

**LONDON BOROUGH OF TOWER HAMLETS**

**COUNCIL MEETING**

**WEDNESDAY 22<sup>nd</sup> APRIL 2009**

**REVIEW OF THE CONSTITUTION**

**REPORT OF THE ASSISTANT CHIEF EXECUTIVE**

**1. INTRODUCTION**

- 1.1 The Council's Constitution is a working tool and is reviewed annually to ensure it is up to date in terms of legislation and to maintain best practice in efficient and accountable decision making, scrutiny and ethical standards.
- 1.2 During the past year officers have continued to monitor the operation of the Constitution and researched good practice elsewhere. Some proposed amendments have been identified as a result of this work. The respective political groups have also suggested issues which have been considered, along with the officer proposals, by the cross-party Constitution Working Party at its meetings in February and March 2009. This report sets out the recommendations of the Working Party for amendments to Tower Hamlets' Constitution to take effect from the forthcoming Annual Council Meeting.
- 1.3 Following relatively major reviews in 2006/07 and 2007/08, the current proposals focus on refining the existing provisions and updating, correcting and clarifying aspects of the Constitution where necessary. However, there are a number of proposals that the Council will wish to give particular consideration to and these are identified in the following paragraphs.

**2. RECOMMENDATIONS**

- 2.1 That amendments be agreed to the Council's Constitution, including the Scheme of Members' Allowances, as set out in the schedule at Appendix A to this report, to take effect from the Annual Council Meeting on 20 May 2009.
- 2.2 That the Assistant Chief Executive (Legal Services) be authorised to make detailed drafting changes to the Constitution as necessary to put into effect the agreed amendments.

**3. PROPOSALS**

- 3.1 The schedule at Appendix A sets out in full the amendments proposed by the Constitution Working Party and in each case the part of the Constitution affected, the rationale behind the proposal and any further relevant information. The proposals are listed in the order in which they occur in the Constitution, not

in order of importance. A number of the more significant issues for consideration by the Council are set out below with additional detail where required:-

### **Pensions Committee**

- 3.2 The Government has issued guidance on the governance arrangements for Local Authority pension funds. Councils are required to report on the extent of compliance with best practice and to justify non-compliance. There are four basic principles against which practice is judged as follows:-
1. The management of the administration of benefits and strategic management of fund assets clearly rests with the main committee established by the appointing council;
  2. That representatives of participating LGPS employers, admitted bodies (other employers who have chosen to join the scheme) and scheme members (including pensioner and deferred members) are members of either the main committee or a secondary committee established to underpin its work;
  3. That where a secondary committee or panel has been established, the structure ensures effective communication across both levels; and
  4. That where a secondary committee or panel has been established, at least one seat on the main committee is allocated for a member from the secondary committee or panel.
- 3.3 The Council's current arrangements, under which the Pensions Committee is supported by the Investment Panel (an advisory body including the members of the Pensions Committee, an independent professional Chair, independent financial adviser and two trade union observers) comply with the above principles, except in relation to the participation of non Councillors on the Committee and the status of trade union observers on the Investment Panel.
- 3.4 The Working Party therefore recommends that the status of the two union representatives on the Investment Panel be changed from observer to member; that one admitted body be offered membership of the Investment Panel; and that one admitted body and one trade union representative be invited to join the Pensions Committee, initially on a non-voting basis.
- 3.5 The Working Party further proposes that consideration be given to increasing the membership of the Pensions Committee from 7 to 9 Councillors to ensure that the proportionality arrangements are not distorted; and that, notwithstanding the changes to the Investment Panel to reflect its technical advisory role, all members of the Pensions Committee should continue to be invited to attend its meetings.

### **Audit Committee**

- 3.6 The Audit Commission accords great importance to local authorities having effective and efficient audit arrangements at Member level and the Chartered Institute of Public Finance and Accountancy (CIPFA) has issued best practice guidance in this regard.

- 3.7 The Commission advises that there should be an Audit Committee independent of the executive function, with terms of reference consistent with CIPFA's guidance. The Committee should provide effective challenge across the council and independent assurance on the risk management framework and associated internal control environment to members and the public, and should be able to demonstrate the impact of its work.
- 3.8 The Council has established a cross-party, non-executive Audit Committee that is able to discharge these functions. The Working Party now recommends that in line with the CIPFA guidance, the Committee should not be chaired by an Executive Member. The Working Party considered further guidance that the Audit Committee should also be chaired independently of Overview and Scrutiny but felt that no such stipulation should be included in the Constitution.

