



Meeting of the

TOWER HAMLETS COUNCIL

Wednesday, 23 May 2018 at 7.00 p.m.

TABLED REPORTS

VENUE

Council Chamber, 1st Floor,
Town Hall, Mulberry Place,
5 Clove Crescent,
London E14 2BG

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**TO THE MAYOR AND COUNCILLORS OF THE LONDON BOROUGH OF TOWER
HAMLETS**

You are summoned to attend a meeting of the Council of the London Borough of Tower Hamlets to be held in **THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON, E14 2BG** at **7.00 p.m.** on **WEDNESDAY, 23 MAY 2018**

Will Tuckley
Chief Executive

Public Information

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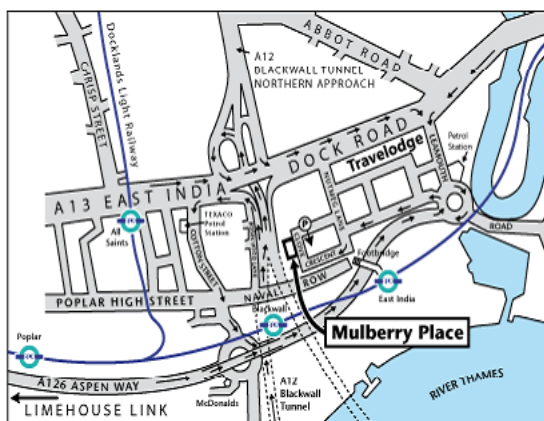
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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL

WEDNESDAY, 23 MAY 2018

7.00 p.m.

- | | | |
|------------|---|----------------|
| 7. | MAYOR'S CABINET AND EXECUTIVE ARRANGEMENTS | 5 - 22 |
| | To note the Mayor's Cabinet and related appointments in the Executive Scheme of Delegation as at 23 May 2018. Report to follow. | |
| 12. | MEMBERS' ALLOWANCE SCHEME | 23 - 28 |
| | To receive the report of the Corporate Director, Governance and Monitoring Officer proposing the adoption of the members' allowance scheme for 2018/19. | |
| 13. | APPOINTMENT OF POLITICAL ADVISORS | 29 - 32 |
| | To determine whether the Council will appoint Political Advisors under the provisions of Section 9 of the Local Government and Housing Act 1989 for the duration of the current administration and if so to agree the arrangements for such appointments. | |

Non-Executive Report of the: COUNCIL Wednesday 23 May 2018	
Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer	Classification: Unrestricted
Mayor's Cabinet and Executive Arrangements	

Originating Officer(s)	David Courcoux, Head of the Mayor's Office
Wards affected	All wards

SUMMARY

As set out in the Council's Constitution Council Procedure Rules at Part 4.1, the Council's Annual General Meeting will receive a report noting the Executive Mayor's Cabinet Appointments and other arrangements in respect of Executive Decision Making.

The Executive Procedure Rules at Part 4.4 of the Council's Constitution provide for the Mayor to delegate specific executive functions to:-

- the Executive as a whole (the Cabinet);
- a committee of the Executive or an individual member of the Executive;
- an officer;
- an area committee;
- a ward councillor (only in accordance with s.236 of the Local Government and Public Involvement in Health Act 2007);
- joint arrangements; or
- another local authority.

The Mayor may amend or revoke any delegation of an executive function at any time.

The Executive Scheme of Delegation must contain the following information in so far as it relates to executive functions:

- (a) The extent of any authority delegated to any individual Executive Member or ward councillor including details of the limitation on their authority;
- (b) The terms of reference and constitution of such Executive Committees as the Mayor appoints and the names of Executive Members appointed to them;
- (c) The nature and extent of any delegation of executive functions to area Committees, any other authority or any joint arrangements and the

names of those Executive Members appointed to any joint Committee for the coming year; and

- (d) The nature and extent of any delegation of executive functions to officers not already specified in Part 3 of the Constitution, with details of any limitation on that delegation and the title of the officer to whom the delegation is made.

In accordance with the above requirements the Executive Scheme of Delegation agreed by the Mayor to apply with effect from 23 May 2018 is set out below.

Recommendations:

That Council agrees:

- a) To note the Mayor's Executive Decision Making Scheme

1. REASONS FOR THE DECISIONS

- 1.1 The Mayor is required to present his Executive Decision Making Scheme to Council at each Annual General Meeting.

2. ALTERNATIVE OPTIONS

- 2.1 None.

3. DETAILS OF THE REPORT

- 3.1 The details of the Executive Decision Making Structure is set out in the Appendix to this report.

5. COMMENTS OF THE CHIEF FINANCE OFFICER

- 5.1 There are no direct financial considerations arising from this report.

6. LEGAL COMMENTS

- 6.1 The legal position is set out in the main body of the report.

