

**MINUTES OF THE GENERAL PURPOSES COMMITTEE
MONDAY, 18 DECEMBER 2006**

Councillors *Griffith (Chair), Adje (Deputy Chair), Dobbie, Beynon and Whyte

MINUTE NO.	SUBJECT/DECISION
GPCO41.	APOLOGIES FOR ABSENCE (IF ANY) Apologies were received from Councillor C Harris. NOTED
GPCO42.	URGENT BUSINESS The Clerk advised that Item 14 had been TABLED and reasons for urgency would be given as to why the item was late for consideration. NOTED
GPCO43.	DECLARATIONS OF INTEREST There were no declaratrions of interests. NOTED
GPCO44.	DEPUTATIONS/PETITIONS There were no deputations or petitions. NOTED
GPCO45.	MINUTES RESOLVED That the minutes of the meetings of the Committee held on (i) 22 October 2006, (ii) 2 November 2006 (Special) (at 18:00HRS) and (iii) 2 November 2006 (Special) (at 18:20HRS) be agreed as an accurate record of the proceedings and the Chair be authorised to sign them on behalf of the Committee.
GPCO46.	MINUTES OF SUB-BODIES RESOLVED That the minutes of the following Sub-bodies of the General Purposes Committee be noted:

**MINUTES OF THE GENERAL PURPOSES COMMITTEE
MONDAY, 18 DECEMBER 2006**

	<p>i. Council & Employees Joint Consultative Committee</p> <p>4 September 2006 6 November 2006 (special)</p> <p>ii. Pensions Panel</p> <p>5 October 2006</p> <p>iii. Planning Applications Sub-Committee</p> <p>12 October 2006 30 October 2006</p>
GPCO47.	<p>REVIEW OF CONTRACT STANDING ORDERS</p> <p><i>The Committee received a brief introduction from the Head of Procurement – Mr Wood in respect of proposed amendments to Contract Standing Orders (CSOs). This report had been received and approved in principle by the Procurement Committee at its meeting on 7 December. Mr Wood advised that the changes were needed to secure compliance with European and UK legislation. They would also help to promote voluntary collaboration between local authorities in their efforts to achieve cost savings in procurement.</i></p> <p><i>Mr Wood advised of the full text changes are set out in Appendix 1 to the report and a more convenient comparison between the existing CSOs and the proposals was TABLED as Appendix 2.</i></p> <p><i>Mr Wood advised that in respect of the circulated report he was withdrawing the proposal that the contract value, where it was appropriate to require the sealing of a contract, should be increased from £150,000 to £250,000. He advised that it would be appropriate to bring the revised CSOs into force with the new central procurement register on 5 February 2007. Mr Wood further advised that the EU Consolidated Procurement Directive had been transposed into UK law by the Public Contracts Regulations 2006 which replaced all the Regulations previously referred to in CSO 8.01. Mr Wood also commented that to ensure compliance with the European Court of Justice decision in “Alcatel”, which required a standstill period between notifying unsuccessful tenders and contract award, a 10 day period is to be inserted into CSO 8.02. In accordance with the 2006 Regulations, a new procurement procedure known as competitive dialogue is to be included in CSO 8.03(d) and provision is made for electronic tendering and auctions in CSOs 9.06 to 9.09.</i></p> <p><i>In response to points of clarification by Members Mr Wood advised that the Committee were asked to approve improvements to streamline contract management. In some cases the urgency of works requires the use of “Letters of Intent” which were now to be permitted subject to value limits of 10% of contract value for works and services and £50,000 for supply of goods as proposed in CSO 12.02. CSO 12.09 will make it the responsibility of the Director of Corporate Resources to decide whether a bond was needed for a works contract or whether a parent company guarantee either is needed in respect of contracts with subsidiary companies. The Committee were also asked to note that certain requirements would be strengthened. CSO 12.04(d) provided for compliance with the Council’s insurance requirements for all contract values and CSO 12.04(e) required compliance with the Council’s equalities policies. A new CSO 12.11 was proposed to ensure that the Council could meet its duties to secure CRB checks where</i></p>

