



# Havering

L O N D O N B O R O U G H

## GOVERNANCE COMMITTEE AGENDA

<b>7.30pm</b>	<b>Wednesday 24 November 2010</b>	<b>Havering Town Hall Main Road, Romford</b>
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Members 11: Quorum 4

### COUNCILLORS:

<b>Conservative Group (7)</b>	<b>Residents' Group (2)</b>	<b>Labour Group (1)</b>	<b>Independent Residents' Group (1)</b>
Michael White (C) Becky Bennett (VC) Robert Benham Osman Dervish Steven Kelly Roger Ramsey Eric Munday	Clarence Barrett Ray Morgon	Keith Darvill	Jeffrey Tucker

**For information about the meeting please contact:  
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**AGENDA ITEMS**

**1 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

**2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS (if any) - receive.**

**3 DECLARATION OF INTERESTS**

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

**4 MINUTES**

To approve as a correct record the minutes of the meeting of the Committee held on 6 October and the Special Meeting held on 27 October 2010, and to authorise the Chairman to sign them.

**5 APPOINTMENTS TO THE ADOPTION PANEL**

Members are invited to appoint two candidates for vacancies which have recently arisen.

**6 MEMBERS' CASEWORK – ward surgeries**

This report sets out the policies and practices adopted for issues around members' ward surgeries and invites Members to confirm or otherwise agree them.

**7 MONITORING OFFICER NO 04 AMENDMENTS TO THE CONSTITUTION**

Members are invited to note the report.

**8 URGENT BUSINESS**

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

**Philip Heady  
Democratic Services Manager**

**MINUTES OF A MEETING OF THE  
GOVERNANCE COMMITTEE  
Havering Town Hall  
6 October 2010 (7.30pm – 9.00pm)**

**Present:**

**COUNCILLORS:**

<b>Conservative Group</b>	Becky Bennett (in the Chair), Robert Benham, Osman Dervish, Steven Kelly, Eric Munday, Roger Ramsey and +Sandra Binion
<b>Residents' Group</b>	Clarence Barrett and Ray Morgon
<b>Labour Group</b>	Keith Darvill
<b>Independent Local Residents' Group</b>	-

+ **Substitute Member:** Councillor Sandra Binion (for Councillor Michael White).

Apologies for absence were received from Councillor Jeffrey Tucker

All decisions were taken unanimously with no votes against unless shown otherwise.

In the absence of Councillor Michael White, the Vice Chairman, Councillor Becky Bennett, took the Chair

The Chairman reminded Members of the action to be taken in an emergency and also of the date of a "Special" meeting to consider a report concerning the Publicity Code Consultation, which was confirmed as being **Wednesday 27 October 2010**.

**14 MINUTES**

The Minutes of the meeting of the Committee held on 21 July 2010 were agreed as a correct record, subject to a minor spelling correction. The minutes were then signed by the Chairman.

A Member asked for an update from the Statutory Officer concerning Overview & Scrutiny and was informed that this was not a function proper to the Committee. He was, however, assured that he would be provided with this information privately.

## 15 **2011 CENSUS AND THE LONDON BOROUGH OF HAVERING**

The Committee was reminded of the Council's responsibility to provide support and facilities on behalf of the Office for National Statistics (ONS) for the work and canvassers connected with data gathering for the 2011 Census. Some Members expressed their concerns about the possible costs involved (particularly about the provision of car parking facilities during the Census) and one Member observed that it was rumoured that the Census itself might even be cancelled because of cost.

A Member observed that it was imperative that the Census should be as fully completed as possible as a considerable amount of Government funding could be lost if residents were not recorded. The Committee was in agreement that the Council's Census Steering Committee should ensure that the Census (if it proceeded) should be completed as cost-effectively as possible.

The Report was **noted**.

## 16 **REVISED PUBLIC ENGAGEMENT ACTIVITIES**

The Committee received a report from the Cabinet Member for Community Empowerment concerning a package of measures that were intended to replace the Area Committees which had been abolished by Council on 28 July 2010 and promised at a joint meeting of the overview and scrutiny committees held on 3 August.

