

**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Town Hall, Main Road, Romford
17 January 2012 (7.30 - 8.55 pm)**

Present:

COUNCILLORS

Conservative Group	Frederick Thompson (Chairman), Becky Bennett (Vice-Chair), Osman Dervish, Steven Kelly, Michael White, +Sandra Binion, +Garry Pain and +Lynden Thorpe
Residents' Group	Clarence Barrett and Gillian Ford
Labour Group	Keith Darvill and Paul McGeary
Independent Residents Group	+David Durant

There were no declarations of interest

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

Apologies for absence were received from Councillors Robert Benham, Eric Munday, Roger Ramsey and Jeffrey Tucker.

Councillors +Garry Pain, +Sandra Binion and +Lynden Thorpe substituted for Councillors Robert Benham, Roger Ramsey and Eric Munday respectively and Councillor +David Durant substituted for Councillor Jeffrey Tucker.

14 MINUTES

The minutes of the meeting held on 9 November 2011 were agreed as a true record and signed by the Chairman after the clerk had confirmed that the voting records had been corrected in the copy presented for signature.

15 AMENDMENTS TO THE CONSTITUTION - FINANCE PROCEDURE RULES

The Committee was informed that elements of the Finance Procedure Rules (FPR), (notably the Closedown of Accounts) reviewed two years previously now required adjustment in order to reflect recent changes in legislation.

A Member queried the need for changing the FPR as they had been set up to function independently of economic changes. He was assured that they

remained robust, but that the legal framework in which they operated had changed.

Another Member queried why there appeared to be a discrepancy in authorisation in connection with certain virements. The Committee was reminded that the apparent discrepancies were in part due to the manner in which the FPR was set up, but that the FPR as a whole was consistent.

A motion to add wording of a paragraph within the Budget Management section so that it read:

“The Group Director, Finance and Commerce is responsible for ensuring that Cabinet, **Overview and Scrutiny and elected Members are** suitably informed of the financial position during the course of the year” was proposed.

The motion was put to the vote and was **LOST** 5 votes to 8.

For: Councillors Clarence Barrett, Keith Darvill, David Durant, Gillian Ford and Paul McGeary

Against: Councillors Becky Bennett, Sandra Binion, Osman Dervish, Steven Kelly, Garry Pain, Frederick Thompson, Lynden Thorpe, and Michael White

The report as a whole was then put to a vote

For: Councillors Becky Bennett, Sandra Binion, Keith Darvill, Osman Dervish, Steven Kelly, Paul McGeary, Garry Pain, Frederick Thompson, Lynden Thorpe and Michael White voted in favour of the motion

Councillors Clarence Barrett, David Durant and Gillian Ford abstained

Therefore the vote was **CARRIED** by 10 votes to nil.

The Committee therefore **RECOMMENDED** to Council that the revised Financial Procedure Rules should be adopted without change.

16 **ANNUAL MEETING OF THE COUNCIL - REVIEW OF MEETING ARRANGEMENTS**

Members were reminded that at the meeting of the Committee held on 7 September 2011, they had considered events at the Annual Meeting of Council held in May 2011 and had asked for a report on options for improvements in the arrangements for Annual Meetings.

Various options were presented and explored. Following discussion, the consensus was that, as an experiment for 2012, a second meeting – within a month of Annual Council – would be the way forward and that the Committee should revisit the issue after that meeting.

