

Ken Pryor
020 8489 2915
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19 March 2010

To: All Members of the Full Council

Dear Member,

Full Council - Monday, 22nd March, 2010

I attach a copy of the following reports for the above-mentioned meeting which were not available at the time of collation of the agenda:

- 6. TO RECEIVE THE REPORT OF THE CHIEF EXECUTIVE (PAGES 1 - 16)**
 2. To approve the Council Calendar for the 2010/11 Municipal Year.

- 13. TO RECEIVE REPORTS FROM THE FOLLOWING BODIES (PAGES 17 - 52)**
 - b) Constitution Review Working Group – Report 7 – 2009/10
 - c) Overview and Scrutiny Committee - Report 1 – 2009/10

Yours sincerely

Ken Pryor
Deputy Head of Local Democracy and Member Services

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Agenda item: **6.2****Council**

On 22 March 2010

Report Title. Schedule of meetings for 2010/11.

Report of **Chief Executive**

Signed :

Contact Officer : Ken Pryor, Deputy Head of Local Democracy and Member Services

Wards(s) affected: N/A

Report for: Information and decision

1. Purpose of the report

1.1. To agree the schedule of meetings for 2010/11.

2. Introduction by Cabinet Member (if necessary)

2.1. Not applicable

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1. The schedule of meetings is submitted annually to the Council for approval.

4. Recommendations

4.1. That the attached schedule of meetings for 2010/11 be agreed.

5. Reason for recommendation(s)

5.1. The Council agrees on an annual basis the schedule of meetings for the ensuing year.

<p>6. Other options considered 6.1. Not applicable</p>
<p>7. Summary 7.1. The schedule of meetings is submitted for Council approval on an annual basis.</p>
<p>8. Chief Financial Officer Comments 8.1. There are no direct financial implications.</p>
<p>9. Head of Legal Services Comments 9.1. There are no perceived legal implications arising from this report.</p>
<p>10. Head of Procurement Comments 10.1. Not applicable</p>
<p>11. Equalities & Community Cohesion Comments 11.1. Not applicable</p>
<p>12. Consultation 12.1. The schedule of meetings has been supplied to Party Groups.</p>
<p>13. Service Financial Comments 13.1. There are no perceived financial implications arising from this report.</p>
<p>14. Use of appendices /Tables and photographs 14.1. Schedule of meetings for 2010/11 attached.</p>
<p>15. Local Government (Access to Information) Act 1985 15.1. The 2009/10 schedule of meetings was used during the compilation of this report.</p> <p>The background papers are located at River Park House, 225 High Road, Wood Green, London N22 8HQ.</p> <p>To inspect them or to discuss this report further, please contact Ken Pryor on 0208 489 2915.</p>

June 2010

June 2010

M	T	W	T	F	S	S
7	8	9	10	11	12	13
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July 2010

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Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
	1 June	2	3	4	5
	19:00 21:30 Area Assembly 19:00 21:30 Area Assembly	School Half Term 09:30 17:30 MLD - Planning Cttee Training 18:00 19:00 MLD - APPB Induction	09:00 12:00 CAB 11:00 14:00 SCEB 18:30 20:00 MLD - Overview & Scrutiny Functions 19:30 22:00 Labour Group		
7	19:00 22:00 Licensing Sub C Cttee 19:30 22:00 APPA	8	9	10	11
17:00 18:00 MLD - OSC 19:00 22:00 Licensing Sub A Cttee 19:30 21:30 APPB	19:00 22:00 Licensing Sub C Cttee 19:30 22:00 APPA		09:00 12:00 CAB 18:30 19:30 MLD- Standards Cttee Training 19:00 22:00 Licensing Sub B Cttee 19:00 22:00 Well being PB 19:30 22:00 Standards	10:00 15:00 MLD - Treasury management	
14	18:30 21:00 Integrated Housing Board 18:30 20:30 MLD - Member Enquiries process 19:30 22:00 Planning Cttee	15	16	17	18
18:30 21:00 Integrated Housing Board 18:30 20:30 MLD - Member Enquiries process 19:30 22:00 Planning Cttee	19:30 22:00 Cabinet	14:00 17:00 Enterprise Board 19:00 21:00 HfH Perf Cttee	09:00 12:00 CAB 18:30 19:15 MLD - Audit Cttee Training 19:00 21:30 Area Assembly 19:30 22:00 Audit Cttee 19:30 21:30 Prov Area Assembly	09:00 12:00 CAB 10:00 15:00 MLD - Treasury management	09:30 12:00 APPB Induction re Governance
21	18:00 19:00 MLD - Pensions Cttee Training 19:00 22:00 Pensions Committee	22	23	24	25
18:00 19:00 MLD - Pensions Cttee Training 19:00 22:00 Pensions Committee	18:30 20:30 MLD - Adoption Panels 19:00 21:00 HfH HR Cttee 19:30 22:00 APPC	19:00 22:00 Lib Dem Group	09:00 12:00 CAB 16:30 19:00 Children's Trust		
28	18:00 19:00 MLD - Gen Purposes Cttee Training 19:00 21:30 General Purposes Cttee 19:30 21:30 Cabinet Vol Sector Sub-Cttee	29	30		
18:00 19:00 MLD - Gen Purposes Cttee Training 19:00 21:30 General Purposes Cttee 19:30 21:30 Cabinet Vol Sector Sub-Cttee	18:30 21:30 MLD - Member Officer Relations 19:30 22:00 APPB 19:30 22:00 CSPPAC	17:00 19:00 HYC			

July 2010

July 2010							August 2010						
M	T	W	T	F	S	S	M	T	W	T	F	S	S
5	6	7	8	9	10	11	2	3	4	5	6	7	8
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19	20	21	22	23	24	25	16	17	18	19	20	21	22
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Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
			1 July		
			09:00 12:00 CAB 18:30 20:30 MLD - Education Appeals 19:30 22:00 Labour Group		
5 18:00 21:30 OSC 19:00 22:00 Licensing Sub A Cttee	6 18:30 21:00 CPAC 19:00 22:00 Licensing Sub B Cttee 19:30 22:00 General Purposes Cttee 19:30 21:00 Cab Procurement Cttee	7 19:00 21:00 HFH F&A Cttee	8 09:00 12:00 CAB 18:00 21:00 HSP 18:15 19:30 MLD - Remuneration Cttee 3 19:00 21:30 Area Assembly 19:00 21:00 Prov AA	9 10:00 12:00 MLD - Corporate Parenting	10
12 18:30 21:00 Remuneration Cttee 19:30 22:00 Planning Cttee	13 19:00 22:00 Licensing Sub C Cttee 19:30 22:00 Cabinet	14	15 09:00 12:00 CAB 14:00 16:00 PMG - HSP 19:00 21:30 Area Assembly 19:00 21:30 Area Assembly	16 10:00 12:00 MLD - Safeguarding Adults	17
19 19:30 22:00 Council	20 18:30 21:00 Better Places PB 18:30 20:30 MLD - Corporate Parenting 19:30 21:30 Cab Procurement Cttee 19:30 21:30 CEJCC	21	22 09:00 12:00 CAB 17:30 19:30 Pensions AGM 18:30 20:30 MLD - Safeguarding Adults	23	24
26 19:00 22:00 Licensing Sub A Cttee 19:30 22:00 Audit Cttee 19:30 22:00 CSPPAC	27 19:30 22:00 Leader's Conference	28 School Summer Holiday 19:00 22:00 Lib Dem Group	29 09:00 12:00 CAB 18:00 21:30 OSC 19:00 22:00 Licensing Sub B Cttee	30	31

September 2010

September 2010							October 2010						
M	T	W	T	F	S	S	M	T	W	T	F	S	S
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Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
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31	1	2	3	4	5
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18	19	20	21	22	23
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27	28	29	30	31	1

Hart Clifford

October 2010

October 2010							November 2010						
M	T	W	T	F	S	S	M	T	W	T	F	S	S
4	5	6	7	8	9	10	1	2	3	4	5	6	7
11	12	13	14	15	16	17	8	9	10	11	12	13	14
18	19	20	21	22	23	24	15	16	17	18	19	20	21
25	26	27	28	29	30	31	22	23	24	25	26	27	28

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
				1 October	
					Conservative Party Conference
4	5	6	7	8	9
11:00 14:00 SCEB 18:00 21:30 OSC 19:30 22:00 CSPPAC	18:00 21:00 Prov OSC Child protection 19:00 22:00 Licensing Sub A Cttee 19:00 22:00 Well Being PB 19:30 22:00 APPB	Conservative Party Conference	09:00 12:00 CAB 19:30 22:00 Labour Group		
11	12	13	14	15	16
18:30 21:30 Integrated Housing Board 19:00 21:00 HfH Perf Cttee 19:30 22:00 Planning Cttee	19:00 22:00 Licensing Sub B Cttee 19:30 22:00 Cabinet	14:00 16:30 Enterprise Board 17:00 19:00 HYC	09:00 12:00 CAB 18:30 19:30 MLD - Risk Management 19:00 22:00 Pensions Cttee 19:30 22:00 APPB		
18	19	20	21	22	23
19:30 22:00 Council	18:30 20:00 MLD - LG Finance - setting budgets	09:30 17:30 MLD - Communication, Presentation and Media Skills	09:00 12:00 CAB 18:00 21:00 HSP 19:00 22:00 Licensing Sub C Cttee		
25	26	27	28	29	30
18:30 21:00 Remuneration Cttee	19:30 21:30 Cabinet Procurement Cttee 19:30 21:30 CEJCC	School half term 19:00 22:00 Lib Dem Group	09:00 12:00 CAB 14:00 15:30 PMG - HSP 18:30 21:30 Better Places PB 18:30 19:30 MLD- roles/resps on outside bodies		
					31
					Halloween