The report recommended changes to the Constitution which would enable the Cabinet Member for Community Empowerment to decide the format and operation of question and answer sessions before Cabinet meetings and for the Leader of the Council – after consulting with the other Group Leaders – to decide whether additional public meetings should be held. It furthermore invited the Committee to determine the Council's appointments to the Community Police Consultative Group (CPCG).

Doubt was expressed as to whether it remained appropriate for a member of staff from StreetCare to be present prior to the start of the Highways Committee. Further issues were raised by Members to clarify the format of the proposed pre-Cabinet question and answer session..

In relation to the CPCG, the Committee was reminded that it was a statutory body supported by the Metropolitan Police Authority, which expected that it would have Council representation.

Following discussion, the Committee voted on acceptance of the principle of the proposals set out in the report. The proposal was approved by 7 votes to 2.

[Note: Councillors Robert Benham, Becky Bennett, Sandra Binion, Osman Dervish, Steven Kelly, Eric Munday and Roger Ramsey voted for the

proposal; Councillors Clarence Barrett and Keith Darvill voted against; and Councillor Ray Morgon abstained].

It was proposed that the following wording in Recommendation 2(b) of the report be deleted: "*funded by Ward Members or a Service up to a limit of £500 per meeting*" and that the recommendation should read:

"That the power to agree that the Council should convene additional public meetings when requested by Ward Member(s), should be delegated to the Leader of the Council after consultation with Group Leaders."

This motion was **agreed** without a vote.

It was also proposed that the attendance of a member of StreetCare staff from before the Highways Committee meetings (a legacy from the Area Committees) be dispensed with. This too was agreed without a vote.

With regard to representation on the CPCG, it was **agreed** that:

- (a) The Members appointed by Council at the Annual Meeting to be Chairmen of the (now abolished) Area Committees be first offered the opportunity of representing their area;
- (b) If they declined, the designated Vice Chairmen be offered the opportunity and
- (c) If they declined, the vacancy be referred to the Group Leader of the majority Group within the two wards comprising the former Area Committee to appoint a representative.

This proposition was also agreed without a vote.

**RESOLVED:**

1. The intention to put in place the measures indicated in the report be noted.
2. To **RECOMMEND TO THE COUNCIL:**
  - (a) That the Leader of the Council be recommended to delegate the power to agree the format and any other operational decisions in respect of public question and answer sessions before Cabinet meetings to the Cabinet Member for Community Empowerment;
  - (b) That the power to agree that the Council should convene additional public meetings when requested by Ward Member(s) be delegated to the Leader of the Council after consultation with Group Leaders.

3. That:
- (a) The Members appointed by Council at the Annual Meeting to be Chairmen of the (now abolished) Area Committees be first offered the opportunity of representing their area;
  - (b) If a Chairman declined, the designated Vice Chairmen be offered the opportunity and
  - (c) If the Vice-Chairman declined, the vacancy be referred to the Group Leader of the majority Group within the two wards comprising the former Area Committee to appoint a representative.

#### 17 **PETITIONS – further report - ePetitioning**

This report was submitted to deal with the statutory obligation to provide means whereby the public could submit petitions electronically (ePetitions).

It was noted that new duties relating to electronic petitions – ePetitions – were intended to become effective on 15 December.

Members expressed concern about aspects of the proposals and questioned there was a need to continue with the proposals following recent changes in government advice.

It was accordingly agreed that consideration of the matter be deferred until the Special meeting due to take place on 27 October.

#### 18 **CONSTITUTION – MINOR AMENDMENTS TO COMMITTEE RESPONSIBILITIES: Governance Statement & Statement of Accounts**

This report proposed some minor amendments to the responsibilities of the Governance Committee and the Audit Committee concerning the Statement of Accounts and the Governance Statement.

