

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE GENERAL PURPOSES COMMITTEE

HELD AT TIME NOT SPECIFIED ON TUESDAY, 11 DECEMBER 2018

C3 - TOWN HALL MULBERRY PLACE

Members Present:

Councillor Helal Uddin (Chair)
Councillor Kevin Brady (Vice-Chair)
Councillor Faroque Ahmed
Councillor Asma Begum
Councillor Asma Islam
Councillor Peter Golds

Apologies:

Councillor Mohammed Ahabab Hossain
Councillor Tarik Khan
Councillor Motin Uz-Zaman

Officers Present:

Amanda Harcus	– Divisional Director of HR
Asmat Hussain	– (Corporate Director, Governance and Monitoring Officer)
Matthew Mannion	– (Committee Services Manager, Democratic Services, Governance)
David Knight	– (Senior Democratic Services Officer)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

None were declared.

2. MINUTES

The unrestricted minutes of the General Purposes Committee meeting held on Monday 29th October, 2018 were approved as a correct record of proceedings.

3. WORK PLAN

The work plan of future agenda items was received and noted by the Committee.

RESOLVED

1. That the Work Plan be noted.

4. REPORTS FOR CONSIDERATION

4.1 Constitution Review Part A

The Committee received and noted a report that set out a draft copy of the new Part A of the constitution for consideration by the Committee as part of the current refresh of the Councils Constitution.

The Committees comments on Part A of the new constitution maybe outlined as follows:

The Committee noted that:

- This report follows on from the report to General Purposes Committee on 29 October 2018 which set out the initial reasons for the review;
- It is good practice to review the constitution regularly; it also follows on a recommendation of the recent Corporate Peer Review that highlighted the need to ensure that the Council removes bad bureaucracy whilst retaining good governance;
- The 'Supplementary Documents' (formerly called 'Supporting Documents') will remain a separate section but will be specified as being part of the Constitution. However, the delegations will remain in place to ensure that the relevant Sections can be updated as required;
- As agreed at the October meeting because discussions on the constitution will take place at the General Purposes Committee a constitution working group would not require for this review;
- This process would work best if the reviewed constitution was presented in stages;
- Part A of the new Constitution that is now before the Committee for consideration is a merger of the existing Parts 1 (Summary and Explanation) and 2 (Articles);
- Appendix 1 of the report provides an outline of how the different sections/articles have been combined;
- Whilst the content has been reviewed and re-organised, all sections of information have been retained. The overall length has now been reduced;
- The draft will be amended following any comments made at this meeting and then combined with other sections of the Councils

Constitution and will then form a fully refreshed constitution to be presented to Council;

- Certain sections of Part A will be reviewed by the relevant Committees or the Mayor.
- Going forward they can consider whether they wish to confirm agreement to the following Sections at a later date or if the Committee is content for them to proceed direct to Council (i) Section 9 – Overview and Scrutiny Committee and Scrutiny Sub-Committees/Panels; and Section 11 – The Standards (Advisory) Committee and the Code of Conduct for Members;
- The Mayor would also be consulted in respect of any changes proposed in relation to Executive decision-making arrangements.
- Some minor amendments such as when the Monitoring Officer makes statutory guidance or minor changes would be reported to the Committee and this would be the oversight so as not have to go to Full Council just because it a statutory and legal requirement. Although there would still be the option of taking it to Full Council if necessary;
- When each Committee reviews its Terms of Reference there will be an opportunity to undertake a review of the role of their Co-Optees;
- With regard to the changes to key decisions there has been a significant revision undertaken to make it clearer which decisions should qualify as Key Decisions;
- The definition and guidance has been expanded for key decisions;
- Possible specific potential financial thresholds for certain key decisions (and officer decision publication) are also to be consulted on;
- Further consideration should be given at a future meeting as to those decisions that have a significant impact on the community in terms of what is a significant impact on two or more wards;
- The Freedom of the Borough is the highest award that the Council can bestow. It is a power that is very rarely used and is normally only awarded to local people who have in the opinion of the Council rendered eminent services to the Borough. Therefore, there is a need for the constitution to clarify what a freeman can and cannot do.

The Chair Moved and it was:-

RESOLVED

To confirm that the Committee wishes to review the final Part A at a later meeting.

4.2 Appointment Sub-Committee - Membership

The Committee noted that at its meeting on 25 June 2018 it had agreed to the establishment of the Appointments Sub-Committee (and its terms of reference) for the municipal year 2018/19. This report proposed a minor amendment to those terms of reference in order to increase the membership of the Sub-Committee so as to allow a wider range of Councillors to take part in the meetings.

The Committee noted that:

- This report proposes an amendment to the terms of reference to increase the membership from four to five members as follows (i) 4 members of the Council as nominated by the Leader of the Labour Group, at least one of whom must either be the Mayor or a member of the Executive; and (ii) 1 Member of the Council as nominated by the Leader of the Opposition Group;
- An amendment is also proposed in relation to officer roles in order to better reflect internal procedures. Under Paragraph 2 of the terms and conditions it is proposed to read as follows “the Divisional Director, HR (or their respective nominee) to liaise with the Mayor and Group Leaders to receive their nominations, in accordance with the above allocation of places, and to agree the date of the first Sub-Committee in each Chief Officer/Deputy CO appointment cycle”;
- The Mayor and political groups are expected to assist in achieving a Sub-Committee whose overall composition is diverse in terms of gender and ethnicity wherever possible; and
- In the event that the initial nominations do not produce such a Sub-Committee, the Divisional Director HR (or their respective nominee) will discuss with the respective group leaders and the Mayor options for amending one or more of those nominations as necessary to achieve sufficient diversity.

The Chair Moved and it was:-

RESOLVED to agree:

1. to increase the membership of the Appointment Sub-Committee from four to five Members; and
2. the updated Terms of Reference attached at Appendix 1 to the report.

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

Nil items

5.1 Appointments to External Bodies

The Committee noted that this item had been withdrawn as Tower Hamlets Homes (THH) were at present redrafting the terms and conditions and going forward the appointment to the Board of Tower Hamlets Community Housing would be an unpaid a position.

6. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

1. That in accordance with 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 on the grounds that the remaining agenda item contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government Act 1972.

7. EXEMPT MINUTES

Nil items

8. FORTHCOMING RESTRUCTURES - STAFFING IMPLICATIONS

Amanda Marcus, Divisional Director, HR, presented a report that provided information to Members in respect of severance packages of over £100,000. This report related to five employees who were to leave the Council on the grounds of redundancy and whose severance packages exceeded the threshold.

The Committee considered the report agreed the reasons for excluding the press and public.

The Chair Moved and it was:-

RESOLVED to

1. approve the dismissal of those employees as detailed in the report through voluntary redundancy (or with pay in lieu of notice); and
2. note the severance packages that apply to the dismissals arise as a result of the individual's contractual terms and conditions of employment and that information regarding these payments will be reported to Council in the annual update of the Pay Policy Statement report.

The meeting ended at 20:30hrs

**Chair, Councillor Helal Uddin
General Purposes Committee**