



**MINUTES OF A MEETING OF THE COUNCIL OF THE  
LONDON BOROUGH OF HAVERING  
Council Chamber - Town Hall  
21 March 2018 (7.30 - 10.49 pm)**

**Present:** The Mayor (Councillor Linda Van den Hende) in the Chair

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

Approximately 30 Members' guests and members of the public and a representative of the press were also present.

Apologies were received for the absence of Councillors 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.

Reverend Susannah Brasier, Rector, St Laurence Church, Upminster, opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

**89 MINUTES (agenda item 3)**

The minutes of the meeting of the Council held on 21 February 2018 were before the Council for approval.

**RESOLVED:**

**That the minutes of the meeting of the Council held on 21 February 2018 be approved as a correct record.**

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

There were no disclosures of interest.

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

A minute's silence was held in memory of former Councillors Michael Lucas and Len Parmenter. Tributes to former Councillors Lucas and Parmenter were paid by the Leader of the Council as well as by other Members from across the Chamber.

The Leader of the Council also paid tribute to a member of staff who had recently passed away during the course of his duties.

The Mayor thanked those Members not standing at the forthcoming Council elections for their service. The Mayor also welcomed her cadet to the meeting and reminded Members of her charity walk taking place on 8 April.

The text of the announcements made by the Leader of the Council is attached as appendix 1 to these minutes.

92 **PETITIONS (agenda item 6)**

The following petitions were presented:

By Councillor Frost concerning a request to convert a grass verge into hard standing in order to increase parking capacity in Horndon Close, Collier Row.

By Councillor Barrett relating to the installation of a 20 mph zone at Dury Falls estate.

By Councillor Williamson against the overdevelopment of Havering.

By Councillor Wise relating to a request for a pelican crossing in Farringdon Avenue.

By Councillor Deon Burton concerning a request for an increase in the amount of free car waiting time at Hildene Shopping Centre.

By Councillor Darvill relating to increased public toilet provision at Hildene shops, Harold Hill.

93 **REVIEW OF PLANNING DECISION MAKING PROCESSES AND PROCEDURES (agenda item 7)**

A report of the Governance Committee proposed a number of changes to the Council's Constitution in order to facilitate the setting up of a Strategic Planning Committee to deal with strategic applications and any other matters and a Planning Committee to deal with other planning matters.

Deemed motion on behalf of the Administration

That the report be adopted and its recommendations carried into effect.

Amendment by the Independent Residents' Group

That the recommendations of the report be replaced with the following:

*That Council agrees to refer this report back to Governance Committee for further consideration after the May 2018 Council elections.*

Amendment by the Residents' Group

That the recommendations of the report be replaced with the following:

1. *That progressing of this report be put on hold until after the local elections in May.*
2. *That a cross-party group be formed after the May 2018 local elections to carry out a comprehensive review of this and all committees of the Council to ensure that they are fit for purpose, outcomes focussed and cost effective.*

Following debate, the amendment by the Independent Residents' Group was **NOT CARRIED** by 36 votes to 8 (see division 1), the amendment by the Residents' Group was **NOT CARRIED** by 32 votes to 18 (see division 2) and the substantive motion by the Administration that the report be adopted and its recommendations carried into effect was **AGREED** without division.

**RESOLVED:**

1. **That the setting up a new Strategic Planning Committee to deal with strategic applications and any other strategic planning matters and a Planning Committee to deal with other planning applications and planning matters be approved.**
2. **That the main changes to the Constitution set out in Appendix A of the report of the Governance Committee and the consequential minor amendments to the Constitution set out in Appendix B be agreed.**
3. **That the following documents be included in the Constitution:**

- the Functions Delegated to Staff, in Appendix C;
- the Functions Not the Responsibility of the Executive, in Appendix D;
- the Planning Committee Procedure Rules, in Appendix F; and
- the Planning Code of Good Practice, in Appendix G.