### **The Council Meeting**

- 3.9 The arrangements for Ordinary Council Meetings were reviewed in 2007/08 and in general have worked well. The current review makes a number of new proposals for adjustments to the procedure rules including:

- **Members' Questions** – The Working Party felt that the order of Members' Questions on the Council agenda, and the distribution of questions actually asked at the meeting, should better reflect the proportionality of the Council and enable more effective questioning. It is therefore proposed that the Mayor should take questions alternately from the administration and opposition sides of the chamber, with the 'opposition' slots drawn in turn from the minority groups, starting with the largest opposition group.

In addition in order to make efficient use of the time available and increase the number of questions taken at the meeting, a time limit of one minute each should be applied to verbal questions, supplementary questions and responses. The overall time limit for Members' Questions should remain at 30 minutes, with Mayor's discretion to vary the order where necessary to ensure that each political group has the opportunity to put at least one question within that time.

- **Motions** – The Working Party was concerned that proper notice of motions should be given wherever possible and therefore recommended that the mover of an 'urgent' motion should be required to specify the reason for urgency. In addition to promote effective debate and the fair allocation of speeches, guidance should be drafted to assist the Mayor in determining the order of speakers, including provision where appropriate to alternate speakers for and against and to take into account ward councillors' concerns and any nominations made by a political group.
- **Petitions and deputations** – The Constitution currently provides for a maximum of three petitions and three deputations at any meeting. The arrangements for presenting these items are very similar but a petition may be about any matter that affects the borough, whereas a deputation must relate to something on the agenda for decision at that particular meeting.

On occasion there are more than three requests for petitions, with the result that one or more have to be refused, despite the fact that there may be 'vacant' deputation slots at the same meeting. It is therefore recommended that in these circumstances there should be provision for more than three petitions or more than three deputations to be heard, up to a maximum of six items in total.

The Working Party also proposes that for the efficient conduct of business, the time limits for these items should be amended to three minutes to present the petition/deputation (currently five), a further three minutes for questions from Members (currently five) and finally three minutes for the Lead Member's response. To enhance transparency the written responses to petitions and deputations made by Corporate Directors after the meeting should be published, either in the minutes or otherwise.

### **Overview and Scrutiny Procedure Rules**

- 3.10 The 'Councillor Call for Action' (CCfA) provisions in the Local Government and Public Involvement in Health Act 2007 are operational from 1 April 2009. Work continues to develop the detail of how CCfA will operate at Tower Hamlets alongside other elements of the empowerment agenda in the 'Communities in Control' White Paper. In the meantime, minor amendments are required formally to incorporate CCfA into the existing Overview and Scrutiny rules.

### **Contracts Procedure Rules**

- 3.11 Part 4.7 of the Constitution will need to be updated to reflect agreed changes to the procurement procedures that reflect best practice, clarify the rules and financial limits for approving contracts and require all departments to keep a register of contracts.

## **4. MEMBERS' ALLOWANCES**

- 4.1 Part 6 of the Constitution contains the Members' Allowances Scheme which provides for a basic allowance paid to all members, Special Responsibility Allowances (SRAs) for specified member roles, a child/dependent carer's allowance and an attendance allowance for voting co-opted members of the Standards and Overview & Scrutiny Committees. The Council meeting on 4 March 2009 adopted the Members' Allowances Scheme for 2009/10.
- 4.2 Further to cross-party discussions at the Constitution Working Party, a number of changes are now recommended to the Scheme as set out below. In considering changes to the Scheme, the Council must have regard to (but is not obliged to adopt) the recommendations of an Independent Remuneration Panel. Tower Hamlets and many other London boroughs use the Independent Panel established by London Councils which reported most recently in December 2006. For each of the proposals below, information is included on the Panel's recommendations and on practice at other authorities where known.