Appendices

Appendix 1 – Executive Procedure Rules and Executive Scheme of Delegation (Parts A and B)

Appendix 2 – Terms of Reference for Cabinet, King George's Field Charity Board and the Grants Determination (cabinet) Sub-Committee

APPENDIX 1

4.4 Executive Procedure Rules

CONTENTS

Rule	<u>Subject</u>
1	How Does the Executive Operate?
2	How are Executive Meetings Conducted?
3	The Mayor's Executive Scheme of Delegation

1. HOW DOES THE EXECUTIVE OPERATE?

1.1 Who May Make Executive Decisions?

In law, functions which are the responsibility of the Executive may be exercised by

- (a) The Mayor
- (b) The Executive as a whole (the Cabinet) ;
- (c) A Committee of the Executive;
- (d) An individual Member of the Executive;
- (e) The Chief Executive, a Chief Officer or an officer;
- (f) An area Committee; or a ward councillor in accordance with Section 236 of the Local Government and Public Involvement in Health Act 2007;
- (g) joint arrangements; or
- (h) another local authority;

subject to the Mayor or this Constitution giving delegated authority to the person/meeting listed to discharge the particular function.

The arrangements for the discharge of executive functions at Tower Hamlets are set out in the executive arrangements adopted by the Council (see Part 2, Article 7 and Part 3 of this Constitution) and the Executive Scheme of Delegation at Rule 3 of these Rules.

Currently decisions on executive functions are taken by the Mayor, either at the Cabinet meeting or separately, unless the Mayor has delegated either a function as set out in those parts of the Constitution or a specific executive decision.

1.2 The Executive Scheme of Delegation and Executive Functions

At the Annual Meeting of the Council the Mayor will present to the Council a written record of delegations made by the Mayor ('The Executive Scheme of Delegation') for inclusion in the Council's Constitution. The document presented by the Mayor must contain the following information in so far as it relates to executive functions:

- (a) The extent of any authority delegated to any individual Executive Member or ward councillor including details of the limitation on their authority.
- (b) The terms of reference and constitution of such Executive Committees as the Mayor appoints and the names of Executive Members appointed to them.
- (c) The nature and extent of any delegation of executive functions to area Committees, any other authority or any joint arrangements and the names of those Executive Members appointed to any joint Committee for the coming year.
- (d) The nature and extent of any delegation of executive functions to officers not already specified in Part 3 of this Constitution, with details of any limitation on that delegation and the title of the officer to whom the delegation is made.

The Mayor may amend or revoke any delegation of an Executive function at any time.

The Executive Scheme of Delegation shall be included at Rule 3 of these Rules.

Within five (5) working days of agreeing any change to the Executive Scheme of Delegation, a Cabinet appointment or portfolio, the Mayor shall present a written record of the change that s/he has agreed, together with the reasons for that change, to the Monitoring Officer.

Whenever the Monitoring Officer receives notification from the Mayor of any change(s) to the Executive Scheme of Delegation, Cabinet appointment(s) or portfolio(s), the Monitoring Officer will inform all Councillors of the change(s) made and any reasons given by the Mayor.

1.3 Sub-Delegation of Executive Functions

- (a) Where the Mayor, the Executive, a Committee of the Executive or an individual Member of the Executive is responsible for an executive function, they may delegate further to an area Committee, joint arrangements or an officer.
- (b) Unless the Mayor directs otherwise, if the Mayor delegates functions to the Executive then the Executive may delegate further to a Committee of the Executive or an officer.

- (c) Unless the Mayor directs otherwise, a Committee of the Executive to whom functions have been delegated may delegate further to an officer.
- (d) Even where executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated them.

1.4 The Council's Scheme of Delegation and Executive Functions

- (a) Subject to (b) below, the Council's Scheme of Delegation will be subject to adoption by the Council and may only be amended by the Council. It will contain the details required in Part 2, Article 7 and set out in Part 3 of this Constitution.
- (b) The Mayor may amend the Scheme of Delegation of executive functions at any time during the year. To do so, the Mayor must give written notice to the Monitoring Officer and the person, body or Committee concerned. The notice must set out the extent of the amendment to the Scheme of Delegation, and whether it entails the withdrawal of delegation from any person, body or Committee or the Executive as a whole. The Monitoring Officer will inform all Councillors of the change(s) made and any reasons given by the Mayor.
- (c) Where the Mayor seeks to withdraw or amend delegations to a Committee, notice will be deemed to be served on that Committee when it has been served on its Chair.

