

Meeting of the

GENERAL PURPOSES COMMITTEE

Tuesday, 16 March 2010 at 7.30 p.m.

A G E N D A

VENUE

Committee Room, 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 Rajib Ahmed, (Designated Deputy representing Councillors Md. Shahid Ali, Lutfa Begum, Clair Hawkins, Waiseul Islam and A. A. Sardar)
Councillor Lutfa Begum	Councillor Peter Golds, (Designated Deputy representing Councillor Philip Briscoe)
Councillor Philip Briscoe	Councillor Carli Harper-Penman, (Designated Deputy representing Councillors Md. Shahid Ali, Lutfa Begum, Clair Hawkins, Waiseul Islam and A. A. Sardar)
Councillor Clair Hawkins	Councillor Abjol Miah, (Designated Deputy representing Councillor M. Mamun Rashid)
Councillor Waiseul Islam	Councillor Fozol Miah, (Designated Deputy representing Councillor M. Mamun Rashid)
Councillor M. Mamun Rashid	Councillor Abdul Munim, (Designated Deputy representing Councillor M. Mamun Rashid)
	Councillor Salim Ullah, (Designated Deputy representing Councillors Md. Shahid Ali, Lutfa Begum, Clair Hawkins, Waiseul Islam and A. A. Sardar)

[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: Caroline Chalklin, Democratic Services, Tel: 020 7364 4881, E-mail: caroline.chalklin@towerhamlets.gov.uk

LONDON BOROUGH OF TOWER HAMLETS

GENERAL PURPOSES COMMITTEE

Tuesday, 16 March 2010

7.30 p.m.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

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.

PAGE NUMBERS	WARD(S) AFFECTED
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3. MINUTES

3 - 10

To agree as a correct record of the proceedings, the minutes of the meeting of the General Purposes Committee held on 15 December 2009.

REPORTS FOR CONSIDERATION

**4. APPOINTMENTS TO OUTSIDE BODIES: ST
PAUL'S WAY SCHOOL FOUNDATION TRUST**

11 - 14

**Mile End
East**

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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, 16 DECEMBER 2009

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

Members Present:

Councillor M. Shahid Ali (Chair)

Councillor Philip Briscoe
Councillor Clair Hawkins
Councillor Waiseul Islam
Councillor A A Sardar (Vice-Chair)

Other Councillors Present:

Councillor Peter Golds

Officers Present:

Isabella Freeman – (Assistant Chief Executive [Legal Services])
Nadir Ahmed – (Democratic Services)
Angus Taylor – (Scrutiny and Regulatory Team Leader,
Democratic Services, Chief Executive's)
John Williams – (Service Head, Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Lutfa Begum and M. Mamun Rashid.

NOTED

2. DECLARATIONS OF INTEREST

No declarations of interest were made.

3. MINUTES

The Chair **MOVED**

and it was

RESOLVED

That the unrestricted minutes of the ordinary meeting of the General Purposes Committee held on 17th June 2009 be approved and signed by the Chair as a correct record of the proceedings.

4. REPORTS FOR CONSIDERATION

4.1 Review of Polling Stations

4.1A - Review of Polling Stations Addendum

The Chair informed members of the Committee that an addendum to the report "Review of Polling Stations", containing revised recommendations, had been **TABLED** (a copy of which would be interleaved with the minutes).

Isabella Freeman, Assistant Chief Executive [Legal Services], at the request of the Chair, in introducing the report summarised the salient points contained therein highlighting in particular that it had been noted, at the General Purposes Committee meeting on 22nd October 2008, that the Boundary Commission would not be carrying out a boundary review in Tower Hamlets until after the 2010 Local Elections.

The report before the Committee presented the outcome of a review of polling stations undertaken by the Electoral Services Department with a particular focus on mitigating any issues of overcrowding due to population growth and other issues, particularly in relation to Disability Discrimination Act requirements.

Louise Stamp, Electoral Services Manager, informed Members that an additional polling place had been identified and proposed in Bow East Ward, BE2 electoral division, the Wrights Community Centre, Wrights Road, E3 5LG, which would ease the overcrowding faced at the current polling place, Eastside Youth Centre, Parnell Road, E3 2EX.

Members sought and were given clarification that the new polling place would be in addition to the existing one at Eastside Youth Centre and as it was east of Parnell Road and in the middle of a large, residential estate it was convenient for local residents and reduced their travelling distance.