It was noted that the Audit Committee was the appropriate body to deal with both the Statement of Accounts and the Governance Statement and that it would involve the removal of duplication of work and conflict of interest. It would require minor amendment to the appropriate sections of the Constitution as shown in paragraph 5 of the report.

#### **RESOLVED:**

##### **To RECOMMEND TO THE COUNCIL:**

That the Constitution be amended as follows:

Under Audit Committee

Amend

‘To receive and approve the Annual Statement of Accounts’

to read

‘To approve the Annual Statement of Accounts, including the Annual Governance Statement, and to recommend as necessary to the Governance Committee regarding that committee’s responsibilities to monitor corporate governance matters generally.

Under Governance Committee

Delete

- To monitor and review all aspects of Corporate Governance
- To approve the Annual Governance Statement

## 19 **AMENDMENTS TO THE COUNCIL’S ARRANGEMENTS REGARDING THE CONTROL OF DIRECTED SURVEILLANCE (RIPA)**

The report recommended the implementation of the necessary arrangements that the Council had in place for controlling its use of directed surveillance powers under the *Regulation of Investigatory Powers Act 2000* (RIPA) in order to comply with the latest codes of practice issued by the previous Government.

The report outlined the constitutional changes that needed to be made to provide the requisite Member oversight and sought approval of a revised policy and procedure document which incorporated the changes in line with the new codes of practice.

The Public Protection Manager, provided Members with an overview of the necessity to ensure that the Council’s controls meet the current guidance and reminded them that inspection was carried out biennially and that the next inspection was due to take place this December. A Member asked how Councillors were going to scrutinise the use of the powers and was informed that on a quarterly basis, the Cabinet Member for Community Safety and Leader of the Council would receive a report and that a report would be presented to Governance on an annual basis.

### **RESOLVED:**

#### **To RECOMMEND TO THE COUNCIL:**

The following Constitutional changes:

1 Part 3 Section 1.2 Governance Committee

add the following under Miscellaneous

*“To review the Council’s use of the Regulation of Investigatory*

**Governance Committee, 6 October 2010**

*Powers Act 2000 and the Council's policy at least once every year and make recommendations for changes to the policy."*

- 2 That the Assistant Chief Executive, Legal & Democratic Services (as the Senior Responsible Officer for the purpose of RIPA) would:
- Report to the Council's Governance Committee at least once a year on the use of RIPA and reviewing the Council's policy
  - Report to the Leader and Lead Member for Community Safety on at least a quarterly basis to ensure that it is being used consistently with the local authority's policy and that the policy remains fit for purpose.
  - Implement any post-inspection recommendations made by the Surveillance Commissioner.

20 **MONITORING OFFICER'S REPORT**

This report contained minor amendments to the Constitution consistent with Part 2 Article 11.2(c) of the Constitution.

The Committee **noted** the report

21 **APPOINTMENT OF NOMINATIVE TRUSTEES OF THE ROMFORD COMBINED CHARITY**

The Committee was informed that the Romford Combined Charity was a small, local charity that made grants for the relief of poverty etc. The terms of office of two of the nominative Trustees, Councillors Michael Armstrong and Andrew Curtin would expire on 3 November 2010. Both councillors were eligible for re-appointment; but, if either was to be replaced, the Committee was reminded that an appointee need not be a Member of the Council.

Ms Christine Hunnable (a former Clerk of the Trustees) had resigned as a Trustee. Her term of office was due to expire on 25 October 2011. Again, her successor did not need to be a Member of the Council.

**RESOLVED:**

**That**

**Councillors Michael Armstrong and Andrew Curtin be reappointed and that Councillor Osman Dervish be appointed to the remaining vacant position.**



**MINUTES OF A SPECIAL MEETING OF THE  
GOVERNANCE COMMITTEE  
Havering Town Hall  
27 October 2010 (7.30pm – 8.40pm)**

**Present:**

**COUNCILLORS:**

<b>Conservative Group</b>	Michael White (in the Chair), Becky Bennett (VC), Robert Benham, Osman Dervish, Steven Kelly and Roger Ramsey
<b>Residents' Group</b>	Clarence Barrett and Ray Morgon
<b>Labour Group</b>	Keith Darvill
<b>Independent Local Residents' Group</b>	Jeffrey Tucker

Councillor David Durant was also present.