1.5 Interests

- (a) Where a Member of the Executive has a disclosable pecuniary interest this should be dealt with as set out in the Council's Code of Conduct for Members at Part 5.1 of this Constitution.
- (b) If every Member of the Executive has either a registerable or non-registerable interest and either interest might appear to a fair and informed observer that there was a real possibility of the Members' judgement being or likely to be impaired by the interest then this also should be dealt with as set out in the Council's Code of Conduct for Members in Part 5.1 of this Constitution.
- (c) Where a Member of the Executive has either a registerable or non-registerable interest and either interest might appear to a fair and informed observer that there was a real possibility of the Member's judgement being or likely to be impaired by the interest then this should be dealt with as set out in the Council's Code of Conduct for Members at Part 5.1 of this Constitution.
- (d) If the exercise of an executive function has been delegated to a Committee of the Executive, an individual Member, the Chief Executive, a Chief Officer or an officer, and should a disclosable pecuniary interest arise, then the function will be exercised in the first instance by the person or body by whom the

delegation was made or otherwise as set out in the Council's Code of Conduct for Members at Part 5.1 of this Constitution.

- (e) If the exercise of an executive function has been delegated to a Committee of the Executive, an individual Member, the Chief Executive, a Chief Officer or an officer, and should either a registerable or non-registerable interest and either interest might appear to a fair and informed observer that there was a real possibility of that person's judgement being or likely to be impaired by the interest arise, then the function will be exercised in the first instance by the person or body by whom the delegation was made or otherwise as set out in the Council's Code of Conduct for Members at Part 5.1 of this Constitution..

1.6 Meetings of the Cabinet

- (a) Meetings of the Cabinet will be determined by the Mayor or Chief Executive. The Cabinet shall normally meet at the Council's main offices or at another location as appropriate.
- (b) Meetings of the Cabinet will be subject to the Access to Information Procedure Rules and any other relevant procedure rules in this Constitution.

1.7 Quorum

The quorum for a meeting of the Executive shall be three (3) Members

1.8 How are Decisions to be taken by the Executive?

- (a) Executive decisions which are the responsibility of the Cabinet as a whole will be taken at a meeting convened in accordance with the Access to Information Rules in Part 4 of the Constitution.
- (b) Where executive decisions are delegated to a Committee of the Executive, the rules applying to executive decisions taken by them shall be the same as those applying to those taken by the Executive as a whole.

2. HOW ARE EXECUTIVE MEETINGS CONDUCTED?

2.1 Who Presides?

If the Mayor is present s/he will preside. In her/his absence, then the Deputy Mayor shall preside. In the absence of both the Mayor and the Deputy Mayor, then a person appointed by those present shall preside.

2.2 Who may Attend?

- (a) Meetings of the Cabinet will normally be open to the public unless confidential or exempt information is to be discussed.
- (b) Subject to the Access to Information Procedure Rules in Part 4 of this Constitution, meetings may occasionally be private.

2.3 What Business?

At each meeting of the Cabinet the following business will be conducted:

- (a) consideration of the minutes of the last meeting;
- (b) declarations of disclosable pecuniary interest, if any;
- (c) matters set out in the agenda for the meeting, and which shall indicate which are key decisions and which are not, in accordance with the Access to Information Procedure Rules set out in Part 4 of this Constitution.
- (d) consideration of reports from the Overview and Scrutiny Committee;
- (e) matters referred to the Executive (whether by the Overview and Scrutiny Committee or by the Council) for reconsideration by the Executive in accordance with the provisions contained in the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Part 4 of this Constitution;

The Mayor or other person presiding at a meeting of the Cabinet may at his/her discretion allow persons other than Cabinet members to contribute to the meeting. This may include an informal 'question time' to the Mayor and/or Cabinet Members.

2.4 Community Engagement/ Consultation

All reports to the Executive from any Member of the Executive or an officer on proposals relating to the Budget and Policy Framework must contain details of the nature and extent of community engagement or consultation with stakeholders, Overview and Scrutiny Committee and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation as appropriate. The level of community engagement or consultation required will be appropriate to the nature of the matter under consideration having due regard to the Council's Community Engagement Strategy.

2.5 Who can put Items on the Executive Agenda?

The Mayor and Chief Executive may put on the agenda of any Cabinet meeting any Executive matter which s/he wishes, whether or not authority has been delegated to the Cabinet, a Committee of it, any Member, the Chief Executive, a Chief Officer or

officer in respect of that matter. The Corporate Director, Law, Probity and Governance will comply with their requests in this respect.

The Monitoring Officer and/or the Chief Finance Officer may include an item for consideration on the agenda of a Cabinet meeting and may require the Chief Executive to call such a meeting in pursuance of their statutory duties. In other circumstances, where any two (2) of the Head of Paid Service, Chief Finance Officer and Monitoring Officer are of the opinion that a meeting of the Cabinet needs to be called to consider a matter that requires a decision, they may jointly call a meeting and include an item on the agenda of that meeting or of a Cabinet meeting which has already been called. If there is no meeting of the Cabinet soon enough to deal with the issue in question, then the person(s) entitled to include an item on the agenda may also require that a meeting be convened at which the matter will be considered.

