



## MINUTES OF A MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF HAVERING Council Chamber - Town Hall 24 February 2016 (7.30 - 10.00 pm)

**Present:** The Mayor (Councillor Brian Eagling) in the Chair

**Councillors** Councillors June Alexander, Clarence Barrett, Robert Benham, Ray Best, Wendy Brice-Thompson, Joshua Chapman, John Crowder, Philippa Crowder, Keith Darvill, Meg Davis, Ian de Wulverton, Osman Dervish, David Durant, Gillian Ford, Jason Frost, John Glanville, Linda Hawthorn, Philip Hyde, David Johnson, Steven Kelly, Phil Martin, Barbara Matthews, Ray Morgon, Barry Mugglestone, Stephanie Nunn, Ron Ower, Garry Pain, Dilip Patel, Viddy Persaud, Roger Ramsey, Keith Roberts, Patricia Rumble, Carol Smith, Frederick Thompson, Linda Trew, Jeffrey Tucker, Linda Van den Hende, Melvin Wallace, Lawrence Webb, Roger Westwood, Damian White, Michael White, Reg Whitney, Julie Wilkes, Graham Williamson and Darren Wise

Two Members' guests and members of the public and a representative of the press were also present.

Apologies were received for the absence of Councillors Michael Deon Burton, Nic Dodin, Alex Donald, Jody Ganly, Robby Misir, John Mylod and John Wood.

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

Father Roderick Hingley, of the Church of St Alban, Protomartyr, Romford opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

### 83 **MINUTES (agenda item 3)**

The minutes of the Council meeting held on 27 January 2016 were before the Council for approval.

#### **RESOLVED:**

**That the minutes of the meeting of the Council meeting held on 27 January 2016 be signed as a correct record.**

**84 DISCLOSURE OF INTERESTS (agenda item 4)**

Each Member present disclosed a personal interest in agenda item 8 – Members' Allowances Scheme 2016/17 as a recipient of a Member's allowance.

**85 ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE (agenda item 5)**

The Mayor presented a certificate to a local school girl who had raised over £3,000 for the Mayor's charity via a sponsored swim.

**86 PROCEDURAL MOTION (agenda item 6)**

The following procedural motion was agreed without division:

**That agenda items 7 and 8 be debated together with separate votes taken for each item.**

**87 THE COUNCIL'S BUDGET 2016/17 (agenda item 7)**

Council had before it a report of the Cabinet (incorporating the budget proposals for 2016/17). This referred to the reports presented to Cabinet at its meeting on 10 February 2016. It was noted that the Council Tax attributable to London Borough of Havering included a precept to fund adult social care.

Following debate, the recommendations of Cabinet were **ADOPTED** by 38 votes to 4 (see division 1) and it was **RESOLVED**:

- 1. That the following as submitted in the report to Cabinet be approved:**
  - a) The General Fund revenue budget for 2016/17, as set out in the revised Appendix E attached to this report.**
  - b) The delegated schools' budget for 2016/17, as set out in Appendix F of the report to Cabinet.**
  - c) The Capital Programme for 2016/17, as set out in Paragraph 3.28 and Appendix I of the report to Cabinet.**
  - d) The HRA Capital Programme 2016/17, as set out in the separate report to Cabinet on 10<sup>th</sup> February.**
- 2. That, in accepting recommendation 1, Council is mindful of the advice of the Chief Finance Officer as set out in Appendix H of the report to Cabinet.**

3. That the Leader reported to Cabinet that the Council had recently received notification of a Transition Grant in the order of £1.4 million for 2016/17 and the year following. He also stated this amount could be used to replenish the budgeted transfer from general reserves.
4. That it be noted that an online Council Tax consultation was launched on the 5<sup>th</sup> January until 2<sup>nd</sup> February 2016. In response to the first Yes/No question 1,020 responded, of which 53% were yes and 47% were no. With regards to the Comment box there were 305 responses. 170 (56%) agreed with the proposal, (44%) disagreed. In total there 1,325 responses where 711 said yes (54%), 649 said no (49%). 38 others gave general comments and neither agreed or disagreed.
5. That it be noted that under delegated powers the Chief Finance Officer has calculated the amount of 85,474 (called T in the Act and Regulations) as its Council Tax base for the year 2016/17 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) made under Section 31B of the Local Government Finance Act 1992 as amended.
6. That the amount of £ 108,350,261 be now calculated as the Council Tax requirement for the Council's own purposes for 2016/17, with £2,083,856 of that amount being ringfenced for Adult Social Care.
7. That the following amounts be now calculated by the Council for the year 2016/17 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended:

(a)	£482,507,061	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
(b)	(£374,156,800)	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£108,350,261	being the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

(d)	£1,267.64	being the amount at 5(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.
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8. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in the table below as the amounts of Council Tax for 2016/17 for each of the categories of dwellings.