4. That these changes be implemented after the May 2018 local elections.

94 **REPORTS OF COMMITTEES, SUB-COMMITTEES AND MEMBER CHAMPIONS (agenda item 8)**

The following annual reports were accepted by Council, without division:

**Audit Committee**  
**Pensions Committee**  
**Overview and Scrutiny Board**  
**Children and Learning Overview and Scrutiny Sub-Committee**  
**Crime and Disorder Sub-Committee**  
**Environment Overview and Scrutiny Sub-Committee**  
**Health Overview and Scrutiny Sub-Committee**  
**Individuals Overview and Scrutiny Sub-Committee**  
**Towns and Communities Overview and Scrutiny Sub-Committee**  
**Member Champion for the Armed Forces**  
**Member Champion for Equality and Diversity**  
**Member Champion for the Historic Environment**  
**Member Champion for the Over 50s**  
**Member Champion for the Voluntary Sector Compact**  
**Member Champion for Younger People**

95 **PAY POLICY STATEMENT 2018/19 (agenda item 9)**

As required under the Localism Act 2011, a report of the Chief Executive asked Council to approve the Council's Pay Policy 2018/19

The pay policy set out:

- The remuneration of the Council's Chief Officers
- The remuneration of its lowest-paid employees
- The relationship between the remuneration of its Chief Officers and its other employees

The report was **AGREED** by 45 votes to 0 (see division 3) and it was **RESOLVED**:

**That the Pay Policy Statement 2018/19 (attached as appendix 2 to these minutes) be approved.**

96 **DATES OF COUNCIL MEETINGS 2018/19 (agenda item 10)**

In accordance with the Constitution, a report of the Chief Executive requested Council to agree the dates of future Council meetings.

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

**That the Council fixes the date of its meetings for the Municipal Year 2018/19 and, on a provisional basis, the balance of 2019 as follows:**

	<b>2018</b>
<b>23</b>	<b>May (Annual Meeting following elections on 3 May)</b>
<b>11</b>	<b>July</b>
<b>12</b>	<b>September</b>
<b>21</b>	<b>November</b>
	<b>2019</b>
<b>23</b>	<b>January</b>
<b>20</b>	<b>February (Council tax Setting)</b>
<b>20</b>	<b>March</b>
<b>15</b>	<b>May (Annual Meeting)</b>
<b>10</b>	<b>July (provisional)</b>
<b>18</b>	<b>September (provisional)</b>
<b>20</b>	<b>November (provisional)</b>

97 **MEMBERS' QUESTIONS (agenda item 11)**

Fifteen questions were asked and replies given. The text of all questions submitted, together with their answers, is shown as appendix 3 to these minutes.

98 **HARE LODGE DEMOLITION (agenda item 12A)**

**Motion on behalf of the Independent Residents' Group**

This Council calls on the Executive to seek to safeguard Havering as an independent local authority within a reformed Greater London Authority.

**Amendment by the Conservative Group**

The Council notes that the status of local authorities within Greater London is governed by statute and commends the Executive on the independent stance taken in dealings with the London Mayor including police station closures and the draft London Plan.

The amendment by the Conservative Group was **CARRIED** by 31 votes to 9 (see division 4) and **AGREED** as the substantive motion without division.

**RESOLVED:**

The Council notes that the status of local authorities within Greater London is governed by statute and commends the Executive on the independent stance taken in dealings with the London Mayor including police station closures and the draft London Plan.

99 **CHAFFORD SPORTS COMPLEX (agenda item 12 B)****Motion on behalf of the Independent Residents' Group**

Council calls on the Executive to reach agreement with Harris Academy, Rainham, and SLM to keep Chafford Sports Complex open until a new leisure centre is built in the south of the borough.

**Amendment by the Conservative Group**

This Council notes that its officers are currently examining with Harris Academy Rainham and SLM the legal and financial arrangements required to maintain for public use the Chafford Sports Complex following the acquisition of title to it by the School through a Land Adjudication Tribunal ruling.

The amendment by the Conservative Group was **CARRIED** by 43 votes to 9 (see division 5) and **AGREED** as the substantive motion without division.