November 2010

November 2010							December 2010						
M	T	W	T	F	S	S	M	T	W	T	F	S	S
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15	16	17	18	19	20	21	20	21	22	23	24	25	26
22	23	24	25	26	27	28	27	28	29	30	31		
29	30												

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
1 November 18:00 21:30 OSC 18:30 20:30 MLD - Homelessness Cttee	2 19:30 22:00 APPA 19:30 22:00 Audit Cttee	3 09:00 12:00 CAB 19:00 21:00 HfH F & A Cttee 19:30 22:00 Labour Group	4 09:00 12:00 CAB 19:00 21:00 HfH F & A Cttee 19:30 22:00 Labour Group	5 Guy Fawkes/Bonfire Night Hindu/Sikh - Diwali	6
8 19:00 22:00 Licensing Sub B Cttee 19:30 22:00 Planning Cttee	9 19:00 22:00 Licensing Sub C Cttee 19:30 22:00 APPC 19:30 21:30 Cabinet Procurement Cttee	10 Armistice Day 09:00 12:00 CAB 18:30 21:00 CPAC	11 Armistice Day 09:00 12:00 CAB 18:30 21:00 CPAC	12	13
15 19:30 22:00 CSPPAC	16 19:30 22:00 Cabinet	17 Islam - Hajj 17:00 19:00 HYC	18 09:00 12:00 CAB 16:30 19:30 Children's Trust 19:00 22:00 Licensing Sub A Cttee	19 Remembrance Sunday	20
22 19:30 22:00 Full Council	23 19:30 22:00 Leader's Conference	24 19:00 22:00 Lib Dem Group	25 09:00 12:00 CAB 19:00 21:30 Area Assembly 19:00 21:30 Area Assembly	26	27
29 18:00 22:00 OSC Budget	30 St Andrew's Day 18:30 21:30 MLD - Local Leadership Academy Module 19:00 21:30 Area Assembly 19:30 22:00 APPB				28

December 2010

December 2010
 M T W T F S S
 6 7 8 9 10 11 12
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 20 21 22 23 24 25 26
 27 28 29 30 31

January 2011
 M T W T F S S
 3 4 5 6 7 8 9
 10 11 12 13 14 15 16
 17 18 19 20 21 22 23
 24 25 26 27 28 29 30
 31

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		1 December 18:30 20:00 MLD - Cllrs as Employers & The Council workforce 19:00 21:00 HfH Board	Judaism - Chanukah begins - Festival 09:00 12:00 CAB 18:30 21:30 Local Leadership Academy model 19:00 22:00 OSC	2 3	4
6 18:00 21:30 OSC budget scrutiny 19:00 21:30 Cabinet Vol Sector Sub Cttee	7 Islam - Al Hijira - New Year 19:00 22:00 Licensing Sub A Cttee 19:30 21:30 Cabinet Procurement Cttee	8 17:00 19:00 HYC	9 09:00 12:00 CAB 14:00 16:00 PMG - HSP 19:30 22:00 Labour Group	10 11	12
13 19:30 22:00 Planning Cttee	14 19:00 22:00 Licensing Sub B Cttee 19:30 22:00 Cabinet	15 18:00 22:00 OSC Budget	16 09:00 12:00 CAB 19:00 22:00 Licensing Sub C Cttee 19:00 21:30 Area Assembly 19:00 21:30 Area Assembly	17 18	19
20 19:00 21:00 HfH F & A Cttee 19:30 22:00 Pensions Cttee 19:30 22:00 Standards Committee	21 16:30 19:00 Children's Trust 19:30 22:00 APPB	22 19:00 22:00 Lib Dem Group	23 School Christmas break	24 25	26 School Christmas break
27 BH	28 BH	29 School Christmas break	30	31	

January 2011

January 2011							February 2011						
M	T	W	T	F	S	S	M	T	W	T	F	S	S
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17	18	19	20	21	22	23	14	15	16	17	18	19	20
24	25	26	27	28	29	30	21	22	23	24	25	26	27
31							28						

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					1 January 2011 School Christmas break
					New Year's day
					School Christmas break
3 School Christmas break BH	4	5	6 Epiphany 09:00 12:00 CAB 18:30 19:30 Neighbourhoods /AAs 19:30 22:00 Labour Group	7	8
10 19:30 22:00 Leader's Conference	11 19:00 22:00 Licensing Sub A Cttee 19:00 21:30 General Purposes Cttee 19:00 21:30 Well Being PB 19:30 22:00 Planning Cttee	12 14:00 17:00 Enterprise Board 17:00 19:00 HYC	13 09:00 12:00 CAB 14:00 16:00 PMG - HSP 18:00 21:00 Prov OSC Child Protection	14	15
17 19:30 22:00 Full Council	18 18:30 19:30 MLD - Procurement 19:00 22:00 Licensing Sub B Cttee 19:00 21:30 Area Assembly	19	20 09:00 12:00 CAB 19:00 22:00 Licensing Sub C Cttee 19:30 22:00 CSPPAC 19:30 22:00 Pensions Cttee	21	22
24 18:30 21:30 Better Places PB 18:30 21:00 CPAC 18:30 19:30 MLD - Planning Notifications 19:00 21:00 HfH HR Cttee	25 19:00 21:30 Area Assembly 19:30 22:00 APPA 19:30 22:00 Cabinet	26 11:00 14:00 SCEB 19:00 22:00 Lib Dem Group	27 Holocaust Memorial Day 09:00 12:00 CAB 14:00 15:30 PMG - HSP	28	29
31 18:00 21:30 OSC 18:30 21:30 Integrated Housing Board 19:00 21:00 HfH Board					30

February 2011

February 2011							March 2011						
M	T	W	T	F	S	S	M	T	W	T	F	S	S
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28							28	29	30	31			

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
	1 February 19:00 22:00 Licensing Sub B Cttee 19:30 21:30 Cabinet Procurement Cttee 19:30 21:30 CEJCC	2	3	4	5
7	8	9	10	11	12
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21	22	23	24	25	26
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19:00 22:00 Licensing Cttee

19:30 22:00 APPC

19:30 22:00 Cabinet

18:30 19:30 MLD - Insurance claims agst the Council

19:00 21:00 HfH Perf Cttee

19:30 22:00 APPB

19:30 21:30 Cabinet Procurement Cttee

19:00 22:00 HYP

17:00 19:00 HYC

School Half term

19:00 22:00 Lib Dem Group

09:00 12:00 CAB

18:00 21:00 HSP

19:00 22:00 Licensing Sub A Cttee

19:30 22:00 Audit Cttee

09:00 12:00 CAB

18:30 19:30 MLD - Health Scrutiny

19:30 22:00 Labour Group

09:00 12:00 CAB

16:30 19:00 Children's Trust

18:30 21:00 Remuneration Cttee

19:30 22:00 Full Council

18:00 21:30 OSC

March 2011

March 2011							April 2011						
M	T	W	T	F	S	S	M	T	W	T	F	S	S
1	2	3	4	5	6		4	5	6	7	8	9	10
7	8	9	10	11	12	13	11	12	13	14	15	16	17
14	15	16	17	18	19	20	18	19	20	21	22	23	24
21	22	23	24	25	26	27	25	26	27	28	29	30	31
28	29	30	31										

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
	1 March St David's Day 19:00 21:30 Area Assembly 19:00 21:30 Area Assembly 19:00 21:00 HFF F & A Cttee		2 09:00 12:00 CAB 18:30 21:00 CPAC 18:30 19:30 MLD - Crime & CS/ASB	3	4
7 19:00 22:00 Licensing Sub A Cttee 19:30 22:00 CSPPAC	8 Shrove Tuesday 18:30 19:30 MLD - Consultation	9 Ash Wednesday - First Day of Lent	10 09:00 12:00 CAB 18:30 19:30 MLD - Vol Sector Compact Cttee 19:00 22:00 Licensing Sub B Cttee 19:30 22:00 Standards Committee	11	12
14 19:30 22:00 Planning Cttee 19:30 21:30 Cabinet Procurement Cttee	15 19:00 21:30 Area Assembly 19:00 21:30 Area Assembly	16 17:00 19:00 HYC	17 09:00 12:00 CAB St Patrick's Day	18 Hindu - Holi	19
21 19:00 21:30 Area Assembly 19:00 21:30 Area Assembly	22 19:00 22:00 Licensing Sub C Cttee 19:30 22:00 Cabinet	23 19:00 22:00 Lib Dem Group	24 09:00 12:00 CAB 19:30 22:00 Labour Group	25	26
28 18:00 21:30 OSC	29 14:00 16:00 PMG - HSP 19:00 22:00 General Purposes Cttee 19:00 21:00 HFF Board	30	31 09:00 12:00 CAB 19:00 21:30 Area Assembly 19:30 21:30 CEJCC		27

