

Decisions of the Constitution and General Purposes Committee

12 October 2020

Members Present:-

Councillor Melvin Cohen (Chairman)
Councillor Laithe Jajeh (Vice-Chairman)

Councillor Geof Cooke Councillor Barry Rawlings
Councillor Richard Cornelius Councillor Helene Richman
Councillor Alison Moore

1. MINUTES

RESOLVED that the minutes of the meeting dated 16 January 2020 be agreed as a correct record.

2. ABSENCE OF MEMBERS

None.

3. DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTION AND COMMENTS (IF ANY)

None.

6. MEMBERS ITEM (IF ANY)

None.

7. ELECTORAL SERVICES - OVERVIEW REPORT 2019

The Committee noted that Appendix A (Electoral Services – Overview Report 2019) had not been included in the published agenda. Officers apologised to the Committee for this oversight. It was agreed that Appendix A should be presented to the next meeting of the committee on 12 January 2021.

The Head of Electoral Services, John Bailey, presented the item and outlined some of the key activities undertaken in 2019. He reported that a short notice EU election had been held in May 2019 and a General Election in December 2019. Both had been successfully delivered. It was noted that the General Election had resulted in the annual canvass being cut short due to the requirement to publish the register of electors in advance of the election.

The Committee were informed that as at 18 September 2020 there were 269,000 electors on the electoral register. However, as this is during the annual canvass period the number is likely to change significantly, as electors are removed and join the register.

The Covid-19 pandemic was having a significant impact on the conduct of the annual canvass and specifically, face-to-face door knocking is not a Covid secure activity and has been suspended for the current canvass. The Committee were informed that the Government had introduced legislative changes to the annual canvass in December 2019. Due to this, in June, the register of electors had been sent to the Cabinet Office for data matching with records held by the Department of Work and Pensions. Barnet had a 77% match rate which is known to be one of the highest in London. As a result, most households (118,000) in Barnet received a form which states that a response is only required if information needs to be updated. For the remaining 47,000 households, Household Enquiry Forms (HEFs) had been sent out in August and a response is required – even if there are no updates. It was reported that the law now allowed the Councils to contact households by phone and email to check records where a response had not been received and this is expected to reduce the instances where a visit to the property would have been required previously.

In relation to the conduct of the General Election in December 2019, it was reported that turnout in Barnet was 70.4%, compared to 67.5% in London and 67.3% nationally. In the lead up to the election, there had been very large increases in registration, postal vote and proxy vote applications being made.

It was noted that the London Mayoral and GLA elections scheduled for May 2020 had been deferred until May 2021. Whilst preparations are already underway, delivering this election will be exceptionally challenging due to Covid and the many additional measures that will be required to be put in place. For example, all polling venues will need to be reviewed and extra staff required to manage queues. In addition there will be special arrangements required for postal vote opening and verification to make that process safe under Covid conditions.

Responding to a question from the Committee, the Head of Electoral Services reported that EU nationals were currently eligible to vote at the London Mayoral and GLA elections in May 2021.

It was also reported that there had been no legislative changes to how elections would be conducted in the future and officers were planning on the May 2021 election on that basis. Indications from Cabinet Office are that no primary legislation will be made ahead of the May 2021 elections.

RESOLVED that:

- 1. The Committee note the Electoral Services 2019 performance as outlined above.**
- 2. The Committee agree that the Electoral Services - Overview Report 2019 (Appendix A) that was omitted from the agenda be circulated to Members after the meeting and reported to the 12 January 2021 meeting.**

8. IMPLEMENTING THE FINAL RECOMMENDATIONS FROM THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND (LGBCE)

The Chief Executive, John Hooton, and the Head of Assurance and Business Development, Emily Bowler, introduced the report which summarised the next steps for implementing the final recommendations from the Local Government Boundary Commission for England (LGBCE) on the future electoral arrangements for Barnet Council.

The Committee noted that the proposed approach to implementing the recommendations and the four proposed workstreams covering: Electoral Services; Governance; Insight; and Stakeholder Engagement.

Details relating to the Member Working Group would be developed in the new year. The Committee noted the request that the Liberal Democrat Group be involved in the Group and that the membership of the Group should be drawn from members of this Committee.

