

Meeting of the

OVERVIEW & SCRUTINY COMMITTEE

Tuesday, 9 April 2013 at 7.00 p.m.

2ND SUPPLEMENTAL AGENDA

VENUE

Room C1, 1st Floor, Town Hall, Mulberry Place, 5
Clove Crescent, London, E14 2BG

Members:	Deputies (if any):
<p>Chair: Councillor Ann Jackson Vice-Chair: Councillor Rachael Saunders, Scrutiny Lead, Adult, Health & Wellbeing</p>	<p>Councillor Khales Uddin Ahmed, (Designated Deputy representing Councillors Ann Jackson, Rachael Saunders, Sirajul Islam, Amy Whitelock and Helal Uddin)</p>
<p>Councillor Tim Archer, Scrutiny Lead, Chief Executive's Councillor Stephanie Eaton, Scrutiny Lead, Communities, Localities and Culture</p>	<p>Councillor Marc Francis, (Designated Deputy representing Councillors Ann Jackson, Rachael Saunders, Sirajul Islam, Amy Whitelock and Helal Uddin)</p>
<p>Councillor Sirajul Islam, Scrutiny Lead, Development & Renewal</p>	<p>Councillor Peter Golds, (Designated Deputy representing Councillor Tim Archer)</p>
<p>Councillor Fozol Miah</p>	<p>Councillor Harun Miah, (Designated Deputy representing Councillor Fozol Miah)</p>
<p>Councillor Amy Whitelock, Scrutiny Lead, Children, Schools & Families</p>	<p>Councillor David Snowdon, (Designated Deputy representing Councillor Tim Archer)</p>
<p>Councillor Helal Uddin, Scrutiny Lead, Resources</p>	<p>Councillor Motin Uz-Zaman, (Designated Deputy representing Councillors Ann Jackson, Rachael Saunders, Sirajul Islam, Amy Whitelock and Helal Uddin)</p>
<p>1 Vacancy</p>	
<p>[Note: The quorum for this body is 3 voting Members].</p>	

Co-opted Members:

Memory Kampiyawo	- (Parent Governor Representative)
Nozrul Mustafa	- (Parent Governor Representative)
Rev James Olanipekun	- (Parent Governor Representative)
Mr Mushfique Uddin	- (Muslim Community Representative)
Dr Phillip Rice	- (Church of England Diocese Representative)
1 Vacancy	- (Roman Catholic Diocese of Westminster Representative)

Committee Services Contact:

Angus Taylor, Democratic Services,

Tel: 020 7364 4333 E-mail: angus.taylor@towerhamlets.gov.uk

Public Information

Attendance at meetings.

The public are welcome to attend meetings of the Committee. However seating is limited and offered on a first come first served basis.

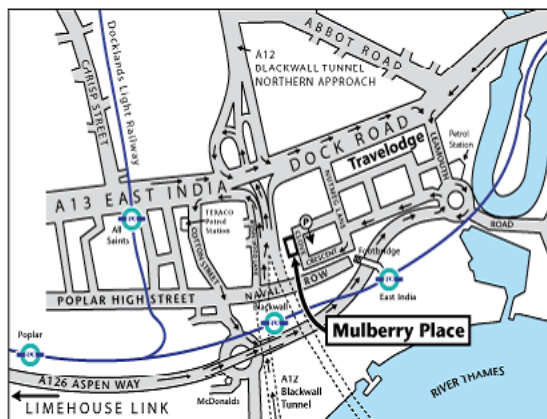
Audio/Visual recording of meetings.

No photography or recording without advanced permission.

Mobile telephones

Please switch your mobile telephone on to silent mode whilst in the meeting.

Access information for the Town Hall, Mulberry Place.



Bus: Routes: 15, 277, 108, D6, D7, D8 all stop near the Town Hall.

Distinct Light Railway: Nearest stations are East India: Head across the bridge and then through complex to the Town Hall, Mulberry Place Blackwall station. Across the bus station then turn right to the back of the Town Hall complex, through the gates and archway to the Town Hall.

Tube: The closet tube stations are Canning Town and Canary Wharf

Car Parking: There is limited visitor pay and display parking at the Town Hall (free from 6pm)

If you are viewing this on line:(http://www.towerhamlets.gov.uk/content_pages/contact_us.aspx)

Meeting access/special requirements.

The Town Hall is accessible to people with special needs. There are accessible toilets, lifts to venues. Disabled parking bays and an induction loop system for people with hearing difficulties are available. Documents can be made available in large print, Brail or audio version. For further information, contact the Officers shown on the front of the agenda



Fire alarm

If the fire alarm sounds please leave the building immediately by the nearest available fire exit without deviating to collect belongings. Fire wardens will direct you to the exits and to the fire assembly point. If you are unable to use the stairs, a member of staff will direct you to a safe area. The meeting will reconvene if it is safe to do so, otherwise it will stand adjourned.

Electronic agendas reports and minutes.

Copies of agendas, reports and minutes for council meetings can also be found on our website from day of publication.

To access this, click www.towerhamlets.gov.uk, 'Council and Democracy' (left hand column of page), 'Council Minutes Agenda and Reports' then choose committee and then relevant meeting date.

Agendas are available at the Town Hall, Libraries, Idea Centres and One Stop Shops and on the Mod.Gov, iPad and Android apps.



QR code for smart phone users.

LONDON BOROUGH OF TOWER HAMLETS
OVERVIEW & SCRUTINY COMMITTEE

Tuesday, 9 April 2013

7.00 p.m.

5. UNRESTRICTED REPORTS 'CALLED IN'

No decisions of the Mayor in Cabinet (13th March 2013) in respect of unrestricted reports on the agenda were 'called in'.

To adjudicate on the following two Mayoral Executive Decisions published on 26th March 2013 and called-in on 5th April 2013.