**MINUTES OF THE GENERAL PURPOSES COMMITTEE
MONDAY, 18 DECEMBER 2006**

	<p><i>services involve children or vulnerable adults.</i></p> <p><i>In response to further points of clarification Mr Wood also reported that the report recommended changes to clarify certain procedures or improve their logic. A new CSO 6.02 would ensure that Contract Standing Orders applied to procurements funded by ring fenced income streams such as grants received by the Council. The wording of CSO 6.9 on Framework and Consortia Arrangements had been clarified. CSOs 11.02 and 11.03 have been amended to reflect the powers of Directors to novate and assign contracts. CSO 11.01(b) would now include “whole life costing methodologies” when assessing the most economically advantageous tender. The Committee were further invited to approve two new procedures. CSO 15 set out a proper procedure for the disposal of Council assets other than land which were surplus to requirements, damaged or obsolete. It was considered that the proposals should be amended to require the approval of The Executive to disposals valued at £150,000; rather than £250,000.</i></p> <p><i>The Chair then summarised and Councillor Adje concurred that in respect proposed changes to contract standing order 15.05 the amount of £250k should be set at £150k.</i></p> <p><i>RESOLVED</i></p> <p><i>That the proposed amendments to Contract Standing Orders as detailed in the TABLED Appendix 2 be agreed and forwarded to Full Council for adoption subject to the following amendments as proposed by this Committee: contract standing order 15.05 - the amount of £250k to be set at £150k deletion of para 12.36 of the report in relation to delegated authority and no action to be taken in respect of this proposed amendment.</i></p>
<p>GPCO48.</p>	<p>APPROVAL FOR NEW FINANCIAL REGULATIONS FOR SCHOOLS</p> <p>The Committee received a brief introduction of the circulated report by the Acting Head of Corporate Finance – Mr Bartle – in which he advised of the necessity for the regulation of Haringey’s schools financial management, and the recent legislative and process changes that needed to be reflected within updated financial regulations. In response to questions from Councillor Adje with regard to the involvement of Schools Forums and Governing Bodies in respect of the proposed regulation changes Mr Bartle advised that a Governor had sat on the working party and indeed the regulatory changes had been discussed through Governor Forums.</p> <p>There being no further questions the Chair summarised and it was:-</p> <p>RESOLVED</p> <p>That the new Financial Regulations for Schools for implementation from 1 April 2007 be noted, and approved.</p>
<p>GPCO49.</p>	<p>INTRODUCTION OF A NEW CHILDCARE VOUCHER SCHEME</p> <p>The Committee received a brief introduction of the report from the Head of Personnel’s representative – Ms Gafney in which she advised the Committee of the benefits of having a childcare voucher scheme. The report was previously considered by the Committee on 23 October 2006 where it was agreed that more information was required in respect of the operation of the scheme in other</p>

**MINUTES OF THE GENERAL PURPOSES COMMITTEE
MONDAY, 18 DECEMBER 2006**

boroughs/organisations, clarification on the use of registered childminders, and safeguards over fraud. Ms Gafney advised that these issues had been addressed at Sections 10 and 11 of the report and Ms Gafney briefly outlined these.

In response to questions from Councillor Dobbie Ms Gafney undertook to supply him with details of the political make up of the Local Authorities that had been consulted.

Following discussions in relation to the proposed implementation of the scheme the Chair summarised and it was:

RESOLVED

- i. that approval be given to the introduction of a childcare voucher scheme to eligible employees;
- ii. that the scheme be administered by an external childcare provider;
- iii. that authority be delegated to the Head of Personnel to decide on the childcare voucher provider;
- iv. that the Childcare Voucher functionality on SAP be configured;
- v. that Employees should be subject to a fixed period contract where they agree to purchase vouchers over the set period; and
- vi. that in respect of the proposed implementation as outlined in (i)-(v) above, officers be requested to report any difficulties with implementation to the march meeting of general Purposes Committee.

