

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE GENERAL PURPOSES COMMITTEE

HELD ON TUESDAY, 26 FEBRUARY 2019

**ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Helal Uddin (Chair)
Councillor Kevin Brady (Vice-Chair)
Councillor Faroque Ahmed
Councillor Asma Begum
Councillor Mohammed Ahabab Hossain
Councillor Asma Islam
Councillor Tarik Khan
Councillor Peter Golds

Apologies:

Councillor Motin Uz-Zaman

Officers Present:

Runa Basit	– (Head of School Governance & Information)
Amanda Harcus	– Divisional Director of HR
Asmat Hussain	– (Corporate Director, Governance and Monitoring Officer)
Steve Morton	– (Senior Strategy Policy & Performance Officer)
David Knight	– (Senior Democratic Services Officer)
Matthew Mannion	– (Head of Democratic Services, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interest were received.

2. MINUTES

The unrestricted minutes of the General Purposes Committee meeting held on 11th December, 2019 were agreed as a correct record. Copy to sign.

3. WORK PLAN

The work plan of future agenda items was received and noted by the Committee.

RESOLVED

1. That the Work Plan be noted

4. REPORTS FOR CONSIDERATION

4.1 Local authority school governor appointments

Runa Basit, Head of School Governance and Information, introduced the report, which summarised applications from 4 persons who had applied to be nominated for appointment or reappointment as a local authority governor at Tower Hamlets maintained schools.

The Committee considered the report, and agreed to the reasons for restricting the appendices. The types of candidates approved for submission was noted as well as the different ways that people can become governors.

Following consideration of the information supplied, including both unrestricted and restricted reports, the Committee agreed to nominate all 4 applicants to the school governor position each had applied for.

Accordingly, the Chair Moved and it was:-

RESOLVED

1. That the applicants for appointment to Local Authority School Governor positions as set out in the report be approved.

4.2 Local authority school governor appointments - demographic breakdown

The Committee received a verbal update that outlined the progress in preparing a report on the demographic breakdown of the local authority school governor appointments.

It was noted that Governor Services have had significant challenges and situations with their new database and are currently not able to produce a demographic breakdown of the school governor appointments that would be accurate.

Accordingly, the Chair Moved and it was:-

RESOLVED

To confirm that the Committee wishes to receive a report on the demographic breakdown of the local authority school governor appointments at the next available meeting.

4.3 Spitalfields Community Governance Review - Draft Recommendations

The Committee received and noted a report that was the result of a valid petition having been received that had required a Community Governance Review to be undertaken in the Spitalfields and Banglatown area of the borough. It was noted that the report presented the draft recommendations on the review for consideration by the Committee following that first stage consultation. The findings from this first stage would inform those recommendations to be consulted on. After the draft recommendations have been published there would be a further consultation period of twelve weeks with the final recommendations to be submitted to Council in July 2019. The questions and comments on the report may be summarised as follows:

The Committee:

- Noted that the first stage consultation process had been undertaken based on the proposals in the petition for the name and boundary of the Parish and with it having three wards within it;
- Had been addressed by campaigners and they were asked about the second stage consultation plan and they did not raise any significant concerns about the plans;
- Noted that a Parish would need to reflect the identity and interests of the community and that the Council was not persuaded at this stage that the creation of a parish would be in the interest of all those in the local community or suitable for the delivery of services;
- Observed that the Council would wish to see evidence of a cohesive process that actively engaged all the groups (e.g. the Bangladeshi community; women; pensioners and those in need of welfare support)
- Noted that there were strong opinions both in favour and against the proposals in the petition;
- Was informed that the Council believes that if the Parish was to be created then its boundaries and name would need to be varied from the original proposal in the petition;
- Noted that during phase 1 of the consultation the campaigners had proposed an extension of the boundary of the parishes eastwards. The Council would consult on a modified version of this boundary proposal, which it was noted did not include the Bishopsgate Goods Yard site; and
- Was reminded that the Council has set out what it believes are the options that it would wish to consult on (a) Create a parish council but with modifications to the proposals made in the petition; (b) Reject the

proposal to create a parish council and retain existing governance arrangements; and (c) Reject the proposal to create a parish council but instead create or strengthen non-parish forms of community governance.

Following discussion the Committee confirmed they were content with the plans set out for the second stage consultation and had no comments to make on the documents presented.

Accordingly, the Chair Moved and it was:-

RESOLVED to note the:

1. Community Governance Review Draft Recommendations; summary consultation responses and second stage consultation information set out in Appendix 1;
2. Full first stage consultation analysis as set out in Appendix 2 of the report;
3. Equality analysis set out in Appendix 3 of the report; and
4. Updated Terms of Reference set out in Appendix 4.

