

Meeting of the

GENERAL PURPOSES COMMITTEE

Wednesday, 21 January 2009 at 7.30 p.m.

A G E N D A

VENUE

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

Members:	Deputies (if any):
Chair: Councillor M. Shahid Ali Vice-Chair:Councillor A A Sardar	
Councillor Philip Briscoe Councillor Carli Harper-Penman Councillor Tim O'Flaherty Councillor M. Mamun Rashid Councillor Salim Ullah	Councillor Stephanie Eaton, (Designated Deputy representing Councillor Tim O'Flaherty) Councillor Peter Golds, (Designated Deputy representing Councillor Philip Briscoe) Councillor Azizur Rahman Khan, (Designated Deputy representing Councillor Tim O'Flaherty) Councillor Abdul Matin, (Designated Deputy representing Councillor Tim O'Flaherty) Councillor Abjol Miah, (Designated Deputy representing Councillor M. Mamun Rashid) Councillor Fozol Miah, (Designated Deputy representing Councillor M. Mamun Rashid) Councillor Abdul Munim, (Designated Deputy representing Councillor M. Mamun Rashid)

[Note: The quorum for this body is 3 Members].

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Alan Ingram, Democratic Services, Tel: 020 7364 0842, E-mail:alan.ingram@towerhamlets.gov.uk

LONDON BOROUGH OF TOWER HAMLETS

GENERAL PURPOSES COMMITTEE

Wednesday, 21 January 2009

7.30 p.m.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

	PAGE NUMBERS	WARD(S) AFFECTED
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2. DECLARATIONS OF INTEREST

1 - 2

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Chief Executive.

3. MINUTES

3 - 6

To agree as a correct record of the proceedings the minutes of the meeting of the General Purposes Committee held on 22 October 2008.

4. REPORTS FOR CONSIDERATION

4.1 School Governor Appointment - Halley Primary School

7 - 16

St Dunstan's
& Stepney
Green

4.2 Amendments to the Constitution

17 - 22

All Wards

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Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

Declaration of interests for Members

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

What constitutes a prejudicial interest? - Please refer to paragraph 6 of the adopted Code of Conduct.

Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-

- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE GENERAL PURPOSES COMMITTEE

HELD AT 7.30 P.M. ON WEDNESDAY, 22 OCTOBER 2008

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

Members Present:

Councillor M. Shahid Ali (Chair)

Councillor A A Sardar (Vice-Chair)
Councillor Salim Ullah

Councillor Stephanie Eaton

Officers Present:

Graham White – Interim Legal Services Manager, Chief Executive's
Louise Stamp – Electoral Services Manager
John Williams – (Service Head, Democratic Services)
Amanda Thompson – (Team Leader - Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Carli Harper-Penman and Tim O'Flaherty.

Councillor Stephanie Eaton deputised for Councillor O'Flaherty.

2. DECLARATIONS OF INTEREST

None declared.

3. MINUTES

The minutes of the meeting held on 18 June 2008 were agreed as a correct record.

4. REPORTS FOR CONSIDERATION

4.1 Appointments to External Bodies

The Committee considered the nominations for appointments to external Bodies which had been received from the political groups, and

RESOLVED

- 1) That consideration of the appointment to the Cultural Industries Development Agency be deferred to the next meeting as there were currently no nominees;
- 2) That Councillor Oliur Rahman be appointed to the Lee Valley Regional Park Authority but consideration of a deputy be deferred to the next meeting as there were currently no nominees;
- 3) That Councillor Waiseul Islam replace Councillor Alex Heslop on the London Housing Consortium;
- 4) That Councillors Rania Khan and Shiria Khatun be appointed to the Poplar Harca,
- 5) That consideration of the appointment to the Stepney Relief In Need Charity be deferred to the next meeting as there were currently no nominees;
- 6) On a vote of 3 to 1 that Councillor A A Sardar be appointed to Tower Hamlets College;
- 7) On a majority vote that Councillor Tim O'Flaherty be appointed to Tower Hamlets Community Transport; and
- 8) That Councillor Rofique U. Ahmed be appointed to Tower Hamlets Sports Council.

4.2 Electoral Review

Received a report concerning the possibility of a further electoral review for the Borough.

Graham White, Interim Legal Services Manager, advised the Committee that despite seven wards in the Borough having an electoral imbalance, the Boundary Committee for England of the Electoral Commission had identified its priorities for 2009-2011 and the Council's situation did not fulfil any of the criteria for review prior to the next periodic review in 2011.

The Committee were advised that in any event a review could take up to 52 weeks to complete, and therefore it would be better to wait until after the elections in 2009.