**RESOLVED:**

**This Council notes that its officers are currently examining with Harris Academy Rainham and SLM the legal and financial arrangements required to maintain for public use the Chafford Sports Complex following the acquisition of title to it by the School through a Land Adjudication Tribunal ruling.**

100 **USE OF PLASTICS (agenda item 12C)****Motion on behalf of the Residents' Group**

This council recognises the serious problems caused by the large use of plastics and calls on the Executive to:

- a) Reduce the Council's own use of plastics
- b) Encourage businesses and residents to reduce their use and
- c) Provide clarity to residents on what plastics can be recycled

**Amendment by the Independent Residents' Group**

*Replace the first sentence with the following sentence.*

Council agrees the recycling regime promoted by climate change legislation has made waste disposal very expensive and led to an epidemic of fly-tipping resulting in our rivers and oceans being polluted by plastic. And further agrees the solution is the incineration of waste, reduced landfill taxes and promotion of alternatives to non-biodegradable plastic and calls on the Executive to consider the following measures to reduce the problem in a small way:-

**Amendment by the Conservative Group**

This Council recognises the serious ecological problems resulting from the excessive and unnecessary use of plastic and also the need to reduce the volume of all household waste generally including recycling items as a result of increasing waste disposal costs. Further it notes that officers have been reviewing the steps which can be taken to address these issues and will be reporting to the Executive once this process has been completed.

The amendment by the Independent Residents' Group was **NOT CARRIED** by 38 votes to 10 (see division 6), the amendment by the Conservative Group was **CARRIED** by 36 votes to 16 (see division 7) and **AGREED** as the substantive motion, without division.

**RESOLVED:**

**This Council recognises the serious ecological problems resulting from the excessive and unnecessary use of plastic and also the need to reduce the volume of all household waste generally including recycling items as a result of increasing waste disposal costs. Further it notes that officers have been reviewing the steps which can be taken to address these issues and will be reporting to the Executive once this process has been completed.**

101 **COUNCIL PROCEDURE RULES (agenda item 12D)****Motion on behalf of the Labour Group**

This Council calls upon the Governance Committee to review the Council Procedure Rules relating to Full Council Meetings and also to consider

adopting a protocol relating to email communications between members of the Council.

**Amendment by the Independent Residents' Group**

Continue last sentence of motion to read ..... 'for the purpose of strengthening the democratic rights and privileges of **backbench** members to hold the Executive, and allies, to account'.

The amendment by the Independent Residents' Group was **NOT CARRIED** by 32 votes to 20 (see division 8); the motion on behalf of the Labour Group was **AGREED** as the substantive motion by 39 votes to 11 (see division 9).

**RESOLVED:**

**This Council calls upon the Governance Committee to review the Council Procedure Rules relating to Full Council Meetings and also to consider adopting a protocol relating to email communications between members of the Council.**

102 **VOTING RECORD**

The record of voting decisions is attached as appendix 4 to these minutes.

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**Mayor**



### Leader's speech to Full Council – 21 March 2018

Madam Mayor,

There are a number of items I would like to update members on this evening.

#### **Estate regeneration announcement**

Firstly, I would like to congratulate officers, particularly Neil Stubbings and his team, for all the hard work on the estate regeneration project. Last week, we announced Wates Residential as our preferred development partner for the scheme, which is one of the most ambitious in London.

The project will see an overhaul of Havering's existing Council accommodation. Delivering improved provision, the regeneration will increase council rented accommodation by 70 per cent and build 400 low-cost home ownership properties. By doubling the amount of affordable housing on the 12 estates, this project delivers much-needed affordable homes for borough residents that are truly affordable on local income levels.

The scheme will see the Council's current stock of 856 homes replaced to create 3,112 homes of mixed tenure, encouraging more integrated communities.

This is a unique initiative as all Council funding for the project will come from the Council's Housing Revenue Account (HRA). This is in addition to funding from Wates and the GLA.

Havering will receive £33m grant monies from the GLA, to deliver new estates where 40 per cent of the homes will be affordable.

