



**MINUTES OF THE ANNUAL MEETING OF THE COUNCIL OF
THE LONDON BOROUGH OF HAVERING
Council Chamber - Town Hall
25 May 2011 (Times Not Specified)**

Present: The Mayor (Councillor Pam Light) in the Chair at the start of the meeting

Councillors Councillors June Alexander, Michael Armstrong, Clarence Barrett, Robert Benham, Becky Bennett, Sandra Binion, Jeffrey Brace, Denis Breading, Wendy Brice-Thompson, Dennis Bull, Michael Deon Burton, Andrew Curtin, Keith Darvill, Osman Dervish, Nic Dodin, David Durant, Brian Eagling, Ted Eden, Roger Evans, Gillian Ford, Georgina Galpin, Peter Gardner, Linda Hawthorn, Linda van den Hende, Lesley Kelly, Steven Kelly, Pam Light, Mark Logan, Barbara Matthews, Paul McGeary, Robby Misir, Ray Morgon, Eric Munday, Pat Murray, John Mylod, Denis O'Flynn, Barry Oddy, Frederick Osborne, Ron Ower, Garry Pain, Roger Ramsey, Paul Rochford, Geoffrey Starns, Billy Taylor, Barry Tebbutt, Frederick Thompson, Lynden Thorpe, Linda Trew, Jeffrey Tucker, Melvin Wallace, Keith Wells, Damian White, Michael White and John Wood

Colonel Markham Bryant DL, Hon. Aldermen Ivor Cameron, Wilf Mills, Graham Price, Andrew Rosindell MP, Louise Sinclair and Angela Watkinson MP, John Cruddas MP and approximately 60 guests, members of public and press also attended.

The Reverend David Banting of St Peter's Church, Harold Wood opened the meeting with prayers.

The Mayor advised Members and the public of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

The meeting closed with the singing of the National Anthem.

1 MAYORALTY (agenda item 3)

Motion on behalf of the Conservative Group (Agenda Item 3A)

That Councillor Melvin Wallace be elected Mayor for the Municipal Year 2011/12.

The Conservative Group proposal was **AGREED** without a vote. It was, therefore, duly **RESOLVED**:
That Councillor Melvin Wallace be elected Mayor for the Municipal Year 2011/2012

Councillor Melvin Wallace, having made the Declaration of Acceptance of Office of Mayor as required by the Local Government Act 1972, then took the Chair and thanked the Council for the honour conferred upon him. The Mayor indicated that his Mayoress would be **Mrs Joan Wallace**.

The Leader of the Council and other Members expressed the thanks of the Council to Councillor Pam Light for her services in 2010/11. Councillor Light suitably replied.

2 DEPUTY MAYOR - APPOINTMENT (agenda item)

In accordance with the Local Government Act 1972, the Mayor signified in writing his appointment of **Councillor Lynden Thorpe** as Deputy Mayor for the ensuing year and to carry out the duties of the Mayor in case of the Mayor's illness or absence.

Councillor Thorpe made the Declaration of Acceptance of Office accordingly. The Mayor indicated that the Deputy Mayor's Consort for the year would be **David Thorpe**.

3 MINUTES (agenda item 4)

Council noted the following corrections to the minutes:

- In minute 79, deletion of an erroneous reference to a declaration of interest by Councillor Linda Van den Hende
- in minutes 68 and 71, Councillor Robby Misir being recorded as having declared an interest and not Councillor Billy Taylor, as shown
- the addition among the names of those present of Councillor Eric Munday

It was **RESOLVED**:

That, subject to the corrections now listed, the minutes of the meeting of the Council held on 30 March 2011 be signed as a true record.

4 ANNOUNCEMENTS BY THE MAYOR OR CHIEF EXECUTIVE (agenda item 5)

The Mayor made the following announcement:

Thank you very much for electing me to be the 48th Mayor of the London Borough of Havering. You have made me very proud and I will do my utmost to uphold the proud tradition of this office and to serve the community to the best of my ability.