April 2011

April 2011							May 2011						
M	T	W	T	F	S	S	M	T	W	T	F	S	S
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11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
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Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
				1 April	
19:30 22:00 Full Council	4 18:00 21:00 Prov OSC Child Protection 18:30 21:00 Integrated Housing Board 19:00 22:00 Licensing Cttee 19:00 21:30 Cabinet Voluntary 19:30 22:00 APPA	5 18:30 21:00 CPAC 18:30 20:00 MLD Speed reading	6 09:00 12:00 CAB 19:00 22:00 Licensing Sub A Cttee 19:00 21:00 Well Being PB	7	
11 19:00 21:00 HFH Perf Cttee 19:30 22:00 CSPPAC 19:30 22:00 Planning Cttee	12 18:30 21:00 Better Places PB 19:00 22:00 Licensing Sub B Cttee 19:30 22:00 APPC 19:30 22:00 Pensions Cttee	13 14:00 16:30 Enterprise Board	14 09:00 12:00 CAB 16:30 19:00 Children's Trust 19:30 22:00 Labour Group	15	
18 Judalism - Passover - 1st Day	19 School Spring/Easter Holiday	20 School Spring/Easter Holiday	21 Maundy Thursday 09:00 12:00 CAB 11:00 14:00 SCEB	22 BH - GOOD FRIDAY	
25 BH - Easter Monday	26 19:00 22:00 Licensing Sub C Cttee 19:30 22:00 Cabinet	27 17:00 19:00 HYC 19:00 22:00 Lib Dem Group	28 09:00 12:00 CAB 18:00 21:00 HSP 19:30 22:00 APPB	29	
					30 Easter Sunday
					31 Easter Sunday

May 2011

June 2011

May 2011

M	T	W	T	F	S	S	M	T	W	T	F	S	S
2	3	4	5	6	7	8	6	7	8	9	10	11	12
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16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun	
	2 BH - May day	3 19:30 21:30 Cabinet Procurement Cttee	4 19:00 21:00 HFF F & A Cttee	5 09:00 12:00 CAB 19:00 22:00 Licensing Sub A Cttee 19:30 22:00 Audit Cttee	6 09:00 12:00 CAB 19:30 22:00 Labour Group	7 1 May
9 18:00 21:30 OSC	10 19:00 22:00 Licensing Sub B Cttee	11 19:00 22:00 AGM Lib Dem Grp	12 09:00 12:00 CAB 19:30 22:00 Labour Group	13	14	
16 19:30 22:00 Planning Cttee	17 19:00 22:00 Licensing Sub C Cttee	18	19 09:00 12:00 CAB	20	21	
23 19:30 22:00 Annual Council	24 17:00 19:00 HYC	25 09:00 12:00 CAB	26	27	28	
30 BH	31 School Half Term				29	

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**REPORT OF THE CONSTITUTION REVIEW WORKING GROUP
No. 7/2009-10**

COUNCIL 22 MARCH 2010

Chair:
Councillor Kober

INTRODUCTION

- 1.1 This report to full Council follows two reports considered by the Constitution Review Working Group at our meeting on 11 March 2010. The first item for decision is the making of a scheme of Members' Allowances for the year 2010/2011. The second item for decision concerns the adoption of a Protocol to implement the Councillor Call for Action procedure and the agreement of related amendments to the Council's Constitution.
- 1.2 As an item of urgent business, we noted with approval that the report of the Chief Executive to this meeting of full Council (at item 6) would recommend Members (i) to designate the Assistant Chief Executive, People and Organisational Development, as "scrutiny officer", and (ii) to amend the Council's Constitution at Appendix E, Section 9 in order to reflect this.

ITEMS FOR DECISION

2. MAKING THE SCHEME OF MEMBERS' ALLOWANCES FOR 2010/2011

- 2.1 We noted that the Council was obliged to make its Members' Allowances Scheme afresh before the start of each municipal year in order that Members could be paid their allowances. This meant that a report had to be considered at this meeting of the full Council (22 March) so that Members could make the final decision on the Scheme for 2010/2011. We were advised that this would still be a requirement even if no substantive change was being made to the Scheme as compared to 2009/2010. There was nothing to prevent the full Council from amending the Scheme later in 2010 should Members then wish to do so.
- 2.2 We were reminded that the Council meeting on 13 November 2006 decided that the main allowances should be increased from 1 April 2007 in line with the rate of increase agreed in the national pay settlement for Council officers for 2007/08. At that time it was agreed

in principle that allowances should be increased according to the same formula in subsequent years. This had happened in 2007/08 and in 2008/09. On 30 March 2009 the Council had adopted the current scheme for 2009/10 which included the officer arbitration award of 0.3% made late in 2008.

- 2.3 We noted that in May 2009 both the Labour Group and the Liberal Democrat Group had indicated that their Members would not take the percentage increase agreed in the 2009/2010 national pay settlement for officers nor the previous 0.3% arbitration award. We took into account that both Groups are indicating their present intention not to take any percentage increase agreed in the 2010/2011 national pay settlement for officers, if any such increase is forthcoming.
- 2.4 The Scheme now recommended for 2010/2011 is set out in Appendix 1 to this report. These figures include the percentage increases for officers in 2008/09 but exclude the 0.3% arbitration award in accordance with the requests of the Groups. The percentage increase for officers in 2009/2010 has not been added to the figures. There is no provision for this percentage increase in 2010/2011.
- 2.5 We noted that if any Group, or any one or more individual Members, wished to take less by way of allowances than would be permitted by the Scheme, this could be arranged by written notice to the Head of Local Democracy and Member Services as provided for in paragraph 10.05 of the Scheme.
- 2.6 We saw that the Scheme in Appendix 1 showed few changes as compared with the Scheme for 2009/2010. Apart from deleting the provision for the percentage increase in line with the officer pay settlement, where this was mentioned in the previous Scheme, most of the changes are simply updating i.e. "2010" in place of "2009". There is also a change in the table of Special Responsibility Allowances on page 2 to reflect the fact that the Leader may appoint fewer than 9 Cabinet Members in May 2010. We were informed that the increase in the babysitting and dependants allowance, at paragraph 8.01 (a), from £5.73 to £5.80 reflected the increase in the national minimum wage.
- 2.7 We were advised that, when the full Council made its decision on the Scheme, Members were obliged to have regard to the report of the Independent Panel on the Remuneration of Councillors in London. Last year (2009/2010) the allowances agreed were well within those recommended by the Panel's report in 2006 and accorded with the principles recommended by the Panel. Since the proposed Scheme will not change the levels of allowances, there was no need to append the Panel's report to this report. We noted that there had been no fresh report or recommendation from the Independent Panel this year.

WE RECOMMEND:

- (i) That the scheme of Members' Allowances for 2010/2011 as set out in Appendix 1 to this report be agreed, and
- (ii) That this scheme be adopted as the replacement for Part 6 of the Council's Constitution.

3. ADOPTING THE COUNCILLOR CALL FOR ACTION PROTOCOL AND MAKING RELATED AMENDMENTS TO THE COUNCIL'S CONSTITUTION

- 3.1 We recalled considering a report on the Councillor Call for Action (CCfA) at our meeting on 20 October 2009. The CCfA procedure was intended to be a remedy of "last resort" enabling Ward Councillors to ask the Overview and Scrutiny Committee (OSC) to look into persistent local community problems when the normal means of achieving resolution, through approaches to officers, Cabinet Members and partner agencies, had not achieved a solution.
- 3.2 The Protocol recommended for practical implementation of the CCfA procedure in Haringey is attached as Appendix 2 to this report. We saw that the Protocol defined the "local government matters" covered by the CCfA and set out the procedure for referral to OSC. This included a standardised referral form at the end of Appendix 2. If the CCfA request was validated by the Monitoring Officer, the Councillor bringing the CCfA would be able to attend to relevant meeting of OSC and explain the problem.
- 3.3 We were advised that OSC would have a variety of options in response to a CCfA including: (i) making immediate recommendations to Cabinet, Directors or partner agencies, (ii) commissioning a further investigation or report, (iii) reference to a Scrutiny Review Panel or (iv) a decision to take no further action.
- 3.4 We noted that a briefing on the draft Protocol and the related changes to the Councils Constitution had been considered by all parties represented on the Council. There had been no requests for changes to the draft protocol or the proposed Constitutional changes. There being no substantive changes to report, it had not been considered necessary to report again to the Haringey Strategic Partnership Board or the Chief Executive's Management Board, both of which had already noted the original proposals.
- 3.5 Since our meeting on 11 March, the OSC considered and approved

the recommendations of this report at its meeting on 15 March 2010.

