

# **(Annual) Council**

## **SUPPLEMENTAL SUMMONS**

**DATE:                      Tuesday 19 May 2015**

**1-3 ELECTION OF MAYOR, ELECTION AND INVESTITURE OF DEPUTY MAYOR, APPOINTMENT OF CHAPLAIN (Pages 3 - 10)**

The Order of Proceedings is attached.

**14. CONSTITUTIONAL CHANGES (Pages 11 - 20)**

Report of the Director of Legal and Governance Services

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**ANNUAL COUNCIL  
19 MAY 2015**

**ELECTION OF MAYOR, ELECTION AND  
INVESTITURE OF DEPUTY MAYOR AND  
APPOINTMENT OF CHAPLAIN**

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LONDON BOROUGH OF HARROW

## ORDER OF PROCEEDINGS

ANNUAL MEETING OF THE COUNCIL OF THE  
LONDON BOROUGH OF HARROW, TO BE HELD  
ON 19<sup>th</sup> MAY 2015 AT 6.30PM  
AT THE CIVIC CENTRE, STATION ROAD, HARROW

### ***OPENING OF THE ANNUAL MEETING***

By approximately 6.25pm Members' guests will have occupied the seats reserved for them in the Council Chamber or Public Gallery. By no later than 6.28 pm the Councillors of the London Borough of Harrow will have assumed their places in the Council Chamber seats assigned to them.

#### **ITEM 1 OF SUMMONS**

##### ELECTION OF MAYOR

##### **THE MAYOR**

will call for **nominations for the Office of Mayor** for the Municipal Year 2015/16.

**Councillor Krishna Suresh** will be nominated by Councillor Graham Henson, seconded by Councillor Barry Kendler.

##### **THE MAYOR**

will ask if there are any further nominations

**Proposer and Seconder** may make speeches in putting forward nominations, and any other Members may speak in support thereof. Also any other Members who have previously indicated a wish to speak may do so.

##### **THE MAYOR**

will put the nominations, in the order in which they are made, to the meeting. (the vote on each separate nomination will be by the show of hands)

(**Note:** In the case of an equality of votes, the Mayor is required by law to give a casting vote)

##### **THE MAYOR**

will declare the successful candidate to be duly elected Mayor of the London Borough of Harrow for the ensuing Municipal year.

**The newly elected Mayor** will mount the dais to accept congratulations.

**THE RETIRING  
MAYOR**  
(Councillor Ajay  
Maru)

will ask the Council to stand and will then vacate the Chair.

**(All stand)**

The Retiring Mayor, the newly elected Mayor, the Proposer and Secunder of the Mayor's nomination (and the current Deputy Mayor if not elected as the Mayor), will leave the Council Chamber.

**(All sit)**

After a short interval, the Mayor's procession will return to the Council Chamber in the following order:

**The newly-elected Mayor**

(Robed and wearing Mayoral Chain and Medallion of Office)

**The Retiring Mayor**

**The Proposer and Secunder (Cllr Graham Henson and Councillor Barry Kendler)**

**THE MACE-  
BEARER**

"Members of the Council of the London Borough of Harrow, pray silence for the Worshipful the Mayor".

**(All stand)**

Members of the Council and others present will stand in their places and remain standing.

**THE MAYOR**

will mount the dais and remain standing by the Mayoral Chair, and the **Retiring Mayor** will also mount the dais and remain standing by the Deputy Mayor's Chair.

The Proposer and Secunder will pause in the well of the Chamber, bow and then return to their places

**THE MAYOR**

**will then sign the Declaration of Acceptance of office.**

**THE MAYOR**

will invite Members to be seated.

**(All sit)**

**THE RETIRING  
MAYORESS**  
(Mrs Dina Maru)

will invest the incoming **Mayoress Councillor Sasi Suresh** with her Chain. The Mayoress Councillor Sasi Suresh will walk forward to the well of the Chamber.

**Flower Girl / Boy**

**will walk forward and make a Presentation of Bouquet to Mayoress**

The Mayoress Councillor Sasi Suresh will return to her seat beside the dais.

**THE ELECTED  
MAYOR**

will return thanks.

**VOTE OF THANKS TO RETIRING MAYOR**

**THE MAYOR**

will call upon a proposer (Cllr Keith Ferry) and seconder (Cllr David Perry) to move and second a vote of thanks to the Retiring Mayor and any other Members who have previously indicated a wish to speak in support may do so.

**THE RETIRING  
MAYOR**

will return thanks

**THE MAYOR**

will present a replica of the Mayor's medallion to the **Retiring Mayor** (Councillor Ajay Maru) in commemoration of his Mayoralty of the Borough 2014/15.

**Flower Girl / Boy**

**will walk forward and make a Presentation of Bouquet to the Retiring Mayor.**

The Retiring Mayor (**Councillor Ajay Maru**) will then take his seat in the Chamber.

