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Appointments Committee SUMMONS AND AGENDA

Members of the committee, listed below, are summoned to attend the meeting to be held on Thursday, 16 May 2024.

Civic Suite Catford Road London SE6 4RU



Jeremy Chambers Monitoring Officer
8 May 2024

Councillor Rudi Schmidt	
Councillor Jack Lavery	
Councillor Laura Cunningham	
Councillor Will Cooper	
Councillor Amanda De Ryk	

Thursday, 16 May 2024

9.30 am

Civic Suite

Catford Road

London SE6 4RU

For more information contact: committee@lewisham.gov.uk (Tel: 0208 314 9327)

Part 1

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Appointments Committee

Election of Chair and Vice Chair

Date: 16 May 2024

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

To elect a Chair and Vice Chair.

Recommendation

To consider the election of a Chair and Vice Chair of the Committee for the municipal year 2024/25 or for the purposes of this meeting only.

Agenda Item 2



Appointments Committee

Minutes

Date: 16 May 2024

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to consider the Minutes of the meetings of the Appointments Committee, held on 19 and 29 January 2024.

Recommendation

That the Minutes of the meetings of the Appointments Committee, held on 19 and 29 January 2024 be confirmed and signed.

MINUTES OF THE APPOINTMENTS COMMITTEE

Friday, 19 January 2024 at 9.00 am

PRESENT: Councillors Peter Bernards, Louise Krupski, Joan Millbank and Rudi Schmidt

Apologies for absence were received from Deputy Mayor (acting as Mayor) Brenda Dacres

1. Election of Chair

RESOLVED the Councillor Schmidt be appointed Chair for this meeting.

2. Minutes

RESOLVED that the minutes of the meeting of the Appointments Committee held on 2 January 2024 be confirmed and signed.

3. Declarations of Interest

None.

4. 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 1 of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

5. Appointment of Director of Public Realm

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RESOLVED that

- (i) Zahur Khan be appointed Director of Public Realm, and
- (ii) In the event that Zahur Khan withdraws from the process or the appointment is not concluded, delegated authority be given to the Director of People and Organisational Development, to offer the role to the Committee's reserve candidate.

MINUTES OF THE APPOINTMENTS COMMITTEE

Monday, 29 January 2024 at 9.00 am

PRESENT: Councillors Paul Bell, Peter Bernards, Juliet Campbell, Louise Krupski and Joan Millbank

1. Election of Chair

RESOLVED that Councillor Millbank be appointed Chair for the meeting.

2. Minutes

RESOLVED that the minutes of the meeting of the Appointments Committee held on 19 January 2024 be confirmed and signed at the next meeting.

3. Declarations of Interest

None.

4. 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 1 of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

5. Appointment of Director of Systems Development Health and Care.

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RESOLVED that

(i) Laura Jenner be appointed Director of Systems Development Health Care, and

(ii) In the event that Laura Jenner withdraws from the process or the appointment is not concluded, delegated authority be given to the Director of People and Organisational Development, to offer the role to the Committee's reserve candidates in order of preference.



Appointments Committee

Declarations of Interest

Date: 16 May 2024

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

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

1. Summary

1.1. Members must declare any personal interest they have in any item on the agenda. 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.

1.2. Further information on these is provided in the body of this report.

2. Recommendation

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

3. Disclosable pecuniary interests

3.1 These 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.

4. Other registerable interests

4.1 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.

5. Non registerable interests

5.1. 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).

6. Declaration and impact of interest on members' participation

- 6.1. 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 not 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**
- 6.2. 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 6.3 below applies.
- 6.3. 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.
- 6.4. 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.
- 6.5. 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.

7. Sensitive information

- 7.1. 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.

8. Exempt categories

- 8.1. 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).



Appointments Committee

Exclusion of the Press and Public

Date: 16 May 2024

Key decision: No

Class: Part 1

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to consider excluding the press and public from the meeting for the one item of business.

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

5. Appointment of Executive Director Corporate Resources

Agenda Item 5

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

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