5 .1 Budget Implementation 2013/14 (No 1) (Pages 1 - 16)

5 .2 Budget Implementation (No 2) 2013/14 (Pages 17 - 32)

Agenda Item 5.1

Committee: OVERVIEW AND SCRUTINY	Date: 9th April 2013	Classification: Unrestricted	Report No.	Agenda Item No. 5.1
Report of: Service Head, Democratic Services Originating Officer(s): Angus Taylor, Principal Committee Officer, Democratic Services		Title: Mayoral Executive Decision Call- in: Decision Log No: 021 - Budget Implementation 2013/14 (virements to fund East End Life) Wards: All		

1. SUMMARY

- 1.1 The attached report entitled "Report in response to Mayor's request for Advice" was considered by the Mayor on Friday 22 March 2013 (Mayoral Executive Decision published on Tuesday 26 March 2013) and has been "Called-In" by Councillors Joshua Peck, Carlo Gibbs, Khales Ahmed, Shiria Khatun, MA Mukit, Bill Turner and John Pierce. This is in accordance with the provisions of Part Four Sections 16 and 17 of the Council's Constitution.

2. RECOMMENDATION

- 2.1 That the OSC consider the contents of the attached report, review the Mayor's provisional decisions arising; and
- 2.2 Decide whether to accept them or refer the matter back to the Mayor with proposals, together with reasons.

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

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

Brief description of "background paper"

Mayoral Decision (No 21) – 26 March 2013

Name and telephone number of holder
and address where open to inspection

**Angus Taylor
0207 364 4333**

3. BACKGROUND

- 3.1** The request (dated Friday 5th April 2013) to “call-in” the Mayor’s decision dated Tuesday 26 March 2013 was submitted under Overview and Scrutiny (OSC) Procedure Rules Sections 16 and 17. It was considered by the nominee of the Assistant Chief Executive, Legal Services who has responsibility under the constitution for calling in Mayoral decisions in accordance with agreed criteria. The “call-in” request fulfilled the required criteria and the decision is referred to OSC in order to consider whether or not to refer the item back to the Mayor for further consideration. Implementation of the Mayoral decision is suspended whilst the “call-in” is considered.

4. THE MAYOR’S PROVISIONAL DECISION

- 4.1** The Mayor after considering the report attached, at Appendix 1, provisionally decided:-

DECISION

I have considered the above information and advice on the amendments to my budget proposal on East End Life and the powers of virement under the Council’s Constitution.

I have decided to vire £ 443k from general reserves which have not been allocated for any particular purpose to the Chief Executive’s budget heading in order to ensure sufficient resources are available to continue East End Life whilst I consider all options for the service and implications of ceasing production. I have done this as I do not believe the proposals adopted in the budget were properly evaluated and the timescales for alternative sourcing taken into account.

I have considered whether or not this is a Key Decision under Article 13 of the Constitution. In making this decision I do not consider virement of £443 k is significant when looking at the budget for the Communications Service and moneys spent on advertising across the Council

I also do not consider the virement to be significant in terms of its effect on communities in two or more Wards of the borough. I accept that the decision may be of public and/or political interest but that interest does not make the effect of my decision significant in itself.

It will not incur a significant risk socially, economically or environmentally and indeed, will act to mitigate such risks. The impact of the decision to vire the money will not be significant inside or outside the borough.

In light of the above, I am content that the decision to vire £443 k is a non key decision and I require officers to put this into effect.

I also require officers to conduct the review detailed at paragraph 3.2 in the report to fully inform any decisions on the future of East End Life .

4.2 Reasons for Decisions

These were detailed in section 2 &3 of the report.

4.3 Alternative Options Considered

These were detailed in section 3 of the report.

5. REASONS / ALTERNATIVE COURSE OF ACTION PROPOSED FOR THE 'CALL IN'

5.1 The Call-in requisition signed by the seven Councillors listed gives the following reason for the Call-in:

Given the significant impact that this decision will have on both residents and the constitutional framework of the Council as well as the wide ranging public interest in this decision we ask that it be reviewed by the O&S Committee.

It is our view that this decision not only results in an additional £433,000 of Council funds being allocated from reserves but also serves to bring the Council's governance further into disrepute by actively pursuing policies designed to specifically counteract the legitimate decision of full Council when setting the budget.

5.2 The requisition also asked the Committee to consider a number of specific issues:

- That the Council passed by a two-thirds majority an amended budget which resolved:
 - *To delete funding of £1.214m from the budget used to fund East End Life, delivering a saving of £433k by:*
 - o *Reducing funding available for public notices from £267,000 to £100,000, sufficient to support the provision of statutory advertising in local newspapers, tendering a long term contract in order to secure the best rates;*
 - o *Reducing the funding of £176,000 for the advertising of choice based lettings to £50,000, sufficient to fund a provision that can be made available on a weekly basis in each housing office, leisure centre and one-stop shop in the borough, as well as online, to be managed by the lettings team;*

- o *To cut departmental budgets by £143,000, to reduce their general advertising spend allocated in previous years to East End Life;*
- *To place a general restriction on the council that all virements outside of the agreed budget framework above £200,000 must be agreed by full council. (officers advised that this would not be dealt with as it was a constitutional amendment and must be agreed at an ordinary Council meeting not a Budget one)*

In making this executive decision the Mayor is attempting to use virements to directly undo the amendment put in place by Council to remove the £433,000 budget for East End Life from the Budget. Given that Budget setting is a Council function this attempt to circumvent the Constitution should not be allowed, especially in light of the fact that Council has twice before tried to change the limit on virements to prevent this form of abuse – both at the 2013 Budget meeting, which was prevented by a technicality, and previously in January 2012, a decision which was ignored by officers and the Mayor. Given these attempts and the failure of action we recommend that the Committee press for the Mayor to suspend this virement until Council has the opportunity to express its view on the virement limit, and that this decision should then be taken to comply with that decision.

- In taking this decision the Mayor decided not to classify this as a ‘key decision’. We were previously advised that this would indeed have to be a key decision and therefore would be subject to the 28 day notice period required for these types of decision – therefore allowing Council the time to ratify its proposed changes to the virement rules at its April 17th meeting. The criteria for deciding whether or not something is a key decision is set out in the constitution:

A “key decision” is an executive decision which is likely:

- a) *to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority’s budget for the service or function to which the decision relates; or*
- b) *to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the borough.*

(ii) A decision taker, when making a decision may only make a key decision in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of the Constitution.

