

MINUTES OF ASSEMBLY

Wednesday, 11 July 2012
(7:00 - 7:35 pm)

PRESENT

Councillor N S S Gill (Chair)

Councillor J L Alexander
Councillor R Baldwin
Councillor S J Bremner
Councillor E Carpenter
Councillor J Clee
Councillor C Geddes
Councillor D Hunt
Councillor A S Jamu
Councillor E Kangethe
Councillor M A McCarthy
Councillor M McKenzie MBE
Councillor M Mullane
Councillor J Ogungbose
Councillor B Poulton
Councillor A K Ramsay
Councillor L Rice
Councillor T Saeed
Councillor L A Smith
Councillor G M Vincent
Councillor L R Waker
Councillor J R White

Councillor A Gafoor Aziz
Councillor G Barratt
Councillor P Burgon
Councillor J Channer
Councillor R Douglas
Councillor R Gill
Councillor M Hussain
Councillor I S Jamu
Councillor E Keller
Councillor J E McDermott
Councillor D S Miles
Councillor E O Obasohan
Councillor T Perry
Councillor H S Rai
Councillor C Rice
Councillor D Rodwell
Councillor A Salam
Councillor S Tarry
Councillor J Wade
Councillor P T Waker
Councillor M M Worby

APOLOGIES FOR ABSENCE

Councillor S Alasia
Councillor L Butt
Councillor J Davis (Deputy Chair)
Councillor L A Reason

Councillor S Ashraf
Councillor H J Collins
Councillor G Letchford
Councillor D Twomey

19. Declaration of Members' Interests

There were no declarations of interest.

20. Minutes (16 May 2012)

The minutes of the meeting on 16 May 2012 were confirmed as correct.

21. Death of Corporal Alex William Guy, 1st Battalion The Royal Anglian Regiment

Assembly received this report introduced by the Leader of the Council and noted with sadness and deep regret that Corporal Alex William Guy of 1st Battalion The Royal Anglian Regiment had been killed in Afghanistan on Friday, 15 June 2012.

The Assembly stood and observed two minutes' silence in Corporal Guy's memory as a mark of respect.

22. Death of Helen Collins, Head Teacher of Five Elms Primary School

The Leader of the Council reported the sudden, sad death of Helen Collins, Head Teacher of Five Elms Primary School. In tribute, the Leader said that Helen had been a wonderful Head Teacher who had always put the children at her school and their families at the forefront of her decision making.

The Assembly stood and observed two minutes' silence in her memory as a mark of respect.

23. The Queen's Birthday Honours list 2012 - award of MBE to both Alderman Frederick Charles Jones and Rita Margaret Giles

Assembly was pleased to note this report introduced by the Leader of the Council and applauded the award of MBE in the Queen's Birthday Honours list 2012 to both Alderman Frederick Charles Jones and Rita Margaret Giles for their service to the community.

24. Appointments

1. Assembly noted the verbal report from the Leader of the Council that following a JNC Appointments Panel meeting that had taken place earlier this evening, Mr Graham Farrant, the Chief Executive of Thurrock District Council, had been appointed to the position of Interim Chief Executive under a shared arrangement with Thurrock with immediate effect. However, due to annual leave, Mr Farrant will take up the post from Wednesday, 25 July 2012. The Leader further advised that the arrangement would be reviewed in a year's time.

The Leader confirmed that details of the contractual arrangements between both Councils relating to Mr Farrant's appointment were being drawn up and would be made available to all Members.

2. Assembly noted the following appointments:
 - (a) **Councillors Geddes and White appointed by Councillor Alexander** as her deputies on the London Councils' Grants Committee
 - (b) **Councillor Rai appointed by Councillor McCarthy** to the Public Transport Liaison Group
 - (c) **Councillors Carpenter and McDermott appointed by Councillor P Waker** to the Registered Provider Forum

and **agreed** the appointment of **Councillor Rai** as **Councillor White's** deputy on the Elevate Limited Liability Partnership Board.

25. **Members' Code of Conduct**

Assembly received this report introduced by the Monitoring Officer.

The Monitoring Officer referred Assembly to the Code of Conduct set out at Appendix A to the report and proposed the following amendment:

- Deletion of the word "pecuniary" in the second line of paragraph 10.1 on page 44 of the agenda.

Members extolled the principles of good conduct set out in the Code of Conduct as well as the provision for informal resolution of complaints from one member against another, or from an officer of the Council against a member.