**THE MAYORESS**

will present a medallion to the **Retiring Mayoress (Mrs Dina Maru)** in commemoration of her year as Mayoress of the Borough 2014/15. The Retiring Mayoress will make her way to the well of the Chamber.

**Flower Girl / Boy**

**will walk forward and make a Presentation of Bouquet to Retiring Mayoress.**

Mrs Dina Maru will then take her seat in the Chamber.

## ITEM 2 OF SUMMONS

### ELECTION AND INVESTITURE OF DEPUTY MAYOR

#### THE MAYOR

will call for **nominations for the Office of Deputy Mayor** for the Municipal Year 2015/16.

**Councillor Rekha Shah** will be nominated by Councillor Keith Ferry and seconded by Councillor Mitzi Green.

#### THE MAYOR

will ask if there are any further nominations

#### THE MAYOR

will put the nominations, in the order in which they are made, to the meeting.  
*(the vote on each separate nomination will be by the show of hands)*

#### THE MAYOR

will declare the successful candidate to be the duly elected Deputy Mayor of the London Borough of Harrow for the ensuing Municipal year.

**The newly elected Deputy Mayor** will proceed to the well of the chamber where the Mace-Bearer will invest her/him with the Deputy Mayor robe. The newly appointed Deputy Mayor will then mount the dais.

#### THE MAYOR

will invest the newly appointed **Deputy Mayor** with the Deputy Mayor's Medallion of Office.

*(Members of Council will remain seated throughout these proceedings)*

#### THE MAYOR

will invest the **Deputy Mayoress Councillor Aneka Shah** with the Medallion.

#### THE DEPUTY MAYOR

will return thanks for her appointment.



**ITEM 3  
OF SUMMONS**

**APPOINTMENT OF CHAPLAIN**

**THE MAYOR**

will announce his appointment of Mayor's Chaplain.

**REMAINING BUSINESS**

The remaining business of the Council will then proceed in accordance with the Summons.

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# **ANNUAL COUNCIL 19 MAY 2015**

## **CONSTITUTIONAL CHANGES**

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# REPORT FOR: ANNUAL COUNCIL

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<b>Date of Meeting:</b>	19 May 2015
<b>Subject:</b>	Constitutional Changes
<b>Responsible Officer:</b>	Hugh Peart Director of Legal and Governance Services
<b>Exempt:</b>	No
<b>Wards affected:</b>	None
<b>Enclosures:</b>	Appendix 1 – Proposed changes to the Constitution

## Section 1 – Summary and Recommendations

This report sets out proposals to amend the Committee Procedure Rules and the Code of Conduct for Councillors in the Council's constitution in respect of the involvement of members in the scrutiny of Cabinet decisions.

### **Recommendations:**

That Council consider and decide whether to approve the proposed changes to the constitution.

## Section 2 – Report

### Background

Changes to the Committee Procedure Rules are proposed to:

- a) Prevent members who have signed a call-in notice from sitting on the relevant Call-In Sub-Committee or from making decisions about whether a Call-In notice should proceed to a Call-In Sub-Committee; and
- b) Clarify the provision whereby Portfolio Holder Assistants cannot scrutinise matters within their remit.

It is also proposed to make a parallel change to the Code of Conduct for Councillors in respect of (b) above.

The proposed amendments are set out in Appendix 1.

### **Financial Implications**

No additional financial resources are required.

### **Risk Management Implications**

Risk included on Directorate risk register? No

Separate risk register in place? No

### **Equalities implications**

Was an Equality Impact Assessment carried out? No

### **Council Priorities**

The Council's vision:

#### **Working Together to Make a Difference for Harrow**

The changes contribute to robust governance arrangements.

### **Section 3 - Statutory Officer Clearance**

Name: Steve Tingle	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 11.5.15		
Name: Caroline Eccles	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 11.5.15		

<b>Ward Councillors notified:</b>	<b>NO</b>
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## Section 4 - Contact Details and Background Papers

**Contact:** Caroline Eccles, Senior Lawyer – Employment and Governance, tel: 0208 424 7580

**Background Papers:** None.

If appropriate, does the report include the following considerations?

1.	Consultation	NO
2.	Priorities	YES

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## Appendix 1

### Proposed changes to Committee Procedure Rules and Code of Conduct for Councillors

#### Committee Procedure Rules (Part 4B)

##### Rule 31

31.1 No member may be involved in scrutinising a decision in which he/she has been directly involved. In particular, Portfolio Holder Assistants shall not participate in or vote on the scrutiny of matters within their identified remit, as approved by Cabinet.