(iii) The Council has not adopted a financial threshold for key decisions but these are subject to financial regulations. However, the criteria that Councillors and officers will have regard to in determining what amounts to a key decisions include the following:

- *Whether the decision may incur a significant social, economic or environmental risk.*
- *The likely extent of the impact of the decision both within and outside of the borough.*
- *Whether the decision is likely to be a matter of political controversy.*
- *The extent to which the decision is likely to result in substantial public interest.*

It is our strong view that this decision is indeed a key decision as it will result in nearly half a million pounds being allocated from general reserves against a backdrop of a budget blackhole in forthcoming years of over £50m. Furthermore we believe the decision to reissue this funding will have a significant impact across the borough, especially given that the East End Life publication is delivered widely to residents.

We do not believe that the Mayor has taken due regard of the necessary criteria as this is most definitely an issue of great political controversy and is likely to result in substantial public interest. We also believe that in not taking account of the necessary factors and by deeming this to be a non-key decision, the Mayor has opened the Council up to legal challenge.

- The Constitution also states that if the Overview and Scrutiny Committee is of the opinion that a Mayoral Decision “is contrary to the policy framework, or contrary to or not wholly in accordance with the budget approved by the Council, then that decision may only be taken by the Council.”

- It is our view that this decision explicitly goes against and indeed actively seeks to undermine the Budget framework agreed by Council on the 7th March 2013. The Constitution goes on to state:

7.2 In respect of functions which are the responsibility of the Mayor or the Executive, the report of the Monitoring Officer and/or Chief Finance Officer shall be to the Mayor and Executive with a copy to every Member of the Council. Regardless of whether the decision is delegated or not, the Executive must meet within 21 days of receiving the report to decide what action to take in respect of the Monitoring Officer’s or Chief Finance Officer’s report and to prepare a report to Council in the event that the Monitoring Officer or the Chief Finance Officer conclude that the decision was a departure, and to the Overview and Scrutiny Committee if the Monitoring Officer or the Chief Finance Officer conclude that the decision was not a departure.

7.3 If the decision has yet to be made, or has been made but not yet implemented, and the advice from the Monitoring Officer and/or the Chief Finance Officer is that the decision is or would be contrary to the policy framework or contrary to or not wholly in accordance with the

budget, the Overview and Scrutiny Committee may refer the matter to Council. In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within 21 days of the request from the Overview and Scrutiny Committee (or within 28 days if a meeting of the Council is scheduled within that period). At the meeting the Council will receive a report of the decision or proposals and the advice of the Monitoring Officer and/or the Chief Finance Officer.

7.4 The Council may either:

7.4.1 endorse a decision or proposal of the decision taker as falling within the existing budget and policy framework. In this case no further action is required, save that the decision of the Council be minuted and circulated to all Councillors in the normal way; or

7.4.2 amend the budget, financial rule or policy concerned to encompass the decision or proposal of the body or individual responsible for that function and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted and circulated to all Councillors in the normal way; or

7.4.3 where the Council accepts that the decision or proposal is contrary to the policy framework or contrary to or not wholly in accordance with the budget, and does not amend the existing framework to accommodate it, require the Mayor or Executive to reconsider the matter in accordance with the advice of the Monitoring Officer and/or the Chief Finance Officer.

7.5 If the Council does not meet, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier providing that the Monitoring Officer and/or the Chief Finance Officer is/are satisfied that the decision is within the budget and policy framework or falls within Rules 6.1.1 – 6.1.4.

- We ask that the Overview and Scrutiny Committee forms a judgement as to whether they agree that the Mayor has broken the Council's agreed Budget policy framework and if so require officers to draw up a report as mandated by the Constitution.

- The Budget policy framework is one of the few powers reserved to Council. Riding roughshod over the Constitution and pressuring officers to find questionable workarounds not only demeans the office of the Mayor but illustrates the Mayor's utter contempt for the democratic process. This decision is both potentially unlawful and a dereliction of the Mayor's duty to operate in the public interest and within the bounds of the budgetary framework set by Council.

- There are extraordinary circumstances in which the Mayor would be forgiven for taking action such as we see here, for example in the case of emergencies or to ensure essential service delivery. For the Mayor to take these steps in order to fund an overtly political communications asset shows the misguided priorities the Mayor is pursuing at the public's expense.

5.3 Alternative action proposed:

That the Mayor does not vire this £433,000 and works within the Budget set by Council.

5.4 Action proposed for the Committee:

That the OSC makes a judgement as to whether or not this was a key decision and takes appropriate action.

That the OSC makes a judgement as to whether or not this decision would be within the Council's Budget and Policy Framework and takes appropriate action.

6. CONSIDERATION OF THE "CALL IN"

6.1 Having met the call-in request criteria, the matter is referred to the OSC in order to determine the "call-in" and decide whether or not to refer the item back to the Mayor.

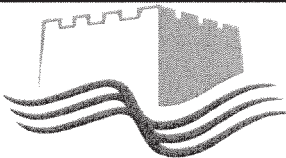
6.2 The following procedure is to be followed for consideration of the "Call In":

- (a) Presentation of the "Call In" by one of the "Call In" Members followed by questions from members of OSC.
- (b) Response from the Lead Member/officers followed by questions from members of OSC.
- (c) General debate followed by OSC decision.

N.B. – In accordance with the Overview and Scrutiny Committee Protocols and Guidance adopted by the Committee at its meeting on 5 June, 2007, any Member(s) who presents the "Call In" is not eligible to participate in the general debate.

6.3 It is open to the OSC to either resolve to take no action which would have the effect of endorsing the original Mayoral decision(s), or the OSC could refer the matter back to the Mayor for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

This page is intentionally left blank

Individual Mayoral Decision Proforma Decision Log No: 0021	 TOWER HAMLETS
Report in response to Mayor's Request for Advice	Classification: Unrestricted
Title: Budget Implementation 2013/14	

Is this a Key Decision?	No
Decision Notice Publication Date:	N/A
General Exception or Urgency Notice published?	Not required
Restrictions:	N/A

EXECUTIVE SUMMARY

1. Request for Advice

1.1 The Mayor requested that officers provide advice on the implications of the budget decision passed by the Council on Thursday 7th March 2013.

1.2 The Mayor asked that this advice should cover the validity of the resolution adopted, any action he is required to take in response and his options in relation to the implementation of the Council's decision without interfering with the discharge of his own executive duties and responsibilities.

1.3 He was particularly concerned that the decision as it relates to the publication of East End Life is unclear in some aspects and that it may not be capable of full implementation, the Mayor has cited the example of the costs that would arise from closing East End Life and the delay resulting from the statutory procedures that would need to be followed to make staff redundant, undertake procurement etc.