## **Committee Chairs – Special Responsibility Allowances (SRAs)**

- 4.3 The Working Party has reviewed the SRAs paid for a range of committee chair posts with the aim of ensuring that the allowances reflect the varying demands and responsibilities of the roles and to address anomalies between posts.
- 4.4 In relation to the Chair of **Development/Strategic Development Committee** the Working Party felt the demands of this role were onerous when compared to some other non-executive roles, and recommended that the SRA payable should be increased from the standard committee chair rate (£8,291) to the same as the Chair of the Overview & Scrutiny Committee (£11,162) (NB: all sums quoted are those payable from 1<sup>st</sup> April 2008 following the recent settlement of the local government pay claim with effect from that date).
- 4.5 Currently the Chairs of the Audit, Human Resources and Pensions Committees do not receive SRAs. The Working Party felt that this anomaly was not justified, particularly given the growing importance of these roles.
- 4.6 The **Audit Committee** was established in 2007 as a cross-party committee in accordance with Audit Commission best practice guidance, and has a key and developing role to ensure the Council's audit controls and assurance. The Chair of the **Human Resources Committee** is involved in the development of key Council policies in this area and may be nominated by the Leader to serve as a member or observer on each of the Appointment Sub-Committees to appoint to the most senior posts in the organisation. The remit, membership and growing profile of the **Pensions Committee** is the subject of separate recommendations in this report. The Chair will play a key role in implementing these and at the meetings of the revised Investment Panel.
- 4.7 The Working Party therefore considers that the Chair of each of these committees should receive an SRA and this should be set in the first instance at a slightly lower rate (£6,069) than that payable to the Chairs of other established non-executive committees.
- 4.8 Officer research shows that the SRAs paid to committee chairs vary widely between authorities. For example the post of Chair of Planning attracts SRAs ranging from £3,142 to £18,178 while the allowance payable to the Chair of Overview & Scrutiny varies from £4,603 to £32,146. Tower Hamlets' rates therefore continue to be in the median range. The most recent report of the Independent Panel on the Remuneration of Councillors in London (2006) recommends that a Chair of a main committee should attract a 'Band Two' SRA of between 40% and 60% of the Panel's recommended remuneration for a Council Leader (which this authority has not adopted) or £14,418 to £26,609. The Working Party's proposals would keep Tower Hamlets' allowances well below these recommended levels.

## **Opposition group leaders**

- 4.9 Currently the Scheme provides an SRA of £7,521 to be paid to the Leader of a group with more than 6 Councillors; and an SRA of £4,069 to the Leader of a

- group with up to 6 Councillors (subject to that group having at least 10% of the Council).
- 4.10 In almost all boroughs an allowance is paid to the Leader of each political group although the amounts vary according to local circumstances. The Independent Panel recommended a 'Band Two' SRA of up to £26,609 for the Leader of a principal opposition group and a 'Band One' allowance of up to £8,323 for the Leader of a second or smaller opposition group.
- 4.11 Tower Hamlets' allowances are generally lower than those proposed by the Panel and it is not recommended that these figures be adopted. However the Working Party did consider that the SRAs should reflect more adequately the demands of the roles and their importance in promoting effective debate and representation. It is therefore recommended that the SRA for the Leader of a larger opposition group (>6 Councillors) should increase to the same level as the Chair of Overview & Scrutiny (£11,162) and that for the Leader of a smaller opposition group (up to 6 Councillors, subject to the 10% threshold) to the same as a committee chair (lower band, i.e. £6,069).

#### **Representatives on outside bodies**

- 4.12 The Working Party looked at the range of roles that Members may be required to carry out and considered whether there was a need for any additional SRAs in respect of priority areas not adequately covered currently or for the Council nominee(s) to any outside bodies.
- 4.13 In relation to the Lee Valley Regional Park Authority, the Working Party felt that in view of the onerous nature of the role and the importance of that authority's work, particularly in terms of the Olympics planning and legacy, an SRA (at the lowest level of payment in the current scheme, i.e. £4,145) should be paid to the Council's representative on the Authority.
- 4.14 The Independent Panel recommends that authorities should consider paying a 'Band Two' SRA (between £14,418 and £26,609) to the Council's representative on a key outside body. As previously stated, Tower Hamlets' has consistently adopted allowances that are lower than those recommended by the Panel and this is continued in the current proposal.

#### **Olympics Ambassador**

- 4.15 The Working Party also considered whether there was a need to strengthen the support available to Lead Members in relation to any priority policy area(s). The successful delivery of the Olympic and Paralympic Games 2012, including the achievement of the maximum legacy benefits from the games, is crucial to the prosperity and quality of life for the borough in the coming years. This area of work cuts across a number of Cabinet portfolios and it is proposed that a Member should be identified to work closely with the relevant Cabinet Members and to act as an Olympics Ambassador for the borough in the run-up to 2012. This post would not itself be a member of the Executive and it is proposed that an SRA should be paid equivalent to a committee chair (lower band, i.e. £6,069).