Ms Stamp also informed Members that due to objections received from Members, the proposals to use the Burdett Neighbourhood Centre, Masjid Lane, E14 7BW in relation to Mile End East Ward had been withdrawn and Stebon Primary School would continue to be the polling place for that area. Members welcomed this.

Ms Stamp also commented that the request for an additional polling place in Bow East, BE1, had been considered but the small size of the electorate there

did not currently warrant it. Assurances were sought and given that the situation would be closely monitored for signs of population growth and that an additional site had already been identified if it was needed.

Ms Stamp then drew Members attention to the addendum report which had been **TABLED**. The original report contained in the agenda had recommended, due to the increased number of properties numbering 4000+ in the last nine months, the creation of a new polling district, MI4, in the Millwall ward. The River House Montessori School which had been proposed as a polling place was no longer available for use. Further examination of the locality had identified the Victory Outreach Church as an alternative site. This venue was well known to local residents and could accommodate current elector numbers with additional capacity for future increases.

Members welcomed the proposal to split the electoral district MI1 and create a new district, MI4 to mitigate issues caused by growth in the electorate. However, concern was expressed that the originally proposed site for the new polling station (River House Montessori School) was too far from the relevant electors and the proposed site in the addendum report, the Victory Outreach Church, was even further away particularly for those in the north and north west of the area. Also, the Victory Outreach Church was in an inappropriate location as it was in the midst of commercial/office space and building sites. The old site had been a long way away but was easier to get to as it was on a bus route. Ms Stamp advised that four new tower blocks were all to be occupied by the time of the elections in May and would shift the balance in terms of the location which would be most convenient for the majority of electors.

The freeholder of the site was also currently involved in a court case against the Council and this had the potential to cause last minute problems prior to an election. Ms Stamp undertook to look into this.

Whilst concurring on the validity of concerns raised regarding the proposed location of the polling station in the Victory Outreach Church, differing views were expressed as to the whether an alternative location of the City Pride Pub Car Park was appropriate. The Cascades Car Park was also suggested as a potential alternative.

Some discussion also ensued as to the most appropriate dividing boundary for the new polling district, MI4. In the context of the concerns raised by Members of the Committee regarding the proposals outlined for Millwall ward in both the original and Addendum reports, Councillor Briscoe proposed that their consideration be deferred to allow officers to re-examine the options and give Members the opportunity to make suggestions. Ms Stamp acknowledged that a further examination of the options seemed appropriate.

Clarification was sought and given that following further officer examination of the options, any determination would require either consideration by the Committee at an Extraordinary meeting or delegation of authority to a Chief

Officer and it could be requested that this follow consultation with the Chair and Vice-Chair.

Councillor Hawkins accordingly proposed the following:

That all Members be advised of the proposals arising out of the further officer review;

That the Assistant Chief Executive [Legal Services] be delegated authority to make the final determination on the split of the electoral district, MI1, Millwall ward, and the location of the polling station, after consultation with the Chair and Vice-Chair of the Committee.

It was clarified for Members that a polling place was the geographical area, usually defined as a building, where a polling station was situated whereas a polling station was the actual area where the process of voting took place.

Clarification was sought as to the rationale for not using Sidney Street Library, Whitechapel ward, as a polling place in the forthcoming elections when it had been used previously. Ms Freeman undertook to expand upon clarification given by Ms Stamp in writing.

The Chair **MOVED** (taking account of the advice of the Assistant Chief Executive [Legal Services] and the proposals of Councillors Briscoe and Hawkins) and it was

RESOLVED

That the Committee recommend the following be adopted by the Council for implementation in time for the local government election in May 2010:

That a new polling place, BE2A, be created at Wrights Community Centre, Wrights Road, E3 5LG to deal with the area south of Parnell Road and reduce one polling station at Eastside Youth Centre in Bow East, BE2;

That it be noted that the proposals to use the Burdett Neighbourhood Centre, Masjid Lane, E14 7BW in relation to Mile End East Ward had been withdrawn.

That consideration of the proposals in relation to the Millwall ward be deferred to allow the Assistant Chief Executive [Legal Services] to carry out a further officer review and re-examine the proposals;

That all Members be advised of the proposals arising out of the further officer review in relation to the Millwall ward.

That the Assistant Chief Executive [Legal Services] be delegated authority to make the final determination on the split of the electoral district, MI1, Millwall ward, and the location of the polling station, after consultation with the Chair and Vice-Chair of the Committee.