1.4 The Mayor is mindful of the officer advice to the Council that a detailed review is required to identify the financial and equalities impact of the proposals and that there is 'a significant risk of unwanted outcomes such as higher costs and loss of engagement with residents' for the Council. Legal advice was also provided that the Council 'cannot cap statutory adverts as they are a legal requirement', and that any advertising placed externally would require a formal procurement to be undertaken.

1.5 He is therefore concerned that the Council's decision could put the authority at risk of challenge, for example by failing to meet our statutory duties or because no EqIA has yet been carried out in relation to the proposals.

2. Background Information

2.1 This decision paper deals with the implications arising from the budget decisions relating to the funding of East End Life.

2.2 The decision of Budget Council on 7th March, with regard to East End Life was:

To delete funding of £1.214m from the budget used to fund East End Life, delivering a saving of £433k by:

- o Reducing funding available for public notices from £267,000 to £100,000, sufficient to support the provision of statutory advertising in local newspapers, tendering a long term contract in order to secure the best rates;
- o Reducing the funding of £176,000 for the advertising of choice based lettings to £50,000, sufficient to fund a provision that can be made available on a weekly basis in each housing office, leisure centre and one-stop shop in the borough, as well as online, to be managed by the lettings team;
- o To cut departmental budgets by £143,000, to reduce their general advertising spend allocated in previous years to East End Life;

2.3 In effect the decision was to:

- reduce the budget for public notices by £167k,
- reduce the budget for choice based letting by £126k and
- reduce other departmental budgets (general advertising) by £143k.

2.4 To effect the decision, those Directorates that pay for public notices, choice based lettings notifications and general advertising will have their budgets reduced accordingly.

2.5 It is important to stress that although gross cost of producing East End Life equates to £1.2m it forms part of the wider Communications Budget within Chief Executives. In taking an Executive Decision, due regard will need to be taken of Council's intent.

3. Options

3.1. Implement Decision Now

The Mayor could implement the Council decision taken on 7th March 2013 but there are a number of issues arising from that decision

3.1.1 It is not clear on what basis the statutory advertising can be reduced to a £100,000 spend and the legal advice on this proposal was that this could

not be restricted. In order to source another provider the Council would need to conduct a procurement exercise.

3.1.2 The reduction of the budget for advertising on Housing Choice has not been subject to an equalities impact assessment and again may need to be subject to a procurement to source another provider who could conduct it for the reduced budget. The proposal considered at full Council proposed a methodology for advertising Housing Choice requires further analysis.

3.1.3 The effect of the reduction in budget would lead to staff reduction and so would be subject to the Council's organisational change policies and procedures. This will require proposals to be consulted upon with the Council's Trade Unions and staff.

3.1.4 £200,000 was provided for to implement these decisions.

3.2 Conduct a Further Review

3.2.1 The Mayor could conduct a further review into East End Life. A review was undertaken in 2011. That review concluded that closure of the publication could cost between £600k and £2.1million, following an analysis of advertising costs with alternative newspapers. The then Chief Financial Officer commented that "strong reliance can be placed on the conclusion that comparative costs would be likely to be greater if other outlets were used. Those assumptions may now need to be revisited.

3.2.2 A further review of East End Life could consider the following:

- Options appraisal
- EQIA on the options available and the consequences of any recommended action
- Financial and contractual implications, particularly with regards to printing and distribution particularly as the Council is part way through a joint procurement with other London Boroughs
- Consultation with staff/ unions given that this decision could lead to the deletion of 12 FTE posts including a high proportion of women and BME staff
- The costs involved in the deletion of these posts need to be taken into account
- Alternative procurement arrangements for statutory public notices and other advertising
- Assess the viability of the alternative method proposed in Council for dealing with Housing Choice Based Lettings by making them internet only or reducing their distribution to a limited number of Council buildings
- The need to communicate with the maximum number of residents at a reasonable cost
- The impact of removing a method of communication that is delivered to over 80,000 residents' homes and is free of charge to them particularly elderly and disabled residents and those who work unsocial hours

- The cost of fulfilling the Council's duty to promote social cohesion as well as promote services and consultations if an alternative method of communication is to be sourced

3.2.3 Organisational review and reprocurement could take between 9 and 12 months on the basis that the total package for the Council's advertising will exceed £250,000 and so will need to be considered following the Tollgate Procedure and seek Cabinet approval in the Contracts Forward Plan. The process for conducting a procurement exercise of this type is detailed in the Council's Procurement Procedures

3.3 Virement

3.3.1 The Mayor could decided to vire £433,000 from unallocated reserves in order to maintain the service of East End Life pending the outcome of the review described at 3.2 above . This would allow the issues raised at 3.1 above to be addressed and the risks and costs to the Council to be assessed. The allocation of £433k from unallocated resources would have the benefit of securing budget provision for East End Life for the period of time required to undertake the review referred to in 3.2,, to consider what action should be taken and to fund the period until the action can take effect . There are processes that need to be followed to mitigate the risks for the Council of implementing any decision made by full Council.

4. Comments of the Section 151 Officer

4.1 The Executive Mayor has power to vire from one budget head to another up to a maximum of £1million and so long as that is within the parameters of the Council's Budget and Policy framework. That means so long as the virement does not lead to a budget overspend. There are currently sufficient monies unallocated in the Council's General Reserves to cover a one-off allocation required to address one of the options set out in paragraph 3 above.

4.2 The CIPFA definition of virement is "the transfer of an under- spend on one budget head to finance additional spending on another budget head, in accordance with an Authority's Financial Regulations".

5. Concurrent report of the Assistant Chief Executive (Legal Services)

5.1 If the Executive Mayor chooses Option 1 provision was made in the budget decision to allow £200,000 to be used to implement the decision but the three issues at 3.1 above will need to be dealt with and there has been no assessment of the cost, which could exceed £200,000.

5.2 If the Executive Mayor chooses Option 3 (with or without Option 2) in making any decision to vire moneys he needs to consider whether or not this decision to vire is a key decision. The effect of this is that a non key decision

does not need to appear on the Forward Plan whereas the opposite is true for a key decision. Both Key and Non Key decisions can be called in by Overview & Scrutiny and cannot be implemented until they have been scrutinised, the comments from Overview & Scrutiny taken into account and the decision is re-taken.