- 3.6 We were advised that amendments would be required to the Council's Constitution to include reference to the CCfA procedure in the terms of reference of OSC (Part 3, Section C) and in the Overview and Scrutiny Procedure Rules (Part 4, Section G). These amendments are set out in Appendix 3 and Appendix 4 to this report.
- 3.7 We agreed to recommend to full Council that the CCfA Protocol itself should not be formally incorporated into the text of the Constitution but be kept outside so that it could be amended more flexibly by OSC in the light of practical experience of its operation. We are also recommending that full Council delegate powers to OSC to make interim amendments to the CCfA Protocol subject to reporting such proposed amendments to the Constitution Review Working Group and a report being made to full Council on the working of the procedure at the end of 2010/11.
- 3.8 At our 20 October meeting, we had considered and approved a report on the crime and disorder functions arising under the Police and Justice Act 2006 (as amended). These functions were approved for addition to the terms of reference of OSC and the changes were formally adopted by full Council on 18 January 2010.
- 3.9 Appendix 3 shows the terms of reference of OSC at Part 3, Section C of the Council's Constitution with the crime and disorder functions already adopted at sub-paragraphs (h), (i) and (j). The new reference to the functions of OSC under the CCfA procedure is at the final sub-paragraph (k) on page 2 of Appendix 3.
- 3.10 Appendix 4 shows the relevant parts of the Overview and Scrutiny Procedure Rules at Part 4, Section G of the Constitution. The recommended new reference to the CCfA procedure is at sub-paragraph 1.2 (xii) on page 2. There is also a short summary of the CCfA Protocol and procedure at paragraph 16 on pages 2 and 3. In order to keep Part 4, Section G of the Constitution consistent with Part 3, Section C, we recommend that a reference to the crime and disorder scrutiny functions be included in the former at sub-paragraph (xi) on page 2.
- 3.11 We noted the statutory requirement that the CCfA procedure must apply with respect to any "local crime and disorder matter" that a Ward Councillor may wish to refer to OSC. When a request for a CCfA referral is made in relation to a crime and disorder matter, the Ward Councillor would be expected to have raised the issue beforehand with the Police or the Safer Communities Partnership Board. Otherwise the CCfA Protocol will apply in a very similar way. Therefore, we are recommending that the CCfA Protocol should expressly cover both local government matters and local crime and disorder matters and this is provided for at paragraph 17 at the end of the Protocol in Appendix 2 to this report.

WE RECOMMEND:

- (i) That the Protocol on the Councillor Call for Action procedure be approved as set out at Appendix 2 to this report, and
- (ii) That the Protocol be excluded from the Council's Constitution pending a further report, and
- (iii) That the Overview and Scrutiny Committee be delegated power to amend the Councillor Call for Action Protocol during 2010/11 as the Committee may consider desirable in the light of practical experience, subject to reporting such proposed amendments to the Constitution Review Working Group and officers reporting again to full Council at the end of 2010/11 on the operation of the Councillor Call for Action Protocol, and
- (iv) That the changes to the terms of reference of the Overview and Scrutiny Committee as set out in Appendix 3 to this report and the changes to the Overview and Scrutiny Procedure Rules as set out in Appendix 4 to this report be approved and resolve to adopt them as amendments to Part 3, Section C and Part 4, Section G of the Council's Constitution.

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APPENDIX 1

[the text shown struck through is recommended for deletion and the text shown in italics and underlined is recommended for insertion or addition]

Part 6

Members' Allowances Scheme

1. SCHEME FOR THE PAYMENT OF MEMBERS' ALLOWANCES

1.01 Made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and in force for the municipal year 2009/10 (~~i.e. 1 April 2009 to 31 March 2010~~) 2010/11 *(i.e. 1 April 2010 to 31 March 2011)*.

2. BASIC ALLOWANCE

2.01 Each Councillor will be entitled to receive the sum of £10,500 by way of Basic Allowance (~~subject to an increase from 1 April 2009 in line with the percentage increase agreed in the national settlement for Local Authority officers~~).

2.02 If a Councillor does not serve as such for the whole 12-month period or becomes disqualified, he/she will only be entitled to receive pro-rata payment for the period(s) during which he/she actually was a serving Councillor. This principle applies to service on Council bodies by independent Standards Committee members and education representatives on scrutiny bodies.

3. INCLUDED EXPENSES

3.01 Travel Expenses.

The Basic Allowance includes all travel within the M25. Councillors are not entitled to any form of concession or special permit as Councillors for parking in the Borough.

3.02 Telephones and I.T.

The Basic Allowance includes Councillors' telephone call charges, both mobile and landline, for which Councillors are billed individually. The Council meets the rental for apparatus, including broadband, and all datacharges.

4. MAYORAL ALLOWANCES

4.01 The additional allowances for the Mayor and Deputy Mayor are:

- (a) The Mayor is entitled to an additional allowance of £15,750.
- (b) The Deputy Mayor is entitled to an additional allowance of £3,936.

~~These allowances are subject to an increase from 1 April 2009 in line with the percentage increase agreed in the national settlement for Local Authority officers.~~

5. SPECIAL RESPONSIBILITY ALLOWANCES

5.01 Haringey Council will allocate Special Responsibility Allowances in four bands, to Councillors who take on certain additional roles. ~~All allowances are subject to an increase from 1 April 2009 in line with the percentage increase agreed in the national settlement for Local Authority officers.~~

Band	Position	Special Allowance	Total Allowance
Band 4	<ul style="list-style-type: none"> • Leader 	£31,497	£41,997
Band 3	<ul style="list-style-type: none"> • 9 <i>or fewer</i> x Cabinet Members • Opposition Leader • Chair of Overview and Scrutiny Committee 	£23,622	£34,122
Band 2 Band 2 (continued)	<ul style="list-style-type: none"> • Chair of General Purposes Committee • Chief Whip • Chair of Planning Committee • Chair of Licensing Committee • Chair of Alexandra Palace and Park Board • Chair of Audit Committee • Chair of Pensions Committee • Opposition Deputy Leader • Opposition Chief Whip • 6 x Councillors on Overview and Scrutiny Committee 	£15,750	£26,250
Band 1	7 x Chairs of Area Assemblies	£7,875	£18,375

6. MULTIPLE RESPONSIBILITIES

6.01 Where a Councillor holds more than one post of special responsibility, he/she may only receive one Special Responsibility Allowance. Where a Councillor holds more than one post of special responsibility and the posts have Special Responsibility Allowances of different monetary values, the Councillor would receive the higher one. For the purposes of this paragraph, the Mayor and Deputy Mayor count as posts of special responsibility.

7. CO-OPTEEES' ALLOWANCES

7.01 Each independent Standards Committee member and each education representative on scrutiny bodies is entitled to an allowance of £616.50 excepting the Chair of the Standards Committee who is entitled to an allowance of £1,263. ~~These allowances are subject to an increase from 1 April 2009 in line with the percentage increase agreed in the national settlement for Local Authority officers.~~ This incorporates all other allowances, with the exception of babysitting and dependants allowance. No allowances are payable to others who are not elected Councillors.

8. BABYSITTING AND DEPENDANTS ALLOWANCE

8.01 Councillors and non-elected members can claim this allowance based on the following :

(a) That reimbursement be made at a maximum rate of £5.80 per hour. The period of payment should include the time of the meeting, together with reasonable travelling time of the member, plus any necessary travelling expenses of the carer to and from their home.

(b) Children over the age of 16 must not be claimed for, unless suffering from an illness or disability making constant care essential.

9. TRAVELLING AND SUBSISTENCE ALLOWANCE

Councillors can claim this allowance for attending approved meetings, training and conferences etc. only to the extent that it involves travel outside the M25. Claims must be based on the following :

(a) The mileage rate for travel by private car is 34.6 pence per mile. An extra 3 pence per mile is payable for each passenger for whom

a travelling allowance would otherwise be payable. The cost of tolls, ferries and parking charges can be claimed.

(b) The mileage rate for travel by solo motor cycle is :

Not exceeding	150 cc	8.5 pence per mile
Over	150 cc but not over 500 cc	12.3 pence per mile
Over	500 cc	16.5 pence per mile

(c) On public transport only the ordinary or cheaper fare can be claimed where more than one class is available

(d) The cost of a taxi, including a reasonable tip, can be claimed only in case of urgency or where public transport is not practicable or reasonably available

(e) The maximum rates for subsistence allowance on approved duties are as follows:

For an absence of more than 4 hours before 11.00	£4.92
For an absence of more than 4 hours including lunchtime between 12.00 and 14.00	£6.77
For an absence of more than 4 hours including the period 15.00 to 18.00	£2.67
For an absence of more than 4 hours ending after 19.00	£8.38

10. CLAIMS AND PAYMENTS

10.01 The Basic Allowance and Special Responsibility Allowances will be paid in equal monthly instalments.

10.02 The Co-optees' Allowance must be claimed by, and will be paid at, the end of the municipal year, subject to paragraphs 2.02 above and 10.04 below.

10.03 All claims for Travelling and Subsistence Allowance and Babysitting and Dependants Allowance must be made within two months of the relevant meeting or the costs being incurred by the Councillor or non-elected member, subject to paragraph 10.04 below..

10.04 If any Allowance under paragraphs 10.02 or 10.03 is not claimed within the prescribed time limit, the Head of Local Democracy & Members' Services shall have a discretion to make the payment nonetheless.

