



Havering

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

GOVERNANCE COMMITTEE AGENDA

7.30 pm	Wednesday 8 January 2020	Committee Room 3A - Town Hall
----------------	-------------------------------------	--

Members 11: Quorum 4

COUNCILLORS:

Conservative Group (6)

Robert Benham (Vice-Chair)
Michael White (Chairman)
Joshua Chapman
Roger Ramsey
Damian White
Viddy Persaud

Residents' Group (2)

Ray Morgon
Barry Mugglestone

Upminster & Cranham Residents' Group (1)

Linda Hawthorn

Independent Residents' Group (1)

David Durant

Labour Group (1)

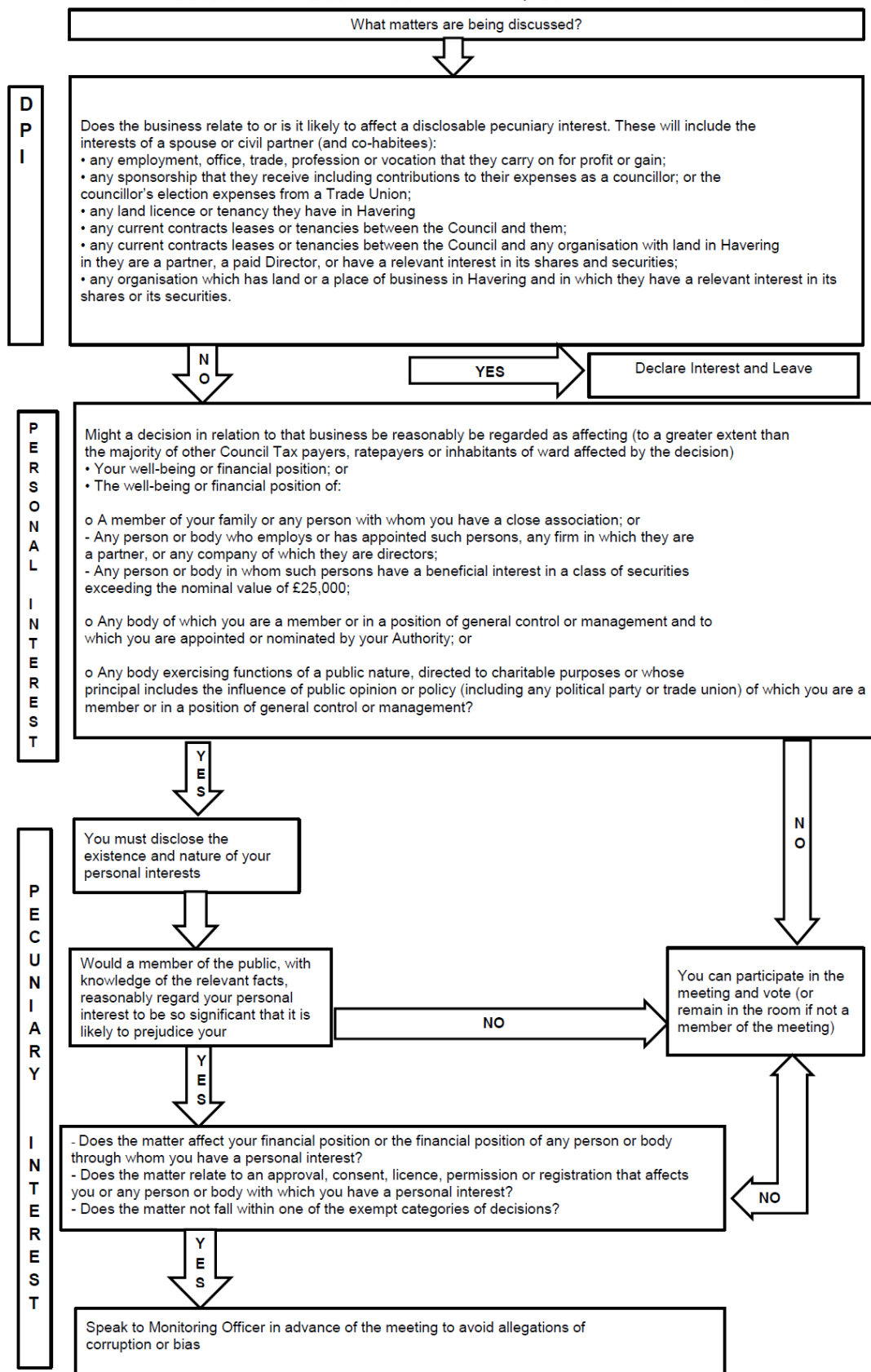
Keith Darvill

North Havering Residents Group (1)