Having been Deputy Mayor for two years, I am reminded of what Gary Player, the South African golfer said back in 1974 when he won the British Open: “Do you know what? The more I practice, the luckier I get” – and tonight I feel very lucky!

I would like to thank both Roger Ramsey and Pam Light for all their help and consideration over the last two years when I was their Deputy. I would also like to thank my daughters and all my friends for supporting me today, and a very special welcome to Mr Barry Anderson, former Mayor the London Borough of Lewisham.

Lastly, my main charity this year will be St Francis Hospice. I will throughout my year consider other charitable organisations with a view to trying to help the lesser known.

There were no announcements by the Chief Executive on this occasion.

5 STATEMENT BY THE LEADER OF THE COUNCIL (agenda item 6)

Council received a Statement by the Leader of the Council (attached as **Appendix 1** to these minutes).

6 DECLARATION OF INTERESTS (agenda item 7)

The Members present named in minutes 3, 4 and 10 (the Mayoralty and various Committee Chairmanships) who were candidates for offices attracting a Special Responsibility Allowance, each declared a personal interest under paragraph 8 of the Members’ Code of Conduct as they would benefit from the Members’ Allowance Scheme 2011.

7 AWARDS FOR EMINENT SERVICE TO THE BOROUGH (agenda item 8)

The Leader of the Council (Councillor Michael White) proposed that the Honorary Freedom of the borough be conferred upon Mrs Joyce Leicester in recognition of her service to the borough, particularly as Secretary of the Gidea Park & District Civic Society.

Councillor Andrew Curtin seconded the proposal.

The proposal was **AGREED** by 53 votes to 0 (see voting division 1) and it was **RESOLVED**:

To confer upon Mrs Joyce Leicester the Honorary Freedom of the Borough.

The Mayor then congratulated Mrs Leicester, who was present at the meeting, and Members applauded.

Councillor Ray Morgon proposed that the Honorary Freedom of the borough be conferred upon Ms Sue Ospreay in recognition of her service to the borough as leader of the Lightning Drama Group.

The Leader of the Opposition (Councillor Clarence Barrett) seconded the proposal.

The proposal was **AGREED** by 53 votes to 0 (see division 2) and it was **RESOLVED**:

To confer upon Sue Ospreay the Honorary Freedom of the Borough.

The Mayor then congratulated Ms Ospreay, who was present at the meeting, and Members applauded.

The Leader of the Labour Group (Councillor Keith Darvill) proposed that the Honorary Freedom of the borough be conferred upon Mr Tom Horlock in recognition of his service to the borough, both as a dedicated supporter of the Labour Party and in supporting youth activity in Upminster.

Councillor Denis O'Flynn seconded the proposal.

The proposal was **AGREED** by 53 votes to 0 (see division 3) and it was **RESOLVED**:

To confer upon Tom Horlock the Honorary Freedom of the Borough.

Mr Horlock was unable to be present at the meeting and the Mayor announced that a suitable event would be held in due course to mark the conferment of the award.

8 APPOINTING THE COMMITTEES OF THE COUNCIL (agenda item 9)

There was before Council a report of the Chief Executive concerning the appointment of the Committees of the Council, and advising upon political

balance issues. The report referred in particular to the consequences of the decision made at the last meeting of the Council to abolish the Partnerships Overview & Scrutiny Committee and to reconstitute the Adjudication & Review and Appointments Committees as Sub-Committees of the Governance Committee.