The scheme will also create a lasting legacy for the community through investment in skills, training and education. Working with Wates, the Council predict the social value benefits from Phase 1 will be worth around £6.8 million. Commitments include the creation of a Construction Academy through a partnership with Havering College and the Construction Industry Training Board and delivering around 165 apprenticeships over the life of the scheme.

An extensive consultation exercise, which started 18 months ago, continues. To date, this has involved 741 residents across the 12 sites, 154 group meetings and 82 newsletters. There have also been over 600 one-to-one meetings with tenants. Feedback has shown strong support for the project from the majority of residents, who will soon be involved in the design of their new homes.

Extensive support is being provided to all residents on the estate to help them find new homes which will allow the redevelopments to begin.

The right to return is guaranteed to every existing resident on the estates being regenerated. Any housing that requires rebuilding will be done on a like-for-like basis to ensure no loss of existing affordable housing.

This has been hailed as the most exciting and ambitious Council home building programme in London, and our new partner will be able to help us deliver our future vision for the borough.

Forming this joint venture will allow us to provide high-quality new homes for existing residents and young people who want to stay in the Borough.

### **Sapphire Ice and Leisure and Central Park Leisure Centre**

The Council's investment in sport and leisure also continues to make a significant impact on our communities. Sapphire Ice and Leisure has attracted more than 60,000 visitors in its first month since opening. Around 650 people have enrolled on learn to swim scheme, and 300 on the learn to skate lessons. Also, fitness memberships are already at 1,200.

Since the extension at Central Park leisure centre opened back in October, the centre has exceeded its 10-year target, and now for the first time, has 5,000 members, with 1,000 of those joining since the extension opened.

These figures alone show that residents, if given the opportunity, want to take responsibility for their own health and fitness, which will of course lead to better outcomes all round, for individuals, families and communities.

I'd like to take this opportunity to thank all those who were involved in delivering these facilities, both on time and on budget.

### **London Plan**

However, although we are doing as much as we can to improve housing provision and facilities in the borough, we do still have grave concerns about the proposals contained in the draft London Plan.

Recently published by the Mayor of London, the Plan proposes a housing target of 1,875 new homes per annum for Havering over the next ten years, which represents a 60 per cent increase on the figure included in the draft Havering Local Plan (1,170). Mayor Khan's target is higher even than the 30,000 needs assessment over 22 years given previously to us which equates to some 1300 a year. The Mayor's target is totally unacceptable, unachievable and unsustainable to the point of changing the unique and open character of our borough for the worse.

We have now responded to the consultation, setting out our concerns in the strongest possible terms and highlighting the fundamental flaws underlying the housing targets in the draft London Plan, which are both unrealistic and unachievable for Havering (and many other London Boroughs).

The draft London Plan does not properly recognise nor make provision for the timely and effective delivery of the social and community infrastructure, which is a fundamental component necessary to support the growth of sustainable communities and needed to ensure that individuals have health, well-being and a high quality of life

The draft Plan also fails to recognise that the transport circumstances in Outer London Boroughs like ours are very different from Central and Inner London. The Mayor of London's approach to matter such as modal shift and car parking provision must recognise that private car use will remain higher than in other parts of London because there is not the public transport infrastructure to support more journeys being made by this mode.

It has also failed to recognise that key strategic transport infrastructure is necessary in Havering.

It was also reported to London Councils yesterday that Mayor Khan is seeking an amendment to pending legislation to give him Permitted Development Rights to place electric car charging points in any road or street. Such rights would override any residents' consultation and indeed any council planning powers to prevent these installations even in the most inappropriate locations. It would seem that even Labour London councils will be with us in opposing this misguided proposal.

### **Fair funding**

The Ministry of Housing, Communities and Local Government (MHCLG) is undertaking a series of consultations on the future of local government funding that will affect all local authorities from 2020/21. The consultation on the Fair Funding review is one in a series of such consultations.

The consultation sets out MHCLG's proposed approach to the new needs assessment formula which proposes a simplified and more transparent approach, which is comprised of a foundation formula and some service-specific formulas.

