidance from CLG. He said Scrutiny had to concentrate on items which adds value to the governance process.

Councillor Wise informed Members that Lewisham Homeless Forum was invited to their last meeting and she found it very informative and interactive. She said it was her best meeting so far in the year. Councillor Sorba endorsed this format, adding that the value of inviting community representatives to meetings was enormous as Members get a different picture of situations.

The Chair said Select Committee Chairs might have to assess their agenda bearing in mind the limited time available to do the work. The Scrutiny Manager said Chairs should note that very few items need to be on their list in accordance with their terms of reference; items are usually suggestions and could be removed.

RESOLVED that the report be noted.

177. Exclusion of the Press and Public

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 of Part 1 of Schedule

12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006:-

The following is a summary of decisions made at the closed meeting:

178. Decisions made by Mayor and Cabinet on 13 February 2019

Response to a Call-in by the Overview and Scrutiny Business Panel for Reconsideration of Mayor and Cabinet's decision regarding awarding a Contract for the Provision of Carer Information, Advice and Support Services

Following a detailed confidential discussion Business Panel agreed to make a motion referral to the Overview and Scrutiny Committee to request a review of the Council's Procurement Procedures.

Meeting ended:8:30pm

Agenda Item 2

OVERVIEW AND SCRUTINY BUSINESS PANEL		
Report Title	DECLARATIONS OF INTEREST	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 19 March 2019

Members are asked to declare any personal interest they have in any item on the agenda.

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.

- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
- (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes , or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members’ Interests (for example a matter concerning the closure of a school at which a Member’s child attends).

(5) Declaration and Impact of interest on members’ participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Agenda Item 3

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Outstanding Scrutiny Matters	
Key Decision	No	Item No. 3
Ward	n/a	
Contributors	Head of Business and Committee	
Class	Part 1	Date: 19 March 2019

1. Purpose of Report

To report on items previously reported to the Mayor for response by directorates and to indicate the likely future reporting date.

2. Recommendation

That the reporting date of the items shown in the table below be noted.

Report Title	Responding Author	Date Considered by Mayor & Cabinet	Scheduled Reporting Date	Slippage since last report
Comments of Sustainable Development Select Committee on Neighbourhood CIL	Interim Heaf of Planning	16 January 2016	24 April 2019	Yes
Comments of Sustainable Development Select Committee on Parking	ED Customer Services	16 January 2019	27 March 2019	No
Comments of the Public Accounts Select Committee on the Financial Control Review	ED Res. & Regen.	6 February 2019	24 April 2019	No
Comments of the Safer Stronger Communities Select Committee	ED Community	13 February 2019	24 April 2019	No

on the Lewisham Disability Coalition				
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BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 16 January, 6 & 13 February 2019 available from Kevin Flaherty 0208 3149327.

<http://councilmeetings.lewisham.gov.uk/ieListMeetings.aspx?CId=139&Year=0>

Agenda Item 4

Overview & Scrutiny Business Panel		
Report Title	Notification of Late and Urgent Items	
Key Decision	No	Item No. 4
Ward		
Contributors	Head of Business and Committee	
Class	Part 1	Date: 19 March 2019

1. Purpose of Report

Report Title	Author	Reasons Stated for Urgency	Responsible Committee and Date
2019/20 Budget Update	Acting Chief Finance Officer	This report was not available for the original dispatch to ensure that any decisions taken by the Mayor & Cabinet on 6 February 2019 could be appropriately considered within this report. Given the significance of the financial constraints that the Council will face over the coming years, it is essential that the Mayor and his Cabinet are updated on any changes affecting the 2019/20 Budget prior to presenting it to full Council.	Mayor & Cabinet February 13 2019
Main Grants Programme	James Lee	To ensure the comments of the Safer Stronger Communities Select Committee feed into the discussion and decision by the Mayor and Cabinet when they consider this matter at their meeting on 24 April	Safer Stronger Communities Select Committee 12.3.19

		2019.	
Planning annual monitoring report	Head of Planning	Awaiting additional information	Sustainable Development Select Committee 4 March 2019
Fire Safety in Tall Buildings	ED Customer Services	Awaiting additional information	Sustainable Development Select Committee 4 March 2019

Agenda Item 5

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Decisions made by the Joint Committee of the London Boroughs of Brent, Lewisham and Southwark	
Key Decision		Item No. 5
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 19 March 2019

1. Recommendation

To consider decisions made by the Joint Committee of the London Boroughs of Brent, Lewisham and Southwark on 5 March 2019 which will come in to force on 20 March 2019.

2. Background

2.1 The Joint Committee considered the following key decisions on 5 March 2019 -

- i) Update Report to the Joint Committee of the London Boroughs of Brent, Lewisham and Southwark

2.2 The notice of decisions made in respect of the report is attached as an Appendix. Under the provisions of Standing Orders Part IV E 14, members may call in an executive decision within 7 days. If the report is not called in it will come into force on 19 March 2019.