The report was **AGREED** without debate or division and it was **RESOLVED**:

That:

- (1) The Committees listed in Appendix 2 to these minutes be appointed for the 2011/12 Municipal Year.**
- (2) Those Committees be appointed with:**
 - (a) the membership sizes and**
 - (b) the political balance**indicated in Appendix 2 of the report submitted and its annexes (including the note to the table in annex B) and that it be noted that this includes an increase in the size of the Governance Committee to 13 (8:2:2:1)
- (3) The voting co-optees, the two representing Church of England and Roman Catholic interests and the three parent governor co-optees selected in accordance with the appropriate Regulations, be appointed to the Children's Services Overview and Scrutiny Committee.**
- (4) The other non-elected member "appointments" and invitations to attend shown in Appendix 1 to the report be confirmed.**

9 PROCEDURAL MOTION (agenda item)

A procedural motion on behalf of the Administration, that the following matter, the appointment of Chairmen and Vice-Chairmen of Committees (agenda item 9) be dealt with by vote only was **AGREED** by 43 votes to 2 (see division 4) and it was **RESOLVED**:

That the following matter, the appointment of Chairmen and Vice-Chairmen of Committees (agenda item 9), be dealt with by vote only.

10 APPOINTMENT OF THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES (agenda item 10)

A. Motion on behalf of the Administration

1. That the following Chairmen and Vice-Chairmen be appointed

—

Committee	Chairman Councillor	Vice-Chairman Councillor
Audit	Georgina Galpin	Osman Dervish
Governance	Frederick Thompson	Rebecca Bennett
Pensions	Eric Munday	Damian White
Licensing (3 Vice-Chairmen)	Peter Gardner	1 Georgina Galpin 2 Linda Trew 3 Lynden Thorpe
Regulatory Services	Barry Oddy	Barry Tebbutt
Highways	Billy Taylor	Frederick Thompson
Children's & Learning Overview & Scrutiny Learning	Sandra Binion	
Environment Overview & Scrutiny	Jeff Brace	
Individuals Overview & Scrutiny	Wendy Brice-Thompson	
Towns and Communities Overview & Scrutiny	Frederick Osborne	
Value Overview & Scrutiny	Robby Misir	
Crime & Disorder Overview & Scrutiny	Ted Eden	
Health Overview & Scrutiny	Pam Light	

- 2 That the Governance Committee be delegated authority to appoint the Chairmen and the Vice-Chairmen of the Adjudication & Review and Appointments Sub-Committees

B. Amendment on behalf of the Independent Residents' Group

- 1 That the following Chairman be appointed –

Committee	Chairman Councillor

Audit	Michael Deon Burton
Governance	Michael Deon Burton
Pensions	Michael Deon Burton
Licensing	Michael Deon Burton
Regulatory Services	Michael Deon Burton
Highways	Michael Deon Burton
Children & Learning Overview & Scrutiny Learning	Michael Deon Burton
Environment Overview & Scrutiny	Michael Deon Burton
Individuals Overview & Scrutiny	Michael Deon Burton
Partnerships Overview & Scrutiny	Michael Deon Burton
Towns and Communities Overview & Scrutiny	Michael Deon Burton
Value Overview & Scrutiny	Michael Deon Burton
Crime & Disorder Overview & Scrutiny	Michael Deon Burton
Health Overview & Scrutiny	Michael Deon Burton

2 Sub-Committees of the Governance Committee:

That Council appoint the Chairmen of the Adjudication & Review and Appointments Sub-Committees and that the following appointments be made accordingly:

Sub-Committee	Chairman Councillor
Adjudication & Review	Michael Deon Burton
Appointments	Michael Deon Burton

C. Amendment on behalf of the Residents' Group

- 1 Licensing Committee: one vice chairman position -
Replace Councillor Linda Trew with Councillor Brian Eagling
- 2 **Insert** following Overview & Scrutiny Committee Vice-Chairmen -

Committee	Vice-Chairman Councillor
Children & Learning	Gillian Ford
Environment	John Mylod
Individuals	Linda Van Den Hende
Towns & Communities	Linda Hawthorn
Value	Ray Morgon
Crime & Disorder	John Wood
Health	Brian Eagling

In accordance with the procedural motion (minute 9 preceding), the motion and amendments were dealt without debate.