5.3 The Council's Constitution states (in Article 13) that a key decision is an executive decision which is likely to:

- a) to result in the local authority incurring expenditure which is, or the making of savings, which are, significant having regard to the local authority's budget for the service or function to which the decision relates: or
- b) to be significant in terms of its effects on community living or working in an area comprising two or more Wards in the borough.

This is the same definition as is in the Local Authorities (Executive Arrangements) Meetings and Access to Information Regulations 2012 (SI 2012/2089)

5.4 No financial threshold has been adopted by the Council for a key decision but Article 13 does state that the Mayor, Councillors and officers will have regard to the following when determining what amounts to a key decision:

- the likely extent of the impact of the decision both within and outside of the borough;
- whether the decision is likely to be a matter of political controversy;
- the extent to which the decision is likely to result in substantial public interest.

It is for the Mayor to decide if this is key decision.

5.5 In looking at limb (a) of Article 13 the £433k represents 10.8% of the total of £2.7 mill which is the gross budget for Communications (as per the budget book) and the Council's spend on publicity of £1.4 giving a total cost of Communications and Publicity including the production of East End Life as £4.1m

5.6 Counsel's advice is that viewing it as a percentage of the Communications and Advertising budget for the Directorate is advised rather than viewing it as a percentage of the Chief Executive's Directorate as that deals with a number of functions and East End Life is only one of those.

5.7 In making his judgment as to whether or not the decision to vire the money is a key decision under limb (a) the Executive Mayor needs to consider if objectively that virement would have a significant effect on the budget for the service or function i.e Communications and Advertising.

5.8 In looking at limb (b) the question that needs to be answered is again would the virement have a significant effect on the communities living or working in 2 or more Wards in the borough.

5.9 The Executive Mayor also needs to have regard to the additional factors stated in the Constitution in Article 13 and decide if they have a significant effect. Simply because something will, for example, attract public interest or political controversy, does not necessarily mean this has significant effect on the decision to vire the money.

5.10 Any decision taken by a public body is open to a judicial review challenge and it is therefore important that the Executive Mayor has taken account of all the relevant factors in making his decision and can demonstrate this.

6. Implications for One Tower Hamlets;

6.1 There will be equalities issues if publication on East End Life were to be restricted or to cease and the Council would need to assess how to replace communication with protected groups who receive information via East End Life . The 2011 survey showed that proportionately more Bengali and elder white residents read East End Life. To date no equalities impact assessment has been undertaken on the effect of ceasing or restricting publication and what alternatives methods could be used to inform residents of Council proposals.

7. Risk Assessment;

The risks are detailed at paragraph 3.1 above

8. Background Documents;

The Council's Constitution

DECISION

I have considered the above information and advice on the amendments to my budget proposal on East End Life and the powers of virement under the Council's Constitution.

I have decided to vire £ 443k from general reserves which have not been allocated for any particular purpose to the Chief Executive's budget heading in order to ensure sufficient resources are available to continue East End Life whilst I consider all options for the service and implications of ceasing production. I have done this as I do not believe the proposals adopted in the budget were properly evaluated and the timescales for alternative sourcing taken into account.

I have considered whether or not this is a Key Decision under Article 13 of the Constitution. In making this decision I do not consider virement of £443 k is significant when looking at the budget for the Communications Service and moneys spent on advertising across the Council

I also do not consider the virement to be significant in terms of its effect on communities in two or more Wards of the borough. I accept that the decision may be of public and/or political interest but that interest does not make the effect of my decision significant in itself.


It will not incur a significant risk socially, economically or environmentally and indeed, will act to mitigate such risks. The impact of the decision to vire the money will not be significant inside or outside the borough.

In light of the above, I am content that the decision to vire £443 k is a non key decision and I require officers to put this into effect.

I also require officers to conduct the review detailed at paragraph 3.2 in the report to fully inform any decisions on the future of East End Life .

APPROVALS

Mayor Lutfur Rahman – Executive Mayor of Tower Hamlets

Signed:  Date: 22 / 3 / 13

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.

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 *C. H.* Date *22/3/13*

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 *J. Bell* Date *22/3/13*~~

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 ~~*[Signature]*~~ Date *22/3/13*

5. Mayor

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

Signed *[Signature]* Date *22/3/13*

Agenda Item 5.2

Committee: OVERVIEW AND SCRUTINY	Date: 9 th April 2013	Classification: Unrestricted	Report No.	Agenda Item No. 5.2
Report of: Service Head, Democratic Services		Title: Mayoral Executive Decision Call- in:		
Originating Officer(s): Angus Taylor, Principal Committee Officer, Democratic Services		Decision Log No: 022 - Budget Implementation 2013/14 (Virements to Allocate £296,000 for Mayoral Advisors)		
		Wards: All		

1. SUMMARY

- 1.1 The attached report titled 'Report in Response to Mayor's Request for Advice' was considered by the Mayor on Monday 25 March 2013 and has been "Called-In" by Councillors Joshua Peck, Carlo Gibbs, Khaled Ahmed, Shiria Khatun, M. A. Mukit, Bill Turner and John Pierce. This is in accordance with the provisions of Part Four Sections 16 and 17 of the Council's Constitution.

2. RECOMMENDATION

- 2.1 That the OSC consider the contents of the attached report, review the Mayor's provisional decisions arising and
- 2.2 Decide whether to accept them or refer the matter back to the Mayor with proposals, together with reasons.

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

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

Brief description of "background paper"

Mayoral Decision (No 22) – 26 March 2013

Name and telephone number of holder
and address where open to inspection

**Angus Taylor
0207 3644333**

3. BACKGROUND

- 3.1** The request dated 5th April 2013 to call-in the Mayor's decision dated 26 March 2013 was submitted under Overview and Scrutiny (OSC) Procedure Rules Sections 16 and 17. It was considered by the nominee of the Assistant Chief Executive, Legal Services who has responsibility under the constitution for calling in Mayoral decisions in accordance with agreed criteria. The call-in request fulfilled the required criteria and the decision is referred to OSC in order to consider whether or not to refer the item back to the Mayor for further consideration. Implementation of the Mayoral decision is suspended whilst the call-in is considered.