Darren Wise

**For information about the meeting please contact:
Debra Marlow tel: 01708 433091
E-mail: debra.marlow@onesource.co.uk**

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



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 & SUBSTITUTE MEMBERS

(If any) - receive

3 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in any item at any time prior to the consideration of the matter.

4 THE PROCEDURE FOR THE NOMINATION AND APPOINTMENT OF HONORARY FREEMAN AND HONORARY ALDERMAN (Pages 1 - 6)

5 STAFF EMPLOYMENT PROCEDURE RULES (Pages 7 - 20)

6 CHANGE OF COUNCIL DATE: SEPTEMBER 2019 (Pages 21 - 24)

Andrew Beesley
Head of Democratic Services

This page is intentionally left blank



GOVERNANCE COMMITTEE

8 January 2020

Subject Heading:

The procedure for the nomination and appointment of Honorary Freeman and Honorary Alderman

Report Author and contact details:

Andrew Beesley,
Head of Democratic Services
Andrew.beesley@onesource.co.uk

Policy context:

Council's Constitution

Financial summary:

None arising from this report

SUMMARY

At the previous meeting of the committee, Members expressed an interest in understanding the procedure for the nomination and appointment of honorary freemen and honorary aldermen. This report sets out the procedure and the legal framework upon which the procedure is based.

RECOMMENDATIONS

That the committee notes the report and, if required, recommends to Full Council any amendment to the protocol on the nomination and appointment of Honorary Freeman and Honorary Aldermen for the London Borough of Havering

REPORT DETAIL

1. Under the provisions of Section 249 of the Local Government Act 1972, the Council may, by resolution passed by not less than two-thirds of the councillors voting thereon at a meeting specially convened for the purpose:
 - (i) Admit to be Honorary Freeman of the Borough persons of distinction and persons who have, in the opinion of the Council, rendered eminent service to the Borough; and

- (ii) Confer the title of Honorary Alderman upon persons who have, in the opinion of the Council, rendered eminent service to the Council as part councillors.
- 2. Prior to 2015, the procedure in Havering was for nominations for the appointment of honorary freemen and honorary aldermen to be submitted for consideration at the annual meeting of Council. To support the nominations, details of the eminent service or the reasons for distinction for which the award is to be conferred, were required.
- 3. In the years leading up to 2015 there had been an increase in the number of nominations with an annual expectation that nominations would be made. To ensure that the honour maintained its status as the highest accolade the Council could award, Members approved a protocol which sought to reduce the likelihood of a nomination not achieving the requisite two-thirds majority at Council (attached as Appendix A).
- 4. The protocol stipulates that in the first instance Group Leaders will attempt to reach agreement on the nomination to ensure that it would meet the requisite two-thirds majority. Once Group Leaders have discussed the matter, it will be referred to the Governance Committee which will in-turn recommend to Full Council for its consideration the names of those individuals nominated for the award of honorary freeman or honorary alderman.
- 5. Since the protocol was introduced there have been no further awards for honorary freeman or honorary alderman.
- 6. The protocol references the Mayor's civic awards as a suitable alternative to the award of freeman or alderman. The issuing of a Mayoral civic award is solely at the discretion of the Mayor. Over the course of the year in office the Mayor will meet individuals or Groups who he/she consider to be deserving of an award for outstanding service to the Havering community. The Mayoral Civic Awards ceremony usually takes place in April.
- 7. Consideration of nominations is conducted at the annual meeting of Full Council usually held in May. It is therefore necessary for Governance Committee to make its recommendations at its March meeting, with Group Leaders meeting to consider applications received earlier in the year.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial impacts arising the report. The appointment of "honorary freeman/alderman" does not create any financial implications as they are the award of titles only.