- 10.05 Any Councillor or non-elected member may elect to forego his/her entitlement to all or part of any allowance by giving written notice at any time to the Head of Local Democracy & Members' Services.

11. WITHHOLDING AND REPAYMENT OF ALLOWANCES

- 11.01 The Standards Committee or any of its Sub-Committees is authorised to withdraw the payment of the allowances set out below in whole or in part, as appropriate, in the event of a Councillor being suspended or partially suspended. The allowances covered by this provision are the following:

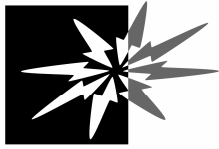
- (a) Basic Allowance;
- (b) Special Responsibility Allowance;
- (c) Travelling and Subsistence Allowances; and
- (d) Co-optees' Allowance.

- 11.02 Where the Standards Committee/Sub-Committee withdraws any of the above allowances in whole or in part and it transpires that the Councillor has already been paid in whole or in part for the relevant period of suspension or partial suspension, then the Standards Committee/Sub-Committee may require that the Councillor repay the relevant amount to the Council.

12. MEMBERSHIP OF LOCAL GOVERNMENT PENSION SCHEME

- 12.01 All eligible Councillors are allowed to join the Local Government Pension scheme in respect of the Basic and Special Responsibility Allowances paid to them as part of this scheme of allowances.

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APPENDIX 2

COUNCILLOR CALL FOR ACTION PROTOCOL

Introduction

1. The Councillor Call for Action (CCfA) Protocol is designed as a formal means whereby Councillors can refer to the Overview & Scrutiny Committee any local government matter in their ward which is of significant community concern. Referral to the Overview and Scrutiny Committee is a measure of last resort once other approaches have been exhausted.
2. A local government matter is defined in legislation¹ as one which:
 - (a) Relates to the discharge of any function of the authority;
 - (b) Affects all or part of the electoral area for which the referring member is elected or any person who lives or works in the area; and
 - (c) Is not an excluded matter. Excluded matters are matters (as defined in Regulations²) relating to:
 - (i) the formulation or implementation of the council's crime and disorder strategy³;
 - (ii) a planning decision;
 - (ii) a licensing decision;
 - (iii) an individual or entity where that individual or entity has a statutory right to a review or appeal other than to the ombudsman;or which are:
 - (iv) vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the Overview and Scrutiny Committee or a Scrutiny Panel Sub-committee.

¹ Section 119 of the Local Government and Public Involvement in Health Act 2007.

² Overview and Scrutiny (Reference by Councillors) (Excluded Matters) (England) Order 2008

³ A crime or disorder matter within the meaning of section 6 of the Crime and Disorder Act 1998

unless the matter consists of an allegation that a function of the Council has not been discharged at all or that its discharge has failed or is failing on a systematic basis.

3. The matter must directly affect all or part of the ward for which the Councillor is elected, or any person who lives or works in that ward.
4. The CCfA is not an appropriate route for:
 - (a) Raising individual complaints, for which the Council's corporate complaints procedure should be followed;
 - (b) Scrutinising matters of wider Council policy;
 - (c) Questioning decisions which have been taken but not yet implemented by the Cabinet;
 - (d) Seeking to resolve urgent matters, in view of the time which may be needed for the committee to assess the initial referral and then investigate the matter if it agrees to do so; or
 - (e) Raising matters where other means of resolution have not been tried.

Referral Procedure

5. In Haringey matters referred as a CCfA will be referred to the Overview and Scrutiny Committee. Prior to referring a matter as a CCfA a Councillor must have tried to resolve the matter themselves using the other mechanisms and resources available to them at ward level. Councillors must have regard to any government guidance issued and should:
 - (a) Ensure that the relevant Cabinet Member, Council department and/or any partner organisation has been informed of the issue and been given enough time to resolve it.
 - (b) Ensure that this is not an issue that is currently being or should be pursued via the council's complaints process.
 - (c) Ascertain whether or not the matter is being investigated through any other local mechanism such as members enquiry, area assembly etc.
6. If the matter is still not resolved the Councillor can refer it to the Overview and Scrutiny Committee as a 'Councillor Call for Action'. To avoid delays in the referral process, all referrals will be made on the CCfA request form in Appendix 1. This will ensure that the necessary information to enable the applicability of the Protocol to be confirmed and to enable the matter to be put before Overview and Scrutiny Committee will be provided at the outset.
7. The referral form will be received by the Head of Member Services who will log it to track its progress and assess whether the matter is covered by this Protocol. The

Monitoring Officer shall be responsible for determining whether a matter is required to be referred to the Overview and Scrutiny Committee under this protocol.

8. Referrals approved by the Monitoring Officer will then be included on the next available agenda of the relevant Overview and Scrutiny Committee. It will up to the members of the committee to decide whether or not to take the matter further.

Considering the CCfA

9. The referring Councillor and other Councillors representing the same ward will be invited to attend a meeting at which the CCfA is discussed, in order to make representations and answer questions. The relevant Cabinet member and senior officer and partner representative will also be invited if appropriate.
10. In deciding whether or not to take the matter further the committee will consider:
 - (a) Actions already taken by the Councillor in relation to the matter; and
 - (b) Representations made by the Councillor as to why the committee should take the matter up.
11. The criteria the committee will use to decide whether or not to take the matter further include:
 - (a) Is the committee satisfied that reasonable attempts at a resolution have been made by the ward Councillor?
 - (b) Has the committee considered a similar issue recently and, if so, have the circumstances or evidence changed.
 - (c) Has the relevant service or partner agency been informed and been given enough time to resolve the issue and, if so, what response the Councillor has received.
 - (d) Is the matter currently being looked at by another form of local mechanism or HSP Board?
12. If the committee decides not to take further action in respect of the referral it must inform the Councillor and explain why.
13. If the committee decides to accept the referral it must decide how it intends to take the matter further it may:
 - (a) Make immediate recommendations to:
 - (i) the Cabinet or other relevant council body;
 - (ii) the Corporate Director of the relevant Council department; or
 - (iii) to any relevant partner organisation or other local organisation;
 - (b) Request further information or evidence from the ward councillor;
 - (c) Ask officers to look into the matter and report back;

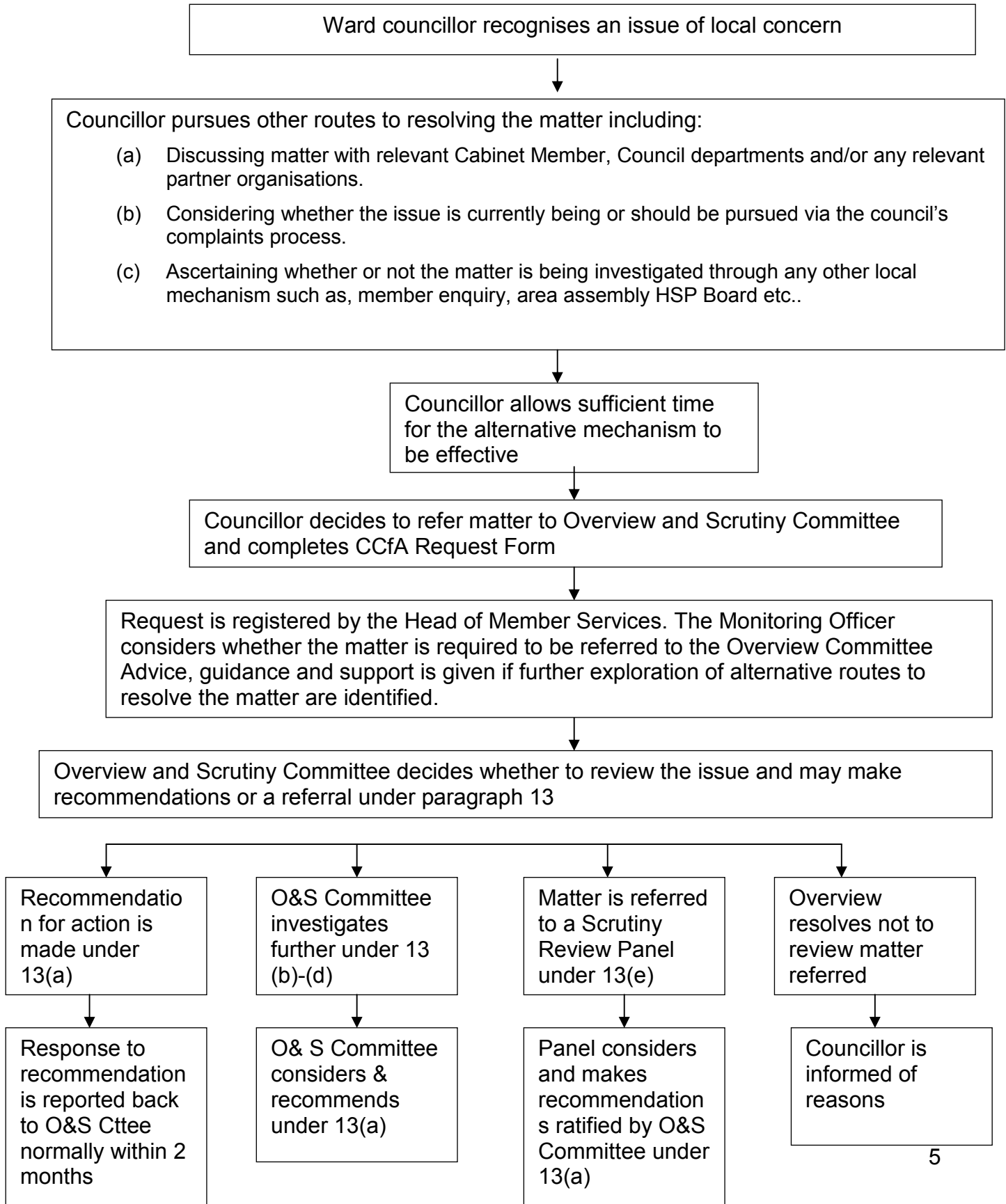
- (d) Invite other local stakeholders to give evidence to a future meeting; or
- (e) Refer the matter to a Scrutiny Review Panel to undertake a more in depth review.