4. THE MAYOR'S PROVISIONAL DECISION

- 4.1** The Mayor after considering the report attached, at Appendix 1, provisionally decided:-

I have considered the above information and advice on the amendments to my budget proposal by reducing the budget of the Mayor's Office and the powers of virement under the Council's Constitution.

I have decided to vire £ 296k from general reserves which have not been allocated for any particular purpose to the Democratic Services budget heading in order to ensure sufficient resources are available to continue the current arrangements in the Mayor's Office whilst I consider all options for the service and implications of reducing the expenditure . I have done this as I do not believe the proposals adopted in the budget were properly evaluated and the timescales for alternative sourcing taken into account.

I have considered whether or not this is a Key Decision under Article 13 of the Constitution. In making this decision I do not consider virement of £296 k is significant when looking at the budget for the Democratic Services

I also do not consider the virement to be significant in terms of its effect on communities in two or more Wards of the borough. I accept that the decision may be of public and/or political interest but that interest does not make the effect of my decision significant in itself.

It will not incur a significant risk socially, economically or environmentally and indeed, will act to mitigate such risks. The impact of the decision to vire the money will not be significant inside or outside the borough.

In light of the above, I am content that the decision to vire £296k is a non-key decision and I require officers to put this into effect.

I also require officers to conduct the review detailed at paragraph 3.2 in the report to fully inform any decisions on the future of the support to the Executive Mayor.

4.2 Reasons for Decisions

These were detailed in sections 2.3 and 2.4 of the report.

4.3 Alternative Options Considered

These were detailed in section 3 of the report.

5. REASONS / ALTERNATIVE COURSE OF ACTION PROPOSED FOR THE 'CALL IN'

5.1 The Call-in requisition signed by the seven Councillors listed gives the following reason for the Call-in:

Given the significant impact that this decision will have on both residents and the constitutional framework of the Council as well as the wide ranging public interest in this decision we ask that it be reviewed by the O&S Committee.

It is our view that this decision not only results in an additional £296,000 of Council funds being allocated from reserves but also serves to bring the Council's governance further into disrepute by actively pursuing policies designed to specifically counteract the legitimate decision of full Council when setting the budget.

It is particularly worrying that the Mayor writes in his report that he was "particularly concerned that the decision regarding funding of his Mayoral Office would leave him with insufficient support to carry out his role as elected Mayor" even though neighbouring Mayoral authorities in Hackney and Newham operate with no budgets for advisors and instead rely on their Cabinet members.

5.2 The requisition also asked the Committee to consider a number of specific issues:

"- That the Council passed by a two-thirds majority an amended budget which resolved:

- *To delete the funding of £296k for Mayor's Advisors;*
- *To place a general restriction on the council that all virements outside of the agreed budget framework above £200,000 must be agreed by full council. (officers advised that this would not be dealt with as it was a constitutional amendment and must be agreed at an ordinary Council meeting not a Budget one)*

In making this executive decision the Mayor is attempting to use virements to directly undo the amendment put in place by Council to remove the £296,000 budget for unnecessary Mayoral advisors from the Budget. Given that Budget setting is a Council function this attempt to circumvent the Constitution should

not be allowed, especially in light of the fact that Council has twice before tried to change the limit on virements to prevent this form of abuse – both at the 2013 Budget meeting, which was prevented by a technicality, and previously in January 2012, a decision which was ignored by officers and the Mayor. Given these attempts and the failure of action we recommend that the Committee press for the Mayor to suspend this virement until Council has the opportunity to express its view on the virement limit, and that this decision should then be taken to comply with that decision.

- In taking this decision the Mayor decided not to classify this as a 'key decision'. We were previously advised that this would indeed have to be a key decision and therefore would be subject to the 28 day notice period required for these types of decision – therefore allowing Council the time to ratify its proposed changes to the virement rules at its April 17th meeting. The criteria for deciding whether or not something is a key decision is set out in the constitution:

A “key decision” is an executive decision which is likely:

- a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority’s budget for the service or function to which the decision relates; or*
- b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the borough.*

(ii) A decision taker, when making a decision may only make a key decision in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of the Constitution.

(iii) The Council has not adopted a financial threshold for key decisions but these are subject to financial regulations. However, the criteria that Councillors and officers will have regard to in determining what amounts to a key decisions include the following:

- Whether the decision may incur a significant social, economic or environmental risk.*
- The likely extent of the impact of the decision both within and outside of the borough.*
- Whether the decision is likely to be a matter of political controversy.*
- The extent to which the decision is likely to result in substantial public interest.*

It is our strong view that this decision is indeed a key decision as it will result in over a quarter of a million pounds being allocated from general reserves against a backdrop of a budget black-hole in forthcoming years of over £50m. Within the context of the Mayor’s office budget, adding the proposed

£296,000 to the Mayor's office would increase the budget by 73%, this should surely be seen as a significant increase for the Mayor's office budget and therefore subject to the key decision criteria.

Furthermore we believe the decision to reissue this funding will have a significant impact across the borough given the significant financial constraints which will be faced in forthcoming years. Wasting £296,000 on partisan political advisors when it could be used to protect frontline services will have a great impact on residents.

We do not believe that the Mayor has taken due regard of the necessary criteria as this is most definitely an issue of great political controversy and is likely to result in substantial public interest. We also believe that in not taking account of the necessary factors and by deeming this to be a non-key decision, the Mayor has opened the Council up to legal challenge.

- The Constitution also states that if the Overview and Scrutiny Committee is of the opinion that a Mayoral Decision "is contrary to the policy framework, or contrary to or not wholly in accordance with the budget approved by the Council, then that decision may only be taken by the Council."

- It is our view that this decision explicitly goes against and indeed actively seeks to undermine the Budget framework agreed by Council on the 7th March 2013. The Constitution goes on to state:

7.2 In respect of functions which are the responsibility of the Mayor or the Executive, the report of the Monitoring Officer and/or Chief Finance Officer shall be to the Mayor and Executive with a copy to every Member of the Council. Regardless of whether the decision is delegated or not, the Executive must meet within 21 days of receiving the report to decide what action to take in respect of the Monitoring Officer's or Chief Finance Officer's report and to prepare a report to Council in the event that the Monitoring Officer or the Chief Finance Officer conclude that the decision was a departure, and to the Overview and Scrutiny Committee if the Monitoring Officer or the Chief Finance Officer conclude that the decision was not a departure.