2.6 Application of Council Procedure Rules

Rules 5 – 9 , 16.1 to 16.3 and 17 to 24 of the Council Procedure Rules (Part 4.1 of this Constitution) shall also apply to meetings of the Cabinet.

2.7 Public Engagement at Cabinet

Whilst the main focus of Cabinet is as a decision-making body, there is an opportunity for the public to contribute through making submissions that specifically relate to the reports that are set out on the agenda. Members of the public may therefore make written submissions in any form (for example; Petitions, letters, written questions) and which to be submitted to the Clerk to Cabinet (whose details are on the agenda front sheet) by 5 pm the day before the meeting. The consideration of such written submissions will be at the discretion of whosoever presides at the meeting.

3. THE MAYOR'S EXECUTIVE SCHEME OF DELEGATION

With effect from Tuesday 15th May 2018

PART A - EXECUTIVE SCHEME OF DELEGATION

1. PURPOSE

1.1 The purpose of this Executive Scheme of Delegation is to:-

- (a) be clear about who can make which executive decisions including Key Decisions;
- (b) facilitate the smooth running of Council business;
- (c) ensure that the Mayor is able to provide effective strategic leadership for the overall policy direction of the Council and to promote partnership working with other agencies; and that officers take responsibility for operational matters and policy implementation.

2. THE CONSTITUTION

2.1 Once presented by the Mayor to the Annual Council Meeting or to the Monitoring Officer, this Executive Scheme of Delegation will form part of the Council's Constitution and will be appended to it. Its provisions apply alongside the Council Procedure Rules (Part 4.1) and Access to Information Procedure Rules (Part 4.2) provisions included in the Constitution.

3. AMENDMENTS TO THE EXECUTIVE SCHEME OF DELEGATION

3.1 This Scheme of Delegation remains in force for the term of office of the Mayor unless and until it is amended or revoked by the Mayor in accordance with Rule 1.2 of the Executive Procedure Rules.

4. NON-EXECUTIVE DECISIONS

4.1 No delegated power in this Executive Scheme of Delegation applies to any decision that relates to a matter that is not an Executive function either by law or by the allocation of local choice functions under the Council's Constitution.

5. THE COMPOSITION OF THE EXECUTIVE

5.1 The Executive shall consist of ten (10) people, namely the Mayor and nine (9) Councillors as set out below:-

Name	Portfolio
Deputy Mayor for housing (Statutory Deputy Mayor)	Cllr Sirajul Islam
Deputy Mayor for regeneration and air quality	Cllr Rachel Blake
Deputy Mayor for community safety and equalities	Cllr Asma Begum
Children's, schools and young people	Cllr Danny Hassel
Adults, health and wellbeing	Cllr Denise Jones
Resources and the voluntary sector	Cllr Candida Ronald
Culture, arts and Brexit	Cllr Amina Ali
Work and economic growth	Cllr Motin Uz-Zaman
Environment	Cllr David Edgar

6. DELEGATIONS TO THE EXECUTIVE

6.1 The Mayor has not delegated any decision-making powers to the Executive acting collectively.

6.2 The Mayor may, in accordance with Rule 1.2 of the Executive Procedure Rules, appoint such committees of the Executive as he considers appropriate from time to time and he appoints the following at this time:

- King George's Fields Charity Board
- The Grants Determination Sub-Committee

6.3 Subject to the Mayor's prerogative to make decisions on all matters relating to all his statutory powers, the Mayor delegates to each Cabinet Member individually the power to make decisions on matters within their portfolio after consultation with the Mayor and subject to the Mayor raising no objection to the proposed decision. Any such decision by a cabinet member will be subject to a written report and the same procedure as applies to mayoral executive decisions.

6.4 In accordance with section 14(6) of the Local Government Act 2000 (as amended), any arrangements made by the Mayor for the discharge of an executive function by an executive member, committee or officer are not to prevent the Mayor from exercising that function.

7. DELEGATIONS TO OFFICERS

7.1 The Mayor has delegated to officers decision making powers in relation to Executive functions as set out at Parts 3 and 8 of the Council's Constitution.

8. OTHER DELEGATIONS

8.1 The Mayor has not delegated any powers to any area committee, or to any ward Councillor in accordance with section 236 of the Local Government and Public Involvement in Health Act 2007.