Overview and Scrutiny Committee may make recommendations as provided for in 13 (a) following consideration by them under 13 ((b) – (e)

14. If the matter is referred under 13 (a) (i) or (ii) the relevant body or person shall report back to the Overview and Scrutiny Committee, normally within 2 months, indicating any action that has been or is intended to be taken in respect of the recommendation.
15. Once the committee has completed its work on the referral the member who made the referral will receive a copy of any report or recommendations made in relation to it.
16. Overview and Scrutiny Committee will request updates on the implementation of recommendations, where agreed, from the responsible agency.
17. This Protocol will apply with appropriate modifications to any request by a Councillor to refer any local crime and disorder matter to the Committee under the CCfA procedure.

LONDON BOROUGH OF HARINGEY

SUMMARY OF THE PROPOSED PROCEDURE FOR COUNCILLOR CALL FOR ACTION





**Councillor Call for Action (CCfA)
Referral Form**

A CCfA should be of social economic and/or environmental importance to a particular area of Haringey. It cannot address an individual service complaint or concern a quasi judicial matter, such as a licensing or planning application.

To be completed by championing Councillor:

Cllr:	Signature:	Ward:
Date:	Contact details:	

Brief Description of issue being brought as a possible CCfA:

What would you consider to be a satisfactory conclusion to this process?

Ward/area affected:

Is the issue related to an individual matter or complaint? Yes No
 If yes, please give details.

Are you aware of the any legal action or proceedings related to this issue?

Yes No

If yes, please give details.

Please specify what action has been taken so far to try and resolve the issue locally. In particular please describe what actions have been taken in respect of consulting the following, as well as any responses received:

- Officers of the Council, partners and other relevant public service providers
- Member Enquiry
- The local Area Assembly or other public meetings
- Neighbourhood Management Team
- Cabinet Member(s) and/or the Leader
- Formal letters/motions and petitions
- Communication with local Members of Parliament
- Local campaigns

For completion by Overview and Scrutiny Manager:

Referred to Head of Member Services (date):

Date of referral to Overview and Scrutiny Committee:

Referral accepted/not accepted:

Further action required:

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APPENDIX 3

[the text shown in italics and underlined on page 2 is recommended for addition or insertion]

COUNCIL'S CONSTITUTION

Part 3, Section C – Terms of Reference of Non-Executive Committees

2. Overview and Scrutiny Committee

The Overview and Scrutiny Committee may:

- (a) exercise an overview of the forward plan;
- (b) review or scrutinise decisions made or actions taken in connection with the discharge of any of the Cabinet's or Council's functions;
- (c) make reports and recommendations to the full Council, the Cabinet or relevant non-Executive Committee in connection with the discharge of any functions;
- (d) make reports or recommendations on matters affecting the area or its inhabitants;
- (e) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Cabinet;
- (f) receive the reports and recommendations of its Panels; ~~and~~
- (g) in accordance with statutory regulations to review and scrutinise matters relating to the health service within the Authority's area and to make reports and recommendations thereon to local NHS bodies;
- (h) review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible partner authorities of their crime and disorder functions;
- (i) make reports or recommendations to the Cabinet or full Council where appropriate with respect to the discharge of the crime and disorder functions by the responsible partner authorities; ~~and~~
- (j) make arrangements which enable any Councillor who is not a Committee Member to refer any crime and disorder matter to the Committee under the Councillor Call for Action procedure; and

- (k) make arrangements which enable any Councillor who is not a Committee Member to refer to the Committee any local government matter which is relevant to the functions of the Committee under the Councillor Call for Action procedure.

APPENDIX 4

[the text shown in italics and underlined is for addition or insertion]

Part Four, Section G
Overview and Scrutiny Procedure Rules

OVERVIEW AND SCRUTINY PROCEDURE RULES

1. The arrangements for Overview and Scrutiny

1.1 The Council will have one Overview and Scrutiny Committee, which will have responsibility for all overview and scrutiny functions on behalf of the Council.

1.2 The terms of reference of the Overview and Scrutiny Committee will be:

- (i) The performance of all overview and scrutiny functions on behalf of the Council.
- (ii) The commission and appointment of such Scrutiny Review Panels as it considers appropriate, with membership that reflects the political balance of the Council.
- (iii) To decide and amend the terms of reference of all scrutiny reviews.
- (iv) To receive reports from the Leader at the earliest convenience after each annual council meeting on ‘the state of the borough’, the Cabinet’s priorities for the coming year, and its performance in the previous year.
- (v) To receive reports from local National Health Service bodies on the state of health services and public health in the borough area.
- (vi) To monitor the effectiveness of the Council’s Forward Plan.
- (vii) To receive all appropriate performance management and budget monitoring information.
- (viii) To approve a programme of future overview and scrutiny work so as to ensure that the Overview and

Scrutiny Committee's and scrutiny panels' time is effectively and efficiently utilised;

- (ix) To consider all requests for call-in and decide whether to call-in a decision, how it should be considered and whether to refer the decision to the Cabinet or to Council.
- (x) To monitor the effectiveness of the Call-in procedure.
- (xi) To review and scrutinise action taken by partner authorities in discharge of crime and disorder functions and make reports and recommendations to Cabinet and Council on these.
- (xii) To make arrangements which enable any Councillor who is not a Committee Member to refer any local government matter or any crime and disorder matter to the Committee under the Councillor Call for Action Procedure.
- ~~(xi)~~ (xiii) To ensure that referrals from Overview and Scrutiny Committee to the Cabinet either by way of report or call-in are managed efficiently, and
- ~~(xii)~~ (xiv) To ensure community and voluntary sector organisations, users of services and others are appropriately involved in giving evidence to relevant scrutiny review panels.

.....

15. Call-in

The call in procedure is dealt with separately in this Part of the Constitution, immediately following the Overview and Scrutiny Procedure Rules.

16. Councillor Call for Action (CCfA)

The Council has adopted a Protocol for handling requests by non-Committee Members that the Committee should consider any local government matter which is a matter of significant community concern. This procedure should only be a last resort once the other usual methods for resolving local concerns have failed. Certain matters such as individual complaints and planning or licensing decisions are excluded.

Requests for a CCfA referral should be made to the Head of Local Democracy & Member Services who will check with the Monitoring Officer that the request falls within the Protocol. The Councillor making the referral will be able to attend the relevant meeting of the Committee to explain the matter. Among other actions, the Committee may: (i) make recommendations to the Cabinet, Directors or partner agencies (ii) ask officers for a further report, (iii) ask for further evidence from the Councillor making the referral, or (iv) decide to take no further action on the referral.

The Protocol is not included within this Constitution but will be subject to regular review by the Committee.

46.17 Procedure at Overview and Scrutiny Committee meetings and meetings of the Scrutiny Review Panels.

- (a) The Overview and Scrutiny Committee shall consider the following business as appropriate:
 - (i) apologies for absence;
 - (ii) urgent business;
 - (iii) declarations of interest;
 - (iv) minutes of the last meeting;
 - (v) deputations and petitions;
 - (vi) consideration of any matter referred to the Committee for a decision in relation to call in of a decision;
 - (vii) responses of the Cabinet to reports of the Committee; and
 - (viii) the business otherwise set out on the agenda for the meeting.
- (b) A Scrutiny Review Panel shall consider the following business as appropriate:
 - (i) minutes of the last meeting;
 - (ii) declarations of interest;
 - (iii) the business otherwise set out on the agenda for the meeting.
- (c) Where the Overview and Scrutiny Committee or Scrutiny Review Panel has asked people to attend to give evidence at

meetings, these are to be conducted in accordance with the following principles:

- (i) that the investigation be conducted fairly and all members of the Overview and Scrutiny Committee and Scrutiny Review Panels be given the opportunity to ask questions of attendees, to contribute and to speak;
 - (ii) that those assisting the Overview and Scrutiny Committee or Scrutiny Review Panel by giving evidence be treated with respect and courtesy;
 - (iii) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis; and
 - (iv) that reasonable effort be made to provide appropriate assistance with translation or alternative methods of communication to assist those giving evidence.
- (d) Following any investigation or review, the Overview and Scrutiny Committee or Scrutiny Review Panel shall prepare a report, for submission to the Cabinet (via the Overview and Scrutiny Committee in the case of a Scrutiny Review Panel) and shall make its report and findings public.