Valuation Bands London Borough of Havering			
	Havering £ p	Adult Social Care £ p	Total £ p
A	828.84	16.25	845.09
B	966.98	18.96	985.94
C	1,105.12	21.67	1,126.79
D	1,243.26	24.38	1,267.64
E	1,519.54	29.80	1,549.34
F	1,795.81	35.22	1,831.02
G	2,072.10	40.63	2,112.73
H	2,486.52	48.76	2,535.28

9. That it be noted for the year 2016/17 the major precepting authority (the GLA) has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below as proposed by the Mayor and as due to be considered by the London Assembly at its meeting on 22<sup>nd</sup> February 2016.

Valuation Bands Greater London Authority	
	£ p
A	184.00
B	214.67
C	245.33
D	276.00
E	337.33
F	398.67
G	460.00
H	552.00

10. That, having calculated the aggregate in each case of the amounts at 6 and 7 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2016/17 for each of the categories of dwellings shown below:

<b>Valuation Bands</b>	<b>£ p</b>
<b>A</b>	<b>1,029.09</b>
<b>B</b>	<b>1,200.61</b>
<b>C</b>	<b>1,372.12</b>
<b>D</b>	<b>1,543.64</b>
<b>E</b>	<b>1,886.67</b>
<b>F</b>	<b>2,229.70</b>
<b>G</b>	<b>2,572.73</b>
<b>H</b>	<b>3,087.28</b>

The effect of adopting this resolution would be to set the Council Tax for a Band D property at £1,543.64

11. That Council having considered the principles approved under the Local Government Finance Act 1992 by the Secretary of State for Communities and Local Government concludes that the Council's basic relevant amount of Council Tax for 2016/17 is not excessive.
12. That any Council Tax payer who is liable to pay an amount of Council Tax to the Authority in respect to the year ending on 31<sup>st</sup> March 2017, who is served with a demand notice under Regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 as amended and who makes payment to the Authority of the full balance of the estimated amount shown on that demand by 1<sup>st</sup> April 2016, may deduct a sum equivalent to 1.5% of and from the estimated amount and such reduced amount shall be accepted in full settlement of that estimated amount.
13. That Council agrees that the Capital Programme be expanded for schemes during the year which are funded via additional external funding under the authority of the Cabinet Member Value and the relevant service area Cabinet Members.
14. That Council approves the Treasury Management Strategy Statement, Prudential Indicators, and the Minimum Revenue Provision Statement for 2016/17.

## 88 MEMBERS' ALLOWANCES SCHEME 2016/17 (agenda item 8)

A report of the Deputy Chief Executive, Communities & Resources proposed the Members' Allowances Scheme 2016/17. It was noted that the allowance proposed for Vice-Chairmen of Licensing Sub-Committee was £117 per meeting chaired rather than as stated in the report.

Following debate, the recommendation in the report was **ADOPTED** by 36 votes to 1 (see division 2) and it was **RESOLVED**:

That the Members' Allowances scheme (as set out in appendix 1 to these minutes) becomes effective from 1<sup>st</sup> April 2016 and the existing scheme be revoked with effect from the same date.

89 **VOTING RECORD**

The record of voting decisions is attached as **Appendix 2**.

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**Mayor**



## Members' Allowances Scheme

*Agreed at the meeting of the Council on 24<sup>th</sup> February 2016:*

*The new Scheme is agreed with effect from 1<sup>st</sup> April 2016 and the revocation of the Members' Allowance Scheme (2015) is effective from 31<sup>st</sup> March 2016.*

The Council of the London Borough of Havering in exercise of the powers conferred by the Local Authorities (Members Allowances) (England) Regulations 2003 hereby makes the following scheme:

- 1 This scheme may be cited as the Havering London Borough Council Members' Allowance Scheme. The new scheme shall have effect from 1<sup>st</sup> April 2016.
- 2 In this scheme, "councillor" means a councillor of the London Borough of Havering and "year" means the period ending on 31<sup>st</sup> March 2017 and any period of 12 months ending on 31<sup>st</sup> March in any year after 2017.
- 3 **Basic allowance (Schedule 1)**

Subject to paragraphs 7 and 11, for each year a basic allowance of £10,208 shall be paid to each councillor.
- 4 **Special responsibility allowance (Schedule 1)**
  - (a) For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the Council that are specified in schedule 1 to this scheme.
  - (b) Subject to paragraph 7, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.
  - (c) When a councillor would otherwise be entitled under the scheme to more than one special responsibility allowance, then the entitlement shall instead be only to one of them, being the one attracting the higher rate.
  - (d) Where a Member is also a member of another authority, that Member may not receive allowances from more than one authority in respect of the same duties.
- 5 **Child and dependent care allowance**

These expenses are expected to be met from the Basic Allowance.