8.2 The Mayor has delegated powers to joint arrangements with other local authorities as set out in Part 2, Article 11 and Part 3.3.22 of the Council's Constitution

8.3 Subject to paragraph 8.2 above, the Mayor has not delegated any powers to any other local authority.

**PART B - PROCESS FOR EXECUTIVE DECISION MAKING
BY THE MAYOR OR A CABINET MEMBER**

1. Where an Executive decision, including a Key Decision, falls to be made and either:-
 - (a) authority to make that decision has not been delegated by the Mayor under this Executive Scheme of Delegation; or
 - (b) authority has been delegated but the person or body with delegated powers declines to exercise those powers; or
 - (c) authority has been delegated but the Mayor nevertheless decides to take the decision himself,

the decision shall be made by the Mayor individually, after consultation with the Monitoring Officer, the Chief Finance Officer and such other Corporate Director(s), the Head of Paid Service or Cabinet Member(s) as required.
2. Executive decisions (including Key Decisions) to be taken by the Mayor in accordance with paragraph 1 above shall either be taken:-
 - (a) at a formal meeting of the Executive, notice of which has been given in accordance with the Executive Procedure Rules (Part 4.4) of the Constitution and to which the Access to Information Rules (Part 4.2) of the Constitution shall apply; or
 - (b) in accordance with the procedure at paragraph 5 below.
3. In the case of a decision taken at a formal meeting of the Executive, the Mayor will take the decision having received written and oral advice from appropriate officers and consulted those members of the Executive present. In the event that a meeting of the Executive is not quorate, the Mayor may still take any necessary decisions having consulted any Executive members present. All Mayoral decisions taken at a formal meeting of the Executive shall be recorded in the minutes of the meeting.
4. The Cabinet Meeting is not authorised to exercise the Mayor's powers in the absence of the Mayor. If the Mayor is unable to act for any reason, and only in those circumstances, the Deputy Mayor is authorised to exercise the Mayor's powers.
5. The Mayor may at his discretion make a decision in relation to an Executive function, including a Key Decision, alone and outside the context of a meeting of the Executive. In relation to any decision made by the Mayor under this provision:-
 - (a) The decision may only be made following consideration by the Mayor of a full report by the relevant officer(s) containing all relevant information, options and recommendations in the same format as would be required if the decision were to be taken at a meeting of the Executive;

- (b) The provisions of the Overview and Scrutiny Procedure Rules in relation to call-in, including the rules regarding urgent decisions, shall apply;
- (c) In the case of a Key Decision as defined in Part 2, Article 13 of the Constitution, the provisions of the Access to Information Procedure Rules in relation to prior publication on the Forward Plan shall apply; and
- (d) The decision shall not be made until the Mayor has confirmed his agreement by signing a Mayoral Decision Proforma (example attached) which has first been completed with all relevant information and signed by the relevant Chief Officers.


6. All Mayoral decisions taken in accordance with paragraph 5 above shall be:-

- (a) Recorded in a log held by the Democratic Services Manager and available for public inspection; and
- (b) Published on the Council's website;

save that no information that in the opinion of the Corporate Director, Governance is 'exempt' or 'confidential' as defined in the Council's Access to Information Procedure Rules (Part 4.2) shall be published, included in the decision notice or available for public inspection.

7. Any decision taken by an individual Cabinet Member in relation to any matter delegated to him/her in accordance with paragraph 6 of the Mayor's Executive Scheme of Delegation shall:-

- (a) be subject to the same process and rules as a Mayoral decision in accordance with paragraphs 5 and 6 above; and
- (b) not be made until the Mayor has confirmed in writing that he has no objection to the decision.

Individual Mayoral Decision Proforma	 TOWER HAMLETS
Decision Log No: (To be inserted by Democratic Services)	
Report of: [Insert name and title of corporate director]	Classification: [Unrestricted or Exempt]
[Insert title here]	

Is this a Key Decision?	Yes / No (Report author to delete as applicable)
Decision Notice Publication Date:	(Report author to state date of decision notice – either individual notice or within the Forward Plan)
General Exception or Urgency Notice published?	Yes (give details) / Not required (Report author to delete as applicable)
Restrictions:	(If restricted state which of the exempt/confidential criteria applies)

EXECUTIVE SUMMARY

(To be completed by Chief Officer seeking the decision)

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.....
.....

Full details of the decision sought, including reasons for the recommendations and (where applicable) each of the options put forward; other options considered; background information; the comments of the Chief Finance Officer; the concurrent report of the Corporate Director, Law, Probity and Governance; implications for One Tower Hamlets; Risk Assessment; Background Documents; and other relevant matters are set out in the attached report.

DECISION

(Proposed decision to be entered here)

.....
.....
.....

APPROVALS

1. (If applicable) Corporate Director proposing the decision or his/her deputy

I approve the attached report and proposed decision above for submission to the Mayor. I confirm that the Mayor and/or Lead Member have agreed to this decision being taken using this process.