Legal implications and risks:

Section 249 of the Local Government Act 1972 states the statutory position in respect of the conferment of award for the position of honorary freeman and honorary alderman. It is for Council to determine the procedures it shall follow for the nomination of persons for such awards.

Human Resources Implications and risks:

There are no HR implications arising from this report.

Equalities implications and risks:

There are none arising from this report.

BACKGROUND PAPERS

None

This page is intentionally left blank

Protocol on the nomination and appointment of Honorary Freeman and Honorary Aldermen for the London Borough of Havering

Background

The Council may admit a person of distinction as an honorary freeman of the borough in recognition of their eminent services to the borough; or confer the title of honorary alderman upon a past member of the Council in recognition of their services to the borough. This is done in accordance with the provisions of Section 249 of the Local Government Act 1972 and in accordance with the Council's Constitution.

In recent years there has been a rapid increase in the number of nominations with an annual expectation that nominations will be made. On one occasion a motion did not achieve the required majority causing embarrassment to the nominee and his family. With the Council having now 5 groups it is desirable to have a cross-group accord to ensure that the honour is regarded as the highest accolade a Council can award and not an annual routine and that a nominee has sufficient support to command the two thirds majority. A protocol in the following form is therefore adopted in order to achieve this. Such a protocol does not remove the constitutional rights of members of the Council but signifies a process which has general support.

Protocol

1. Save for exceptional circumstances, nomination will only be made once a year at the Annual Council Meeting.
2. It will not be expected that there must be nomination every year.
3. Before a nomination for an honour is made there should be a meeting of Group Leaders to discuss and evaluate the proposal. Consideration will be given to the suitability for a Mayor's Civic Award as a suitable alternative.
4. Group Leaders will try and reach agreement if possible in order to ensure a requisite majority.
5. Once Group Leaders have discussed the matter Governance Committee shall consider the matter and be able to make a recommendation to confer the honour to Council following the receipt of a report prepared by the Head of Democratic Services.
6. The Group Leaders' discussion and the consideration of the report to Governance Committee shall be confidential out of respect for the nominees.

7. Once agreement has been reached by Group Leaders they will seek to ensure that their Groups adhere to the agreement to avert embarrassment to the nominee. In the absence of agreement from Group Leaders that makes it clear that the required majority will be achieved or, even if the required majority can be achieved, that one Group will vote or speak against the nomination, it will still be the prerogative of any Group Leader to nominate as they see fit. In such circumstances it will be the nominating Group Leader's responsibility to warn the nominee that some members of the council may speak or vote against the nomination and that it therefore may not be agreed.

GOVERNANCE COMMITTEE

Subject Heading:	Staff Employment Procedure Rules
SLT Lead:	Andrew Blake-Herbert, Chief Executive
Report Author and contact details:	John William Jones, Deputy Director of Legal and Governance and Monitoring Officer
Policy context:	Governance
Financial summary:	None

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

Communities making Havering	[]
Places making Havering	[]
Opportunities making Havering	[]
Connections making Havering	[]

SUMMARY

This report seeks approval for proposed changes to Part 5 of the Constitution which contains the Staff Employment Procedure Rules (the Rules). The changes update, improve and recast generally the Rules.

RECOMMENDATIONS

That the Committee:

1. consider and comment on the draft Rules attached at **Appendix 1**;
2. recommend to Council that the draft Rules be approved and that the Monitoring Officer be authorised to update the Constitution and make consequential changes.

REPORT DETAIL

1. Background

- 1.1 All local authorities are required by law to incorporate into their constitutions, as standing orders, rules relating to the employment of officers. These rules include the appointment, the taking of disciplinary action and dismissal of officers and are currently found in the Local Authorities (Standing Orders) Regulations 1993 as amended and the Local Authorities (Standing Orders) (England) Regulations 2001 as amended (the Regulations). Whilst the Regulations impose on local authorities certain mandatory rules, there is freedom and flexibility for local authorities to otherwise adopt their own procedures.
- 1.2 In summary, the Regulations set out the following:
 - 1.2.1 The appointment of the Chief Executive (as Head of Paid Service) is a decision that must be approved by full Council;
 - 1.2.2 The appointment of other chief officers or deputy chief officers may be member (sitting as a committee) or officer level decisions;
 - 1.2.3 Disciplinary action and dismissal of chief officers and deputy chief officers may be member (sitting as a committee) or officer level decisions;
 - 1.2.4 Specific rules for taking disciplinary action against or the dismissal of the Head of Paid Service (Chief Executive), Chief Finance Officer (Chief Operating Officer) and Monitoring Officer (Deputy Director of Legal and Governance);
 - 1.2.5 Specific rules for the appointment of political assistants;