**Deleted:** sit on Scrutiny Committees that scrutinise

**Deleted:** area of work.

##### Rule 45

#### Referral to the Call-in sub-committees

45.6 Subject to 47.6.1 and 47.6.2 below, once a notice invoking the call-in procedure has been received the decision may not be implemented until the designated members (as defined in Appendix 1) have considered the guidance outlined in Appendix 1 and if required, the Call-In Sub-Committee has considered the decision. The Monitoring Officer shall in consultation with the Chair arrange a meeting of the Call-in sub-committee to be held within seven clear working days of the receipt of the request for call-in.

45.6.1 Where the Call-in sub-committee fails to meet within seven clear working days of the call-in request being received by the Monitoring Officer, the decision may be implemented on the day following twelve clear working days from the date the decision was published.

45.6.2 Where the Call-in sub-committee meets within seven clear working days of the receipt of notification of a call-in request, but fails to refer the matter back to the Executive, Portfolio Holder or officer (if a key decision), the decision may be implemented on the day following the Call-in sub-committee meeting.

45.6.3 No member who has signed a call-in notice in accordance with Rule 45.4 may sit as a member of the Call-in sub-committee which considers that call-in notice.

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## Appendix 1 to the Committee Procedure Rules

### Overview and Scrutiny Sub-Committee Call-In Procedure: Guidance

#### The Spirit of Co-operation

This Guidance is written for all members to consider when calling in a decision made by the Executive. The Guidance has been prepared to prevent abuse of the call-in process, and to promote the efficient use of the Council's resources.

The Overview and Scrutiny Committee shall delegate authority to the designated members to consider requests for Call-In received in accordance with the Council's constitution, except where either or both of the designated members have signed the call-in notice (see below).

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In the event that the designated members fail to reach agreement on whether a request should be called in, the request for a Call-In shall automatically pass to the Call-In Sub-Committee for consideration.

#### (1) Call in by Members of Council and by members of the public – Rule 47.2

The Guidance will be relied upon by the Chairman and Vice Chairman of the Overview and Scrutiny Committee. These members will be the designated members for the purpose of this Guidance<sup>1</sup> when considering a request for call in by Members of the Council or by members of the public. If either of the designated members has signed a call-in notice in accordance with Rule 45.4 they will not take part in the consideration of the request for call-in and it will be considered by the other member alone. If both designated members have signed a call-in notice the request for a Call-In shall automatically pass to the Call-In Sub-Committee for consideration.

<sup>1</sup> When the Chair and Vice-Chair of the Overview and Scrutiny Committee belong to the same political group, the designated members for the purposes of this Guidance only shall be the Chair or Vice-Chair of the Call-In Sub-Committee and the lead or nominated member on the Call in Sub Committee from the next largest political group.

## Reasons for refusal

The designated member(s) must ensure that the requirement to give reasons under Rule 47.5 of the Committee Procedure Rules (“the Rules”) as contained in the Council’s Constitution is met. In the event that the requirements of Rule 47.5 are met, the following guidance shall be used when considering a request for call-in to the Call-In Sub-Committee:

1. Time limit - A decision may only be called-in during the period of 5 clear working days from the date of publication of the executive decision.
2. Financial implications - Only decisions involving expenditure or risk of a value over £50,000 may be called-in, where expenditure is the primary purpose of the decision. This factor in particular should be considered in light of the other factors in this guidance.
3. Political implications - Does the decision have an impact on 1 or more of the wards in Harrow? Or will the decision have an effect on the wider interests of the inhabitants of the area?
4. Duplication - The Call-in Sub Committee should not be used when another forum or route is available to deal with concerns about an Executive decision, such as Challenge Panels, Standards Committee or Regulatory Panels e.g. Traffic, Development Management etc.
5. Relevance - The Call-in request must be of direct relevance to the Decision being called-in.
6. Public Call-in - The Call-in request must make out a prima facie case.
7. Process -
  - (a) Have the requisite 6 Members requested the call-in? The Members who make the call-in should be Members of the Council or, as the case

may be representatives of the voting co-opted members and one political group on Overview and Scrutiny Committee.

- (b) Have the requisite 150 members of the public requested the call-in? The 150 members of the public must be registered on the electoral roll and have given their name and address.

- 8. Vexatious Requests – Can the request be reasonably construed as vexatious having regard to tone, content, language, persistence etc.

The list above is not exhaustive and occasionally additional and different reasons may be relied upon to reject a request for a call in. If this is the case, a review of this Guidance will be carried out to ensure that it remains up to date and of assistance to members.

The designated member(s) should consider each of the above factors fully when considering a request for call-in, and in the event of refusal, reasons shall be provided which refer to the above categories.

### **Code of Conduct for Councillors (Part 5A) – paragraph 7.3**

No member may be involved in scrutinising a decision in which he/she has been directly involved. In particular, Portfolio Holder Assistants should not participate in or vote on the scrutiny of matters, within their identified remit, as approved by Cabinet.

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