Notice of Decisions Made at The Joint Committee of the London Boroughs of Brent, Lewisham and Southwark

The Joint Committee of the London Boroughs of Brent, Lewisham and Southwark made the following decisions on 5 March 2019. These Decisions will become effective on 20 March 2019 unless called in by the Overview & Scrutiny Business Panel on 19 March 2019.

i. Update Report to the Joint Committee of the London Boroughs of Brent, Lewisham and Southwark

It was **RESOLVED** that:

- the update provided and actions being taken in relation to the ongoing performance and delivery of the shared service, as detailed within Section 3 of the report be noted.
- the contents of the Performance Pack as detailed in Section 3 and Appendix A of the report along with the update provided on delivery of the Shared Service Improvement Plan, which Members felt represented significant progress be noted.
- a further breakdown on the number of open incidents and requests in terms of the time these had been outstanding and numbers which had breached the deadline for resolution be circulated.
- a summary be provided (based around the review of the ICT Strategy and development of a Target Operating Model for the shared service) as part of the update for the next meeting clarifying the current remit and focus of the shared service.
- that the Joint Committee continue to welcome invites to future meetings being extended to other members or Chairs of relevant Committees from each Borough with an interest in the Shared Service or in a particular item due to be considered e.g. Scrutiny, Audit or Governance with updates being provided following each meeting, as felt appropriate by each Borough's representatives, to relevant Executive bodies.

Carolyn Downs
Chief Executive, London Borough of Brent
6 March 2019

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Decisions made by Mayor and Cabinet at the on 13 March 2019	
Key Decision		Item No. 6
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date:19 March 2019

1. Recommendation

To consider key decisions made by the Mayor and Cabinet on 13 March 2019 which will come in to force on 20 March 2019.

2. Background

2.1 The Mayor and Cabinet considered the following key decisions on 13 March 2019.

2.2 The notice of the decision made in respect of the report is attached as an Appendix. Under the provisions of Standing Orders Part IV E 14, members may call in an executive decision within 7 days. If this report is not called in they will come into force on 20 March 2019

- i. Young Mayor of Lewisham Budget Proposals
- ii. Lewisham Homes Articles Amendment
- iii. Approval for Budget to start redevelopment plans at PLACE/Ladywell Site



NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor and Cabinet made the following decisions on 13 March 2019. These decisions will become effective on 20 March 2019 unless called in by the Overview & Scrutiny Business Panel on 19 March 2019.

1. Young Mayor of Lewisham - Budget Proposals

Having considered an officer report and a presentation by the Cabinet Member for Democracy, Refugees and Accountability, Councillor Kevin Bonavia, and the outgoing Young Mayor, Laurelle Henry and her advisors, the Mayor and Cabinet agreed that the following Young Mayor's budget proposals be approved

Continuing the roll out of the Curriculum for Life	16,000.00
First Aid	7,000.00
Enterprise and showcase	2,000.00
TOTAL	25,000.00

2. Lewisham Homes Article 13 Amendment

Having considered an officer report, and a presentation by the Cabinet Member for Housing, Councillor Paul Bell, the Mayor and Cabinet agreed that:

- (1) the amendment to Lewisham Homes article 13 be approved; and
- (2) the Council Representative be instructed to sign a written resolution by the Member of Lewisham Homes giving effect to this change with immediate effect.

3. Approval for budget to start redevelopment plans at PLACE/Ladywell site

Having considered an open and a confidential officer report, and a presentation by the Cabinet Member for Housing, Councillor Paul Bell, the Mayor and Cabinet agreed that:

- (1) the rationale and outline proposals for comprehensive redevelopment of the site in line with those set out be noted;

(2) a budget set out in the confidential report be approved to progress plans to redevelop the site to RIBA Stage 3 and submit a planning application;

(3) officers consult with local residents, ward councillors, local amenity groups and other relevant stakeholders about the Council's intention to redevelop the Ladywell Leisure centre site;

(4) no Residents' Ballot will be required as the Place/Ladywell homes are being relocated rather than demolished;

(5) authority be delegated to the Executive Director for Customer Services to consider the outcome of the consultation and to approve the submission of the final redevelopment proposals for planning permission, subject to not less than 50% of the homes within the development being Council Social homes;

(6) subject to planning permission for the development being approved, a report setting out the proposals for procuring the development, together with a budget for the construction of development be presented to Mayor and Cabinet for approval;

(7) Officers explore options to relocate the PLACE Ladywell Building and present recommendations back to Mayor and Cabinet in due course for approval; and

(8) submission of a planning application to temporarily extend the PLACE/Ladywell de-mountable building be approved.

(9) funds be made available to pay for the technical and professional expertise required to submit a planning application.

Janet Senior
Acting Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU
14 March 2019

Agenda Item 7

Overview and Scrutiny Business Panel		
Title	Overview and Scrutiny Select Committees - Update	
Contributor	Overview and Scrutiny Manager	Item X
Class	Part 1 (open)	19 March 2019

1. Update

- 1.1 The final round of Select Committee meetings for this municipal year ends on 20 March with a meeting of the Public Accounts Select Committee.
- 1.2 Meeting dates for the next municipal year will be agreed at the Council AGM on 3 April 2019 and 8 meetings will be programmed for each Committee.
- 1.3 In advance of the first Select Committee meeting of the new municipal year, Chairs may wish to host informal “meet and greet” sessions where any councillors new to the Committee (and co-opted members where applicable) can be welcomed; and members can discuss priorities for the next year, before formally agreeing their work programme at their first meeting.
- 1.4 The Committee Chairs may wish to provide their own oral updates on Select Committee work.

If you have any questions about this report – please contact Charlotte Dale (Overview and Scrutiny Manager) 02083148286

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Exclusion of the Press and Public	
Key Decision		Item No. 8
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 19 March 2019

Recommendation

It is recommended that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule 12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006:-

9. Decisions made by Mayor and Cabinet on 13 March 2019.
10. Decision made by an Executive Director Under Delegated Authority: Framework Agreement for the provision of services to Adults with Learning Disabilities 2019-2023 Stage 1 Approval Shortlist.
11. Decision made by an Executive Director Under Delegated Authority: Extension of the Reed Training Professionals Contract.

Agenda Item 9

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

Document is Restricted

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

Document is Restricted

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

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