

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE GENERAL PURPOSES COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 17 JANUARY 2012

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

Members Present:

Councillor Shiria Khatun (Chair)

Councillor Sirajul Islam (Vice-Chair)
Councillor Mizan Chaudhury

Councillor Craig Aston
Councillor Khaled Uddin Ahmed

Other Councillors Present:

Councillor Peter Golds
Councillor Bill Turner

Officers Present:

Hania Franek – (Head of School Governance & Information)
Louise Stamp – (Electoral Services Manager, Chief Executive's)
John Williams – (Service Head, Democratic Services, Chief Executive's)

Louise Fleming – (Senior Committee Officer, Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mohammed Abdul Mukit, for whom Councillor Khaled Uddin Ahmed deputised; Councillor Md. Maium Miah; and Councillor Gloria Thienel for whom Councillor Craig Aston deputised.

2. DECLARATIONS OF INTEREST

No declarations of interest were made.

3. UNRESTRICTED MINUTES

RESOLVED

That the unrestricted minutes of the meeting held on 13th October 2011 were confirmed and signed by the Chair as a correct record.

The Chair Moved and it was **RESOLVED** that the Order of Business be varied so that Item 6.1 School Governor Appointments be considered first to avoid detaining Mr Bhutta, Headteacher of Stepney Green School, any longer than necessary.

For ease of reference items will appear as they appeared in the agenda.

4. UNRESTRICTED REPORTS FOR CONSIDERATION

4.1 Polling District and Polling Place Review 2011

Ms Louise Stamp, Electoral Services Manager, presented the report which set out representations on the review of polling districts and polling places. Ms Stamp also tabled maps of Robin Hood Gardens Community Hall and the Student Union Offices, Blomeley Centre, Queen Mary University of London; and an updated Appendix C with a full list of polling places and electorate figures. The Committee was advised that Queen Mary had been added to capture the student votes, of which there were approximately 2,000. A registration day would be held in March and other Universities would also be considered as stations for the next scheduled Council elections in 2014.

Members thanked officers for the work which had been carried out in the review and stressed the importance of retaining access. It was also suggested that the Council clarify that the Tower Hamlets Inclusion Centre could be renamed Harpley School as it was felt that residents could be confused.

Concern was raised that voters in Blackwall and Cubitt Town were hindered by having to cross Aspen Way, particularly at night and officers were asked whether any consideration had been given to having another Polling Station in Mulberry Place. In response to Members, Ms Stamp advised that available room was a consideration; and it was also felt that having more than one district in one building could cause confusion. It was proposed that a new station south of Aspen Way be looked at for the GLA elections and the Chair asked officers to liaise with Ward Councillors.

RESOLVED

- a) That the polling districts remain unchanged due to an Electoral Review taking place in February 2012, conducted by the Local Government Boundary Commission;
- b) That the draft polling place changes and reasons set out in paragraph 6 and Appendix A of the report be publicly consulted on, subject to consultation with Ward Councillors in Blackwall and Cubitt Town, with a view to implementation in time for the Greater London Authority elections to be held on 3 May 2012.
- c) That a further report on the outcome of the consultation be submitted to the next meeting of the General Purposes Committee.
- d) That the Council continues to make every effort to find suitable alternative polling places for those polling places where there is uncertainty about their availability for future elections and enhance the convenience, suitability and practical electoral arrangements for electors.

4.2 Proposed Changes to the Constitution

Special Circumstances and Reasons for Urgency

The Chair **agreed** the special circumstances and reasons for urgency, as set out on the front page of the report, and also set out below:

“The report was not circulated with the Committee agenda as it was not possible to compile the information required before that time. The report is nevertheless recommended for consideration at this meeting as it is necessary for the proposed amendments to the Constitution to be submitted to the next ordinary meeting of the Council (25th January 2012) in order to take effect before the Budget Council meeting.”

Mr John Williams, Service Head Democratic Services, presented the report explaining that the Council had given responsibility for considering changes to the Constitution to the General Purposes Committee and that there were a number of urgent changes recommended which would impact on the Budget Council meeting in February. The report also included a number of changes pursuant to decisions taken on constitutional matters at the November 2011 Council meeting.

Members considered the report and sought clarification on the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001 relating to the majority vote required for amending the Mayor’s proposals in respect of the Budget and Policy Framework. Clarification was also sought in respect of the legal definition of “Executive”; the deadline for amendments to the Budget Council meeting and the time required by officers to circulate comments on those amendments; arrangements for considering amendments without notice; and the type of recording which would take place at Council meetings.