4.4 Constitution Review Part B

Members were reminded that as set out in reports to the previous two General Purposes Committee meetings, officers are working through a refresh of the Council's Constitution.

It was noted that this report presents a draft copy of the new Part B of the constitution for consideration by the Committee. The Committee noted that its views were welcomed both in terms of specific changes as well as the general thrust of this review. The draft will then be amended following any comments from the Committee (and elsewhere) and then combined with later Parts to form a fully refreshed constitution to be presented to Full Council.

The Committees review and comments on the draft Part B of the new constitution are set out below:

The Committee:

- Was advised that the review is not yet complete but it has so far resulted in a Part B which is approximately 160 pages compared to 250 in the current constitution;
- Note that some of the above mentioned changes is accounted for by moving content to Part D but it does highlight the effectiveness of creating a main constitution that is both shorter and easier to read;
- Noted that Local Authority Functions are split between Executive Functions which are the responsibility of the Mayor and Executive and then Non-Executive Functions which are the responsibility of Council and its Committees;

- Noted that the Council Functions set out at the start of Part B of the constitution derive from specific legislation and cannot be the responsibility of the Executive. The Council is required to set out where there are delegations of Council functions to Committees and officers. Where the delegation is to be exercised by a Committee/Officer, the matters reserved to the Committee are specified in the relevant Committee's functions and terms of reference set out in Section 20;
- In relation to Council Functions, most derive from specific legislation. When changes to legislation require it, the Monitoring Officer would update the Council Functions' Section necessary;
- Were advised that when the Selection of Councillors on Committees took place at the Annual Meeting, the Council also elected Chairs to those Committees except where appointments have been delegated by the Council or are exercisable only by the Mayor or Executive;
- Noted that when the Mayor leads the 'Annual State of Borough' debate there would be a debate for 1 hour to provide an opportunity for a discussion on policy matters and issues affecting the Council and the Borough. The debate would begin with a 15 minute introduction by the Mayor with the remaining 45 minutes will be divided proportionally (to the nearest minute) between the political groups on the council. It was proposed to now include a rule ensuring opposition group(s) must have a minimum of 5 minutes speaking time);
- Noted that it will be for each group to determine how much time each of their speakers will have subject to a minimum allocated speech length of two minutes;
- Noted there is to be no maximum speech length providing that group's overall time limit is not breached;
- Was informed that in regard to the Budget Council Meeting, other than amendments notified in advance as above, the advice of the Monitoring Officer, Section 151 Officer and Chief Executive must be sought should Council wish to debate any further substantial amendment without notice, it was also now proposed to require members to indicate the reason for urgency for the proposed amendment;
- Noted that with regard to the Mayor's report at ordinary meetings of the Council, it is proposed that the Speaker will now invite the Mayor to respond to the other Political Group leaders for up to 2 minutes;
- Indicated that subject to any specific quorum requirements if a quorum is not reached at the scheduled start time for a meeting, the Chair shall have the discretion to extend the start time by up to 15 minutes. The if a quorum is not achieved by that time then the meeting will stand adjourned;
- Noted that with regard to motions to be included on the agenda it is for the Mayor/Administration Leader to select the Administration Motion for Debate. Whilst it is for the Leader of the relevant Opposition Group to select the Opposition Motion for debate;
- Was advised that a motion must be about a matter for which the Council has a responsibility or which will have an impact on the Borough. Whilst the Monitoring Officer may reject a motion should it not

contain a clear action or resolution which is within the power of the Authority to pursue;

- A discussion took place on the restrictions that should be placed on the content of motions to Council. Whilst happy to consider stricter guidance, Members indicated that they were not minded to introduce an absolute limit on the number of words in a motion and in any case considered 600 to be too tight as a limit.
- Noted that the Chairs of 'Committees of Council' will be elected the Council's Annual Meeting. Whilst should a post of Chair of Committee be vacant at any other time during the year it would be for Council to consider that election at its next available meeting. If the Council should fail to do that then the Committee may appoint a Chair from amongst its own Members. Although different rules apply to Sub-Committees, Boards and other meetings; and
- Noted that when officers are taking delegated key decisions they must follow the relevant procedures when key decisions are taken by Individual Members of the Executive. This would include ensuring the decision is taken on the basis of a written report setting out key legal, financial and corporate implications

Accordingly, the Chair Moved and it was:-

RESOLVED:

1. That the Committee's comments on the draft Part B of the new constitution be incorporated into the fully refreshed constitution that will be presented to Full Council.