- 1.2.6 Proposals to appoint, take disciplinary action or dismiss chief officers or deputy chief officers are subject to a process whereby Cabinet members may object. If there is an objection, the decision maker must consider the objection and can only proceed if the objection is not material or well founded.
- 1.2.7 All matters relating to the employment of officers below deputy chief officers, are the responsibility of the Chief Executive (as Head of Paid Service).
- 1.3 Chief officers include statutory director posts and those reporting to the Chief Executive. Deputy chief officers are those reporting to chief officers. Clerical staff are excluded from these definitions.

2. Key Considerations and Proposals

- 2.1 As well as updating the current Rules by removing references to obsolete job titles and generally improving the wording and formatting of the text, the draft Rules attached at **Appendix 1**, if approved, will have the following key effects:
 - 2.1.1 Members will be responsible for appointing all chief officers (i.e. members of the Senior Leadership Team; the Monitoring Officer and the Director of Public Health) (see Table 1 below);
 - 2.1.2 Members will also be responsible for appointing deputy chief officers graded at G15 or above (see Table 1 below);
 - 2.1.3 The Chief Executive (or his/her nominee) will be responsible for the appointment of all other deputy chief officers;
 - 2.1.4 The Chief Executive (or his/her nominee) will be responsible for interim, temporary or fixed term appointments but subject to the requirements and limits specified (see paragraphs 2.17-2.20 of the draft Rules);
 - 2.1.5 Members will be responsible for the dismissal or the taking of disciplinary action against the Chief Executive or a chief officer only.
- 2.2 The following table sets out the chief officer and deputy chief officer posts which members are responsible for appointing to.

Table 1

Member chief officer/deputy chief officer appointments
Chief executive

Chief Operating Officer (Chief Finance Officer)
Monitoring Officer (Deputy Director of Legal and Governance)
Director of Adult Services
Director of Childrens Services
Director of Regeneration Programme Delivery
Director of Housing Services
Director of Neighbourhoods
Joint Director of Public Health
Assistant Director Education
oneSource Executive Director and oneSource Directors (via the oneSource Joint Committee)

- 2.3 Member decision making in relation to employment matters is undertaken by the Appointments Sub-Committee. However, in relation to the oneSource Executive Director and oneSource Directors, decision making at member level is via the oneSource Joint Committee.
- 2.4 The Committee is asked to recommend to Council that the draft Rules be approved and that the Monitoring Officer be authorised to update the Constitution and make consequential changes.

IMPLICATIONS AND RISKS

Financial implications and risks:

None in relation to this report.

Legal implications and risks:

These are incorporated into the report.

Human Resources implications and risks:

These are incorporated into the report.

Equalities implications and risks:

Under section 149 of the Equality Act 2010, the Council has a duty when exercising its functions to have “due regard” to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act and advance equality of opportunity and foster good relations between persons who share a protected characteristic and persons who do not. This is the public sector equality duty. The

protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

“Due regard” is the regard that is appropriate in all the circumstances. The weight to be attached to each need is a matter for the Council. As long as the council is properly aware of the effects and has taken them into account, the duty is discharged.

There are no direct equality implications resulting from the proposed changes to the Rules but the Council’s policies, procedures and practices are designed to achieve equality of treatment and a level playing field.

Background Papers

None.

This page is intentionally left blank

STAFF EMPLOYMENT PROCEDURE RULES

1 PURPOSE

1.1 These rules:

- 1.1.1 set out the general principles and requirements in relation to the appointment and dismissal of, and taking disciplinary action against, officers;
- 1.1.2 define the role of the Leader, Members, officers and others in the employment of Council officers; and
- 1.1.3 incorporate the mandatory standing orders relating to the employment of officers that apply to all local authorities and set out in the Local Authorities (Standing Orders) Regulations 1993 (as amended) and the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).