All decisions were taken unanimously with no votes against unless shown otherwise.

The Chairman reminded Members of the action to be taken in an emergency.

**22 RESPONDING TO THE GOVERNMENT'S CONSULTATION ON REVISIONS TO THE CODE OF RECOMMENDED PRACTICE ON LOCAL AUTHORITY PUBLICITY**

The Head of Communications introduced this item. The report presented to the Committee a draft response on behalf of the Council to the Government's proposed new Code of Recommended Practice on Local Authority Publicity ("The Code").

The draft Code would have significant impact on current communication policy and practice. It included measures to prohibit the publication of Council newspapers and magazines more frequently than once every quarter and also presented new rules to encourage "even-handedness" in Council communications. It was the view of officers that a number of these measures would reduce the clarity of Council communications and restrict the Council's ability to communicate effectively with residents and that the draft response to the consultation, before Members for discussion, set out those concerns in detail.

Members deliberated at length on this issue. Concerns were expressed by several Members that there could be problems with the issuing of statutory Public Notices if the periodicity of publication was changed. Fortnightly appeared to be the best option, though monthly was an acceptable alternative. There was support for a bi-monthly option but the Committee as a whole

rejected the concept of quarterly publication. It was suggested that Public Notices might have to alternate between publication in *"Living"* and a commercial local paper in order to ensure that the Council's responsibilities were properly discharged.

There was objection to this however, some Members expressing the view that *"Living"* was delivered to every household across the borough, whereas local papers generally had a much smaller circulation – which would represent a far less reach than the present arrangement.

A potential imbalance between costs and revenues if *"Living"* was published less frequently was discussed. *"Living"* currently generated significant advertising revenue which supported fortnightly publication. In addition, internal cross-charging ensured that the cost of publishing Statutory Public Notices remained "in house" and contributed to the economies of the publication. Members were concerned about advertisers withdrawing from a publication which was changing from 26 issues a year to (potentially) only four, which would almost certainly have a negative impact on the Council's ability to maintain the publication of *"Living"* either in its present form or at all.

The Committee discussed the need for even-handedness. As expressed in the draft Code, the term was meaningless in that it could be interpreted widely or narrowly and was thus potentially confusing.

Following further discussion, a proposal to accept the draft response to the Government's consultation contained within in the report was approved by 6 votes to 3.

[Note: Councillors Michael White, Robert Benham, Becky Bennett, Osman Dervish, Steven Kelly and Roger Ramsey voted for the proposal; Councillors Clarence Barrett, Ray Morgon and Keith Darvill voted against; and Councillor Jeffrey Tucker abstained].

#### **RESOLVED:**

That the draft response to the Government's consultation contained in the report be submitted to the Department of Communities & Local Government

#### **23 APPOINTMENT OF REPRESENTATIVES TO THE DAMYNS HALL AERODROME JOINT CONSULTATIVE COMMITTEE**

Members were informed that the Aerodrome Operator was obliged by a S.106 agreement to establish a Joint Consultative Committee (JCC). This JCC was required to include two representatives of the Council.

Councillors Linda Van den Hende and Ron Ower were proposed by the Leader of the Residents' Group and Councillor Robert Benham was proposed by Councillor Steven Kelly, all proposals being duly seconded. Councillor Jeffrey Tucker proposed Councillor David Durrant but that proposal was not seconded.

Following discussion, Councillor Clarence Barrett withdrew Councillor Ron Ower's name and there were no other candidates.

**RESOLVED:**

**That**

**Councillors Robert Benham and Linda Van den Hende be appointed to the JCC.**

**24 PETITIONS – further report - ePetitioning**

Members were reminded that consideration of this report had been deferred from the previous meeting and the Committee Administration Manager tabled a supplementary report in which the details of the Government grant was set out. It was noted that the grant was larger than anticipated, being £15,695. No information was available as to the Government's intentions for the future of the petitions legislation.

