

LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE GENERAL PURPOSES COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 5 JULY 2017

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

Members Present:

Councillor Danny Hassell (Chair)
Councillor Denise Jones
Councillor Craig Aston
Councillor Abdul Mukit MBE
Councillor Joshua Peck
Councillor Asma Begum (Substitute for Councillor Helal Uddin)

Apologies:

Councillor Aminur Khan
Councillor Helal Uddin

Officers Present:

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|-------------------|--|
| Asmat Hussain | (Corporate Director, Governance and Monitoring Officer) |
| Runa Basit | (Head of School Governance & Information) |
| Heather Daley | (Divisional Director, HR & Transformation) |
| Paul Greeno | (Senior Corporate and Governance Lawyer, Legal Services) |
| Louise Stamp | (Head of Electoral Services) |
| Beverley McKenzie | (Head, Members Support, Democratic Services, LPG) |
| Joel West | (Senior Democratic Services Officer) |

1. APPOINTMENT OF VICE-CHAIR FOR THE 2017-18 MUNICIPAL YEAR

Councillor Craig Aston **moved** and Councillor Asma Begum **seconded** that Councillor Denise Jones be nominated as Vice-Chair of the General Purposes Committee for the 2017/18 municipal year. There were no other nominations and the Committee:

RESOLVED:

1. That Councillor Denise Jones be elected as Vice-Chair of the General Purposes Committee for the 2017/18 municipal year.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of disclosable pecuniary interests.

Councillors Danny Hassell and Joshua Peck declared a personal interest in Agenda Item 4.3 – Local Authority Governor Applications – as both knew applicant Kevin Brady.

3. MINUTES

RESOLVED:

That the unrestricted minutes of the General Purposes Committee meeting held on 8 March 2017 and the Extraordinary General Purposes Committee meeting held on 2 May were agreed as a correct record.

That the unrestricted minutes of the Extraordinary General Purposes Committee meeting held on 17 May 2017 were agreed as a correct record, subject to the removal of Councillor Khales Uddin Ahmed from the list of Members Present.

4. REPORTS FOR CONSIDERATION

4.1 General Purposes Committee, Terms of Reference 2017/18

Members considered the report setting out the Terms of Reference for the Committee. The Committee noted, in accordance with Section 12 of Appendix 1 to the report, that it had provision to determine employee appeals. It noted this is not a common practice at other councils, so asked the Monitoring Officer to review procedures for employee appeals to determine if input of elected members is appropriate.

RESOLVED:

That the General Purposes Committee:

1. Notes its Terms of Reference, Quorum, Membership and Dates of future meetings as set out in Appendices 1, 2 and 3 to the report submitted.
2. Asked the Monitoring Officer, in conjunction with the Divisional Director HR and Transformation, to review procedures for employee appeals, to determine if input of elected Members is appropriate and report the outcome to a future meeting.

4.2 General Purposes Committee Work Plan 2017-18

The Committee received a tabled draft work plan 2017/18.

RESOLVED:

That the General Purposes Committee;

1. Noted its work plan for 2017/18 as tabled.

4.3 Local Authority Governor Applications

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

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

RESOLVED -

1. That the applications for Local Authority Governors as detailed in the report be approved as follows:
 - a. That Tom Phillips be nominated for appointment as a governor at Clara Grant School under the 2012 School Governance (Constitution) Regulations.
 - b. That Obi Anyanwu be nominated for appointment as a governor at Marner Primary School under the 2012 School Governance (Constitution) Regulations.
 - c. That Avril Newman be nominated for appointment as a governor at Kobi Nazrul Primary School under the 2012 School Governance (Constitution) Regulations.
 - d. That Colin McLennan be nominated for appointment as a governor at St Paul's and St Luke's CoE Primary School under the 2012 School Governance (Constitution) Regulations.
 - e. That Kevin Brady be nominated for appointment as a governor at Bangabandhu Primary School under the 2012 School Governance (Constitution) Regulations.

4.4 General election - lessons learnt

Louise Stamp, Head of Electoral Services, introduced the report. Ms Stamp tabled a document that detailed that detailed polling station turnout for both constituencies.

The Chairman advised Ms Stamp had received a letter from Chris Skidmore MP, Parliamentary Secretary, thanking her and her team for their tremendous efforts in running the election.

Ms Stamp asked members to note section 4 of the report regarding the pre-election period. Asmat Hussain, Corporate Director, Governance, confirmed the pre-election guidance for 2018 elections will have more emphasis on public Council events and campaigning.

Members asked Ms Stamp to review the use of more double stations for the 2018 elections, namely Locksley Community Centre and Marnier Centre.

Several members of the Committee indicated concern with the proposal to hold the count for the 2018 Mayoral and local elections at East Wintergarden, Canary Wharf. Members drew attention to the successful recent counts held at the Excel Centre which they felt was superior for several reasons including size and security, and urged that the Excel Centre be reconsidered for the 2018 counts. Asmat Hussain and Louise Stamp agreed to relay these concerns to the Returning Officer.