The Committee moved a number of amendments and additions to the recommendations set out in the report as follows. The Chair also requested that the report to the Council meeting on 25th January 2012; and any officer comments on the proposed changes to the Constitution be circulated in advance to all Members present at the meeting of the General Purposes Committee.

RESOLVED

That the Council be recommended:-

- a) To amend the Budget Council Procedure Rules at paragraph 4.2 of Part 4.1 of the Constitution as proposed at section 4 of the report, and amended as follows:

Deadline for amendment

- i. That the deadline for amendments be *9.15am on the day before the meeting* and that the amendments should be circulated to the Mayor and all Councillors, with any officer comments that are available at least 24 hours before the meeting.

Timing of amendments/extension of meeting

- ii. Other than amendments notified in advance as above, no further substantial amendment may normally be moved at the budget meeting, but the Council may, *having heard* the advice of the Monitoring Officer, Section 151 Officer and Head of Paid Service, agree that an amendment without notice can be debated.
- b) To amend the Budget and Policy Framework Procedure Rules at Part 4.3 of the Constitution as proposed at section 5 of this report, and amended as follows;
 - a. The Mayor as the Executive has responsibility for preparing the draft plan or strategy for submission to the Council; and
 - b. If the Council wishes to amend the Mayor's proposals *in relation to the items included in the Budget and Policy Framework only*, the Local Authorities (Standing Orders) (England) Regulations 2001 set out the dispute resolution procedure to be followed. The Council must inform the Mayor of any objections which it has to his proposals (i.e. the amendments it wishes to agree) and must give the Mayor at least five working days to reconsider his proposals and re-submit them (amended or not, with reasons) to a further

Council meeting. If at this further meeting the Council still wishes to amend the Mayor's revised proposals, such a decision requires a two-thirds majority of the Members present and voting. If no valid amendment at the further meeting receives two-thirds support, the Mayor's proposals are deemed adopted in accordance with the regulations.

- c) To re-designate the Deputy Chair of Council as 'Deputy Speaker';
- d) To amend paragraph 27.1 of the Council Procedure Rules to facilitate the trial period of recording Council meetings as follows:

"No photography or video or audio recording of any kind by Members, guests or members of the public may take place at any Council meeting without the express permission of the Speaker. The Council may determine that the proceedings of the Council Meeting shall be audio recorded by the officers and those recordings stored in accordance with a policy agreed by the Council and accessed by any member on request, for their own use, included publication. Such requests to be made in writing to the Monitoring Officer."

- e) To amend Council Procedure Rules 17.4 at Part 4.1 of the Constitution as follow:

Recorded Vote. If *twenty* Members present at the meeting request it by rising from their seats, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

- f) To amend paragraph 3.3.1 of the Financial Procedure Rules at Part 4.6 of the Constitution to read as follows:

- i. All individual virement proposals that exceed £5,000 require the approval of full Council; and
- ii. and to delete paragraphs 3.3.2 and 3.3.3 of those Financial Procedure Rules; and

- g) To authorise the Assistant Chief Executive (Legal Services) to amend the text of the Constitution as necessary to give effect to the agreed changes.

5. EXCLUSION OF PRESS AND PUBLIC

In view of the nature of agenda item 6.1, the Committee **RESOLVED:**

"That, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act,

1985, the Press and Public be excluded from the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A paragraph 3 to the Local Government, Act 1972”.

[Note: Exempt information is defined in section 100I and, by reference, Schedule 12A of the Local Government Act 1972 (“the 1972 Act”). To be exempt, information must fall within one of the categories listed in paragraphs 1 to 7 of Schedule 12A, must not fall within one of the excluded categories in paragraphs 8 and 9 and the public interest in maintaining the exemption must outweigh the public interest in disclosing the information.

Agenda item 6.1 “School Governor Appointment to Stepney Green School” contained information relating to paragraph 3 (Information relating to any individual). Appendices 4 to 6 contained applications made by individuals for appointment as authority governors to the governing body of Stepney Green School.

The Committee considered the above information and the public interest favouring public access to local authority meetings, and in this case the Committee concluded that given the information contained in Agenda item 6.1 “School Governor Appointment to Stepney Green School”, the public interest in maintaining the exemption on the information outweighed the public interest in disclosing it.]

6. EXEMPT REPORTS FOR CONSIDERATION

6.1 School Governor Appointment

Recommendations agreed.

The meeting ended at 7.45 p.m.

Chair, Councillor Shiria Khatun
General Purposes Committee