7.3 If the decision has yet to be made, or has been made but not yet implemented, and the advice from the Monitoring Officer and/or the Chief Finance Officer is that the decision is or would be contrary to the policy framework or contrary to or not wholly in accordance with the budget, the Overview and Scrutiny Committee may refer the matter to Council. In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within 21 days of the request from the Overview and Scrutiny Committee (or within 28 days if a meeting of the Council is scheduled within that period). At the meeting the Council will receive a report of the decision or proposals and the advice of the Monitoring Officer and/or the Chief Finance Officer.

7.4 The Council may either:

7.4.1 endorse a decision or proposal of the decision taker as falling within the existing budget and policy framework. In this case no further action is required, save that the decision of the Council be minuted and circulated to all Councillors in the normal way; or

7.4.2 amend the budget, financial rule or policy concerned to encompass the decision or proposal of the body or individual responsible for that function and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted and circulated to all Councillors in the normal way; or

7.4.3 where the Council accepts that the decision or proposal is contrary to the policy framework or contrary to or not wholly in accordance with the budget, and does not amend the existing framework to accommodate it, require the Mayor or Executive to reconsider the matter in accordance with the advice of the Monitoring Officer and/or the Chief Finance Officer.

7.5 If the Council does not meet, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier providing that the Monitoring Officer and/or the Chief Finance Officer is/are satisfied that the decision is within the budget and policy framework or falls within Rules 6.1.1 – 6.1.4.

- We ask that the Overview and Scrutiny Committee forms a judgement as to whether they agree that the Mayor has broken the Council's agreed Budget policy framework and if so require officers to draw up a report as mandated by the Constitution.

- The Budget policy framework is one of the few powers reserved to Council. Riding roughshod over the Constitution and pressuring officers to find questionable workarounds not only demeans the office of the Mayor but illustrates the Mayor's utter contempt for the democratic process. This decision is both potentially unlawful and a dereliction of the Mayor's duty to operate in the public interest and within the bounds of the budgetary framework set by Council.

- There are extraordinary circumstances in which the Mayor would be forgiven for taking action such as we see here, for example in the case of emergencies or to ensure essential service delivery. For the Mayor to take these steps in order to fund an over-inflated personal political office which other similar boroughs do without shows the misguided priorities the Mayor is pursuing at the public's expense. To argue that it is necessary in order to carry out his role, as elected Mayor, has absolutely no basis."

5.3 Alternative action proposed:

- That the Mayor does not vire this £296,000 and works within the Budget set by Council.

5.4 Action proposed for the Committee:

- That the Committee makes a judgement as to whether or not this was a key decision and takes appropriate action.
- That the Committee makes a judgement as to whether or not this decision would be within the Council's Budget and Policy Framework and takes appropriate action.

6. CONSIDERATION OF THE "CALL IN"

6.1 Having met the call-in request criteria, the matter is referred to OSC in order to determine the call-in and decide whether or not to refer the item back to the Mayor.


6.2 The following procedure is to be followed for consideration of the "Call In":

- (a) Presentation of the "Call In" by one of the "Call In" Members followed by questions from OSC Members.
- (b) Response from the Lead Member/officers followed by questions from OSC Members.
- (c) General debate followed by decision.

N.B. – In accordance with the Overview and Scrutiny Committee Protocols and Guidance adopted by the Committee at its meeting on 5 June, 2007, any Member(s) who presents the "Call In" is not eligible to participate in the general debate.

6.3 It is open to OSC to either resolve to take no action which would have the effect of endorsing the original Mayoral decision(s), or the OSC could refer the matter back to the Mayor for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

This page is intentionally left blank

Individual Mayoral Decision Proforma Decision Log No: 0022	 TOWER HAMLETS
Report in response to Mayor's Request for Advice	Classification: Unrestricted
Title: Budget Implementation 2013/14 (2)	

Is this a Key Decision?	No
Decision Notice Publication Date:	N/A
General Exception or Urgency Notice published?	Not required
Restrictions:	N/A

EXECUTIVE SUMMARY

1. Request for Advice

- 1.1 The Mayor requested that officers provide advice on the implications of the budget decision passed by the Council on Thursday 7th March 2013.
- 1.2 The Mayor asked that this advice should cover the validity of the resolution adopted, any action he is required to take in response and his options in relation to the implementation of the Council's decision without interfering with the discharge of his own executive duties and responsibilities.
- 1.3 He was particularly concerned that the decision regarding funding of his Mayoral Office would leave him with insufficient support to carry out his role as elected Mayor.

2. Background Information

- 2.1 This decision paper deals with the implications arising from the budget decisions relating to the funding of the Mayor's Office.
- 2.2 The decision of Budget Council on 7th March, with regard to the mayor's office was to delete funding of £296k for Mayor's Advisors.
- 2.3 The budget as submitted to Council on 7th March did not contain a budget line entitled "Mayor's Advisors." The costs of supporting the

Mayor's office are contained within the Democratic Services Budget (budget reference C62). It is therefore assumed that the decision is to reduce the budget for Democratic Services by that sum. As reported to Cabinet on 13th March 2013 the current approved budget for Democratic Services is £2.97 million

- 2.4 The consequence of the Council decision of 7th March 2013 therefore is to reduce the Democratic Services budget by £296k which represents just under 10% of that budget. In taking any Executive Decision, due regard will need to be taken of Council's intent.

3. Options

- 3.1. Implement Decision Now - The Mayor could implement the Council decision taken on 7th March 2013 and reduce the budget for Democratic Services by £296k, taking into consideration issues of resources deployment within that budget heading.

- 3.2 The Mayor can determine to vire £296k from unallocated resources, subject to their availability, to the Democratic Services budget and continue to engage Mayoral Advisors.

- 3.3 The Mayor can determine to vire monies from elsewhere in the Council's budget and continue to engage Mayoral Advisors. However due regard will need to be taken of service outcome and other (e.g. staffing, contract and equalities) implications of making such a decision.

3.4 Review

- 3.4.1 Given Council's concern about the cost of the Mayor's Office the Mayor could instruct officers to conduct a review into the support costs for Executive Mayoral Offices in London and to examine how they compare with the costs of his office and how effective support can be given to the elected Mayor. That support is currently managed by Democratic services.