1.2 These rules are supplemented by, or should be read in conjunction with:

- 1.2.1 the oneSource Inter-Authority Agreement between the London Boroughs of Havering and Newham dated 1 September 2014 as varied from time to time; and
- 1.2.2 Operational Guidance and/or HR Policies and Procedures issued by the Chief Executive and/or the Director of Human Resources and Organisational Development from time to time.

1.3 Any changes to these rules will be approved by Full Council but the Chief Executive is authorised to make minor changes to ensure that the rules remain accurate, relevant and up to date. For example, the Chief Executive may update job titles or grades to reflect the management structure of the Council current at the time.

2 RECRUITMENT AND APPOINTMENT

Declarations

- 2.1 The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or officer of the Council; or of the partner of such persons.
- 2.2 No candidate so related to a councillor or an officer will be appointed without the authority of the relevant Chief Officer or an officer nominated by him/her.

Seeking support for appointment

- 2.3 The Council will disqualify any applicant who directly or indirectly seeks the support of any Member for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- 2.4 No Member will seek support for any person for any appointment with the Council.

Recruitment of Chief Executive and Chief Officers

- 2.5 Where the Council proposes to appoint the Chief Executive or a Chief Officer and it is not proposed that the appointment be made exclusively from existing officers, the Council will:
- 2.5.1 draw up a statement specifying the duties of the officer concerned and any qualifications or qualities to be sought in the person to be appointed;
 - 2.5.2 make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it;
 - 2.5.3 make arrangements for a copy of the statement mentioned in sub-paragraph (i) to be sent to any person on request; and
 - 2.5.4 make arrangements for at least a short list of qualifying applicants to be interviewed.

Appointment of Chief Executive

- 2.6 Full Council will approve the appointment of the Chief Executive (as the Head of Paid Service) following the recommendation of such an appointment by the Committee.
- 2.7 The Director of Human Resources and Organisational Development will be responsible for the functions set out at 2.5 for the appointment of the Chief Executive.

Appointment of Chief Officers and Deputy Chief Officers

- 2.8 The Chief Executive will be responsible for the functions set out at paragraph 2.5 following consultation with the relevant Cabinet Member(s).
- 2.9 Subject to paragraph 2.10, the Committee will be responsible for the appointment of the following posts:
- 2.9.1 Chief Officers; and
 - 2.9.2 Deputy Chief Officers graded at G15 or above (or any subsequent pay grade adopted of the same or similar value).

- 2.10 Paragraph 2.9 does not apply to posts where, in the event of a restructure, an officer is assessed as having direct non-competitive assimilation to a post.
- 2.11 The Chief Executive will be responsible for the appointment of all other Deputy Chief Officer posts (or other posts subject to the 2001 Regulations).
- 2.12 An offer of employment as a Chief Officer or a Deputy Chief Officer will only be made if:
- 2.12.1 the procedure set out in **Appendix 1** is followed; and
 - 2.12.2 no well-founded objection has been made by the Leader or any Cabinet Member.
- 2.13 An offer of employment as the Director of Public Health will be made in accordance with the additional statutory requirements that apply to this post. In particular, the appointment will be made jointly with the Secretary of State for Health.

Other Appointments

- 2.14 The Chief Executive is responsible by law for the appointment of all other Council employees.
- 2.15 Prior to making an appointment of a Deputy Chief Officer post which is graded below G15, the Chief Executive will follow the procedure set out in **Appendix 1**.
- 2.16 The appointment of an assistant to a political group will be made in accordance with the wishes of that political group and other requirements prescribed by law.

Interim, temporary or fixed term appointments

- 2.17 Decisions to appoint a Deputy Chief Officer on an interim, temporary or fixed term contract will be made by the Chief Executive or the relevant Chief Officer.
- 2.18 Decisions to appoint a Chief Officer on an interim, temporary or fixed term contract will be made by the Chief Executive but limited to one year (including any contract extensions). Following such appointment, the Chief Executive will notify the Committee in writing setting out the timescales for a permanent appointment.
- 2.19 Prior to extending a Chief Officer appointment on an interim, temporary or fixed term contract beyond one year, the Chief Executive will report to the Committee.
- 2.20 The appointment of a Chief Executive on an interim, temporary or fixed term basis will be recommended by the Committee for approval by Full Council.