## **6 Renunciation**

A Councillor may, by notice in writing given to the Deputy Chief Executive Communities and Resources, elect to forego any part of his/her entitlement to an allowance under this scheme.

## **7 Part-year entitlements**

- (a) The provisions of this paragraph shall have effect to regulate the entitlements of a councillor to basic and special responsibility where, in the course of a year, this scheme is amended or that a councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- (b) If an amendment to this scheme changes the amount to which a councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:
  - (i) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
  - (ii) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year.

The entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- (c) Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a basic allowance shall be to the payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her terms of office subsists bears to the number of days in that year.
- (d) Where this scheme is amended as mentioned in paragraph 7(b), and the term of office of a councillor does not subsist throughout the period mentioned in paragraph 7(b)(i), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that paragraph) as bears to the whole the same proportion as the number of days during which



his/her term of office as a councillor subsists bears to the number of days in that period.

- (e) Where a councillor has, during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he or she has such special responsibilities bears to the number of days in that year.
- (f) Where this scheme is amended, as mentioned in paragraph 7(b), and a councillor has, during part, but does not have throughout, the whole of any period mentioned in paragraph 7(b)(i) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

## **8 Travelling and Subsistence (Schedule 2)**

- (a) Members can claim travelling expenses for travelling outside of the Borough on official Council business as set out in Schedule 2.
- (b) Members can claim subsistence expenses on official Council business when outside of the Borough as set out in schedule 2.

## **9 Claims and payments**

- (a) Payments shall be made in respect of basic and special responsibility allowances, subject to paragraph 8(b), in instalments of one-twelfth of the amount specified in this scheme on the last working day of each month.
- (b) Where a payment of one-twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more than the amount to which, by virtue of paragraph 7, he or she is entitled, then payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.
- (c) Payments in respect of Travel and Subsistence shall be made to the councillor on receipt of a claim form with supporting receipts/vouchers. Claims must be made within three months of the claim arising.

**10 Pension Scheme**

No Member in the scheme is entitled to apply for inclusion in the Pension Scheme.

**11 Financial Limits**

The Deputy Chief Executive Communities and Resources will arrange for the budget for members allowances to be monitored to ensure that budgetary issues are reported to Members.

**(a) Increases in Allowances**

Basic Allowances as quoted will be updated for 2016/17 by any 2016/17 increases as agreed under the annual Local Government Pay Settlement of the Joint Negotiating Committee for Chief Officers of Local Authorities or its replacement under the local pay agreement. The amounts so calculated are to be rounded up to be divisible for payment purposes.

The amended basic allowance will be found on the Internet once any annual % uplifts have been agreed.

The Travelling and Subsistence allowances will be increased in line with the increase in officer rates.

**(b) Suspension of Basic and Special Responsibility Allowance**

Where a Member is suspended, or partially suspended, from his/her responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000, or Regulations made under that part, the part of Basic and Special Responsibility allowance payable to him/her in respect of the period for which he is suspended or partially suspended will be withheld by the Authority..

**12 Mayor and Deputy**

The Mayor and Deputy Mayor's allowance covers the cost of all Mayoral activities such as clothing, personal expenses and sundry expenses – including items such as attendance at dinners, raffle tickets, sponsorship and donations.

The Mayor and Deputy Mayor will be responsible for all such payments via the SRA, which will be taxed. The Council will meet the cost of:

- Havering Civic receptions, award pins and certificates at the civic award ceremony;

- Medals, certificates and frames in the event of there being any ceremony associated with Honorary Alderman/Freeman of the Borough awards;
- Gifts given on behalf of the Council in reciprocation or gifts initiated by the Council for promotional purposes;
- Maintaining and provisioning the beverage machine in the Parlour;
- Postage costs and all costs associated with the Mayoral transport, robes etc.

### 13 **Co-Optees and Independent Persons' Allowances**

The standard rate of allowance for statutory co-optees is £117 per meeting attended.

The Independent Person for standards of Members' Conduct will be paid an annual allowance of £1,000, in monthly instalments.

*Co-optees and Independent Persons* will be reimbursed for all travel costs in accordance with the above, whether the travel is within or outside the Borough, but will not be paid subsistence.

### 14 **Note**

- (a) The Council is required to keep a record of the payments made by it in accordance with this scheme.
- (b) The record is required to be available for inspection at all reasonable times free of charge by any local government elector for the borough who may make a copy of any part of it.
- (c) The Council is also required to arrange publication of the total sums paid in each year to each member in respect of basic and special responsibility allowances.
- (d) The Council is required to arrange publication of the Scheme when approved.