RESOLVED:

1. That the Committee noted the content of the report.

4.5 Revised Planning Code of Conduct

Paul Greeno, Senior Corporate and Governance Lawyer, introduced the report and explained the rationale for some of the changes since the previous planning code of conduct. Mr Greeno explained that the proposed new Code had been benchmarked with other councils, including specifically those operating a directly elected mayor system.

The Committee welcomed the proposed new Code of Conduct but asked that a number of minor amendments be made, as follows:

- Section 3 – Interests – guidance as to what constitutes ‘the Council’s area’ in various scenarios and guidance for Councillors making representations to withdraw (or otherwise) when the Committee votes on those issues.
- Section 5 – Application by a Councillor or Officer – addition of wording to clarify that the onus is on the Councillor or Officer to alert the relevant persons that they are personally involved in an application.
- Section 6 – Application by the Council – addition of wording to stress that the Council's involvement as the applicant will be made explicit and transparent.

- Section 8 – Pre-Meetings, Presentations and Briefing Sessions – guidance on who should/should not accompany a Councillor in a meeting with an applicant, developer, agent or objector.
- Section 13 – Decision Contrary to Officer Recommendations – ensuring any linkages with the Development Procedure Rules are explicit.

RESOLVED:

That the General Purposes Committee:

1. Noted the revised Planning Code of Conduct in Appendix 1 of the report;
2. Noted that Planning Code of Conduct is part of the Council's ethical framework and should be read in conjunction with the Councillors' Code of Conduct and the Member/ Officer Protocol;
3. Agreed that the amendments listed above be made to the Code and/or Development Procedure Rules as appropriate, prior to their referral to Council;
4. Noted that pursuant to Part 1 Paragraph 4.02 of the Constitution the adoption and amendment of the revised Code of Conduct is a matter for Council; and
5. Recommended to Council the revised Planning Code of Conduct, subject to the Committee's proposed amendments to the draft Code being highlighted for the Council's information.

4.6 Update from Constitutional Working Party - Council Procedure Rules (Part 4.1 of the Constitution)

Paul Greeno, Senior Corporate and Governance Lawyer, introduced the report and explained the rationale for some of the changes to the Council Procedure Rules. Mr Greeno explained the DCLG Commissioners had specifically identified the Council's Member-level engagement as an area for development. Since this time, the Constitution Working Party (CWP), which includes representation from all political groups, has reviewed the Council's Procedure Rules in detail, in order to identify any changes which may increase the effectiveness of Council meetings.

The Committee welcomed the input of the CWP and also noted its emphasis on the importance of public engagement opportunities at Council meetings. However, some members of the Committee indicated concern that a disproportionate amount of time was allocated to public engagement, with the effect that insufficient time could be spent considering and debating reports for decision, which often dealt with critically important issues, potentially involving high levels of expenditure/savings. Members indicated they felt that Mayoral assemblies provided an accessible and appropriate forum for public questions, so these could be removed from Council meetings.

Asmat Hussain, Corporate Director, Governance, advised the Committee that it is good practice for Councillors to discuss reports where a decision is required by Council.

The Committee discussed a number of ways that the CWP's proposed new order of business (as set out in Table 1 of the report submitted) could be amended so that the time available for Council meetings to consider reports for decision could be increased.

Further to paragraph 3.7 of the report, Rule 24.1, the Committee asked if solutions could be explored to address improper conduct from persons in the public gallery which, whilst not substantial enough disturb the meeting, might disturb or cause annoyance to Councillors, officers or other members of the public in their immediate vicinity.

RESOLVED:

That the General Purposes Committee:

1. Approved the proposed new order of business for ordinary Council meetings as set out in Table 1 of the report, subject to:
 - a. Public engagement – questions - deletion of this agenda item.
 - b. Public engagement – petitions:
 - i. Allowing up to 4 petitions; and
 - ii. Allowing 2 minutes for Lead Member comments (and thus reducing the total time for each petition to 5 minutes)
 - c. Mayor's Report - re-ordering this item to immediately after Introductions, Minutes, Declarations, Announcements.
 - d. Administration Motion Debate - re-ordering this item to immediately before the Opposition Motion Debate.
 - e. Reports –
 - i. re-ordering this item to immediately following the Opposition Motion Debate; and
 - ii. increasing the allocated time as much as possible, taking into account the time freed up from changes above and the constraints of the overall meeting length as provided for elsewhere in the Council Procedure Rules.
2. Approved the specific proposed changes in paragraph 3.7 of the Report; and
3. Agreed that the Council Procedure Rules be re-drafted as indicated in 1 and 2 above so that a report proposing revised Council Procedure Rules may be prepared, for future submission to a meeting of the Council.
4. Agreed that the Constitution Working Party be informed of the Committee's deliberations and decision, and thanked for its work and proposals to date.

