

# Subject: Confirmation Hearing in Respect of the Appointment to the Office of Chair of the London Pensions Fund Authority

Report to: Confirmation Hearings Committee

Report of: Executive Director of Secretariat

Date: 15 October 2019

This report will be considered in public

## 1. Summary

- 1.1 The Committee is recommended to put questions to the Mayor's proposed appointee to the office of Chair of the London Pensions Fund Authority (LPFA) and make decisions on its recommendation to the Mayor as to whether or not the nominee should be appointed to that office.

## 2. Recommendations

That the Committee:

### PART A:

(a) Notes the following background information:

- The letter from the Mayor to the Chair of the London Assembly (dated 3 October 2019) advising the Assembly of his proposed appointment of John Preston to the office of Chair of the London Pensions Fund Authority (Appendix 1); and
- The letter from the Chair of the Assembly to John Preston which confirms notice of the Confirmation Hearings Committee meeting in respect of the appointment and the formal notice from the Head of Paid Service (Appendix 2).

(b) Notes any information received after publication of the agenda;

### PART B:

(c) Puts questions to the Mayor's proposed appointee to the office of Chair of the London Pensions Fund Authority, John Preston; and

### PART C:

(d) Makes a decision on its recommendation to the Mayor as to whether or not the nominee should be appointed to the office of Chair of the London Pensions Fund Authority.

### 3. Background

- 3.1 The GLA Act 2007 and Section 47 of Schedule 22 to the Localism Act 2011 provide that Mayoral nominees for the following six offices may be subject to non-binding 'confirmation hearings' conducted by the London Assembly (within three weeks of being notified of the Mayor's proposal to fill the position):
- Chair or Deputy Chair of Transport for London;
  - Chair of the Cultural Strategy Group;
  - Chair or Deputy Chair of the London Pensions Fund Authority;
  - Chair of the London Waste and Recycling Board; and
  - Chair of a Mayoral Development Corporation (currently the London Legacy Development Corporation and the Old Oak and Park Royal Development Corporation).
- 3.2 Section 60A and Schedule 4A to the GLA Act 1999 (as amended) set out the processes relating to Confirmation Hearings for specified Mayoral appointments.

### 4. Issues for Consideration

- 4.1 The Mayor has now provided formal notice of his intention to appoint John Preston to the office of Chair of the LPFA.
- 4.2 The letter from the Mayor is attached at **Appendix 1**.
- 4.3 In accordance with the Assembly's Standing Orders and the provisions of Schedule 4A to the GLA Act 1999 (as amended), the Chair of the Assembly has delegated authority to: (i) decide whether to hold a confirmation hearing for the Mayor's candidate for appointment to the offices listed in Section 60A(3) of the Act; and (ii) to request that the Mayor's candidate for appointment produce, under paragraph 6(4) of Schedule 4A of the GLA Act 1999 (as amended), documents that relate to his or her proposed appointment.
- 4.4 Accordingly, the Chair of the Assembly has agreed to hold a confirmation hearing in relation to this appointment and the letter from the Chair to John Preston, together with a formal notice from the Head of Paid Service, confirming the arrangements for the meeting are attached at **Appendix 2**.
- 4.5 The documents attached at Appendices 1 and 2 have been redacted to remove the nominee's home address. However, the contact address was supplied by the Mayor in accordance with Schedule 4A of the GLA Act 1999 (as amended).
- 4.6 The Chair has requested that:
- The Mayor's nominee provides the Committee, in advance of the meeting, with a CV setting out any relevant details and, if he wishes, supporting statements or any other details which might be of interest to the Committee in relation to his appointment; and

- The Mayor provides an updated summary of the role and responsibilities of the Chair of the LPFA and a summary of key issues and priorities for the LPFA for the period 1 January 2020 to 31 December 2023 (a four-year period, with the option for his term of office to be renewed for a further four years). The letter from the Chair to the Mayor is attached at **Appendix 3**.

4.7 Those documents will be circulated once available.

4.8 The purpose of the Confirmation Hearing is to establish whether the nominee has the ability to do the job and is fit for office. Questions to the nominee may therefore cover:

- Whether the nominee is qualified for the position;
- Whether the nominee has the time and capacity for the position;
- Whether the nominee is fit (independent and impartial) for the position; and
- Key responsibilities and issues for the organisation to which the Mayor is proposing to appoint the nominee.

4.9 Following the question and answer session with the nominee, the Committee is recommended to make a decision on its recommendation to the Mayor as to whether or not the nominee should be appointed to the office of Chair of the LPFA. Recommendations made by the Committee are not statutorily binding.

4.10 The end of the confirmation process is reached when:

The Mayor has given the Chair of the Confirmation Hearings Committee the notification required by paragraph 5(2) of Schedule 4A of the GLA Act 1999 (as amended) in respect of acceptance or rejection of the Assembly's recommendations.

OR

The period of 3 weeks (from the day on which the Assembly received notification from the Mayor of the candidate(s) whom he intends to appoint) has expired without any recommendation being given to the Mayor by the Assembly.

4.11 In accordance with Standing Order 10.6H, the Chair of the Confirmation Hearings Committee must ensure that the Assembly is notified of every such decision.

4.12 In accordance with the decision made by the GLA Oversight Committee at its meeting of 24 April 2014, any issues raised in respect of prospective mayoral appointments during the confirmation process should be reported to the appropriate Assembly bodies for follow-up action as deemed necessary (so, for example, transport-related appointments issues would be reported to the Transport Committee).

4.13 The presumption is that Hearings are held in public. The Committee does, however, have discretion to exclude the press and the public from the meeting and move into private session if it is to consider exempt information, as defined under Schedule 12A of the Local Government Act 1972.

## 5. Legal Implications

5.1 Legal implications are set out within the body of the report.

## 6. Financial Implications

6.1 There are no direct financial implications arising from this report.

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### List of appendices to this report:

Appendix 1 - Letter from the Mayor to the Chair of the London Assembly (dated 3 October 2019);

Appendix 2 - Letter from the Chair of the Assembly to John Preston and accompanying notice (dated 4 October 2019); and

Appendix 3 – Letter from the Chair of the London Assembly to the Mayor (dated 4 October 2019).

<b>Local Government (Access to Information) Act 1985</b>
List of Background Papers: None.
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