GPCO50. REVISION OF THE STATEMENT OF LICENSING POLICY

The Council's Head of Legal Service's representative – Mr Mitchison advised of proposed amendments to the Council's Statement of Licensing Policy. This was a statutory policy under the Licensing Act 2003 which could only be formally adopted or revised by full Council. It was not part of the Council's Constitution. Concerns had been expressed about the relationship between licensing decisions and Town Planning controls, especially where public houses, restaurants or night cafes applied for premises licences with hours outside those allowed by the planning permission. Mr Mitchison advised that Counsel's Opinion had been obtained which advised that the existing provision in paragraph 8.2 of the Statement of Licensing Policy was not sustainable. The paragraph stated that any application for licensing hours will not be considered if the hours applied for exceeded those permitted by Planning controls. Counsel was very clear that the Licensing Committee and Sub-Committees cannot be tied in this way to Planning. Licensing bodies have a duty to reach their own conclusions about the hours and activities that are acceptable when determining contested cases. However, licensing bodies can give appropriate weight to related planning decisions when these are relevant to the licensing objectives.

Mr Mitchison also drew the Committee's attention that applicants for premises licences would still be encouraged to obtain the necessary planning permission for their hours of opening. If they failed to do so they could be subject to Planning Enforcement action, if this was expedient. Counsel also advised that paragraph 8.1 of the Statement of Licensing Policy required amendment to reflect the fact that

**MINUTES OF THE GENERAL PURPOSES COMMITTEE
MONDAY, 18 DECEMBER 2006**

	<p>public houses and hot food take-aways are now in a separate Planning Use Class from restaurants and cafes. This was purely technical change to update the Policy. Mr Mitchison also advised that that statutory consultation of stakeholders had taken place but no representations had been received in relation to the proposed changes to the Statement of Licensing Policy. The Committee were also asked to note that a report on this matter had been received approved in principle by the Licensing Committee at its meeting on 31 October.</p> <p>There being no questions or points of clarification the Chair summarised and it was:-</p> <p>RESOLVED</p> <p>That the amendments to paragraphs 8.1 and 8.2 of the Council's Statement of Licensing Policy (as detailed also in appendix 2 of the report) be endorsed and referred to Full Council for adoption.</p>
<p>GPCO51.</p>	<p>NEW ITEMS OF URGENT BUSINESS</p> <p>Nil Items.</p>
<p>GPCO52.</p>	<p>EXCLUSION OF PRESS AND PUBLIC</p> <p>RESOLVED</p> <p><i>That the Public and press be excluded from the proceedings as the following item contains exempt information as defined in section 100A of the Local Government Act 1972 namely; Para 1 – Information relating to an individual.</i></p>
<p>GPCO53.</p>	<p>RESTRUCTURE OF ENFORCEMENT</p> <p>In a brief introduction of the report the Assistant Director of Environment – Mr Payne, advised the meeting that the Enforcement Business Unit was established in 2003 with a newly created Assistant Director appointed in September 2003. In 2004/5 the service took on responsibility for planning enforcement, the coordination of five Neighbourhood Warden schemes, and the establishment of a Heavy Enforcement Team within a new Environmental Crime Group.</p> <p>Mr Payne then took the Committee through the proposed further restructuring to establish the new enforcement service which was intended to consolidate some of the improvements already made, to balance the budget overall, and take forward the service in a number of new areas of improvement, as outlined in the report.</p> <p>In welcoming the contents of the report Members expressed the following points:</p> <ul style="list-style-type: none"> • That it would be of use to receive an update in 1 calendar year to see how well the new structure had 'bedded' in and how Staffside viewed the proposed structure was working • The need to address the issue of the use of temporary and agency staff across the service area, as well as Borough-wide , together with rights of

**MINUTES OF THE GENERAL PURPOSES COMMITTEE
MONDAY, 18 DECEMBER 2006**

- temporary or agency staff to newly created posts within the structure
- Clarification of the period that temporary staff had been in post

The Chair then summarised and it was:

RESOLVED

- i. that approval be given to the proposed restructuring of the Enforcement Service as detailed within the body of the report and detailed in Appendix 2 therein;
- ii. that the Head of Personnel be requested to report to the next meeting of the Committee in respect of the issue of the use of temporary and agency staff across the service area, as well as Borough-wide , together with rights of temporary or agency staff to newly created posts within the structure; and
- iii. that an update report be received in 1 calendar year to see how well the new structure had 'bedded' in and how Staffside viewed the new structure was working.

GPCO54. COUNCIL RESHAPING IMPLEMENTATION

The Chair advised the Committee that the report was TABLED and considered urgent for consideration due to the need to consider a redundancy payment following the withdrawal of the person concerned from the open ring fence for the post of Assistant Director Access & Customer Focus.