4.5 Pay policy statement

The Committee considered the draft 2019/20 pay policy statement received and noted a report that outlined the draft policy statement. It was noted that under Section 38(1) of the Localism Act 2011, the Council is required to adopt a pay policy statement for each financial year. The questions and comments on the report are outlined as follows:

The Committee noted:

- That the Council's first pay policy statement was in 2012/13 and subsequent pay policy statements were agreed for each of the subsequent years;
- That should guidance or an updated Code be published after the 2019/20 pay policy has been considered by the General Purposes Committee and/or Full Council, which requires minor amendments, it was noted that it is proposed that General Purposes Committee should then delegate the authority to make amendments to the Chief Executive following consultation with the Divisional Director of HR and Organisational Development, Chair of the General Purposes Committee and Monitoring Officer;

- Should any fundamental changes be required, the pay policy statement would then be sent back to General Purposes Committee for consideration;
- The 2019/20 proposed pay policy statement has to be approved by General Purposes Committee and adopted by LBTH by the end of March 2019. At the meeting of Full Council on 20 March 2019, the statement it was noted would be considered for adoption. The Committee also indicated that it would wish to revisit the pay policy following any revisions;
- The Tower Rewards proposals that included (i) changes to terms and conditions; (ii) benefits to support staff and (iii) reward excellence whilst embedding the TOWER values;
- That with regards to Tower Rewards proposals the staff will be kept updated through (i) internal communications; (ii) dedicated pages on the intranet, (iii) updates in internal newsletters and (iv) staff sessions to give views, ask questions and find out more;
- There will also be a 'Frequently Asked Questions' section on the intranet with questions that have been received from staff, together with the answers;
- That staff will be kept posted on the consultation with the trade unions;
- That the Code of Conduct for Members emphasised the need for Councillors to avoid behaviour which could be viewed as conferring an advantage or disadvantage on an officer. Officers should not try to involve Councillors in day-to-day staff/ management issues. Councillors it was noted are recommended to strongly discourage such approaches. Officers should be advised to pursue matters with their management through the established procedures for resolving grievances etc. Officers must not raise matters concerning their employment with individual Councillors; to do so may result in disciplinary action being taken;
- That if officers tried to involve Councillors in day-to-day staff/ management issues then they should speak to the Monitoring Officer;
- Requested that Councillors should have the guidance re-circulated to them on what to do officers tried to involve them in day-to-day staff issues;

Accordingly, the Chair Moved and it was:-

RESOLVED to:

1. Note the draft 2019/20 pay policy statement and recommend that Full Council agrees the draft statement on March 20 2019;
2. Agree should any minor changes to the 2019/20 pay policy statement be required as a result of future government guidance or an updated Local Government Transparency Code. Then these amendments should be delegated to the Chief Executive, after consultation with the Divisional Director HR and Organisational Development, Chair of the GP Committee and Monitoring Officer; and

3. Agree that should any fundamental changes be required, then the pay policy statement would be sent back to the GP Committee for consideration.

4.6 Update on Senior Recruitment

The Committee received a report that provided an update on recent senior recruitment activity. The comments on the report are outlined as follows:

The Committee noted:

- That it had received a report in October 2018 which provided an update on the recruitment to senior roles in the corporate structure;
- That it had responsibility for the appointment to Chief/Deputy Chief Officer posts and had established an Appointment Sub-Committees to fulfil the recruitment process;
- Noted the successful recruitment to the position of the Corporate Director of Resources;
- That recruitment to the senior management structure will further enable the Council to deliver excellent services for residents and deliver the associated financial savings; and
- The current position regarding the recruitment to the Divisional Director Housing and Divisional Director Planning and Building Control.

Accordingly, the Chair Moved and it was:-

RESOLVED to:

1. Note current position on the recruitment to senior management vacancies in the Council structure; and
2. Approve recruitment to the Divisional Director Housing and Divisional Director Planning and Building Control.

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

Nil items

6. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

1. That in accordance with the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting on the grounds that the remaining agenda item contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government Act 1972.

6.1 Local Authority Governor Appointments - Exempt Appendices

The appendices for Local Authority Governor Applications were considered during item 2.1 on the unrestricted part of the agenda.

6.2 Forthcoming Restructures - Staffing implications

Amanda Marcus, Divisional Director, HR, presented a report covered two considerations and sought approval for the dismissal on the grounds of redundancy of two employees, where the severance package exceeds the £99,999 threshold set out within the statutory guidance issued by the Secretary of State under section 40 of the Localism Act 2011. It was noted that one was previously considered and required further information. The second is a new consideration.

The Committee considered the report then the Chair Moved and it was:-

RESOLVED to

1. Approve the dismissal of those employees as detailed in the reports through voluntary redundancy (or with pay in lieu of notice); and
2. Noted the severance packages that apply to the dismissals arise as a result of the individual's contractual terms and conditions of employment and that information regarding these payments will be reported to Council in the annual update of the Pay Policy Statement report.

**Chair, Councillor Helal Uddin
General Purposes Committee**