We responded to the consultation on 12 March on the specific questions, drawing upon analysis jointly commissioned from LG Futures, working collaboratively with other outer London Boroughs who represent the nine lowest funded London Boroughs, and also work undertaken by London Councils on behalf of the whole of London.

We recognise that this the first stage of the consultation process, which focuses only upon the relative needs assessment. However, we stressed the equal importance that should be placed upon relative resources and transitional arrangements. Havering has been adversely impacted by inadequate funding settlements over several years due to the flaws within the current formula funding system. We are therefore keen to understand how Government intend to address the inequality in resourcing that has resulted from the existing needs formulae.

It is important that Government provide clarity of its intentions and consults in relation to the whole system on a timely basis, rather than on a piecemeal basis.

### **Restoration Project for the Windmill and the Visitor Centre**

Now moving on to the restoration project for the Upminster Windmill and Visitor Centre. The Visitor Centre building works are complete and the IT equipment is being installed. The building is now being used for organised groups and meetings ahead of the opening of the Windmill.

The restoration works on the Windmill are progressing well. Over the last couple of months the Millwright has been working on the repairs to the Cap Frame in his workshop in Holland. When it is completed it will be dismantled ready for transportation back to the UK. This work will continue until the new components of the wall frames have been completed. These will be transported back to the UK towards the end of this month. Very extensive works are required to the existing smock tower timbers due to their poor condition.

The Millwright is expected to finish the repairs on the Windmill at the end of December this year. External works and the fit out of the interior of the Mill will follow with a view to opening both buildings to the public at the end of April 2019.

### **Schools**

Since our last full council meeting, we have also had some good news in relation to our schools. 95 per cent of Havering primary pupils are now attending a 'Good' or 'Outstanding' school in the borough, above the national average of 90 per cent (as at 31.01.2018). This recent increase is directly linked to James Oglethorpe Primary school and Langtons Infant both being awarded a 'Good' Ofsted rating.

Ofsted inspected both schools during January 2018 and recently announced their positive findings. The inspections recognised the schools many strengths and that governors, staff and parents are focused on achieving the very best for pupils and families.

Since August 2015 Havering has improved the percentage of children attending an 'Outstanding' or 'Good' primary school by 15 per cent, compared to the national increase of five per cent. Working with schools our aim is for even further progress.

### **Thanks to the Retiring Members**

Finally, Madam Mayor, as this is the last council meeting of the term I would like to thank those councillors who are not seeking re-election for your service. It is not appropriate to refer to everyone until nominations close.

I would however like to mention specifically two members who have made it known that they will be retiring.

Firstly, may I thank you, Madam Mayor for your achievements this year in your civic role and for all your past work. More would of course be said about your mayoral year at the Annual Council Meeting.

Secondly, I thank Councillor Barbara Matthews for her exceptional record of 32 continuous service. During that period, she has been group leader and served on countless committees and on outside bodies. She was made honorary freeman. She has also stamped her character on our proceedings. Although that has not also been comfortable for my colleagues and myself I congratulate you on such a record of service.

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## London Borough of Havering

### Pay Policy Statement 2018/19

#### Appendix 2

#### 1. Introduction

2. This pay policy statement is produced in accordance with Chapter 8 of the Localism Act 2011 which requires the Council to prepare a pay policy statement by the 31 March each year before it comes into force.
3. This pay policy statement was approved by a meeting of full Council on 21 March 2018. The policy is made available on the Council's website.
4. Under the Localism Act 2011, the Council's pay policy statement must set out:
  1. the remuneration of its chief officers
  2. the remuneration of its lowest-paid employees
  3. the relationship between:
    - i. the remuneration of its chief officers and
    - ii. the remuneration of its employees who are not chief officers
5. Under the Localism Act 2011, Chief Officers in Havering are defined as those remunerated on the following grades:
  1. G18 (Chief Executive)
  2. G16/G17 (Director/Chief Operating Officer)
  3. G15 (Director/Assistant Director/Head of Service)
  4. G14/G13 (Director/Assistant Director/Head of Service)
6. This pay policy statement excludes staff in schools.
7. The Council's next pay policy statement will be for the year 2018/19 and will be submitted to a meeting of full Council for approval by 31 March 2018.