4.2 Appointments to Panels/ External Bodies

4.2A – Appointments to Panels/ External Bodies Addendum

The Chair informed members of the Committee that an addendum to the report “Appointments to Panels/ External Bodies”, containing an updated schedule of nominations, had been **TABLED** (a copy of which would be interleaved with the minutes).

John Williams, Service Head, Democratic Services, at the request of the Chair, in introducing the report summarised the salient points contained therein and drew Members’ attention to the updated schedule of nominations that had been **TABLED**.

Fostering Panel

Responding to requests for clarification from Members, Mr Williams reported that as this position on the Fostering Panel had been allocated to the Labour Group at the Annual Council Meeting in May 2009, if the Committee determined to appoint a non-Labour member, the decision would have to be ratified at the next meeting of the Council. It was also clarified that the vacancy did not impede the work of the panel. There being no valid nominations, the Chair **MOVED** and it was

RESOLVED

That consideration of the appointment to the Fostering Panel be deferred to the next meeting.

Futures Charitable Trust

The Chair **MOVED** the following motion for the consideration of the Members of the Committee

“That the Committee agree the nomination of the Labour Group that Councillor Ann Jackson be appointed as the representative of the Authority on the governing body of Futures Charitable Trust until 31 December 2011.”
and it was

RESOLVED

That Councillor Ann Jackson be appointed as the representative of the Authority on the governing body of Futures Charitable Trust until 31 December 2011.

Lee Valley Regional Park Authority

Councillor Philip Briscoe nominated Councillor Peter Golds.

The Chair **MOVED** the following motion for the consideration of the Members of the Committee

“That the Committee agree the nomination of the Labour Group that Councillor Carli Harper-Penman be appointed as a deputy on the governing body of Lee Valley Regional Park Authority for the remainder of the 2009/10 Municipal Year.”
and it was

RESOLVED (on a vote of 4 for and 1 against)

That Councillor Carli Harper-Penman be appointed as a deputy on the governing body of Lee Valley Regional Park Authority for the remainder of the 2009/10 Municipal Year.

Norton Folgate Almshouses Charity

Councillor Philip Briscoe nominated Ms Claire Palmer.

The Chair **MOVED** the following motion for the consideration of the Members of the Committee

“That the Committee agree the nomination of the Labour Group that Mr Chris Dyson be appointed as a representative of the Authority on the governing body of Norton Folgate Almshouses Charity until June 2013.”
and it was

RESOLVED (on a vote of 4 for and 1 against)

That Mr Chris Dyson be appointed as a representative of the Authority on the governing body of Norton Folgate Almshouses Charity until June 2013.

Parmiter’s Almshouses and Pensions Charity

There being no valid nominations, the Chair **MOVED** and it was

RESOLVED

That consideration of the appointments to the Parmiter’s Almshouses and Pensions Charity be deferred to the next meeting.

Stepney Relief in Need Charity

There being no valid nominations, the Chair **MOVED** and it was

RESOLVED

That consideration of the appointment to the Stepney Relief in Need Charity be deferred to the next meeting.

The Committee requested that future reports provide some information on each organisation including the area they operated in, their background and the length of time and frequency with which the body met.

The meeting ended at 7.53 p.m.

Chair, Councillor M. Shahid Ali
General Purposes Committee

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Agenda Item 4

Committee General Purposes Committee	Date 16 March 2010	Classification Unrestricted	Report No.	Agenda Item No. 4
Report of: Service Head, Democratic Services	Title: APPOINTMENTS TO OUTSIDE BODIES: ST PAUL'S WAY SCHOOL FOUNDATION TRUST			
Originating Officer(s): John S. Williams	Ward(s) affected: Mile End East			

1. SUMMARY

- 1.1 The General Purposes Committee has responsibility for appointing Councillors, officers or other nominees as appropriate to represent the authority on external bodies. Appointments are made until the end of the current municipal year unless otherwise indicated. On 17 June 2009 the Committee received nominations from the political groups and agreed the Council's appointments to a range of external bodies for the municipal year 2009/10.
- 1.2 On 13 January 2010 the Cabinet agreed proposals in relation to the establishment of a National Challenge Trust at St. Paul's Way Community School including the appointment, to be made by the General Purposes Committee, of the Council's Member Authorised Representative to the Trust.

2. RECOMMENDATION

- 2.1 That the Committee agree the appointment of a Councillor to serve as the Council's Member Authorised Representative on the St. Paul's Way School Foundation Trust for the remainder of the Municipal Year 2009/2010.