The Chair advised that the Head of Personnel had been detained at the Appointments panel for the Director Posts and therefore was unable to attend. In the absence of the Head of Personnel the Vice-Chair undertook to give a brief introduction of the report.

In a brief introduction of the report Councillor Adje advised the Committee of the Council's reshaping proposals and the situation as detailed in the report whereby the person concerned was asking for a release from service through redundancy. It was within the remit of the Council to agree this process through its internal mechanisms and the Committee were being requested to agree the resultant compensation award for the redundancy in line with Council policy which was early release of pension without actuarial reduction. Councillor Adje also advised that the costs in total would be drawn from the revenue budget of Access Services and that there was no additional cost to the Pension Fund arising from the proposals.

The Chair asked if there were any questions from Members.

Councillor Dobbie commented that he was extremely concerned and felt it totally inappropriate that the report should have been introduced by the Vice-Chair (though the report was adequately covered) and that either the Head of Personnel, or in his absence, his deputy, should have been in attendance to report on such matters. In deploring this Councillor Dobbie advised that he would be writing to the Chief Executive the following day to express his comments.

**MINUTES OF THE GENERAL PURPOSES COMMITTEE
MONDAY, 18 DECEMBER 2006**

The Head of Member Services – Ms Semambo responded that she would take back the concerns expressed by Councillor Dobbie. Ms Semambo also commented that the Committee needed to consider whether it was able to reach a decision in the absence of the Head of Personnel, or if there were sufficient concerns to not consider the item and defer consideration.

Councillor Adje commented that the payment was inline with agreed Council policy and that no enhancements were being agreed. Councillor Adje shared Councillor Dobbie's concerns with regard to the absence of the Head of personnel or his representative.

Councillor Whyte expressed her concerns that in this instance Members were agreeing to a redundancy payment when there were clearly vacancies in other service areas. Councillor Beynon also sought clarity in respect of the actual costs involved. In response Councillor Adje commented that under the current 85 year rule a person could leave in this position as their length of service and age added up to 85. The post holder was redundant and therefore there was no choice in the matter. Councillor Adje reiterated his earlier comments that costs in total would be drawn from the revenue budget of Access Services and that there was no additional cost to the Pension Fund arising from the proposals.

In response to concerns in respect of the proposals and clarification from Members as to the consequences of not agreeing the proposals the Head of Legal Services' representative – Mr Mitchison advised that there was a statutory obligation to agree the proposal and by deferring and bringing the matter back to the Committee would give a certain message of disquiet and upset to the individual. Mr Mitchison also advised that the Head of Personnel could address the concerns expressed by letter to members.

Members also commented that in terms of the reference to the Council's agreed procedures, agreed in March 2005, there was a need to have had sight of such procedures in order for the Committee to be able to consider the proposals. There were concerns expressed that requests had been made on previous occasions for additional information and that this had not been forthcoming.

Ms Semambo undertook to look in to the issue of ensuring that such requests were seen through and that the information referred to in respect of the decision of the Authority in March 2005 was supplied.

Following further clarification by Members as to the process and further concerns expressed the Chair summarised and it was:

RESOLVED

- i. that the early retirement of JW on the grounds of redundancy with an agreed severance date of 31st January 2007 be agreed;
- ii. that the concerns of the Committee in respect of the presentation of the report be noted; and
- iii. that in respect of such requests by Members for information etc be examined by the Head of member Services to ensure that such requests were seen through and that the information referred to in respect of the decision of the Authority in March 2005 be supplied to Members as a

**MINUTES OF THE GENERAL PURPOSES COMMITTEE
MONDAY, 18 DECEMBER 2006**

	matter of urgency.
GPCO55.	MINUTES OF SUB-BODIES RESOLVED That the minutes of the following Sub-bodies of the General Purposes Committee be noted: iv. Pensions Panel 26 July 2006
GPCO56.	MINUTES OF MEMBER LEVEL APPEALS RESOLVED That the minutes of the Member Level Appeals be noted: 3 February 2006 10 March 2006 16 & 23 October 2006 6 November 2006 9 November 2006 17 November 2006
GPCO57.	NEW ITEMS OF EXEMPT URGENT BUSINESS Nil Items

The meeting ended at 21:30HRS.

Councillor EDDIE GRIFFITH
Chair