- 4.16 A number of other boroughs appoint Councillors to support one or more Cabinet Members in key areas of their portfolios. Post titles such as Executive or Cabinet Assistants, Junior Cabinet Members or Deputies are used and SRAs vary from £2,000 to £10,522 p.a.. The Independent Panel in 2006 recommended that a 'Cabinet Assistant' post should attract a 'Band 1' SRA of up to £8,323.

### **SRAs – general**

- 4.17 The Independent Panel does recommend that the number of Councillors receiving an SRA should not exceed 50% of the total. The current proposals would bring to 30 the total number of posts attracting an SRA and therefore if each of these posts was filled by a different Councillor the figure for Tower Hamlets would be 58.8%.
- 4.18 The 50% figure is not a statutory limit but a recommendation from the Independent Panel and the Council is not bound by it. Officer research has found that at least one-third of London Boroughs now exceed the recommended figure. The Council will wish to consider the Panel's recommendations in the context of the need to ensure adequate Member capacity for the areas of work identified. Members will note that no Councillor may receive more than one SRA so it is possible that even with the proposed changes, the number of Members receiving such an allowance could remain at 50%, for example if one or more Councillors were to be appointed to two positions.

## **5. MATTERS FOR FUTURE CONSIDERATION**

- 5.1 A number of other issues were discussed by the Working Party but are not the subject of proposals now as further work is still required. These include:
- **Legislative developments** and the wider empowerment agenda set out in the Local Government & Public Involvement in Health Act 2007, the White Paper 'Communities in Control' and associated legislation. The Working Party noted that further proposals would come forward in due course following Government guidance, including clarification of Members' rights to propose issues for scrutiny, changes to Executive Arrangements and a range of other measures.
  - **Development Procedure Rules** – these procedures are under review to reflect best practice in the consideration of planning proposals and Member and public involvement in the process. One minor amendment is proposed at this stage as in the attached schedule and the procedures will be subject to consideration by the Development Committee before further proposals are brought forward.
  - **Codes of Conduct** – last year the Government consulted on proposals to revise the model code of conduct for local authority members and introduce a model code for employees. In due course the Council will consider the Government's further proposals in this regard.

**6. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 This report proposes amendments to the Constitution as detailed in the appendix. The total cost of introducing four new Special Responsibility Allowances and increasing certain others is estimated at £36,933 p.a. This represents an increase in the total cost of the Members' Allowances Scheme. In the current year this can be accommodated within the existing total budget for Members' Allowances and Members' Pension contributions.

**7. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)**

- 7.1 The comments of the Assistant Chief Executive (Legal Services) have been incorporated into the body of this report.



## CONSTITUTION WORKING PARTY FEBRUARY/MARCH 2009: RECOMMENDATIONS TO THE COUNCIL

### SCHEDULE OF PROPOSED AMENDMENTS TO THE CONSTITUTION

Subject	Constitution part/page	Proposed change	Rationale/comments
<b>Standards Committee</b>	(Article 9, page 26 and Part 5.1, page 192.)	<p>Minor changes to Article 9 and the preamble to the Members' Code of Conduct, regarding complaints about Member conduct.</p> <p>Update to clarify the number of Councillors on the Committee – i.e. 2 Majority Group and 1 from each of the other Groups (currently 5 Councillors)</p>	<p>To reflect the new arrangements for local assessment of complaints.</p> <p>Clarification following changes to political composition.</p>
<b>Local Strategic Partnership and LAPs</b>	(Article 10, pages 29 and 30)	Update Community Plan themes (10.01) and amend Partnership composition and functions (10.02)	To reflect revised themes and new Partnership governance arrangements
<b>Delegations to Chief Officers</b>	(Part 3, pages 42 to 102)	Update to Corporate Directors' management delegations at part 3.8 and corrections as required to statutory delegations for officers in Part 3.	Correction/update as identified by Assistant Chief Executive (Legal Services).
<b>Local Area Agreement (LAA)</b>	(Part 3.2.2, page 75)	To allocate functions in respect of LAAs at sections 106, 110, 111 & 113 of Local Government and Public Involvement in Health Act 2007 to the Executive.	To enable Cabinet to sign off the Local Area Agreement <b>NB agreed by Council 4<sup>th</sup> March 2009</b>
<b>Filling of positions on committees, panels, outside bodies etc</b>	(Part 3.3.6, page 82)	<p>Delegation to the Asst. Chief Executive to make or amend an appointment to a position on a committee, panel or outside body in accordance with the nomination by a political group, where the position has previously been allocated by the Council to that group.</p> <p>That a nomination received by the Assistant Chief Executive in accordance with the above provision after 5.00 p.m. on any day will take effect no earlier than 9.00 a.m. on the next working day.</p>	<p>Clarification (wording currently refers to 'casual vacancy') and to avoid Extraordinary Council or GP Committee meetings.</p> <p>Clarification and to avoid confusion out of office hours.</p>

