

Meeting of the

GENERAL PURPOSES COMMITTEE

Thursday, 13 September 2012 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 Shiria Khatun Vice-Chair: Councillor David Edgar	
Councillor John Pierce Councillor Ahmed Adam Omer Councillor Peter Golds Councillor Aminur Khan Councillor Lutfa Begum	Councillor Craig Aston, (Designated Deputy representing Councillor Peter Golds) Councillor David Snowdon, (Designated Deputy representing Councillor Peter Golds) Councillor Khales Uddin Ahmed, (Designated Deputy representing Councillors Shiria Khatun, John Pierce, David Edgar and Ahmed Adam Omer) Councillor Motin Uz-Zaman, (Designated Deputy representing Councillors Shiria Khatun, John Pierce, David Edgar and Ahmed Adam Omer) Councillor Joshua Peck, (Designated Deputy representing Councillors Shiria Khatun, John Pierce, David Edgar and Ahmed Adam Omer)

[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: Evelyn Akoto,
Tel: 020 7364 4207, E-mail: evelyn.akoto@towerhamlets.gov.uk

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LONDON BOROUGH OF TOWER HAMLETS

GENERAL PURPOSES COMMITTEE

Thursday, 13 September 2012

7.30 p.m.

PAGE NUMBERS

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

1 - 4

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 Monitoring Officer.

3. UNRESTRICTED MINUTES

5 - 8

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of the Cabinet held on 3 July 2012.

4. REPORTS FOR CONSIDERATION

4.1 Appointments to Outside Organisations

To Follow

4.2 Local Electoral Review 2012 - update

9 - 12

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

6. EXCLUSION OF THE PRESS AND PUBLIC

In view of the contents of the remaining items on the agenda the Committee is recommended to adopt the following motion:

“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 remainder of 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 to the Local Government Act, 1972.”

EXEMPT SECTION (Pink Papers)

The exempt committee papers in the agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

7. EXEMPT REPORT FOR CONSIDERATION

7.1 School Governor appointment to Rachel Keeling School 13 - 30

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Isabella Freeman, Assistant Chief Executive (Legal Services), 020 7364 4801; or
John Williams, Service Head, Democratic Services, 020 7364 4204

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE GENERAL PURPOSES COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 3 JULY 2012

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

Members Present:

Councillor Shiria Khatun (Chair)

Councillor John Pierce
Councillor David Edgar
Councillor Peter Golds
Councillor Aminur Khan

Other Councillors Present:

None

Officers Present:

Isabella Freeman – (Assistant Chief Executive - Legal Services, Chief Executive's)
John Williams – (Service Head, Democratic Services, Chief Executive's)
Matthew Mannion – (Committee Services Manager, Democratic Services, Chief Executive's)

1. ELECTION OF VICE-CHAIR

The Chair MOVED and Councillor John Pierce SECONDED and it was:

RESOLVED

That Councillor David Edgar be elected as the Vice-Chair of the General Purposes Committee for the Council year 2012-13.

2. APOLOGIES FOR ABSENCE

None were received.

3. DECLARATIONS OF INTEREST

No declarations of interest were made.

4. UNRESTRICTED MINUTES

RESOLVED

That the unrestricted minutes of the meeting held on 17 January 2012 be confirmed and signed by the Chair as a correct record.

5. REPORTS FOR CONSIDERATION

5.1 GENERAL PURPOSES COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF MEETINGS (GPC001/123)

Note – Agenda Items 5.2, 5.3 and 5.4 were appendices to this item and are consequently not listed separately in the minutes.

Mr Matthew Mannion, Committee Services Manager, presented the report which set out for noting the General Purposes Committee Terms of Reference, Quorum, Membership and dates of meetings as agreed by the Council Annual General Meeting held on 16 May 2012.

RESOLVED

To note the General Purposes Committee Terms of Reference, Quorum, Membership and dates of future meetings as set out in Appendices 1, 2 and 3 to this report.

5.5 LOCAL ELECTORAL REVIEW - UPDATE

Mr John Williams, Service Head Democratic Services, introduced the report. He outlined the progress of the Boundary Commission's review to date and the next steps. He asked the Committee to note a number of points including:

- The review was proposing 45 Councillors for the Borough
- The Commission was now considering the development of the new Ward structure.
- The public consultation period would last until 28 August. Draft proposals were expected in November.
- Future population growth would be factored into the design of Wards. Early examples of population data prepared by officers were shown to Members for their information.
- The new Ward boundaries would be in place for the 2014 Local Elections.

The Committee discussed the report and noted particular issues including:

- Whether the population growth estimates were an underestimate, particularly in areas such as the Isle of Dogs.
- Population growth could well straddle existing polling district boundaries so care needed to be taken when compiling data.

