

LONDON BOROUGH OF HARROW

COUNCIL

9th July 2009

URGENT DECISIONS ON MATTERS RESERVED TO COUNCIL

In accordance with the delegations to Chief Officers, the Leaders of each of the Political Groups on the Council were consulted on the following urgent decisions, which were approved on behalf of the Council, as both required action prior to this meeting:

(i) Authorisation to Initiate Bankruptcy Proceedings

The Council has previously delegated to the Director of Legal and Governance Services authority to:

- (a) institute, defend or participate in any legal proceedings, in any Court or Tribunal and in any case where such action is necessary to give effect to decisions of the Council, or in any case where he or she considers that such action is necessary to protect the Council's interests.
- (b) delegate to officers authority to institute, defend or participate in any legal proceedings, in any Court or Tribunal and in any case where such action is necessary to give effect to decisions of the Council, or in any case where he or she considers that such action is necessary to protect the Council's interests
- (c) authorise officers to appear in any court or tribunal on the Council's behalf.

However, as a result of the departure of the solicitor within Legal & Governance Services who conducted the bankruptcy work, the Head of Revenue and Parking identified a firm of solicitors able to deliver bankruptcy legal services who are prepared to act without the council paying the considerable court costs of the bankruptcy proceedings.

The Head of Revenues & Parking was authorised to instruct, on behalf of the London Borough of Harrow, Solicitors Clarke Willmott, or such other solicitors as may from time to time be appointed to Institute, defend and participate in bankruptcy proceedings in any Court on behalf of the Council.

The issue was agreed as a matter of urgency as the new procedures needed to be in place to ensure that the recovery of unpaid council tax might be maximised and the next ordinary Council would not occur until 9th July 2009.

(ii) Appointment of Deputy Returning Officer

The Council has a responsibility under the provisions of Section 8 of the Representation of the People Act 1983 to appoint an Electoral Registration Officer. Section 52 of this Act also provides for the appointment of a Deputy Electoral Registration Officer to assist in the high level function and to act when the Electoral Services Registration Officer was unavailable.

The issue was agreed as a matter of urgency as the appointment was required to be in place prior to the European Election held on 4th June 2009 as this was a particularly busy period in the delivery of such functions, which was prior to the next ordinary Council programmed for 9th July 2009.

FOR INFORMATION

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