Subject	Constitution part/page	Proposed change	Rationale/comments
<b>Pensions Committee</b>	(Part 3.3.10, page 85)	<p>To review the membership and other arrangements for the Pensions Committee and Investment Panel:</p> <ul style="list-style-type: none"> <li>• That the status of the two union representatives on the Investment Panel be changed from observer to member.</li> <li>• That one of the Admitted Bodies be offered membership of the Investment Panel</li> <li>• That one Admitted Body and one Trade Union representative be invited to join the Pensions Committee on a non-voting basis initially</li> <li>• That consideration be given to increasing the Councillor membership of the Pensions Committee from 7 to 9 Councillors to ensure that the proportionality arrangements are not distorted; and</li> <li>• That the composition of the Investment Panel be revised to reflect its technical advisory role but that all members of the Pensions Committee should continue to be invited to attend the Investment Panel, not just the Chair or nominee (although there should be an expectation that the Chair/Vice-Chair would attend).</li> </ul>	Pursuant to statutory guidance, November 2008.
<b>Audit Committee</b>	(Part 3.3.11, page 86)	That the Audit Committee should not be chaired by an Executive Member.	<p>Pursuant to CIPFA best practice guidance.</p> <p>Note: The Working Party considered further guidance that the Audit Committee should also be chaired independently of Overview and Scrutiny but felt that no such stipulation should be included in the Constitution.</p>
<b>King George's Field Charity Board</b>	(Part 3.3.12, page 87)	No recommendation	The Working Party noted that further consideration of the constitutional position and governance arrangements will take place at the King George's Field Charity Board meeting in April 2009.

Subject	Constitution part/page	Proposed change	Rationale/comments
<b>Appointment of Members to Committees etc</b>	(Part 4.1, page 105)	No recommendation	The Working Party noted the advice of the Assistant Chief Executive (Legal Services) that there is no provision to override the proportionality regulations, even where committee places remain vacant for an extended period or a political group does not take up its allocated positions. Those positions therefore cannot be withdrawn or allocated to another group to enable the effective conduct of business.
<b>Number and programme of Council Meetings</b>	(Part 4.1, page 105)	No recommendation for change to the Constitution. Draft calendar of meetings 2009/10 endorsed.	The Working Party noted (i) that in 2010/11 and future years there would be a period in September, after the end of Ramadan and the school holidays and before the party conference season, during which a Council Meeting could be scheduled; and (ii) that the overall number of Council meetings could be considered further in future reviews.
<b>Ordinary Council Meeting agenda</b>	(Part 4.1, page 106)	Add 'if any' at end of rule 2.1.10; and remove 'and' at end of 2.1.11	Clarification and correction of typographical error.
<b>Budget Council Meeting</b>	(Part 4.1, page 106)	<p>Tidying-up amendments to Budget Council Procedure Rules:-</p> <p>(1) Para 2A.7 Add at start '<i>Once the proposals of the Executive have been moved and seconded the Leaders of each of the other political groups ....</i>' (then as existing)</p> <p>(2) Para 2A.10 – Third sentence to be amended to read '<i>Subject to Rules 2A.11 and 2A.12 below, a Member may speak only once during the debate and in the course of his/her speech may address the proposals of the Executive and/or any amendment(s) that may be moved.</i>' (NB typo currently in third line 'of'.)</p>	Clarification following application of the new rules at the Budget Meetings 2008 and 2009.