RESOLVED TO RECOMMEND TO COUNCIL

- 1 That the conferment of awards at the Annual Meeting of the Council be considered civic business and dealt with before the statement by the Leader of the Council, and that the Council Procedure Rules (CPR) be amended by moving paragraph (h) of CPR 1 to follow immediately after paragraph (e), and re-numbering the current paragraphs (f) and (g) accordingly.
- 2 That, for 2012/13, the following adjustments be made:
 - (a) That the business of the Annual Meeting of the Council in May be confined to civic business (Part 1 of CPR 1) and other business appropriate to the Annual Meeting (paragraphs (h) and (i) of Part 2 of that CPR), that the meeting commence at 7.30pm rather than 7pm, that the Leader's statement be taken as the final item of business and that the meeting terminate on conclusion of the statement;
 - (b) That an additional ordinary meeting of the Council be held on 13 June to consider the remaining business specified in Part 2 of CPR 1 (ordinary business at the Annual Meeting) and that there be opportunity for debate about the Leader's statement;
 - (c) That the Mayor be authorised to determine the timetable for the submission of any motion or amendment relating to the Leader's statement for the meeting of 13 June as if the final paragraph of CPR 4.1 (arrangements for extraordinary meetings) applied to the meeting; and
 - (d) That so far as necessary to achieve the purposes of these proposals, Part 2 of CPR 1 be suspended for the 2012 Annual Meeting but be applied to the additional ordinary meeting (rather than CPR2 (ordinary meetings)).

***Note of the Chief Executive** - Having regard to the need to give due notice of business at the proposed additional meeting and to the Queen's Diamond Jubilee Celebrations at the beginning of June, the earliest practicable date for that meeting would be Wednesday 13 June and it was proposed to Council that the meeting be held that day.*

17 **PUBLIC ACCESS TO THE COUNCIL CHAMBER - FURTHER REVIEW OF ARRANGEMENTS (SECOND REPORT)**

Following an incident at a meeting of the Regulatory Services Committee in October 2011, several Members had expressed concern about their personal safety. The report now before the Committee put forward possible measures for improving Members' security within the Chamber.

Following discussion, Members concluded that any risk to the personal safety was outweighed by the need to maintain a proper link between Members and those attending meetings in exercise of their democratic rights. Members expressed the view that it was the responsibility of

individual Councillors to conduct themselves in a proper manner when in public and to set an example.

The Committee agreed that it would not be necessary to implement further security measures within the Council Chamber.

18 **APPOINTMENT OF NOMINATIVE TRUSTEE TO THE ROMFORD COMBINED CHARITY**

The Committee received a report reminding it that the term of office for Councillor Osman Dervish had come to an end and that until the future of the charity should be determined, it was the duty of the Committee to nominate a successor.

Councillor Sandra Binion was proposed and seconded. There were no other nominations and, as she expressed a willingness to accept the nomination, Committee:

RESOLVED:

To

- 1 Appoint Councillor Sandra Binion as nominative Trustee in succession to Councillor Osman Dervish.
- 2 Note the current position regarding the administration of the Charity.

19 **URGENT BUSINESS**

The Chairman announced that two issues had been brought to his attention for inclusion since the publication of the agenda. Considering them to be of an urgent nature, he was allowing them to be considered by the Committee.

A member raised a query relating to the presence during deliberation by an Overview and Scrutiny Committee of a requisitioned matter of the Cabinet member who had been invited to appear before it to clarify points of detail. At the meeting in question, the Cabinet Member had declined to withdraw, stating that he had a right to be present during the deliberations. The Member stated that he had thought this had been incorrect and although the Chairman had urged the Cabinet member to withdraw, he continued to refuse. The Member had subsequently sought clarification on the point and asked what the position was as stated in the Constitution.

The Committee was informed that Cabinet members could attend Overview & Scrutiny meetings in connection with requisitions, but this was at the invitation of the Chairman and that they could speak freely during the discussion but, when the Committee indicated that it was intending to deliberate the matter, the Cabinet member was obliged to withdraw.

Officers confirmed that the appropriate portion of the Constitution would be made available to Members after the meeting.

The second matter was in respect of the legal position of Cabinet members speaking on topics within their portfolios in Regulatory Services Committee meetings. The Member asked for clarification as to whether it was appropriate for a Cabinet member to speak on projects where the Council itself had an interest. He added that he had received Counsel's opinion that this would not be proper.

The Committee took the view that legal advice was necessary on this and asked the Acting Assistant Chief Executive to provide a report in due course on the subject.

Chairman