3 DISCIPLINARY ACTION

General

- 3.1 Subject to paragraph 3.5, any proposal in relation to the dismissal or the taking of disciplinary action against the Chief Executive or a Chief Officer will be considered by the Committee.
- 3.2 Any proposal in relation to the dismissal or the taking of disciplinary action against other officers will be the responsibility of the Chief Executive or the relevant officer under the Council's Scheme of Delegation.
- 3.3 Members will not be involved in the taking of disciplinary action against or the dismissal of any officer below Deputy Chief Officer except where such involvement is necessary as part of an investigation, inquiry or appeal.

Chief Executive, Monitoring Officer and Chief Finance Officer

- 3.4 The Committee may suspend the Chief Executive, the Monitoring Officer or the Chief Finance Officer whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and will be reviewed if it lasts longer than two months.
- 3.5 A proposal to dismiss the Chief Executive, Monitoring Officer or Chief Finance Officer, as a result of 'disciplinary action' (as defined by regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001) will be approved at a meeting of Full Council before notice of dismissal is given. Before the taking of a vote at any such meeting, Full Council will take into account, in particular:
 - (i) any advice, views or recommendations of an Independent Panel, comprising of at least two Independent Persons, appointed by Full Council for the purposes of advising the Council;
 - (ii) the conclusions of any investigation into the proposed dismissal; and
 - (iii) any representations from the officer concerned.
- 3.6 The Independent Panel referred to in paragraph 3.5(i) will be appointed at least 20 working days before the relevant Full Council meeting.

Chief Executive, Chief Officers and Deputy Chief Officers

- 3.7 Before notice is given of the dismissal of the Chief Executive, a Chief Officer or a Deputy Chief Officer, the notification and objection procedure set out in **Appendix 1** will be followed as if references to the appointment of an officer (e.g. 'make an offer', 'appointment', 'appointing officer' etc.) are to the dismissal of an officer (e.g. 'dismiss', 'dismissal', 'notice of dismissal' etc.) as appropriate.

Director of Public Health

- 3.8 The Secretary of State for Health will be consulted before terminating the appointment of the Director of Public Health.

4 DEFINITIONS

Chief Executive = the Head of Paid Service designated under section 4(1) of the Local Government and Housing Act 1989. Where reference is made to the exercise of a function by the Chief Executive, it includes his/her nominee.

Chief Finance Officer = the officer having responsibility for the purposes of section 151 of the Local Government Act 1972.

Chief Officer = an officer for which the Chief Executive is directly responsible or an officer who reports directly to or is directly accountable to the Chief Executive (but not if their duties are solely secretarial or clerical or are otherwise in the nature of support services); an officer who reports directly or is directly accountable to the Council (or a Council committee or sub-committee); the Monitoring Officer or the Director of Public Health.

Committee = the Appointments Sub-Committee or such other Council committee, sub-committee or panel responsible for exercising the Council's employment functions. The Committee must include at least one Cabinet Member.

Deputy Chief Officer as defined by section 2 of the Local Government and Housing Act 1989.

Independent Persons any appointment under section 28(7) of the Localism Act 2011.

Monitoring Officer the officer designated under section 5(1) of the Local Government and Housing Act 1989.

Political assistant(s) any appointment under section 9 of the Local Government and Housing Act 1989.