Signed Date

2. Chief Finance Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

Signed Date

3. Monitoring Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

(For Key Decision only – delete as applicable)

I confirm that this decision:-

(a) has been published in advance on the Council’s Forward Plan OR

(b) is urgent and subject to the ‘General Exception’ or ‘Special Urgency’ provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.

Signed Date

4. (If the proposed decision relates to matters for which the Head of Paid Service has responsibility) Head of Paid Service

I have been consulted on the content of the attached report which includes my comments where necessary.

Signed Date

5. Mayor

I agree the decision proposed at above for the reasons set out in paragraph of the attached report.

Signed Date

APPENDIX 2

3.4 THE EXECUTIVE

3.4.1 Cabinet

Membership: The Mayor and at least two (2) and not more than nine (9) other Executive Councillors appointed by the Mayor.	
Functions	<u>Delegation of Functions</u>
1. To discharge all functions not specified as the responsibility of the full Council or of any other Committee, where the Mayor has delegated his powers to the Cabinet as set out in the Executive Scheme of Delegation.	Chief Officers and other officers authorised by them have the delegated authority as set out in paragraph 3.2 above and 3.5 below.
2. In relation to any Executive function for which the Mayor has not delegated his powers to the Cabinet, to advise the Mayor on the discharge of that function.	No delegations
3. To refer to the Standards Advisory Committee for consideration any report which contains implications for the Council's ethical framework	No delegations
Quorum: Three (3) Members of the Cabinet	


The Cabinet may establish Sub-Committees to discharge functions on its behalf but any Cabinet Sub-Committee may only include Cabinet Members.

3.4.2 King George's Fields Charity Board

Membership: All Members of the Cabinet	
Functions	Delegation of Functions
1. To administer the affairs of the King George's Field, Mile End charity, registered number 1077859 and the King George's Field – Stepney (Tredegar Square, Bow) charity, registered number 1088999 and discharge all duties of the Council as sole trustee of these charities.	No delegations
2. To administer the affairs and discharge the duties of trustee of such other charities controlled by the Council as the Executive might authorise.	No delegations
Quorum: Three (3) Members of the Board	

3.4.3 Grants Determination Sub-Committee

Membership: The Mayor plus two (2) other Executive Councillors as appointed by the Mayor or their nominees who must also be Executive Councillors	
Functions	Delegation of Functions
1. To determine all applications for grant funding received by the Council.	No delegations
2. To determine all applications for corporate match funding received by the Council.	No delegations
3. The Sub-Committee may delegate decision making to individual officers, provided that the extent of this delegation is made clear and that it is minuted properly	No delegations
4. Where decision making has been delegated, to receive a report advising as to the exercise of a discretion at the next Sub-Committee meeting following the exercise of such discretion.	No delegations
5. To receive quarterly update reports against defined parameters in order for the Council to demonstrate either: that delivery is in line with the application and, therefore, the grant achieved its purpose; or to provide clear delineation where outcomes were not achieved and the reasons for such failure are apparent. Such Monitoring should therefore include measuring performance against the expected outcomes.	No delegations
6. To determine criteria under which grant applications will be considered.	No delegations
Quorum: Three (3) Members of the Committee	

<p>Non-Executive Report of the:</p> <p>Council</p> <p>23 May 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Asmat Hussain, Corporate Director, Governance</p>	<p>Classification: Unrestricted</p>
<p>Scheme of Members' Allowances 2018/19</p>	

Originating Officer(s)	Beverley McKenzie, Head of Member Support
Wards affected	All wards

Executive Summary

Part 6 of the Council's Constitution sets out the Scheme of Members' Allowances. This provides for a Mayor's Allowance to be paid to the Mayor; a Basic Allowance to all Councillors; Special Responsibility Allowances for specified member roles; Dependants' Carers' and Travel/Subsistence Allowances; and an attendance allowance for co-opted members of the Standards Advisory Committee and the Overview and Scrutiny Committee.

By law the Council must agree the Scheme of Members' Allowances annually, before the start of the year to which it applies. The proposed Scheme of Members Allowances for 2018/19 was confirmed at Council on 21 March 2018.

Though there are variations between councils, Tower Hamlets currently has significantly lower Special Responsibility Allowances for Cabinet members than many comparable boroughs. To bring SRA levels closer to similar councils it is proposed that the Scheme of Members Allowances be amended.

Further changes also recommended include an allowance for the Chief Whip and the Opposition Leader, when their group has fewer than 10% of the Council.

Recommendations:

The Council is recommended to:

1. Agree the updated Special Responsibility Allowances set out in Schedule 1 to this report be added to the London Borough of Tower Hamlets Scheme of Members' Allowances 2018/19 with any changes coming into effect from Thursday, 24th May 2018 or the appointment of a Councillor to the Relevant position, whichever is the later.