#### 8. Remuneration of Chief Officers

#### 9. Chief Executive

10. The Chief Executive role is the Council's Head of Paid Service.
11. The Chief Executive role is paid on the G18 grade comprising the following spinal points and annual Full Time Equivalent salary.

## G18

1. £167,217
  2. £168,768
  3. £170,319
  4. £171,870
  5. £173,421
- 
12. The values of the spinal points are increased in accordance with the Joint Negotiating Committee for Chief Executives of Local Authorities with effect from 1<sup>st</sup> April each year.
  13. Progression through the spinal points is subject to annual incremental progression
  14. The Chief Executive role is entitled to receive a separate Returning Officer fee in respect of elections. The approach to the setting of these fees is set out in Appendix 1.
  15. The Chief Executive role receives no other bonuses, overtime or any other additional salary payments.
  16. Director/Chief Operating Officer
  17. Director/Chief Operating Officer roles are paid on one of the following 2 grades comprising the following spinal points and annual Full Time Equivalent salary:

## G16

1. £112,215
2. £116,292
3. £120,375
4. £124,455
5. £128,535

## G17

1. £132,615
2. £136,698
3. £140,775
4. £144,858
5. £148,938



18. The values of the spinal points are increased in accordance with the Joint Negotiating Committee for Chief Officers of Local Authorities with effect from 1<sup>st</sup> April each year.
19. Progression through the spinal points is subject to annual incremental progression.
20. The Council's statutory chief officer roles currently undertaken by Director roles are detailed below :
  - Section 151 Officer (Finance) - attracts a market supplement of £2,385 per annum
  - Children's Services – Director of Children's Services (no additional payments)
  - Adults Social Services – Director Adult Social Care & Health (no additional payments)
21. Director/Chief Operating Officer roles may be entitled, if appointed for an election, to receive a fee for any Deputy Returning Officer role undertaken. The approach to the setting of these fees is set out in Appendix 1.
22. Director/Chief Operating Officer roles receive no other bonuses, overtime or any other additional salary payments.
23. Director/Assistant Director/Head of Service
24. Director/Assistant Director/Head of Service roles of larger services are paid on the following grade comprising the following spinal points and annual Full Time Equivalent salaries:
25. The following roles attract a Market Supplement of £7,664 per annum:
  - Director of Exchequer & Transactional Services
  - Director of Human Resources & Organisational Development

G15

1. £96,912
2. £98,952
3. £100,992
4. £103,035
5. £105,072

The values of the spinal points are increased in accordance with the Joint Negotiating Committee for Chief Officers of Local Authorities with effect from 1 April each year.

26. Progression through the spinal points of the grade is subject to annual incremental progression.
27. Director/Assistant Director/Head of Service roles may be entitled, if appointed for an election, to receive a fee for any Deputy Returning Officer role undertaken. The approach to the setting of these fees is set out in Appendix 1.
28. Director/Assistant Director/Head of Service roles receive no other bonuses, overtime or any other additional salary payments.
29. Director/Assistant Director/Head of Service
30. Director/Assistant Director/Head of Service roles of smaller services are paid on one of the following 2 grades comprising the following spinal points and annual Full Time Equivalent salaries:

G13

1. £76,509
2. £78,552
3. £80,589
4. £81,924
5. £84,672

G14

1. £86,712
2. £88,749
3. £90,792
4. £92,832
5. £94,872

31. The Head of Communications role attracts a Market Supplement of £21,192 per annum.
32. The values of the spinal points are increased in accordance with the Joint Negotiating Committee for Chief Officers of Local Authorities with effect from 1 April each year.
33. Progression through the spinal points is subject to annual incremental progression