Appendix 1: Cabinet Objection Procedure

- 1 This procedure will apply to the appointment of the following posts:
 - 1.1 Chief Executive;
 - 1.2 Chief Officers;
 - 1.3 Deputy Chief Officers;
 - 1.4 Any other post identified by the 2001 Regulations.
- 2 If the Committee or an officer agrees on a candidate suitable for appointment to a post, they will submit their recommendation of an offer of employment to the Chief Executive as soon as practicable in writing.
- 3 Where the Chief Executive is the appointing officer, they will simply take the steps at 4 onwards.
- 4 The Chief Executive will then notify each Cabinet Member of:
 - 4.1 the name of the person the Committee or officer wish to make an offer;
 - 4.2 any other particulars relevant to the appointment;
 - 4.3 the period within which any objection to the making of the offer is to be made by the Leader on behalf of the Cabinet, (or a shorter period which will be determined by the Chief Executive in cases of urgency).
- 5 The notification will be by e-mail and **the period of objection will be 2 working days** but a Cabinet Member may provide a response within a shorter period. If the period of objection is to be shortened, then notification will be by telephone and e-mail.
- 6 Cabinet Members may indicate they have no objection verbally (which will be recorded by the Chief Executive) or in writing (including email). Any objections including the grounds on which it is considered to be well founded must be submitted to the Leader by a Cabinet Member in writing including by email.
- 7 If:
 - 7.1 the Leader notifies the Chief Executive that neither s/he or any other Cabinet Member has an objection to the making of the offer; or
 - 7.2 the Chief Executive notifies the Committee, that no objection has been received from the Leader within the objection period;

an offer of employment may be made to the candidate without the need for the Committee to re-convene.

- 8 If an objection is received from the Leader, the Committee or officer, as appropriate, will re-convene to consider the objection and, if satisfied that any objection received from the Leader is not material or is not well founded, will confirm its decision and a formal offer will be made. In making this decision, legal and human resources advice must be taken.
- 9 If an objection is considered to be well founded, the Committee, Sub Committee or officer must take legal and human resources advice on the action to be taken but the appointment may not be made at this time.

This page is intentionally left blank

GOVERNANCE COMMITTEE

8th January, 2020

Subject Heading:

Change of Council date

SLT Lead:

Andrew Blake-Herbert, Chief Executive

Report Author and contact details:

John Jones, Monitoring Officer

Policy context:

The Councils Constitution

Financial summary:

There are no financial implications

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

Communities making

Havering

☐

Places making

Havering

☐

Opportunities making

Havering

☐

Connections making

Havering

☒

SUMMARY

At the last meeting of the Committee Members considered a report detailing the reasons for the change of the date of the September meeting of Council. Members requested a further report setting out proposals to amend the Constitution to allow the Mayor in consultation with Group Leaders to amend or cancel agreed meetings of Council.

RECOMMENDATIONS

1. That Council is recommended to amend the Council Procedure Rules to include the following provision under Part 2: Ordinary Meetings

“That the authority to amend the date of a Full Council meeting or cancel a meeting(s) of Full Council is delegated to the Mayor, following consultation with Group Leaders”.

REPORT DETAIL

2. There is a requirement under the Local Government Act 1972 that Council meetings will be held in accordance with the timetable of meetings fixed by the Council, usually at its annual meeting.
3. The Councils Constitution provides for Ordinary meetings of the Council to be held in accordance with a programme decided by Council, at the last ordinary meeting of the preceding year. The Constitution sets out what should be considered at such meetings, but it fails to make provision if it is necessary to either change the date of a meeting or cancel it.
4. As the Council's Constitution is silent on how a date of a Council meeting should be changed and it is acknowledged that it could always be necessary to change a date which was fixed months earlier, the recommendation in this report addresses this omission. The previous practice has been to consult the Mayor only, as the agreeing of a programme of meetings is a Council function and not an Executive function.
5. Statute provides for three types of Council meetings:
 - Annual meetings
 - Ordinary meetings and
 - Extraordinary meetings
6. Each of these meetings must be called formally by giving notice of the date, time and place of the meeting and the service of a summons signed by the Proper Officer. At least five clear days' notice is required to be given. Subject to these requirements being met the meeting is legally called and the business on the agenda can be dealt with.

IMPLICATIONS AND RISKS

7. Financial implications and risks:

There are no direct financial implications in respect of the contents of this report.

8. Legal implications and risks:

The legal implications are as set out in the body of the report.

9. Human Resources implications and risks:

There are none directly associated with this report.

10. Equalities implications and risks:

No one was adversely affected as a result of the change of date of the September meeting of the Council. The same business was transacted but on a different day. Public notice was given of the change of date.

BACKGROUND PAPERS: None

This page is intentionally left blank