Members were reminded that provision for ePetitioning had to be in place by 15 December 2010 and that, whether or not the Government made any changes or repealed the legislation, the Council was obliged to make provision available.

The Committee noted the arrangements that were intended to be made on an interim basis to secure an ePetitioning facility from the statutory date until a more permanent arrangement could be made.

**RESOLVED:**

**To RECOMMEND TO THE COUNCIL:**

That the statutory Petitions Scheme be amended, with effect from the launch of the Council's ePetition facility, by adding at the end of the Scheme the additional section relating to ePetitions:

**“Petitions raised and submitted electronically (“ePetitions”)**

The Council's website contains a dedicated area that enables petitions to be raised and submitted electronically. Such petitions are referred to as ePetitions.

An ePetition may be raised by going to the Council's website at [www.havering.gov.uk/petitions](http://www.havering.gov.uk/petitions) and following the guidance given there.

Any ePetition raised on the website will be assigned a closing date. Once the closing date is reached, no further signatures may be added to it and its processing in accordance with this Petition Scheme will begin.

ePetitions will be treated in exactly the same manner as petitions submitted using more traditional methods. An ePetition may be submitted in place of, or in addition to, a petition on paper (but any individual may sign only an ePetition or a paper petition, not both).

It will be necessary for those signing a petition electronically to confirm that they are qualified to do so, by providing a postal address in Havering where they live, work or study.

All ePetitions raised on the Council's website will be moderated to ensure that they comply with the requirements of this Petition Scheme. The Council reserves the right to refuse to place on the website any ePetition that does not comply with the Scheme."

**GOVERNANCE  
COMMITTEE**

**REPORT**

**24 November 2010**

**Subject Heading:**

**APPOINTMENTS TO THE ADOPTION  
PANEL**

**CMT Lead:**

Christine Dooley, Assistant Chief  
Executive – Legal and Democratic  
Services

**Report Author and contact details:**

Sean Cable, Committee Officer,  
01708 432436  
[sean.cable@hotmail.co.uk](mailto:sean.cable@hotmail.co.uk)

**Policy context:**

None applicable

**Financial summary:**

There are no financial implications

**The subject matter of this report deals with the following Council  
Objectives**

- Clean, safe and green borough
- Excellence in education and learning
- Opportunities for all through economic, social and cultural activity
- Value and enhance the life of every individual
- High customer satisfaction and a stable council tax

**SUMMARY**

Regulations require a local authority providing an adoption service (“an adoption agency”) to appoint an Adoption Panel. In Havering, the appointment of individual Panel members is a matter for this Committee.

**Governance Committee, 24 November 2010****RECOMMENDATION****That the Committee:**

- (a) Note that Roy Gaskin and Jonathan Pearce have stepped down from the Panel;**
- (b) Approve the appointment of Lynn Adams and Carol Balfe as the new social care members of the Panel.**

**REPORT DETAIL**

1. The regulations require that the Adoption Panel shall consist of no more than ten members, including the Chairman and must include:
  - (a) two social workers each with at least three years' relevant post-qualifying experience;
  - (b) one member of the Council;
  - (c) the medical adviser for adoption;
  - (d) at least three other independent members including - where reasonably practicable - at least two persons with personal experience of adoption.
2. Two social care representatives, Roy Gaskin and Jonathan Pearce have now indicated their intention to step down from the Panel. The Adoption Agency has therefore put forward two nominees to act as the new social care representatives on the Panel: Lynn Adams and Carol Balfe. Both are fully qualified social workers with over three years' of relevant post-qualifying experience.
3. Carol Balfe is the Team Manager for Aiming High Services and Lynn Adams is the Manager of the Independent Reviewing Officers.
4. The Committee is therefore invited to approve Lynn Adams and Carol Balfe as members of the Adoption Panel.