34. The Deputy Director of Legal Services is the Council's Statutory Monitoring Officer. This post attracts an allowance of £10,000 per annum.
35. Director/Assistant Director/Head of Service roles may be entitled, if appointed for an election, to receive a fee for any Deputy Returning Officer role undertaken. The approach to the setting of these fees is set out in Appendix 1.
36. Other Assistant Director/Head of Service roles receive no other bonuses, overtime or any other additional salary payments.
37. **Other Remuneration for Chief Officers**
38. On appointment, Chief Officers will be placed on the appropriate spinal point within the appropriate grade and paid any other allowance/payment as set out in this pay policy statement, having regard to the knowledge, skills and competencies of the individual as well as their current and previous salary levels.
39. Where it is proposed, on appointment, to place a Chief Officer on a spinal point/grade or pay an allowance/payment outside of those set out in this pay policy statement, full Council will be given the opportunity to vote on the application of any salary package that exceeds £100,000pa.
40. The Council does not operate a performance related pay scheme or other bonus schemes for Chief Officers.
41. Chief Officers are not entitled to payment for any other charges, fees or allowances.
42. Chief Officers are not entitled to any benefits in kind as a result of their office or employment.
43. **Other Remuneration for Chief Officers and the Council's Other Employees**
44. The Council's policies regarding how the Council exercises the various employer discretions provided by the Local Government Pension Scheme (LGPS) are set out at Appendix 2. These discretions are applied equally to all employees. In general the Authority will not grant any increase or enhancement of pension entitlement as a result of its discretions policy, although each case will be determined on a case by case basis. As a result of the introduction of the new LGPS 2014 scheme

all employer and Administering Authority discretions have now been reviewed and noted by Pension Committee.

45. The Council's policies regarding how the Council exercises the various employer discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 are set out at Appendix 3.
46. On ceasing to be employed by the Council, all employees will only receive compensation:
  - in circumstances that are relevant (e.g. redundancy) and
  - that complies with the specific terms of any compromise agreement
47. Any severance package in excess of £100,000 (excluding annual pension/pension lump sum payments) will be subject of a vote by full Council.
48. All directly employed staff, whether permanent or fixed term, will be paid via the Council's payroll system and subject to deduction of tax and national insurance in accordance with PAYE regulations.
49. **Remuneration of the Council's Other Employees and the Council's Lowest Paid Employees**
50. The Council uses the following pay and grading structures to pay its other employees:
  - NJC for Local Government Employees (GLPC Outer London Pay Spine)
  - Soulbury Committee
  - JNC for Youth & Community Workers
  - School Teachers Pay & Conditions
51. The grades, incremental points and annual Full Time Equivalent salaries associated with these pay and grading structures are detailed at Appendix 4. The values of the spinal points are increased in accordance with the respective negotiating body with effect from a variety of dates each year.
52. The remuneration of the Council's other employees also includes the payments/allowances detailed at Appendix 5.
53. For the purpose of this pay policy statement the Council's lowest paid employees are defined as those paid at G1, spinal column point 7 of the NJC for Local Government Employees (GLPC Outer London Pay Spine), for which the annual Full Time Equivalent salary is £17,985.

54. For the purposes of this pay policy statement the Council's median paid employee is paid at G5, spinal column point 26 of the NJC for Local Government Employees (GLPC Outer London Pay Spine), for which the annual Full Time Equivalent salary is £26,805.

55. **Relationship between the remuneration of the Council's top earner, its lowest paid employees and other employees**

56. Although the Council does not have a policy regarding the ratio between the remuneration of its top earner, its lowest paid employees and other employees, the current ratios are detailed below.

Top Earner : Lowest Paid Employee	1:9
Top Earner : Median Paid Employee	1:6

## **Approach to the Setting of Returning Officer/Deputy Returning Officer Fees**

### Local Elections

Returning Officer fees are paid in accordance with the scale of fees agreed by the Leaders Committee of London Councils. The fees are funded by the Council which provides a budget every fourth year for running local elections. Fees for Deputy Returning Officer roles are paid by the Returning Officer from a budget allocated for clerical assistance and vary in accordance with duties and responsibilities undertaken.