## Schedule 1: Members' Allowances

Category of Allowance	Amount Per Member £
<b><u>Basic Allowance</u></b>	10,208
<b>Special Responsibility Allowances:</b>	
Leader of the Council	45,048
Deputy Leader of the Administration	31,420
Cabinet Members	28,780
Leader of Principal Opposition	14,418
Leader of Minority Opposition Groups	4,000
Mayor	12,000
Deputy Mayor	4,000
Overview and Scrutiny Board Chairman	14,418
Overview and Scrutiny Sub-Committee Chairmen	7,650
Licensing and Regulatory Services Committee Chairmen	14,418
Regulatory Services Committee Vice-Chairman	2,000
Licensing Committee Vice Chairmen	117+
Audit, Pensions, Highways and Governance Committees Chairmen	7,650
Adjudication & Review Committee Chairman	2,000
Rainham & South Hornchurch Working Party Chairman	7,650

+ Per meeting chaired.

**NOTES:** The basic allowance will be uplifted each year in accordance with paragraph 11.

## Schedule 2: Travel and Subsistence

Travelling expenses can only be claimed for travel outside of the borough on official Council business. The rules and entitlements for reimbursement of travel outside the Borough are the same as those for officers.

Subsistence allowances are only payable for official Council business outside the borough where the duties entail an overnight stay or working outside 'normal office hours'. Members will be reimbursed actual expenditure incurred up to the maximum of the rates set for officers.

Allowances are payable on the basis of expenditure incurred and receipts must be submitted to support claims for subsistence allowances and travel costs.

Travel and subsistence arrangements for key events will be set in line with the above. Taking account of the practicalities of arrangements however, these will be set out and documented by the Deputy Chief Executive Communities and

Resources, prior to each event and be agreed with the Cabinet Member for Value.

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VOTING RECORD

<i>DIVISION NUMBER:</i>	<i>1</i>	<i>2</i>
<b>The Mayor [Cllr. Brian Eagling]</b>	✓	✓
The Deputy Mayor [Cllr. Philippa Crowder]	✓	✓
<b><u>CONSERVATIVE GROUP</u></b>		
Cllr Roger Ramsey	✓	✓
Cllr Robert Benham	✓	✓
Cllr Ray Best	✓	✓
Cllr Wendy Brice-Thompson	✓	✓
Cllr Joshua Chapman	✓	✓
Cllr John Crowder	✓	✓
Cllr Meg Davis	✓	✓
Cllr Osman Dervish	✓	✓
Cllr Jason Frost	✓	✓
Cllr Steven Kelly	✓	✓
Cllr Robby Misir	A	A
Cllr Garry Pain	✓	✓
Cllr Dilip Patel	✓	✓
Cllr Viddy Persaud	✓	✓
Cllr Carol Smith	✓	✓
Cllr Frederick Thompson	✓	✓
Cllr Linda Trew	✓	✓
Cllr Melvin Wallace	✓	✓
Cllr Roger Westwood	✓	✓
Cllr Damian White	✓	✓
Cllr Michael White	✓	✓
<b><u>RESIDENTS' GROUP</u></b>		
Cllr Ray Morgon	✓	O
Cllr June Alexander	O	O
Cllr Nic Dodin	A	A
Cllr Jody Ganly	A	A
Cllr Barbara Matthews	O	O
Cllr Barry Mugglestone	✓	O
Cllr John Mylod	A	A
Cllr Stephanie Nunn	O	O
Cllr Reg Whitney	✓	O
Cllr Julie Wilkes	O	O
Cllr John Wood	A	A
<b><u>EAST HAVERING RESIDENTS' GROUP</u></b>		
Cllr Clarence Barrett	✓	✓
Cllr Alex Donald	A	A
Cllr Gillian Ford	✓	✓
Cllr Linda Hawthorn	✓	✓
Cllr Ron Ower	✓	✓
Cllr Linda Van den Hende	✓	✓
Cllr Darren Wise	✓	✓
<b><u>UK Independence Party</u></b>		
Cllr Lawrence Webb	✓	✓
Cllr Ian De Wulverton	✓	✓
Cllr John Glanville	✓	✓
Cllr David Johnson	✓	✓
Cllr Phil Martin	✓	✓
Cllr Patricia Rumble	✓	✓
<b><u>INDEPENDENT LOCAL RESIDENTS' GROUP</u></b>		
Cllr Jeffrey Tucker	X	X
Cllr Michael Deon Burton	A	A
Cllr David Durant	X	O
Cllr Keith Roberts	X	O
Cllr Graham Williamson	X	O
<b><u>LABOUR</u></b>		
Cllr Keith Darvill	O	✓
<b><u>INDEPENDENT</u></b>		
Cllr Philip Hyde	✓	✓
<b><i>TOTALS</i></b>		
<b>✓ = YES</b>	38	36
<b>X = NO</b>	4	1
<b>O = ABSTAIN/NO VOTE</b>	5	10
<b>ID =INTEREST DISCLOSED/NO VOTE</b>	0	0
<b>A = ABSENT FROM MEETING</b>	7	7
	<b>54</b>	<b>54</b>

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