With the consent of the Council, the nominations for appointment as Chairman set out within the Independent Residents' Group amendment (B 1 above) were **WITHDRAWN**.

The proposal within the Independent Residents' Group amendment (B 2 above), that Council retain responsibility for the appointment of Chairman and Vice-Chairman of the Adjudication & Review and Appointments Sub-Committees and that the Group's nominee be appointed Chairman of those Sub-Committees, was **LOST** by 4 votes to 39 (division 5).

The Administration motion (A above), except so far as concerning the appointment of the Vice-Chairmen of the Overview & Scrutiny Committees and of one Vice-Chairmen of the Licensing Committee, was then **CARRIED** by 49 votes to 0 (division 6).

The proposed appointments set out in the Residents' Group amendment (C 2 above), other than that of the second Vice-

Chairman of the Licensing Committee, were **AGREED** without division.

The Residents' Group amendment (C 1 above) relating to the appointment of second Vice-Chairman of the Licensing Committee was put to the vote. There were 32 votes for Councillor Linda Trew (Administration nominee) and 18 votes for Councillor Brian Eagling (Residents' Group nominee) (division 7). Councillor Linda Trew was duly **DECLARED ELECTED**.

It was accordingly **RESOLVED**:

- 1 That the following Chairmen and Vice-Chairmen be appointed:**

Committee	Chairman Councillor	Vice-Chairman Councillor
Audit	Georgina Galpin	Osman Dervish
Governance	Frederick Thompson	Rebecca Bennett
Pensions	Eric Munday	Damian White
Licensing (3 Vice-Chairmen)	Peter Gardner	1 Georgina Galpin 2 Linda Trew 3 Lynden Thorpe
Regulatory Services	Barry Oddy	Barry Tebbutt
Highways Advisory	Billy Taylor	Frederick Thompson
Children's & Learning Overview & Scrutiny Learning	Sandra Binion	Gillian Ford
Environment Overview & Scrutiny	Jeff Brace	John Mylod
Individuals Overview & Scrutiny	Wendy Brice- Thompson	Linda Van Den Hende
Towns and Communities Overview & Scrutiny	Frederick Osborne	Linda Hawthorn
Value Overview & Scrutiny	Robby Misir	Ray Morgon
Crime & Disorder Overview & Scrutiny	Ted Eden	John Wood
Health Overview & Scrutiny	Pam Light	Brian Eagling

2 That the Governance Committee be delegated authority to appoint the Chairmen and the Vice-Chairmen of the Adjudication & Review and Appointments Sub-Committees

11 APPOINTMENT OF THE STATUTORY LEAD MEMBER FOR CHILDREN'S SERVICES (agenda item 11)

That the Cabinet Member for Children & Learning be appointed Statutory Lead Member for Children's Services and Champion for the new Diploma Scheme.

The motion was **AGREED** without division, and it was **RESOLVED**:

That the Cabinet Member for Children & Learning be appointed Statutory Lead Member for Children's Services and Champion for the new Diploma Scheme.

12 APPOINTMENT OF THE MEMBER CHAMPIONS (agenda item 12)

Motion on behalf of Administration

That the following be appointed Champions as indicated:

For Diversity	Councillor Osman Dervish
For the Over Fifties	Councillor Pam Light
For the Historic Environment	Councillor Andrew Curtin
For Standards	Councillor Wendy Brice-Thompson
For the Voluntary Sector Compact	Councillor Andrew Curtin
For Younger Persons	Councillor Garry Pain

The motion was **AGREED** without division, and it was **RESOLVED**:

That the following be appointed Champions as indicated:

For Diversity	Councillor Osman Dervish
For the Over Fifties	Councillor Pam Light
For the Historic Environment	Councillor Andrew Curtin

For Standards

**Councillor Wendy
Brice-
Thompson**

For the Voluntary Sector Compact

**Councillor Andrew
Curtin**

For Younger Persons

**Councillor Garry
Pain**

13 PETITIONS (agenda item 13)

Pursuant to Council Procedure Rule 23, a petition was presented by Councillor Fred Osborne from residents of Rush Green, seeking a new bus route to run from Dagenham Civic Centre to Hornchurch Town Centre via the Tesco store at Roneo Corner.