3. BACKGROUND

- 3.1 On 13 January 2010 the Cabinet agreed proposals in relation to the establishment of a National Challenge Trust (NCT) at St. Paul's Way Community School.
- 3.2 NCTs are intended for schools where fewer than 30% of pupils are achieving 5 A*-Cs at GCSE (including English and Maths) and where it is agreed that replacement with an Academy is not an option. The key aim of an NCT is to use the experience, energy and expertise from partners as a lever to raise standards in schools.

- 3.3 An NCT is a charitable organisation that supports one or more schools by holding land and buildings on trust and appointing governors. The St. Paul's Way trust (to be known as the St. Paul's Way School Foundation Trust) will take the legal form of a company limited by guarantee under the Companies Act 1985 and able to qualify for charitable status.
- 3.4 The Cabinet has agreed that the Council shall become a member of the St. Paul's Way School Foundation Trust. The Trust's Articles of Association provide that each member shall appoint one director/trustee and the directors will be ultimately responsible for the management of the Trust. The articles also provide for general meetings of members (including an annual general meeting). Members are to be represented at general meetings by their Member Authorised Representative, who may be the same individual as their appointed director/trustee or a different individual.
- 3.5 The Cabinet on 13 January 2010 authorised the Corporate Director Children Schools and Families, after consultation with the Lead Member, to appoint the Council's director/trustee to the Trust; and agreed that the Council's Member Authorised Representative on the Trust shall be appointed by the General Purposes Committee.
- 3.6 The Committee is therefore now invited to appoint to this position. An appointment is required without delay as the first meeting of the Trust at which a Member Appointed Representative will be required is expected to take place before the next meeting of the Committee.
- 3.7 The respective political groups have been requested to submit nomination for this position. The Labour Group have nominated **Councillor Rachael Saunders**. Any further nominations received prior to the Committee will be tabled at the meeting.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

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

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

- 5.1 It is proposed that the Council become a member of the St Paul's Way School Foundation Trust. The Council is empowered to do so in order to give effect to its functions as local education authority. The School Standards and Framework Act 1998 places restrictions on the voting rights that may be held by the Council and the proportion and voting rights of trustees appointed by the Council
- 5.2 The proposed NCT will take the form of a company limited by guarantee, which establishes charitable status under the Charities Acts. The memorandum and articles of association will be the key constitutional document of the Trust and is based on the standard model Trust recommended by government.

- 5.3 As a company limited by guarantee, the Trust will not have any shares and thus no shareholders. Instead, the Trust will have a limited number of members, who have a duty to manage the property of the Trust consistent with its object. The memorandum and articles state that the liability of the members of the Trust is limited to £10 per member. The memorandum of association sets out the proposed initial members. It is intended that the Council will be a member of the Trust, along with Queen Mary, University of London, The Institute of Education (University of London), King’s College London, The University of East London, Catlin Group Ltd and NHS Tower Hamlets. On the basis of the drafted articles, the admission of new members will require the unanimous approval of the trustees. It is proposed that membership will not be transferable. Members may be removed by the decision of the directors appointed by all other members.
- 5.4 The articles of association set out the object, powers, statement of liability and day to day management of the Trust. The Object of the Trust is *“to advance education for the public benefit and in particular to advance the education of the pupils at St. Paul’s Way Foundation School (the “School”) which is a Qualifying School, it being acknowledged that in carrying out the Object the Company must, so far as is consistent with this purpose, have regard to its obligation to promote community cohesion under the Education Acts”*. The powers of the Trust are expressed reasonably widely, so as to permit it to carry out its functions under the Education Acts. Those functions include holding the school property and appointing governors. The Trust will only be able to exercise its powers so as to achieve its charitable Object.

6. IMPLICATIONS FOR ONE TOWER HAMLETS

- 6.1 The proposals for an NCT at St. Paul’s Way School are designed to reduce inequalities, ensure strong community cohesion and strengthen community leadership.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT (SAGE)

- 7.1 There are no immediate SAGE implications arising from this report.

8. RISK ASSESSMENT

- 8.1 The appointment of representatives to external bodies enables the Council to strengthen links with community. The appointment of representatives to external bodies also contributes to the Council’s leadership role in the community.

LOCAL GOVERNMENT ACT, 2000 (SECTION 97)

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
External Bodies File	John S. Williams, 020 7364 4204

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