Subject	Constitution part/page	Proposed change	Rationale/comments
		<p>(3) Para 2A.13 First sentence to be corrected as follows:- 'The Council will then vote on any amendments that have <i>been</i> moved and <i>seconded</i> and not withdrawn, in the order in which they were moved.'</p>	
<p><b>Council Meeting – Members Questions</b></p>	<p>(Part 4.1, page 114)</p>	<p>That Members' Questions should be taken alternately from the administration and opposition sides, with the 'opposition' slots drawn in turn from the minority groups, starting with the largest opposition group.</p> <p>That a time limit of 1 minute be applied to initial and supplementary questions and responses.</p> <p>That the overall time limit for Members' Questions remain at 30 minutes, subject to at least one member of each political group having the opportunity to put a question, and that the Mayor has discretion to vary the order above to ensure this is the case.</p>	<p>So that distribution of questions put at the meeting reflects more accurately the proportionality of the Council and to enable more effective questioning.</p> <p>Efficient use of time/to increase the number of questions taken at the meeting.</p> <p>Note: The Working Party considered a further suggestion that there should be a separate provision for written questions where only a written answer is required but did not recommend that this be adopted.</p>
<p><b>Council Meeting – Motions</b></p>	<p>(Part 4.1, page 116)</p>	<p>That the mover of an 'urgent' motion should be required to specify the reason for urgency.</p> <p>That guidance be drafted to assist the Mayor in determining the order of speakers, including provision where appropriate to alternate speakers for and against, and taking into account ward Councillors' interests and any nominations made by a political group.</p>	<p>To ensure proper notice is given wherever possible and urgency provision is not misused.</p> <p>To assist in fair allocation of speeches and effective debate.</p>

Subject	Constitution part/page	Proposed change	Rationale/comments
<b>Council Meeting – Order of Business</b>	(Part 4.1, page 117)	No recommendation	<p>Note: A proposal to restrict the use of procedural motions to change the order of business under CPR 14.1.3, e.g. by requiring more than a simple majority vote, was not supported by the Working Party.</p>
<b>Council Meeting – Petitions and Deputations</b>	(Part 4.1, pages 123 to 126)	<p>That the written responses to petitions and deputations made by Corporate Directors after the meeting be published, either in the minutes or otherwise.</p> <p>That there be provision for more than 3 petitions or 3 deputations to be heard, up to a maximum of 6 petitions/deputation in total.</p> <p>That the time limits for consideration of petitions and deputations be amended to allow a maximum of 3 minutes to present the petition/deputation, a further 3 minutes for questions from Members and finally 3 minutes for the Lead Member's response.</p>	<p>To enhance transparency</p> <p>To increase flexibility and enable more public participation.</p> <p>More efficient conduct of the meeting.</p> <p>Note (1): In relation to questions from Members to the petitioners/deputation, the Working Party noted that the Mayor may invite a number of questions together in order to enable more to be dealt with, although it was important that this should not overload or confuse the respondent.</p> <p>Note (2): The Working Party also considered whether deputations should continue to be allowed on matters that appear on the agenda for the meeting only in a motion submitted by a Councillor. After discussion the Working Party agreed that there was not currently a need to change the rules in this regard.</p>

Subject	Constitution part/page	Proposed change	Rationale/comments
<b>Overview &amp; Scrutiny Procedure Rules</b>	(Part 4.5, pages 159 and 162)	Minor amendments including (1) an addendum to paragraph (i) of the Overview and Scrutiny Committee's terms of reference to refer to the scrutiny provisions of the Local Government and Public Involvement in Health Act 2007 Act; and (2) a note under the 'work programme' section of the Overview and Scrutiny Procedure Rules referring to the right of a Councillor to place items on the agenda and the Committee's duty to give reasons if the item is not pursued.	To enable the introduction of the 'Councillor Call for Action' provisions from 1 <sup>st</sup> April 2009  The Working Party noted that the detailed procedures relating to how the Councillor Call for Action would operate at Tower Hamlets would be subject to further discussion and development in due course.
<b>Contracts Procedure Rules</b>	(Part 4.7, page 173)	Paragraphs 2, 3, 5 and 8 - change references to "Procurement Manual" to "Procurement Procedures"  Paragraph 7 - change to: "The contracting strategy and/or award of any contract for goods or services with an estimated value exceeding £250,000, and any contract for capital works with an estimated value exceeding £5,000,000, shall be approved by the Cabinet in accordance with the Procurement Procedures. Contracts for goods or services with an estimated value of less than £250,000 and contracts for capital works with an estimated value of less than £5,000,000 shall be approved by the relevant Chief Officer, in accordance with the Procurement Procedures."  Paragraph 9 – delete and replace with “ ..... Chief Officers must ensure a register of contracts is kept within the Department for all contracts.”	To reflect agreed changes to the Procedure Procedures proposed by Head of Procurement.
<b>Development Committee</b>	(Part 4.8, page 175 & Part 5.2, page 205)	Amendment to clarify that where more than three Members register to speak on an application and the agenda is lengthy, the Chair may exercise discretion to	The Working Party noted that the Development Procedure Rules will be further reviewed in due course and the Constitution updated accordingly.