47.18 The Party Whip

Scrutiny is intended to operate outside the party whip system. However, when considering any matter in respect of which a member of scrutiny is subject to a party whip the member must declare the existence of the whip and the nature of it before the commencement of the Committee/Panel's deliberations on the matter. The Declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

The expression "party whip" can be taken to mean: "Any instruction given by or on behalf of a political group to any Councillor who is a member of that group as to how that Councillor shall speak or vote on any matter before the Council or any committee or sub-committee, or the application or threat to apply any sanction by the group in respect of that Councillor should he/she speak or vote in any particular manner."

48.19 Matters within the remit of more than one Scrutiny Review Panel

Should there be any overlap between the business of any scrutiny reviews, the Overview and Scrutiny Committee is empowered to resolve the issue.

**REPORT OF THE OVERVIEW & SCRUTINY COMMITTEE No. 01/2010-11
COUNCIL 22nd MARCH 2010**

Chair:
Councillor Gideon Bull

Deputy Chair:
Councillor Gina Adamou

INTRODUCTION

- 1.1 This report to full Council arises from a report (attached as Appendix 1) considered by the Overview and Scrutiny Committee at its meeting on 15th February 2010 on the setting up of a Joint Health Overview and Scrutiny Committee to consider the North Central London Service and Organisation Review.

SUMMARY

- 2.1 The Committee agreed, in principle, to the establishment of a Joint Health Overview and Scrutiny Committee with the London Boroughs of Barnet, Camden, Islington and Enfield to engage with the NHS on the North Central London Service and Organisation Review.
- 2.2 The Joint Committee will have a statutory role to respond to formal consultation on the review of acute services in the north central sector of London.
- 2.3 Since Haringey will be appointing only 2 Members to the Joint Committee, the “political proportionality” rules in the Local Government and Housing Act 1989 will not apply.
- 2.4 The terms of reference for the joint committee are proposed as follows:

“To scrutinise and respond to stakeholder engagement, the consultation process and final decision in respect of the North Central London Service and Organisation Review in the light of what is in the best interests of the delivery of a spectrum of health services across the area of Barnet, Camden, Enfield, Haringey and Islington, taking account of:

- The adequacy of the consultation being carried out by the health bodies including the extent to which patients and the public have been consulted and their views have been taken into account
- The impact on the residents of those areas of the reconfiguration proposals, as set out in the consultation document
- To assess whether the proposals will deliver sustainable service improvement
- To assess whether the proposed changes address existing health care inequalities and not lead to other inequalities

- The impact on patients and carers of the different options, and if appropriate, which option should be taken forward
- How the patient and carer experience and outcomes and their health and well-being can be maximised whichever option is selected
- Whether to use the joint powers of the local authorities to refer either the consultation or final decision in respect of the North Central London Service and Organisation Review to the Secretary of State for Health.

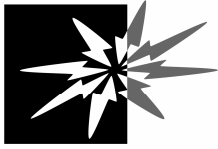
WE RESOLVED:

- 3.1 That the Committee agrees to the setting up of a joint health scrutiny overview and scrutiny committee with the London Boroughs of Barnet, Camden, Islington and Enfield under the powers conferred by chapter 3 of the National Health Service Act 2006 and associated regulations to engage with the NHS on the North Central London Service and Organisation Review and respond, in due course, to the forthcoming formal consultation exercise thereon.
- 3.2 That, with the agreement of Council to recommendation 4.1, a further report inviting nominations to the JHOSC be submitted to the first meeting of the Committee of the new Municipal Year.
- 3.3 That officers be authorised to continue negotiations with other participating local authorities on the constitutional arrangements for the joint committee and associated matters and report back.

WE RECOMMEND:

- 4.1 (i) that the terms of reference for the joint health overview and scrutiny committee be approved, and

(ii) that the making of nominations from this Council to the joint health overview and scrutiny committee be delegated to the Overview and Scrutiny Committee.



Haringey Council

Overview and Scrutiny Committee	On 15 March 2010
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Report Title: Setting up of Joint Health Overview and Scrutiny Committee to Consider North Central London Service and Organisation Review

Report of: Chair of Overview and Scrutiny Committee

Contact Officer : Robert Mack, Principal Scrutiny Support Officer Tel: 0208 489 2921

Wards(s) affected: All

Report for: **N/A**

1. Purpose of the report (That is, the decision required)

- 1.1 To agree, in principle, to the setting up of a joint health overview and scrutiny committee with the London Boroughs of Barnet, Camden, Enfield and Islington to jointly engage with the NHS on the North Central London Service and Organisation Review and to respond, in due course, to the formal consultation thereon.

2. Introduction by Cabinet Member (if necessary)

2.1. N/A

3. State link(s) with Council Plan Priorities and actions and/or other Strategies:

3.1. N/A

4. Recommendations:

- 4.1. That the Committee agrees to the setting up of a joint health scrutiny overview and scrutiny committee with the London Boroughs of Barnet, Camden, Islington and Enfield under the powers conferred by chapter 3 of the National Health Service Act 2006 and associated regulations to engage with the NHS on the North Central London Service and Organisation Review and respond, in due course, to the forthcoming formal consultation exercise thereon.

- 4.2. That the Committee recommend to Council that the terms of reference for the joint

health overview and scrutiny committee be approved that that political proportionality be waived.

4.3. That a further report inviting nominations to the JHOSC be submitted to the first meeting of the Committee of the new Municipal Year.

4.4. That officers be authorised to continue negotiations with other participating local authorities on the constitutional arrangements for the joint committee and associated matters and report back

5. Reason for recommendation(s)

5.1. Included within the body of the report.

6. Other options considered

6.1. Included within the body of the report.

7. Summary

7.1 A major review of acute services in the north central sector of London is being undertaken by the NHS. This will involve significant changes to local hospital services and how they are configured. A full public consultation exercise is scheduled to be undertaken in the autumn. Local overview and scrutiny committees will need to be consulted as part of this process. Health scrutiny committees can voluntarily agree to join together to carry out health scrutiny reviews or consider health issues that cross boundaries. In addition, where NHS bodies are required to consult with more than one overview and scrutiny committee on proposals for substantial variations or developments to local health services, the relevant local authorities are statutorily required to set up a joint scrutiny committee to respond.

7.2 Overview and Scrutiny Members across the five boroughs have indicated their wish to set up a joint committee to engage with the NHS prior to the formal consultation in order to consider any collective issues. It is intended that the work of this body will supplement engagement by individual OSCs with the NHS prior to the formal consultation process. Once formal proposals are developed, the joint committee will take on a statutory role in responding formally to them on behalf of the OSCs of the local authorities most affected.

8. Chief Financial Officer Comments

8.1 The Chief Financial Officer has been consulted on the proposal and recommendations and would like to highlight that the creation & operation of the proposed joint committee could lead to additional as yet unfunded costs for the Council.

8.2 The meetings will be held and clerked at each authority in rotation and these costs should be able to be contained within existing budgets however, there may

be some additional one off costs such as use of external advice or report writing which will need to be met by the 5 authorities. At this stage it is not possible to quantify the likely level of these costs but it is recommended that a discussion on likely costs is held at an early meeting of the Committee so that consensus on an approved budget can be agreed and funding identified.

9. Head of Legal Services Comments

9.1. The statutory provisions relating to the establishment of the Joint Health Overview and Scrutiny Committee are explained in the body of this report. The terms of reference and membership of this Joint Committee must be agreed by the full Council. Full Council would need to agree the waiver of the political proportionality rules without any Member voting against this proposal.

10. Head of Procurement Comments – [Required for Procurement Committee]

10.1. N/A

11. Equalities & Community Cohesion Comments

11.1. The joint committee will need to consider whether the proposals by the NHS are likely to adversely affect specific communities and, in particular, the adequacy of the equalities impact assessment.

12. Consultation

12.1. There are specific obligations on the NHS to engage and consult with patients and the public. A key part of the joint committees work will be to consider the NHS's plans for this. In addition, the joint committee will also seek to engage with a wide range of stakeholders, including organisations representing the patients and public.

13. Service Financial Comments

13.1. There are likely to be some cost implications arising from the joint committee but it is not possible to quantify the size of these at this stage. The practice is normally that any costs arising are shared between the participating local authorities. The size of the costs will depend on the level of support that Members of the joint committee decide would be appropriate in order to ensure that they are able to respond effectively to the review. This would include the need for any external independent advice that it is felt is required in order to facilitate effective challenge. The need for this will need to be balanced by the resources that each of the local authorities have to fund such commitments.

14. Use of appendices/tables and photographs

14.1. None

15. Local Government (Access to Information) Act 1985

15.1. Background papers are as follows:

16. Report

Background

16.1 NHS London have asked each of the commissioning sectors across the capital to review acute (hospital) provision within their areas. The drivers behind this are both clinical and financial. Haringey is in the north central sector (NC) together with Barnet, Enfield, Camden and Islington. The review for NC London is being led by Rachel Tyndall, the Chief Executive of both Islington PCT and the commissioning agency for the sector.