- 3.4.2 Some of the staff are self-employed and are contracted to provide advice and guidance on daily rates. They work a specified number of days per week. The contracts have termination clauses but no assessment of the costs has been made for the termination costs. Also these people work on particular projects and no consideration appears to have been given on how these projects could be finished. This would lead to a waste of the moneys already expended and would not be an efficient use of Council resources

- 3.4.2 The review of the Mayor's Office should consider the following:
- Options appraisal

- EQIA on the options available and the consequences of any recommended action
- Financial and contractual implications, particularly with regards to the existing contractual arrangements
- Consultation with staff/ unions
- The need to provide an effective support for the elected Mayor
- The impact of removing such support

3.5 Virement

- 3.5.1 The Mayor could decide to vire up to £296,000 from other budgets, as outlined in options 3.2 and 3.3 above, in order to maintain the service of the Mayor's Office pending the outcome of the review described at 3.4 above . This would allow any issues raised above to be addressed and the risks and costs to the Council to be assessed.

4. Comments of the Section 151 Officer

- 4.1 The Executive Mayor has power to vire from one budget head to another up to a maximum of £1million and so long as that is within the parameters of the Council's Budget and Policy framework. That means so long as the virement does not lead to a budget overspend. There are currently sufficient moneys unallocated in the Council's General Reserves, in conjunction with projected savings in the Chief Executive's Corporate Management Budget (C80) to cover this one-off allocation.
- 4.2.1 The CIPFA definition of virement is "the transfer of an under- spend on one budget head to finance additional spending on another budget head, in accordance with an Authority's Financial Regulations".

5. Concurrent report of the Assistant Chief Executive (Legal Services)

- 5.1 If the Executive Mayor chooses Option 3.1 an assessment of any costs associated with implementing that decision will need to be made.
- 5.2 If the Executive Mayor chooses Option 3.2 or 3.3 in making any decision to vire moneys he needs to consider whether or not this decision to vire is a key decision. The effect of this is that a non key decision does not need to appear on the Forward Plan whereas the opposite is true for a key decision. Both Key and Non Key decisions can be called in by Overview & Scrutiny and cannot be implemented until they have been scrutinised, the comments from Overview & Scrutiny taken into account and the decision is re-taken.

5.3 The Council's Constitution states (in Article 13) that a key decision is an executive decision which is likely to:

- a) to result in the local authority incurring expenditure which is, or the making of savings, which are, significant having regard to the local authority's budget for the service or function to which the decision relates: or
- b) to be significant in terms of its effects on community living or working in an area comprising two or more Wards in the borough.

This is the same definition as is in the Local Authorities (Executive Arrangements) Meetings and Access to Information Regulations 2012 (SI 2012/2089).

5.4 No financial threshold has been adopted by the Council for a key decision but Article 13 does state that the Mayor, Councillors and officers will have regard to the following when determining what amounts to a key decision:

- the likely extent of the impact of the decision both within and outside of the borough;
- whether the decision is likely to be a matter of political controversy;
- the extent to which the decision is likely to result in substantial public interest.

It is for the decision maker to decide if this is key decision.

5.5 In looking at limb (a) of Article 13 the £296k represents 9.96% of the total of £2.97 million which is the gross budget for Democratic Services (as per the budget book)

5.6 In making his judgment as to whether or not the decision to vire the money is a key decision under limb (a) the Executive Mayor needs to ask if objectively that virement would have a significant effect on the budget for the service or function i.e Democratic Services.

5.7 In looking at limb (b) the question that needs to be answered is again would the virement have a significant effect on the communities living or working in 2 or more Wards in the borough.

5.8 The Executive Mayor also needs to have regard to the additional factors stated in the Constitution in Article 13 and decide if they have a significant effect. Simply because something will, for example, attract public interest or political controversy, does not necessarily mean this has significant effect on the decision to vire the money.

5.9 Any decision taken by a public body is open to a judicial review

challenge and it is therefore important that the Executive Mayor has taken account of all the relevant factors in making his decision and can demonstrate this.

6. Implications for One Tower Hamlets;

- 6.1 The Mayor's office provides support for the Mayor in delivering the Mayoral Priorities which reflect One Tower Hamlets.

7. Risk Assessment;

- 7.1 The risks are detailed at paragraph 3 above and relate to the unassessed costs of implementing the Council's budget decision and the impact on the work of the elected Mayor.

8. Background Documents;

The Council's Constitution.

DECISION

I have considered the above information and advice on the amendments to my budget proposal by reducing the budget of the Mayor's Office and the powers of virement under the Council's Constitution.

I have decided to vire £ 296k from general reserves which have not been allocated for any particular purpose to the Democratic Services budget heading in order to ensure sufficient resources are available to continue the current arrangements in the Mayor's Office whilst I consider all options for the service and implications of reducing the expenditure . I have done this as I do not believe the proposals adopted in the budget were properly evaluated and the timescales for alternative sourcing taken into account.

I have considered whether or not this is a Key Decision under Article 13 of the Constitution. In making this decision I do not consider virement of £296 k is significant when looking at the budget for the Democratic Services

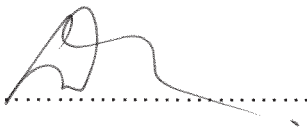
I also do not consider the virement to be significant in terms of its effect on communities in two or more Wards of the borough. I accept that the decision may be of public and/or political interest but that interest does not make the effect of my decision significant in itself.

It will not incur a significant risk socially, economically or environmentally and indeed, will act to mitigate such risks. The impact of the decision to vire the money will not be significant inside or outside the borough.

In light of the above, I am content that the decision to vire £296k is a non-key decision and I require officers to put this into effect.

I also require officers to conduct the review detailed at paragraph 3.2 in the report to fully inform any decisions on the future of the support to the Executive Mayor.

Signed



Executive Mayor of Tower Hamlets

Dated

25/3/13



APPROVALS

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

N/A

2. Chief Finance Officer or his/her deputy

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

Signed *C. L. Lino* Date *25/3/13*

3. Monitoring Officer or his/her deputy

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

Signed *J. Bell* Date *25/3/13*

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 *Not Applicable* Date

This page is intentionally left blank