4.7 Update from Constitutional Working Party - Overview and Scrutiny Committee - Voting Rights of Co-opted Members

Paul Greeno, Senior Corporate and Governance Lawyer, introduced the report and explained that the proposal to enable the Muslim Faith representative on the Overview and Scrutiny Committee to vote on education matters had been suggested to regularise this provision across all co-opted members of that committee.

RESOLVED:

That the General Purposes Committee:

1. Recommend to Council that the Muslim Faith representative on the Overview and Scrutiny Committee is able to vote on Education matters.

4.8 Proposed Revision to the Constitution - Part 5.4 (Member/ Officer Relations' Protocol)

Paul Greeno, Senior Corporate and Governance Lawyer, introduced the report. Mr Greeno explained there were a number of omissions that he had identified since publication of the draft protocol, which he would correct in future iterations, specifically:

- Section 13 - Members' Services and the use of Council Facilities – would be updated to reflect:
 - the current (recently updated) Councillor Enquiry process; and
 - that the term 'Council Facilities' includes IT equipment.

Heather Daley, Divisional Director, HR and Transformation, also suggested a number of amendments to Section 14 – Recruitment, Appointment and other Staffing Matters – to more accurately reflect the role of Members in these matters and clarify the proper role of the Joint Consultative Advisory Group. Ms Daley also advised the Protocol may need amendment to reflect potential changes to the employee appeals process, discussed by the Committee earlier in the meeting.

The Committee noted that the emphasis on the role of committee chairs (Section 9) gave the impression that the Protocol reflected a committee system model. It asked that the Protocol be amended to that it reflects more clearly the Council's directly elected mayor/cabinet model of governance.

RESOLVED:

That the General Purposes Committee:

1. Requests that an updated Member/Officer Relations Protocol is brought to a future meeting.

5. REPORTS FOR NOTING

5.1 Councillor Learning & Development

Heather Daley, Divisional Director, HR and Transformation introduced the report.

Members indicated some concerns with the Council's current Member training offer. They noted, for example, it was currently difficult to work out if offered sessions were briefings, or training sessions; were focussed on policy development, or skills development. They asked that more detail is provided on listed sessions, so Councillors could identify those opportunities best suited to their development needs.

Members also asked that e-learning opportunities for Councillors be explored.

RESOLVED:

That the General Purposes Committee:

1. Noted the current Member development offer detailed at Appendix 1 of the report.
2. Agreed that the October General Purposes Committee receive a report providing further detail on the development opportunities that could be offered to Members.
3. Agreed access to the development events currently provided for officers as detailed at Appendix 2 of the report.

5.2 Update on Senior Recruitment

Heather Daley, Divisional Director, HR and Transformation introduced the report.

The Committee asked Ms Daley to consider whether the role of Divisional Director Sports, Leisure and Culture should be located entirely in the Children's Directorate, given the broad and cross-cutting nature of the portfolio.

RESOLVED:

That the General Purposes Committee:

1. Noted progress on the recruitment to senior management vacancies following the implementation of a revised Council structure.

6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

The Chair advised he had been informed of one matter of urgent business.

CONFIRMATION OF APPOINTMENT TO EXTERNAL BODY

The Chair advised that a recent decision of the Mayor (ref. Mayoral Decision Log No. 155) had made a number of appointments to external bodies in accordance with his authority to make appointments relating to executive functions. One of these appointments had since been identified as relating to a Council function, so falls within the General Purposes Committee's delegated powers to approve. The Committee indicated no objections to the proposed appointment and

RESOLVED

1. That Councillor Danny Hassell is appointed as the Council's representative on the Local Government Group Annual Conference for 2017/18.

7. RESTRICTED REPORTS FOR NOTING

7.1 Employment Appeals

Heather Daley, Divisional Director, HR and Transformation introduced the report. Ms Daley noted that the review of employment appeals processes, agreed earlier in the meeting, would potentially impact on the recommendations in this report.

The Committee noted that officers have reported difficulties securing Member attendance at upcoming Employee Appeal Sub-Committees, which is contributing to delays in hearing employment appeals. The Chair asked that Democratic Services canvass all members and deputies of the Committee for their availability for future Employee Appeal Sub Committees, which are currently set for:

- Monday 31 July, 6.30pm
- Wednesday 2 August, 6.30pm.

RESOLVED:

That the General Purposes Committee:

1. Noted the significant delay in hearing employment appeals
2. Agreed that a schedule of six employment appeal panels should be arranged for the municipal year 2017/18.
3. Agreed to receive a review of Employment Policies and Procedures later in this municipal year including arrangements for appeals.

7.2 Exempt Appendices for Local Authority Governor Applications

Noted.

The meeting ended at 8.48 p.m.

Chair, Councillor Danny Hassell
General Purposes Committee