16.2 The view of NHS London is that acute services in London do not yet measure up to the vision within *Healthcare for London*. This aims to offer more care provided closer to home but with some specialist services being centralised, where necessary, to give higher quality and dedicated care. Hospitals are facing the twin challenges of some services being moved out of them into the community (e.g. x rays, physiotherapy) whilst other services are concentrated into larger, specialised centres (e.g. acute stroke, major trauma). In addition, they will face further future pressure on their finances as a result of the moves by PCTs to reduce unnecessary A&E attendances.

16.3 There is likely to be an increase in demand for health services in the next few years that will be accompanied by a possible decrease in funding allocated to the NHS by the government. This will result in a significant funding gap. The funding gap for NC London has been estimated as likely to be approximately £560m by 2016/17.

16.4 As part of the review, options for the configuration of the five hospital sites in the NC sector are currently being developed. The model that has developed recommends that there be the following:

- Two major acute hospital sites, one in the north of the sector and one in the south
- A multi-specialist acute provider from where highly specialist and tertiary services will be delivered
- Rationalisation of specialist services (e.g. cardiac, neurosurgery) across the Royal Free and UCLH and development of networked services for surrounding areas
- A maximum of two local hospitals – two variants under consideration

16.5 This model provides various possible potential permutations, which are currently being considered by the NHS. Specific options will be developed for consideration

as part of the formal consultation exercise. However, it has also already been agreed that viable options:

- Must reflect known public concerns about reasonable geographic distribution
- Must be clinically safe and fit within the context of Healthcare for London and the BEH Clinical Strategy (Chase Farm has been left out for this reason)
- Must fit within the physical constraints of the existing property portfolio

Joint Health Overview and Scrutiny Committee (JHOSC)

16.6 Although the formal consultation process is not due to take place until the autumn, the Chairs of health scrutiny committees across the five boroughs have agreed to set up a JHOSC now in order to engage with the NHS on the review. At this stage, it is proposed to obtain approval for the outline arrangements for the JHOSC and the terms of reference in order to minimise any delay that may occur as a result of the local government elections. Further detailed consideration can be undertaken of the arrangements following the elections, at the first meeting of the JHOSC.

16.7 There are two specific types of JHOSC:

- Discretionary - Health OSCs can voluntarily agree to join together to carry out health scrutiny reviews or consider health issues that cross boundaries.
- Statutory - Health OSCs are required to establish a JHOSC to consider and respond to proposals for developments or variations that affect more than one local authority area and that are considered “substantial” by the health OSCs for the areas affected.

16.8 As there are not, as yet, specific proposals to respond to, the JHOSC will operate as a discretionary joint committee in the first instance and engage with the NHS on cross borough issues relating to the review. It is intended that this will complement the work of individual OSCs, who will engage with their local PCTs on detailed plans for their area.

16.9 The proposals that will be put out to public consultation in due course will undoubtedly constitute a “substantial variation” to services across the five Boroughs, as well as possibly some neighbouring local authorities. This is due to the effect that they will potentially have on the accessibility of services, the way that services are provided and the number of patients affected. Directions issued by the Secretary of State in July 2003 require that ‘where a local NHS body consults more than one overview and scrutiny committee pursuant to regulation 4 of the Regulations on any proposal it has under consideration for a substantial development of the health service or a substantial variation in the provision of such service, the local authorities of those overview and scrutiny committees shall appoint a joint overview and scrutiny committee for the purposes of the consultation and only that joint overview and scrutiny committee may:

a). make comments on the proposal consulted on to the local NHS body under regulation 4(4) of the Regulations;

(b). require the local NHS body to provide information about the proposal under regulation 5 of the Regulations; and

(c). require an officer of the local NHS body to attend before it under regulation 6 of the Regulations to answer such questions as appear to it to be necessary for the discharge of its functions in connection with the consultation.'

16.10 The JHOSC will therefore assume a statutory role when proposals are finalised. It will be required to respond to the consultation through the production of a report that reflects the views of all local authorities involved in the joint committee and aims to be consensual.

Terms of Reference

16.11 The terms of reference for the joint committee are proposed as follows:

“To scrutinise and respond to stakeholder engagement, the consultation process and final decision in respect of the North Central London Service and Organisation Review in the light of what is in the best interests of the delivery of a spectrum of health services across the area of Barnet, Camden, Enfield, Haringey and Islington, taking account of:

- The adequacy of the consultation being carried out by the health bodies including the extent to which patients and the public have been consulted and their views have been taken into account
 - The impact on the residents of those areas of the reconfiguration proposals, as set out in the consultation document
 - To assess whether the proposals will deliver sustainable service improvement
 - To assess whether the proposed changes address existing health care inequalities and not lead to other inequalities
 - The impact on patients and carers of the different options, and if appropriate, which option should be taken forward
 - How the patient and carer experience and outcomes and their health and well-being can be maximised whichever option is selected
 - Whether to use the joint powers of the local authorities to refer either the consultation or final decision in respect of the North Central London Service and Organisation Review to the Secretary of State for Health.
1. The joint committee will initially operate as a discretionary joint committee and consider any cross borough issues impacting on all participating local authorities and complement the work of individual health scrutiny committees in considering any detailed plans relating to their area. Once specific reconfiguration proposals have been developed fully by local NHS bodies, the joint committee will assume the functions of a statutory joint health overview and scrutiny committee, in accordance with section 245 of the National Health Service Act 2006 and associated regulations and guidance, and respond formally to the proposals on behalf of all of the health scrutiny committees of the local authorities participating.
 2. The joint committee will work independently of both the Executive and health scrutiny committees of its parent authorities, although evidence collected by individual health

scrutiny committees may be submitted as evidence to the joint committee and considered at its discretion.

3. To maintain impartiality, during the period of its operation Members of the Joint Committee will refrain from association with any campaigns either in favour or against any of the reconfiguration proposals. This will not preclude the Executives or other individual members of each authority from participating in such activities.
4. The joint committee will aim work together in a spirit of co-operation, striving to work to a consensual view to the benefit of local people.”

Composition of Joint Committee

16.12 It is proposed that representation be two Members per local authority plus a deputy. It is also proposed that nomination of Members to the JHOSC be dealt with at the first meeting of the Overview and Scrutiny Committee after the local government elections.

16.13 Under the Local Government Act 2000, overview and scrutiny committees must generally reflect the political make up of the full council. Exact compliance with this could entail having a large and unwieldy membership which could hinder the effectiveness of the joint scrutiny committee. However, the Local Government and Housing Act 1989 enables local authorities to waive the political balance requirements if all elected councillors within that authority agree that it need not apply. In respect of a joint committee, the political balance requirement applies for each participating authority unless Members of *all* authorities agree to waive that requirement. In principle agreement to do this could enable a smaller and less unwieldy membership to be negotiated with other authorities. The power to nominate Members to the joint scrutiny committee would still be retained by the Overview and Scrutiny Committee but the political proportionality of representation would be a matter of choice rather than a necessity.

Quorum and Voting

16.14 It is suggested that the quorum be one Member from each of the participating authorities. In the event of a meeting being inquorate, it could still proceed on an informal basis if the purpose of the meeting was merely to gather evidence. However, any decision making would be precluded.

16.15 Due to the need for the final report to reflect the views of all authorities involved in the process, one vote per authority would appear to be more appropriate than individual Members each being given a vote. It is nevertheless to be emphasised that decisions by the joint committee should, wherever, possible be reached by consensus.

Co-options

16.16 Opportunities for co-options that are currently available to OSCs would also be available to the joint committee. It may therefore be possible, subject to the agreement of the joint scrutiny committee, to co-opt a suitable person. Such a person would need to have specific expertise and/or knowledge of the issues in question.

Frequency and location of meetings

16.17 It is proposed that the meetings rotate between the participating authorities for reasons of equity and access.

Writing the Final Report

16.18 Drafting the joint committee's report may be challenging due to the separate interests of the participating authorities. Some previous joint scrutiny committees have employed an independent consultant to provide an independent analysis of evidence and write the final report. There may also be particular value in appointing an independent consultant to act as a facilitator in developing a consensus on final conclusions and recommendations. Should the joint scrutiny committee wish to pursue similar options, resources would need to be found and a suitable consultant identified and agreed upon.

Administration

16.19 It is proposed that the authorities share clerking responsibilities between them, with the Borough hosting a particular meeting also providing the clerk.

Policy and Research Support and Legal Advice to the Joint Committee

16.20 It is proposed that this will be jointly provided by all of the participating authorities. Each authority will support its own representatives whilst advice and guidance to the joint scrutiny committee will be provided, as required, through liaison between relevant authorities.

16.21 Consideration could be given by the JHOSC, in due course, to the provision of external independent advice and guidance, should it be felt necessary. This could be of benefit if it enables the joint committee to more effectively challenge the NHS and may be of particular assistance in addressing issues of a more technical nature, where lack of specific knowledge could put the joint committee at a disadvantage.

Servicing costs

16.22 There could be costs associated with carrying out this exercise for which no additional resources have been made available as yet. However, it is essential that these costs are met and suitable resources will need to be identified. The costs will be split between the participating authorities.