Subject	Constitution part/page	Proposed change	Rationale/comments
		limit the number of speakers or the time for each speaker; and to give preference to ward Members.	
<b>Training for Councillors</b>	(Parts 5.2 and 5.3, pages 218 & 223)	Amendment to clarify that training for Members of regulatory committees must be undertaken annually but that only a refresher session is required if a Member is re-appointed.	Clarification
<b>Member/Officer Protocol</b>	(Part 5.4, pages 244 and 248)	Update information on 'Requests by Members - Procedures' and 'Members' Services and Members' Enquiries'  Update information on 'Use of Council Resources' to include guidance on Members providing references.	For consistency with Members' Enquiries best practice guide  To incorporate the guidance to be issued by the Standards Committee.
<b>Members' Allowances</b>	(Part 6, page 268)	That the Deputy Mayor's Allowance be increased to £4,145 p.a.* , payable from 21 <sup>st</sup> May 2008.  That the SRA payable to the Chair of Development/Strategic Development Committee be increased to the same level as the Chair of Overview and Scrutiny Committee (currently £11,162*)  That an SRA of £6,069* be paid to the Chairs of the Audit Committee, Human Resources Committee and Pensions Committee.  That the SRAs payable to opposition group leaders be increased as follows:- <ul style="list-style-type: none"> <li>• Leader of a group with more than 6 Councillors - increase to the same level as the Chair of Overview and Scrutiny Committee (currently £11,162*);</li> <li>• Leader of a group with up to 6 councillors (subject</li> </ul>	Pursuant to revisions made last year to the Mayor's Allowance. <b>NB agreed by Council 4<sup>th</sup> March 2009</b>  To reflect the demands and responsibilities of the role  To address the anomaly of those positions not currently attracting an allowance and to reflect the responsibility of the posts and the growing role of the committees.  To reflect more adequately the importance and demands of the roles

Subject	Constitution part/page	Proposed change	Rationale/comments
		<p>to having at least 10% of the Council) - increase to the same level as a committee chair (lower band) i.e. £6,069*</p> <p>That an SRA of £4,145* be payable to the Council's representative on the Lee Valley Regional Park Authority.</p> <p>That a post of 'Olympics Ambassador' be established, with an SRA equivalent to a committee chair (lower band) of £6,069* p.a..</p> <p>(NB * all sums quoted have been adjusted to reflect the Local Government pay settlement with effect from 1<sup>st</sup> April 2008, which has now been finalised.)</p>	<p>In view of the onerous nature of the appointment and the importance of the organisation's work, particularly in terms of the Olympics planning and legacy.</p> <p>To provide support and capacity to Lead Members on the preparations for the Olympics and to contribute to the work of the five borough joint committee, reflecting the importance of this area of work.</p>
<b>General</b>	(Throughout)	Update titles of Cabinet Portfolios (inc Article 7.05), Committees, departments (inc Part 7) and management posts (inc Article 12) as necessary.	To reflect the current titles and structures.
<b>Legislative developments/Community empowerment</b>	(To be confirmed)	<p>In relation to the Councillor Call for Action provisions, see 'Overview &amp; Scrutiny Procedure Rules' above.</p> <p>No further specific recommendations at this stage</p>	<p>In relation to the wider empowerment agenda, as set out in the Local Government and Public Involvement in Health Act 2007, the White Paper 'Communities in Control' and associated legislation, the Working Party noted that further proposals would come forward in due course following Government guidance, including further changes to the Scrutiny Procedure Rules to clarify Members' rights to propose issues for scrutiny and a range of other measures.</p>