Governance Committee, 24 November 2010

## **IMPLICATIONS AND RISKS**

### **Human resources implications and risks**

There are no implications or risks for the human resources arise from this report.

### **Equalities implications and risks**

There are no implications or risks for the environment arise from this report

### **Financial implications and risks**

There are no financial implications or risks arise from this report.

### **Legal implications and risks**

There are no legal implications or risks arise from this report.

## **BACKGROUND PAPERS**

There are none.

**Governance Committee, 24 November 2010**





# GOVERNANCE COMMITTEE

# REPORT

24 November 2010

**Subject Heading:**

**MEMBERS' CASEWORK – ward  
surgeries**

**CMT Lead:**

Christine Dooley, Assistant Chief  
Executive, Legal & Democratic Services

**Report Author and contact details:**

Philip Heady  
Democratic Services Manager  
Tel: 01708 432433  
E-mail: [philip.HEADY@havering.gov.uk](mailto:philip.HEADY@havering.gov.uk)

**Policy context:**

Facilities for Members

**Financial summary:**

No financial implications if situation not  
changed

**The subject matter of this report deals with the following Council Objectives**

Clean, safe and green borough	[ ]
Excellence in education and learning	[ ]
Opportunities for all through economic, social and cultural activity	[ ]
Value and enhance the life of every individual	[ 3 ]
High customer satisfaction and a stable council tax	[ 3 ]

**SUMMARY**

Several members new to the Council have enquired about surgery facilities that might be available to them. While Havering Council itself has never supported surgeries administratively or financially and the letting policies around the use of Council premises do not allow permit political use, the opportunity is taken through this report – at the request of the Committee's Chairman - to promote a discussion on the matter and to place on the record the Council's policies and practices.

## RECOMMENDATIONS

That the policies and practices adopted for issues around members' ward surgeries be confirmed or otherwise agreed.

## REPORT DETAIL

- 1 It is common and traditional practice – in Havering and throughout local government generally - for members to hold local 'surgeries' which residents and others in their wards can attend to meet one of their local councillors and to talk to them about local specific Council-related issues, usually known as casework. This is one of the principal ways in which members fulfil their responsibilities to represent their constituents.
- 2 In Havering such surgeries are arranged and funded by members themselves. Non-Council-controlled premises are used for this purpose. The members themselves arrange appropriate publicity and Council publications and notice boards etc. are not used for this purpose. In recent years it has been the practice for surgery details – or contact numbers for that purpose - to appear, where requested by the member, on the page on the Havering Council website devoted to that member.
- 3 The Committee is invited to consider whether there should be any changes to these arrangements.
- 4 If it is agreed that the arrangements remain unchanged the Committee is invited to agree, for the public record, that
  - The Council does not pay for any ward surgeries
  - Council staff do not arrange any surgeries
  - Council resources are not used to promote surgery details (save for the details appearing on the members' web page)
- 5 So far as the use of Council premises for this purpose is concerned, the Committee may wish to take a view on the matter. The Executive is responsible for hall and premises hire issues (which branch of the Executive will depend on which Lead member/Head of Service is responsible for the premises in question) and any view taken by this committee will be passed to the decision-maker for action. In some cases it is arguable whether the hire conditions are entirely clear and a view by this committee will be useful for those responsible for such conditions in their efforts to make the conditions

unambiguous. The Committee is invited to confirm or otherwise that Council premises must not be used for ward surgeries

6 Aside from public halls, there may be an expectation that Members could use the Committee Rooms at the Town Hall for surgery purposes. The Committee Rooms come under the jurisdiction of this Committee.