- The naming of the Wards was an important consideration.
- Meetings with the Commission for particular political groups were likely to be very useful.

Responding to questions, officers stated that:

- Officers would be available to offer support to party groups that wished to submit consultation responses.
- The Commission were keen to meet with interested groups and could be invited to an 'all Councillors' meeting or to individual group discussions.
- The Commission were very aware of the importance of community and historical links when designing and naming Wards.
- More detail could be requested from the Commission but the officer understanding was that the Ward design should ensure no more than a 10% variation in Ward population by 2018.

RESOLVED

That the information in the report be noted.

5.6 APPOINTMENTS TO EXTERNAL BODIES - CONSTITUTIONAL MATTERS

Ms Isabella Freeman, Assistant Chief Executive (Legal Services), introduced the report. She set out the history of the issues in the report and confirmed the legal view that it was the Mayor who held the power to make Executive appointments to outside bodies except in certain specific circumstances.

Following a request from Councillor Peter Golds, officers agreed to examine whether the original rules for appointing to outside bodies, as agreed by Members, had been properly determined, with particular reference to decisions taken at 3 March and 27 October 2010 Council meetings that looked to reserve local choice functions to Council.

During discussion Members raised a number of points relating to the nature of Executive appointments such as:

- Many bodies had wide ranging functions that did not fit Executive portfolios.
- Many bodies required Members of a local, representative nature which could potentially be at odds with the appointment of Executive members. Officers agreed to consider the issue of balancing the representative as against Executive nature of Member appointments.
- Being appointed to outside bodies was an important part of the function of being a Councillor.
- There was a need to resolve this issue as vacancies were now occurring.

Following the discussion officers confirmed that there was scope for examining whether some appointments related to Executive functions.

However it was noted that the Local Government Act 2000 was fairly explicit that most issues were Executive functions. They also reminded Members that in most cases the Mayor was free to appoint any Councillor to outside bodies should he so wish.

Officers agreed to liaise with the Mayor's office and the party groups on this issue and that the Assistant Chief Executive (Legal Services) would come to a view on these issues and present a report to the next meeting of the General Purposes Committee.

RESOLVED

That a report be prepared for the next meeting of the General Purposes Committee providing an officer response to the following issues:

- Whether the Constitution had correctly taken account of Council resolutions, with particular reference to those from the 3 March and 27 October 2010 meetings.
- Which appointments to outside bodies were considered to be executive functions, and reasons for each decision.
- The extent to which issues such as the representative role of Councillors impacts on the consideration of appointments to outside bodies.

6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

None.

The meeting ended at 7.24 p.m.

Chair, Councillor Shiria Khatun
General Purposes Committee

Agenda Item 4.2

Committee General Purposes Committee	Date 13th September 2012	Classification Unrestricted	Report No.	Agenda Item No. 4.2
Report of: Assistant Chief Executive (Legal Services) Originating Officer(s): John Williams, Service Head, Democratic Services		Title: Local Electoral Review 2012 - update Ward(s) affected: All		

1. SUMMARY

- 1.1 The Committee is aware that the Local Government Boundary Commission for England (LGBCE) is currently undertaking an electoral review of Tower Hamlets. The aim of the review is to establish the most suitable number of councillors for the authority; and within this to propose the number and boundaries of wards to deliver:-
- electoral equality for voters;
 - boundaries that reflect natural communities; and
 - effective and convenient local government
- 1.2 The recommendations agreed as a result of the electoral review will be implemented with effect from the next local elections in May 2014.
- 1.3 This report provides an update on progress of the review for the Committee's information.

2. RECOMMENDATIONS

- 2.1 That the information in the report, and any further verbal update to be provided at the meeting, be noted.

3. BACKGROUND

- 3.1 The Local Government Boundary Commission for England (LGBCE) is an independent body established by the Local Democracy, Economic Development and Construction Act 2009. The LGBCE are responsible for reviewing local authority electoral arrangements, administrative boundaries and structure.
- 3.2 Tower Hamlets has been identified as requiring an electoral review in the current year in accordance with the Commission's criteria relating to electoral variances between wards. Since the last review in 1998/9, the levels of

electoral representation in the borough have become unbalanced due to housing development and other population changes. As a result, currently the number of electors represented by the councillors in six of the 17 wards varies by more than 10% from the borough average. In one ward (Millwall, which has 14,798 electors) councillors represent 47% more electors than the borough average, whilst in Spitalfields and Banglatown (which has 7,096 electors), the figure is 30% below the average.

- 3.3 The review commenced on 29th November 2011 when representatives of the LGBCE addressed the Mayor and Councillors prior to the full Council meeting.