RESOLVED

- 1) That the current position in relation to the possibility of an early electoral review be noted, and
- 2) That a request for a review be made to the Electoral Commission as soon as possible after the 2009 election

4.3 Constitution - Additional Delegation

Graham White, Interim Legal Services Manager, presented a report recommending an additional delegation to the Corporate Director, Development and Renewal to serve notices to remove unlawful advertising hoardings and structures which was currently delegated to the Corporate Director, Communities, Localities and Culture.

The Committee noted that a major campaign to remove such hoardings and to deal with any new ones which might appear in the build up to the 2012 Olympic Games was being undertaken by the planning enforcement section of the Development and Renewal Directorate.

RESOLVED

- 1) That the Corporate Director, Development and Renewal be authorised to exercise the Council's powers under Section 11 London Local Authorities Act 1995, and
- 2) That the Council's Constitution be amended accordingly

The meeting ended at 7.45 p.m.

Chair, Councillor M. Shahid Ali
General Purposes Committee

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Agenda Item 4.1

Committee: General Committee	Purposes	Date: 21st January 2009	Classification: Unrestricted	Report No:	Agenda Item No: 4.1
Report of: Corporate Director, Children's Services Originating Officer(s) Peter Steen			Title: School Governor Appointment – Halley Primary School Ward Affected: St Dunstan's & Stepney Green		

1. SUMMARY

- 1.1. This report sets out for Members the details of three applicants who expressed an interest in being appointed to the Local Authority School Governor vacancy that currently exists at Halley Primary School.

2. RECOMMENDATION

- 2.1. That the committee note the applications for the three candidates and agree an appointment to the vacancy.

3. BACKGROUND

- 3.1. This report sets out for Members the details of three applicants who have expressed an interest in being appointed to the Local Authority School Governor vacancy that currently exists at Halley Primary School.
- 3.2. Local Authority School Governor appointments were originally part of the remit of the General Purposes Committee.
- 3.3. To improve the efficiency for appointing Local Authority Governors to school vacancies, the General Purposes Committee at a meeting held on Wednesday 15th February 2006 made the decision to delegate authority to the Corporate Director – Children’s Services to appoint and revoke the appointment of Local Authority Governors, except where there was a dispute about an appointment or there was more than one applicant for a post in which case the Committee would decide the appointment.

4. THE CANDIDATES

- 4.1. Applications for the Local Authority Governor vacancy at Halley Primary School have been received from the following three candidates:
 - Mr Ali Sadad
 - Captain Nicholas Coke
 - Cllr Ahmed Hussain
- 4.2. Information about all three candidates is included on their application forms. (*Background papers to be circulated to committee members only.*)
- 4.3. The criteria for the appointment of Local Authority Governors is attached (appendix 1)
- 4.4. A summary of the power and duties of governing bodies is attached (appendix 2). Committee Members might also want to assess the applicants against the duties and responsibilities that they would be expected to undertake as school governors.
- 4.5. Details of the current Governing Body membership of Halley Primary School is attached (appendix 3)

5. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 5.1 There are no significant financial implications arising from the recommendations in this report.

6. COMMENTS OF THE ASSISTANT CHIEF EXECUTIVE OFFICER (LEGAL SERVICES)

- 6.1. The constitutional position is stated in section 3 of the report above. There are no other immediate legal implications.

7. ONE TOWER HAMLETS IMPLICATIONS

7.1. Local Authority Governors are drawn from all sectors of the community and there is a robust mechanism in place to ensure, as far as possible, that the composition of governing bodies reflect the make up of the school community.

8. ANTI POVERTY IMPLICATIONS

8.1. There are no anti poverty implications in this report.

9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

9.1. There are no SAGE implications arising from this report.

LOCAL GOVERNMENT ACT, 1972 (AS AMENDED) SECTION 100D LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of "background paper"

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

Exempt due to Personal Information.

Peter Steen – Ex 4948

School Governor Services

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London Borough of Tower Hamlets Governor Application Form

Why do schools need Governors?

For some time now local people like you have been making important decisions about the way Tower Hamlets schools are run. Our schools need more committed and enthusiastic people to come forward to serve as governors.

Governing bodies have many responsibilities and recent legislation has made it explicit that governing bodies have a statutory duty to conduct the school with a view to promoting high standards. They do this by:

- Setting the strategic direction of the school
- Acting as a critical friend to the head
- Ensuring accountability

Being a governor is an opportunity to have your voice heard and help us improve education for the children in our Borough.

Who can become a Governor?

Every school has a governing body, primarily volunteers, who usually serve for four years. They work together and all decisions are shared – there is no individual liability.