7 The use of Committee Rooms was considered last by the Committee in July 2007, when it was decided:

“That, for the avoidance of uncertainty, no meeting accommodation at the Town Hall shall be available:

- For “surgery” purposes by a Member, Member of Parliament, Member of the European Parliament or Member of the Greater London Authority
- For use by any candidate for election to the Council, Parliament, the European Parliament, the Greater London Authority”

8 In reaching that decision, the Committee had been reminded and advised that:

“Electoral law requires that local authorities make available on request to candidates “rooms” for public meetings on request. Although many Town Halls incorporate halls that are available for public events, Havering Town Hall has no such facility and neither the Chamber nor individual CRs would be suitable for such a use. There is nothing in the legislation that requires the Council to make facilities at the Town Hall available, since the obligation to provide “a room” can be discharged by arranging for accommodation in a school or social hall to be made available. Accordingly, a specific policy decision that no room at the Town Hall can be made available for election meetings is now suggested. It should be noted that this would merely codify long-standing practice.

“It is also long-standing practice, re-affirmed from time-to-time, that accommodation at the Town Hall should not be available for Members’ surgeries. ...”

9 It is for the Committee to consider whether it wishes to review that position.

10 It should be noted that arrangements for any Leader of the Council would be different in that when a Leader invites the public to meet them, it is in the capacity of Leader of the Council, not as a ward member. Thus any costs arising from such arrangements would be met by the Council.

## IMPLICATIONS AND RISKS

### **Financial implications and risks:**

The financial implications of any changes made would need to be evaluated accordingly

### **Legal implications and risks:**

There is no legal obligation upon the Council to provide facilities for members to hold local surgeries. Various conditions of hire state that the Council does not accept bookings for political purposes. It is arguable as to whether use for a surgery strictly falls within the terminology of political use or whether a surgery is more akin to an advice centre for ward members to assist constituents. However it may be prudent for premises other than Council buildings to be used given that surgeries could be held by all 54 members of the Council and on occasions some may stray into a more political scenario.

**Human Resources implications and risks:** None.

### **Equalities implications and risks:**

While surgeries undoubtedly promote opportunities for some who, in other circumstances, might not be able to meet their ward members on a one-to-one basis, this report by itself does not suggest action which would inhibit such opportunities or adversely affect the current arrangements

## BACKGROUND PAPERS

None.



# GOVERNANCE COMMITTEE

# REPORT

24 November 2010

**Subject Heading:**

MONITORING OFFICER NO 04  
AMENDMENTS TO THE  
CONSTITUTION

**Report Author and contact details:**

CHRISTINE DOOLEY  
01708 432442

**Policy context:**

Monitoring Officer Amendments to the  
Constitution

**Financial summary:**

Not applicable

**The subject matter of this report deals with the following Council Objectives**

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

**SUMMARY**

Part 2 Article 11.02(c) of the Constitution authorises the Monitoring Officer to amend the Constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure.

The constitution provides that this committee must be notified of any such amendment at the first reasonable opportunity.

**RECOMMENDATIONS**

That this report be noted.

**REPORT DETAIL**

The Monitoring Officer has the ability to make limited amendments to the Constitution as set out in the summary above.

As a new Constitution has been adopted with effect from 9<sup>th</sup> May 2010 the numbering system has commenced again from 01/10.

The meeting of this committee is the first opportunity for the reporting of the most recent amendments made and the committee is requested accordingly to note the amendments made.

**IMPLICATIONS AND RISKS**

*There is a **corporate** requirement to set out the implications and risks of the decision sought, in the following areas*

**Financial implications and risks:       None**

**Legal implications and risks:**   The Constitution provides for the Monitoring Officer to make certain amendments to the constitution

**Human Resources implications and risks:   None**

**Equalities implications and risks:       None**

**BACKGROUND PAPERS**

E-mail correspondence re: amendments

**SUBJECT: AMENDMENTS TO CONSTITUTION**

**Notification No. 04/10**

**Date 3<sup>rd</sup> November 2010**

**Notification of amendments to the constitution**

**Amendments made by the Monitoring Officer**

Part 2, Article 11.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution.

<b>Part and article/ section</b>	<b>Page reference</b>	<b>Substance of amendment / amended wording</b>	<b>Reason for amendment</b>
Part 3 Section 3.6.2	81	Reinstate as 3.6.2 (l) the following:  To authorise activities under the Regulation of Investigatory Powers Act 2000.	Error