4. THE REVIEW PROCESS

- 4.1 A local electoral review is conducted in two main stages. At the first stage the Commission makes an initial determination on the future size of the council – i.e. the total number of councillors required to deliver effective and convenient local government in the borough. This initial finding determines the duration of the review and the extent of consultation to be undertaken. If a significant change in council size is proposed (i.e. a change of more than one or two councillors), a further period of public consultation is held on this question.
- 4.2 The second stage of the review focuses on the proposed division of the borough into wards, to achieve within the total number of councillors proposed, the optimum number of electors per councillor across all wards of the authority. Submissions on warding patterns are sought from the Mayor and Councillors, political parties, the public, residents associations and community groups before the LGBCE publish their draft recommendations.

5. PROGRESS ON THE TOWER HAMLETS REVIEW

Council Size

- 5.1 As previously reported, the 'Council Size' stage of the Tower Hamlets review is now complete. Following public consultation, the LGBCE website indicated that it is minded to propose a council size for Tower Hamlets of 45 councillors rather than the current 51.

Warding patterns

- 5.2 The second stage of the review is currently underway, with a further public consultation exercise on warding patterns which commenced on 28th June 2012. The Commission has invited local people and other interested parties including councillors, local political and community groups to submit information for a new pattern of wards – i.e. proposals as to where new ward boundaries should be placed and for ward names - based on a council size of 45 members.
- 5.3 In response to requests from the Council and the political groups, the Commission agreed to extend the period of this consultation which will now

close on 11th September 2012. The Commission has publicised the consultation via their website and in the media.

- 5.4 The Commission state that they aim to recommend a pattern of wards that:-
- achieves good electoral equality (i.e. as far as possible, the member to elector ratio in each ward should be the same or within an acceptable tolerance level);
 - reflects community identities and interests; and
 - provides for effective and convenient local government.
- 5.5 They also seek to use strong, easily-identifiable ward boundaries. The Commission states that 'all proposals for warding patterns should demonstrate how any pattern of wards aids the provision of effective and convenient local government and why any deterioration in equality of representation or community identity should be accepted. Representations that are supported by evidence and argument will carry more weight with the Commission than those which merely assert a point of view'.
- 5.6 The Commission needs a good understanding of community identity in Tower Hamlets and has invited consultation responses to address this. They are particularly keen to understand which areas communities identify with, how and why they do so. They are interested in all relevant information, for example economic or demographic data and mapping; community usage mapping; local place surveys and partner/stakeholder details.
- 5.7 There is no requirement for all wards to return three members – submissions may include proposals for wards electing one, two or three councillors. New wards do not have to follow existing ward or polling district boundaries
- 5.8 The population of Tower Hamlets is planned to grow significantly and it is important that the review provides substantial equality for some years to come, so the aim is to achieve an equality of representation based on projected figures 5 years from the end of the review - i.e. in March 2018. The Commission has therefore published electorate projections for the borough to 2018, broken down into current polling districts. These can be viewed on the LGBCE website at:-
<http://www.lgbce.org.uk/all-reviews/south-east/greater-london/tower-hamlets-fer>
- 5.9 The projected total electorate for the borough in March 2018 is 198,777. Based on a council size of 45 members, this means that each councillor will represent an average of 4417 electors. Therefore the target size for a two-member ward in the new arrangements would be 8,834 electors and for a three-member ward 13,251 electors.
- 5.10 A detailed guidance document, 'Electoral reviews: Technical guidance' is available on the Commission's website at www.lgbce.org.uk.
- 5.11 Officers have assisted members as required in preparing their respective submissions to the LGBCE, in particular by plotting projected electorate

figures onto proposed new ward divisions where these do not follow existing polling district boundaries.

Timetable for the remaining stages of the review

- 5.12 After the current consultation on warding patterns closes on 11th September, the LGBCE will take a provisional decision on warding arrangements and will share this with the Council. It is intended that draft recommendations for Tower Hamlets will be published in November 2012. There will then be a further eight week period of consultation on the draft recommendations before final recommendations are published in March 2013.
- 5.13 Given the proximity of the consultation closing date to the GP Committee meeting on 13th September, it is unlikely that any substantive feedback will be available by then from the Commission. However, it may be that outline information will be available such as the number of warding submissions received, and officers will report any update received verbally at the Committee's meeting.

6. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 6.1 There are no direct financial implications arising from this report.

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

- 7.1 The Local Government Boundary Commission for England is established by the Local Democracy, Economic Development and Construction Act 2009 and the electoral review of Tower Hamlets is conducted in accordance with that legislation and associated regulations. There are no direct legal implications arising from the recommendations in this report.

8. IMPLICATIONS FOR ONE TOWER HAMLETS

- 8.1 The aim of the electoral review is to secure appropriate and as far as possible equal representation for electors across all wards of the borough.

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

Correspondence from LGBCE

John Williams
020 7364 4204

Agenda Item 7.1

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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