1. REASONS FOR THE DECISIONS

- 1.1 A benchmarking of the Special Responsibility Allowances (SRA) with comparable boroughs indicates that at £14,000 Tower Hamlets currently has significantly lower Special Responsibility Allowances for Cabinet Members than many other councils. For example in similar London authorities the SRA for Cabinet members is set at:
- Hackney - £ 34,279.82
 - Newham - £34,000 (proposed for agreement on 24th May)
 - Southwark - £35,033
 - Lambeth - £28,518
 - Islington – £29,712
 - Camden - £ 16,275
 - Lewisham - £ £15,298
- 1.2 Furthermore these allowances are substantially lower than the recommendations of the 2018 Independent Remuneration Panel which recommended an SRA of £36,917 to £43,460 for Cabinet members and £36,917 to £43,460 (deputy leader of the council) the closest equivalent to Deputy Mayor. In order to converge SRA levels with other councils, increases are proposed to the Cabinet and Deputy Mayoral SRAs.
- 1.3 Currently the Scheme of Members Allowances does not address the situation when the opposition consists of less than one-tenth of the Council. The political composition of the authority following the Council elections on 3rd May 2018 is:
- | | | |
|--|---|----------------|
| Labour Group | - | 42 Councillors |
| Conservative Group | - | 2 Councillors |
| Ungrouped / People's Alliance of Tower Hamlets | - | 1 Councillor |
- 1.4 To resolve this situation greater clarity will be added to the scheme to provide an allowance for the Leader of the Opposition, to include clarity regarding group size.
- 1.5 Tower Hamlets has historically not included an SRA for the Chief Whip position, however, in line with the recommendation of the 2018 Independent Remuneration Panel and comparable boroughs, the proposed scheme is amended to include this.

2. ALTERNATIVE OPTIONS

- 2.1 The current scheme could be retained.

3. DETAILS OF THE REPORT

- 3.1 In accordance with the Local Authorities (Members' Allowances)(England) Regulations 2003 as amended the Council is required to agree a Scheme of Members' Allowances on an annual basis. The Scheme may include an

annual index-linked adjustment of allowances, but must be subject to a full review at least every four years, taking into account the recommendations of an Independent Remuneration Panel.

3.2 The current scheme was agreed at Council on 21 March 2018 and it is proposed that the updated version attached at Schedule 1 to this report should replace the currently agreed scheme. The proposed changes to the scheme include:

- Amended SRA for the Deputy Mayor, Cabinet Member
- Clarification of the SRA for the Leader of the Opposition
- Introduction of an SRA for the Chief Whip

4. EQUALITIES IMPLICATIONS

4.1 The payment of Members' Allowances helps to ensure that people from all parts of the community within the borough are able to serve as elected members. This promotes effective community leadership and accountability, to the benefit of the whole borough and all its communities.

5. OTHER STATUTORY IMPLICATIONS

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.

5.2 None specific to this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 Member allowances comprise of a basic allowance per annum for each Councillor and a special responsibility allowance for those members with additional responsibilities. . There are no changes proposed to the basic allowance.

6.2 There are a number of changes proposed to special responsibility allowances (SRA) and schedule 1 details the current rates agreed in March 2018 and the proposed new rates.

6.3 Taking into account that a number of SRAs which were not previously claimed (either because the positions remained empty or because constitutionally more than one SRA cannot be claimed) may now be claimed, the net budget

impact is estimated at £70k which can be accommodated within the overall democratic services budget.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the regulations') require the Council to operate a scheme in accordance with those Regulations. The overall Members' Allowances Scheme 2018/19 was considered and adopted by Council on 21 March 2018. This report proposes an amendment to that scheme.

Linked Reports, Appendices and Background Documents

Linked Report

- Members' Allowance Scheme 2018/19 – Council 21 March 2018

Appendices

- Schedule 1 – updated Special Responsibility Allowances Table

Local Government Act, 1972 Section 100D (As amended)

List of "Background Papers" used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- None

Officer contact details for documents:

N/A

SCHEDULE 1

Special Responsibility Allowance

The following are specified as the special responsibilities for which special responsibility allowances are payable and the amounts of those allowances:

	Current	New
Mayor	£75,000	£75,000
Statutory Deputy Mayor	£16,000	£30,000
Leader of the Majority Group on the Council	£11,300	£11,300
Leader of the largest Opposition Group	£11,300	
Leader of the largest Opposition Group (subject to having at least 10% of the Council)	£8,000	£11,300
Leader of the largest Opposition Group (if the Group has fewer than 10% of the Council)	0	£5,000
Leader of any Group (subject to having at least 10% of the Council)	£5,000	£5,000
Cabinet Members	£14,000	£20,000
Mayoral Advisors	£7,000	£7,000
Chair of Overview and Scrutiny Committee	£11,000	£11,000
Chair of Scrutiny Sub-Committee (Health, Housing or Grants)	£8,000	£8,000
Lead Member for Scrutiny	£8,000	£8,000
Chair of Development Committee	£11,000	£11,000
Chair of Strategic Development Committee	£11,000	£11,000
Chair of Licensing Committee	£6,000	£6,000
Chair of General Purposes Committee	£8,000	£8,000
Chair of Audit Committee	£6,000	£6,000
Chair of Pensions Committee	£6,000	£6,000
Speaker of Council	£10,000	£10,000
Deputy Speaker of Council	£5,000	£5,000
Chief Whip (Whip of the Majority Group)	0	£11,000