Following questions, the Monitoring Officer advised that:

- the Standards Committee would now be a committee established to deal with relevant matters under Section 101 the Local Government Act 1972
- no further changes to the Code of Conduct were anticipated unless Members wished to amend it.

She recommended that the Constitution Working Group consider the effectiveness of the Code in a year's time.

At the invitation of the Chair, Councillor Carpenter announced the following appointments:

- (a) **Councillor Poulton** as Chair of the Standards Committee; and
- (b) **Councillors Hunt and Kangethe** to the Standards Committee

Assembly noted the report and **agreed** to adopt with immediate effect:

- (i) the final Code of Conduct as set out in Appendix A subject to the amendment in the second line of paragraph 10.1 as referred to Assembly by the Monitoring Officer;
- (ii) the Terms of Reference of the Standards Committee and Standards Sub-Committee as set out in Appendix C;
- (iii) the procedure for making complaints against a councillor for breach of the Code of Conduct as set out in Appendix D;
- (iv) the redrafted Codes of Conduct for Planning Matters and for Licensing and Regulatory Matters as set out in Appendices E and F respectively.

Assembly **further agreed**:

1. the Member appointments to the Standards Committee as announced by Councillor Carpenter; and
2. to delegate to the Monitoring Officer the responsibility for granting

dispensations, on the basis that appeals against refusal would be determined by the Standards Committee.

26. Treasury Management Annual Report

Assembly received this report introduced by the Corporate Director of Finance and Resources (CDFR), who advised that regulations had placed a greater onus on Members to review and scrutinise treasury management policy and activities.

The CDFR referred Members to the key points in the report, namely:

- Investment income for the year was £1.2m;
- There had been no General Fund borrowing in 2011/12 to finance the capital programme as, in line with part of the 2011/12 treasury management strategy, the Council had relied on internal borrowing;
- £265.9m of external borrowing had been required as part of the Housing Revenue Account (“HRA”) self-financing settlement;
- The Council breached the maturity structure for borrowing maturity of fixed rate borrowing as a result of taking advantage of low interest rates available for the HRA self-financing settlement;
- The Council had not breached its revised 2011/12 authorised borrowing limit of £465m and had complied with all other set treasury and prudential limits.

In response to Members' questions, the CDFR advised that:

1. She had delegated authority in relation to the authorised borrowing limit of £465m and had not breached that limit.
2. With regard to the accuracy of LIBOR reporting by Barclays, the Council did not deal with Barclays; however, the Treasury Management Consultants were working to ascertain whether or not the Council had any liabilities in this connection and if there were issues, these would be reported back to Assembly.
3. Regarding Treasury Management Costs, Scottish Widows' costs were higher than those internally.
4. Additional investment would be made through Investec as they were outperforming the internal rate of return.
5. The diversification of part internal and part external investment was considered to be a worthwhile strategy.
6. The Council does not lend to commercial and external organisations, though the use of Building Societies was under consideration and the Council does invest in Nationwide Building Society. The interest rates received were dependent on the length of the investment, i.e. from as short as overnight or for as long as a year, and were agreed at the outset of the investment.
7. The interest rates on the borrowing, which had been made in five tranches,

were 4.3% to 4.9%.

The CDFR further confirmed that she would provide Members with a written note explaining *Fixed and Variable Interest Exposure*.

Assembly **agreed** to:

- a) Approve the actual 2011/12 prudential and treasury indicators in the report;
- b) Approve the increase in maturity structure of fixed rate borrowing from 60% to 100%;
- c) Note the Treasury Management Annual Report for 2011/12;
- d) Note that the Council complied with all 2011/12 treasury management indicators with the exception of the maturity structure for borrowing maturity of fixed rate borrowing;
- e) Note the £265.9m borrowed by the Council in 2011/12 as part of the Housing Self Financing reforms;
- f) Note that the Council did not borrow in 2011/12 to finance its capital programme but utilised internal cash in line with its strategy.

27. Motions

None.

28. Leader's Question Time

None.

29. General Question Time

None.

30. Tasnim Shawkat, Divisional Director of Legal and Democratic Services and Monitoring Officer

The Chair announced that Tasnim Shawkat, the Divisional Director of Legal and Democratic Services and Monitoring Officer would be leaving the Council at the end of September.

The Assembly wished her well for the future.

The meeting closed at 7.35 pm.