RESOLVED that the Committee notes that, following Parliamentary approval of the Local Government Boundary Commission for England (LGBCE) recommendations, council officers in consultation with Barnet’s Returning Officer, will complete a programme of work to implement the new electoral arrangements in the London Borough of Barnet. This will include completing the new set of polling districts and polling places to facilitate the administration of statutory elections within the new ward boundaries. There will be engagement with elected members throughout the process.

9. AREA PLANNING COMMITTEES AND THE BOUNDARY REVIEW

The Head of Governance introduced a report which proposed changes to planning committee arrangements in the light of the ward boundary changes and other issues.

Some Members suggested that changes to area planning committee arrangements should be considered as part of the implementation of the boundary review recommendations as referred to in minute item 8. above.

Following discussion on the report, the Chairman moved to vote on the recommendations set out in the report. The votes were recorded as follows:

For	4
Against	3
Abstain	0

RESOLVED that:

- 1. The Committee recommend to Council that the Constitution be amended to incorporate the changes set out in the report and the amended versions attached at Appendices A and B.**
- 2. The Committee recommend to Council that the implementation of the changes referred to at 1. above is effective from 1 November 2020.**

10. CONSTITUTION REVIEW

The Monitoring Officer, Jessica Farmer, presented a report which contained various proposed Constitution amendments including some changes which would enable the Council to comply with the best practice recommendations included in the report of the Committee on Standards in Public Life on Local Government Ethical Standards.

In relation to Appendices J and K (HR Regulations), the Committee agreed to retain the current requirements around advertising and recruiting to Assistant Director level and above posts.

In relation to section 1.2, 4. of the report, (Appendices H and I (Full Council Procedure Rules), sections 9 and 17.4 and 17.5), the Chairman proposed that each Group only be permitted to table one amendment per motion which was duly seconded by Councillor Richard Cornelius. Following discussion on this matter, the Chairman moved to vote on the matter. The votes were recorded as follows:

For	4
Against	3
Abstain	0

RESOLVED that:

- 1. The Committee agree the actions to comply with the Committee on Standards in Public Life, Local Government Ethical Standards best practice recommendations as detailed in Appendix A.**
- 2. The Committee instruct the Monitoring Officer to circulate to all Members:**
 - i. the report of the Committee on Standards in Public Life on Local Government Ethical Standards;**
 - ii. the best practice guidelines and actions as detailed in Appendix B; and**
 - iii. the revised and updated Members Code of Conduct (Appendix C)**
- 3. The Committee request that the Monitoring Officer and Head of Governance develop a comprehensive code of procedure to be followed at any meeting of the Standards Committee and bring it back to a future meeting.**
- 4. The Committee recommend to Council that the Constitution be amended to incorporate the changes set out in this report and the amended versions attached at Appendices B to U subject to the following:**

Appendices B and C (Members Code of Conduct)	Retain the value of declarable gifts and hospitality at £25 rather than £100 as proposed in section 9 of the Member Code of Conduct
Appendices H and I (Full Council Procedure Rules)	Amend sections 9, 17.4 and 17.5 so that each Group are only be permitted to table one amendment per motion.
Appendices H and I (Full Council Procedure Rules)	Defer consideration of the speaking rights of the Liberal Democrat Group on motions to a future meeting of the Committee.
Appendices J and K (HR Regulations)	Retain the current requirements around advertising and recruiting to posts at Assistant Director level and

	above.
Appendices L and M (Financial Regulations)	Amend section 3.3.10 to include sending a copy of alternative budgets to the Monitoring Officer as well as the Chief Finance Officer.
Appendices N and O (Article 7)	Include equalities in the terms of reference of the Policy & Resources Committee and not the Community Leadership & Libraries Committee as proposed.

11. **CODE OF CONDUCT ALLEGATIONS 2019/20**

The Monitoring Officer, Jessica Farmer, presented a report which detailed complaints the Monitoring Officer had received about Member conduct during 2019/20.

RESOLVED that the Committee note the update as set out in Appendix A.

12. **MEMBER DEVELOPMENT PROGRAMME**

The Head of Governance, Andrew Charlwood, presented a report which updated the Committee on delivery of the Member Development Programme.

RESOLVED that:

1. **The Committee note the sessions delivered since October 2019 set out in Appendix A.**
2. **The Committee note the findings from the Members Training Needs Analysis set out in Appendix B.**
3. **The Committee agree the forward plan of Member Development sessions as set out in Appendix C.**

The meeting finished at 8.15 pm