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Non-Executive Report of the: Council 23 May 2018	
Report of: Asmat Hussain, Corporate Director, Governance	Classification: Unrestricted
Appointment of Political Advisors	

Originating Officer(s)	Beverley McKenzie, Head of Members' Support
Wards affected	All Ward

Executive Summary

This report concerns the appointment of Political Advisors to support the political groups represented on the Council.

Recommendations:

The Council is recommended to:

1. Consider whether to re-establish for the duration of the current administration, posts of political assistants (known as Political Advisors) to those political groups that qualify for such a post in accordance with section 9 of the Local Government and Housing Act 1989.
2. That if the Political Advisor posts are to be re-established, in order to contract the total cost of the posts within the budget, this should be on the basis of 1.0 FTE post for the Labour Group and 0.20 FTE for the Conservative Group.

1. REASONS FOR THE DECISIONS

- 1.1 The Local Government and Housing Act 1989 ('The 1989 Act') governs the appointment of political assistants (known in Tower Hamlets as 'Political Advisors') to provide assistance to political groups represented on the Council. An authority may choose to establish such posts in accordance with the framework set out in the Act. This provides that, where the members of the authority are divided into different political groups, a political group shall qualify for a political assistant if:-

- (a) the membership of that group comprises at least one-tenth of the membership of the authority; and
 - (b) and where only one group has a membership of one-tenth of the membership of the authority, then one other group which is the one with the next largest membership shall each have a political assistant.
- 1.2 Political assistants must be appointed on a fixed term contract extending no further than just beyond the next council elections; each group may only have one assistant and there must be no more than three such posts in total. Regulation 18 of the Local Government (Committees and Political Groups) Regulations 1990 (as amended) provides that 'where [an authority] ... makes an appointment to a post for the purposes of section 9 of the 1989 Act the authority shall from time to time review allocations made for the purposes of that section'.
- 1.3 The legislation prohibits the making of an appointment to any post allocated to a political group until the authority has allocated a post to each political group on the Council which qualifies for one. The appointment of political assistants must be in accordance with the wishes of the political group to whom the post has been appointed. The appointments process, however, must be conducted in accordance with the Council's procedures and statutory requirements.

2. ALTERNATIVE OPTIONS

- 2.1 The Council may choose to not allocate a political assistant to any group.

3. DETAILS OF THE REPORT

- 3.1 Tower Hamlets Council has appointed Political Advisors in accordance with the 1989 Act during successive administrations. During the 2014-18 administration, posts were allocated to the Labour Group (full-time post), Aspire Group (full-time post) and Conservative Group (half-time post). Please note that the Executive Mayor also appointed a Mayor's Assistant in accordance with the Local Authorities (Elected Mayor and Mayor's Assistant)(England) Regulations 2002.
- 3.2 The political composition of the authority following the Council elections on 3rd May 2018 is:
- | | | |
|--|---|----------------|
| Labour Group | - | 42 Councillors |
| Conservative Group | - | 2 Councillors |
| Ungrouped / People's Alliance of Tower Hamlets | - | 1 Councillor |
- 3.3 The Council is asked to consider whether posts of political assistants should be established for the 2018-2022 administration. If the Council decides to establish the positions, Political advisor posts will be allocated to the Labour and Conservative Groups.

- 3.4 The Council is further asked to determine whether the Political Advisor posts should be allocated on the basis of full-time or part-time posts. Previously the Council has allocated a full-time post to the two largest groups and a half-time post to a political group with significantly fewer councillors than other qualifying group(s). There is no legal requirement for the allocation of these resources to mirror the relative size of the groups and the allocation is not subject to a strict proportionality calculation but is at the Council's discretion.

4. EQUALITIES IMPLICATIONS

- 4.1 Not specific to this report.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.

- 5.2 Not specific to this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 The report seeks a Council decision on whether or not to re-establish, for the duration of the current administration, political advisor posts. The budget for Democratic Services includes provision that would cover the 1.2 FTE posts proposed in this report.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The legal position is set out in the body of the report.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- None

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

- None

Officer contact details for documents:

Beverley McKenzie – 0207 364 4872