It was noted that the petition would be passed to Committee Administration & Member Support for attention in accordance with the Petitions Scheme.

14 DELEGATION OF POWERS TO THE NATIONAL ILLEGAL MONEY LENDING TEAM (agenda item 14)

A report of the Governance Committee concerning action taken to deal with illegal money-lending was considered. Previously, the Council (and others) had delegated authority to Tower Hamlets Council to investigate and prosecute instances of illegal money-lending within Greater London but the arrangement had now been superseded by a national arrangement, led by Birmingham City Council.

As a matter of some urgency, the Council needed to delegate appropriate authority to the City Council and the Governance Committee had made recommendations accordingly.

The Committee's recommendations were **AGREED** without debate or division and it was **RESOLVED** that the Council:

- 1 In pursuance of Section 101(1)(b) of the Local Government Act 1972, Section 19 of the Local Government Act 2000 and Regulation 7 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000, delegates to Birmingham City Council:**
 - (a) Enforcement of Parts III and IV of the Consumer Credit Act 1974, and**
 - (b) The enforcement functions and powers under Parts XI and XII of the Consumer Credit Act 1974, and**
 - (c) The power of prosecution under section 222 of the Local Government Act 1972**

all in connection with money-lending or the activities of money lenders and/or their agents and associates, and the laundering of the proceeds of illegal money-lending.

- 2 Agrees that Part 3, Section 2.3 of the Constitution (functions exercised by another authority on behalf of this authority) be amended accordingly
- 3 Authorises the Acting Assistant Chief Executive to agree the terms of the delegation agreement with Birmingham City Council.
- 4 Agrees that the Council will enter into a joint Cross Border Working Protocol with Birmingham City Council in respect of illegal money lending.
- 5 Notes the exercise by the Chief Executive of her powers within Part 3, Section 3.1.8 of the Council's Constitution temporarily to delegate the above powers to Birmingham City Council to allow an investigation to proceed prior to this meeting.

15 **THE COUNCIL'S CAPITAL PROGRAMME 2011/14 (agenda item 15)**

There was before the Council a report of the Leader of the Council concerning the Council's Capital Programme 2011-2014. A question was asked in accordance with Council Procedure Rule 11.7 and replied to, but no amendment was proposed and the recommendations of the Leader were **ADOPTED** without debate or division. It was, accordingly, **RESOLVED:**

That the Council's Capital Programme for 2011/14 as now proposed by the Cabinet, be approved.

16 **MEMBERS' QUESTIONS (agenda item 16)**

16 questions were asked and replies given. Following the main period for questions, as there remained time at the conclusion of ordinary business (see minute 18 following), the Mayor continued the time for questions until closure of the meeting.

The texts of those questions and their answers, together with those not asked and replied to orally, are set out in **Appendix 3 to these minutes.**

17 **MOTIONS FOR DEBATE (agenda item 17)**

In accordance with Council Procedure Rule 9.1(a), the Mayor announced that, in view of the time, he intended to modify the length of speeches to 5 minutes for those Members proposing a motion or amendment, and to 2 minutes for those participating in any general debate.

Councillor Jeffrey Tucker, on behalf of the Independent Residents' Group, objected to the likely effect of the Mayor's ruling on the debate of the motion concerning the Local Government Funding Formula and withdrew it. Following exchanges and interventions by other Members, the Members of the Independent Residents' Group then retired from the meeting.

Councillor Keith Darvill, on behalf of the Labour Group, withdrew the motion on Youth Services Cuts.

Mayor