Each governing body includes:

- Parents elected by parents of children at the school
- Teachers and support staff elected by their colleagues

- Representatives appointed by Tower Hamlets
- The Headteacher
- Voluntary schools will also have representatives of the foundations or charitable trusts

How much time is involved?

Being a governor is not difficult but will require a high level of commitment from you.

Governing bodies usually meet in the evening at least once per term, but more often twice. Most also have committees which will meet in between these meetings. In addition to all of this there will be papers to read, training sessions, conferences etc.

What help will I get?

Tower Hamlets Council provides information and advice for all governors as well as induction courses specifically for new governors. Don't worry – it isn't like going back to school! Training is informal and involves small groups discussing practical examples. You will find that some of these courses are run centrally for the benefit of the whole Borough whilst others will be for your specific governing body on a topic of its choice.

What do Governors actually do?

The governors are responsible for making sure the school provides a good quality education for all of its pupils. In conjunction with the head they set the school aims and policies. They are not responsible for the day-to-day management of the school; that is the sole responsibility of the head.

The Governing Body:

- Decides the aims and objectives of the school
- Selects the headteacher
- Approves the school's budget
- Ensures the National Curriculum is taught
- Decides how staff will be selected
- Decides on a sex education policy
- Makes sure that children with special needs have access to the curriculum
- Acts as a link between the school and the local community
- Hears complaints
- Considers pupil exclusions
- Ensures that Health and Safety requirements are met.

School Governor Person Specification

Tower Hamlets are looking for Governors that:

General

- Recognise that the purpose of each governing body is to help the school provide the best possible education for its pupils
- Are determined to raise aspirations, expectations and achievement in Tower Hamlets
- Are willing to act at all times fairly, without prejudice and in accordance with the principles laid down by the Committee on Standards in Public Life, i.e. selflessness, integrity, objectivity, accountability, openness, honesty and leadership
- Have a commitment to promote and support equal opportunities for all members of the school community

Skills/Knowledge

- Have good communication and interpersonal skills
- Demonstrate an ability and willingness to work as a team member and recognise the collective responsibility of the governing body
- Demonstrate a good knowledge of the local area and community
- Have the ability to act as a link between the school and the community it serves

- Act in a positive and supportive manner
- Understand and respect the confidentiality of meetings
- Are prepared to work with other governors to increase knowledge and understanding of school improvement

Experience/Training

- Commit to attending the basic induction for new governors courses held termly at the PDC. If they are not able to attend these, arrange for an individual induction session with their clerk to governors, if their school buys into the LEA's Clerking Service, or with a member of Governor Services, if the school does not
- Attend additional training as appropriate
- Demonstrate an understanding of the wider world and how it impacts on the lives of young people and their families

Commitment

- Are able to attend two full governing body meetings per term, usually held in the evening
- Are willing to join at least one governing body committee
- Are able to visit the school during working hours on occasion

APPOINTMENT OF LOCAL AUTHORITY GOVERNOR

Powers & Duties of Governing Bodies

Standards – promoting high standards of educational achievement.

Targets – setting appropriate targets for pupil achievement at Key Stage 2, 3 and 4.

Curriculum – ensuring breadth and balance, and delivery of the National Curriculum, RE and, in secondary schools, sex education

Reporting results – reporting on assessments and examination results.

Policies – deciding how, in broad strategic terms the school should be run

Finance – managing the school's budget

Staffing – deciding the number of staff, and making decisions on staff pay

Appointments –appointing the head and deputy headteacher, leading on appointments to the leadership group, determining how other appointments will be made

Discipline – management of staff conduct, discipline and grievances

Performance management – establishing the policy, following consultation with staff, and reviewing annually.

Special educational needs –managing governors' duties

Inspection – validating the Self Evaluation Form (SEF)

There are very few decisions that a governing body would have to make without the advice of the headteacher.

Based on 'A Guide to the Law for School Governors', Chapter 3

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Governors and Vacancies

Current On The 06-Jan-2009

Halley Primary School - 2916

Appointments

Name	Start Date	End Date	Governor/Contact Type	Post Ref.	Responsibilities
Mr Michael Rocks	01-Sep-2000		Clerk		
Ms B Boylan	08-Oct-2008	07-Oct-2012	Community		
Ms Norma Dews	27-Jul-2005	26-Jul-2009	Community		
Mr Mike J Flockhart	08-May-2008	07-May-2012	Community		
Mr Dilwar Hussain	01-Feb-2007	31-Jan-2011	Local Authority		
Mr N Yarwood	01-Sep-2007		Observer		
Mr Mohammed Abdul Hussain	21-Mar-2007	20-Mar-2011	Parent		
Mr Shahanur Khan	16-Jan-2008	15-Jan-2012	Parent		
Mr Muhammad Sheikh Masud	16-Jan-2008	04-Jan-2012	Parent		
Mr Muhammad Shamim	24-Jan-2006	23-Jan-2010	Parent		
Ms Maureen Hayes	01-Nov-2007	31-Oct-2011	Staff		
Mr Mukul Chandra Ray	24-Jan-2006	23-Jan-2010	Staff		
Ms Wendy Otterburn-Hall	01-Jan-2007	31-Dec-2010	Staff - Head		

Vacancies

Local Authority	1 vacancy	Vac. From	Post Ref.	Previous Post Holder
		08-May-2008	<No Post>	Mr Mike J Flockhart

Selection Criteria:

Vacancies Only.

Governing Body : 2916 - Halley

~ End of Report ~

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Agenda Item 4.2

Committee: General Purposes	Date: 21 January 2009	Classification: Unrestricted	Report No:	Agenda Item No: 4.2
Report of: The Monitoring Officer		Title: Amendments to the Constitution		
Originating Officer(s): Isabella Freeman, Assistant Chief Executive (Legal Services) & Monitoring Officer		Wards Affected: All		

1. SUMMARY

- 1.1 This report proposes amendments to the Council's Constitution in accordance with legislative changes and recommends the delegation of the functions specified to the relevant Chief Officers.

2. RECOMMENDATIONS

- 2.1 The Committee is recommended to approve the changes to the Constitution and the delegation of functions to officers as set out in Appendix 1 to this report.

3. BACKGROUND

- 3.1 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 set out a comprehensive list of functions which are non-executive functions and those which are specifically designated as executive functions. Addition regulations amending the core regulations have been made regularly ever since.
- 3.2 Part 3 of the Council's Constitution sets out all the functions specified in the regulations and whether the exercise of those functions has been delegated to a Committee or to an officer.
- 3.3 Recently two sets of regulations have been made which amend the core regulations. These are The Local Authorities (Functions and Responsibilities) (England) (Amendment No. 3) Regulations 2008 and The Local Authorities (Alcohol Disorder Zones) Regulations 2008.
- 3.4 Whilst the Monitoring Officer has power under Article 15.01(5) of the Constitution to make revisions to the Constitution to reflect changes in legislation, power to delegate the exercise of functions to officers is vested in this Committee. In view of the close proximity of the Committee meeting to the effective dates of the new regulations, the Monitoring Officer has not exercised her powers, but left it to this Committee to amend the Constitution to reflect legislative changes and to delegate the various functions to the relevant chief officers, all as stated in Appendix 1 to this report.

4. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 4.1 Legal considerations are dealt with in the body of the report and there are no other legal consequences.

5. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 5.1 There are no financial implications arising from this report.

6. ONE TOWER HAMLETS

- 6.1 None.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

7.1 None.

8. RISK MANAGEMENT IMPLICATIONS

8.1 None.

9. APPENDICES

9.1 Amendments to the Constitution.

Amendments to the Constitution

Page 55	After item 69 insert:	
70. Power to register premises or stalls for the sale of goods by way of competitive bidding.	Section 28 of the Greater London Council (General Powers) Act 1984.	Corporate Director Communities, Localities and Culture.
Page 55	Re-number item 70 as item 71.	
Page 56	After item 71 insert:	
72 Functions relating to the registration of common land and town or village greens.	Part 1 of the Commons Act 2006 and the Commons Registration (England) Regulations 2008 (SI 2008/1961).	Corporate Director Development & Renewal
Page 56	Re-number items 71 and 72 as items 73 and 74.	
Page 59	Delete paragraph 3.1.1.6 EA Functions relating to changing governance arrangements.	
Page 60 et seq	Re-number paragraphs 3.1.1.7 – 3.1.1.11 as paragraphs 3.1.1.6 – 3.1.1.10.	
Page 66	After item 49 insert:	
50. Power to make or revoke an order designating a locality as an alcohol disorder zone.	Section 16 of the Violent Crime Reduction Act 2006.	Corporate Director Communities, Localities and Culture.
51. Power to apply for an enforcement order against unlawful works on common land.	Section 41 of the Commons Act 2006.	Corporate Director, Development & Renewal.
52. Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful	Section 45(2)(a) of the Commons Act 2006	Corporate Director, Development & Renewal.

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interference.

53. Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens.

Section 45(2)(b) of the Commons Act 2006.

Corporate Director,
Development & Renewal,
Assistant Chief Executive
(Legal Services).

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