### Greater London Authority Elections

Returning Officer fees are set by the Greater London Returning Officer. The fees are funded by the Greater London Authority. Fees for Deputy Returning Officer roles are paid by the Returning Officer from a budget allocated for clerical assistance (and/or by allocation of some of the Returning Officer fee) and vary in accordance with duties and responsibilities undertaken.

### European Parliamentary and Parliamentary Elections and National Referenda

Returning Officer fees are set by the Central Government usually through the publication of a Statutory Instrument. The fees are funded by Central Government. Fees for Deputy Returning Officer roles are paid by the Returning Officer from a budget allocated for clerical assistance (and/or by allocation of some of the Returning Officer fee) and vary in accordance with duties and responsibilities undertaken.



**London Borough of Havering**  
**Employing Authority Discretions and Administration**  
**Authority Discretions**  
**Statement of Policy**



**1) Determination of contribution rate and how it will be determined (9(1) and 9(3))**

- The employee contribution band will be reviewed each April.
- Contributions are payable on all pay received such as non-contractual overtime or additional hours. Reductions in pay due to sickness, child related leave etc. are ignored. The salary used to determine the band will be assessed by taking into account basic salary each April plus any additional hours or overtime that were paid for in the previous financial year.

**2) Funding of additional pension contributions (16(2)(e) and 16(4)(d)) (LGPS 2013)**

**Where APCs are to be paid by regular contributions, whether to fund in whole or in part a members additional pension contribution. The maximum additional pension which can be purchased from 1 April 2014 is £6,500. (16(2)(e))**

**Where APCs are to be paid by a lump sum contribution, whether to fund in whole or in part members additional pension contribution. The maximum additional pension which can be purchased from 1 April 2014 is £6,500. (16(4)(d))**

The Council will generally not contribute by either regular contributions or lump sum contribution towards a members additional pension contributions but may determine on a case by case basis if there has been any operational benefit gained by the employer and if so whether the APC should be wholly or partly funded. Strike action will not be funded.

**3) Flexible retirement (30(6)) (LGPS 2013)**

**Whether to allow an active member, who has attained the age of 55 or over, who reduces their working hours or grade, to receive immediate payment of all or part of their retirement pension to which the member is entitled to in respect of that employment, subject to an actuarial reduction.**

The Council has decided to allow flexible retirement in cases where there is normally no or minimal cost to the Council on a case by case basis, ensuring the detailed merits of each individual case is taken into account. Employees can choose to draw all of their pension benefits or defer payment of all or part of their fund which has accrued since 1 April 2008. The following criteria will apply: there must be at least a 25% reduction in pay or hours; the member may not move to another promotion post with the Council and/or increase their hours following flexible retirement; will not be granted a 2<sup>nd</sup> or subsequent flexible retirement.



Flexible retirement will normally result in an actuarial reduction of pension benefits. In exceptional circumstances the Council may consider waiving the actuarial reduction where it is in the Council's interest to do so.

#### **4) Waiving actuarial reduction (30(8)) (LGPS 2013)**

**Whether to waive, in whole or in part, any reduction to a members pension benefits as a result of a member who has not attained normal pension age but who has attained the age of 55 or over and has elected to receive immediate payment of a retirement pension.**

There will normally be a reduction to the pension where employees retire before their normal pension age with insufficient service to qualify for a full pension, except in compassionate grounds. Compassionate is normally defined as:

- The applicant had to leave employment to care for a dependent who is suffering from long term illness/incapacity. For this purpose dependent normally includes a partner, child or parent; and
- That the dependant's need is for constant supervision for both day and night and that this is supported by confirmation from the Benefits Agency that an Attendance Allowance at the higher rate is payable; and
- That the dependant has no recourse to alternative means of support from his/her immediate family nor the financial resources to provide independent care support (for this purpose a certified statement of income and expenditure will be required); and
- That the applicant is suffering or facing severe financial hardship, that the applicant has no other significant source of income and that their personal financial circumstances are unlikely to improve. For this purpose the applicant will be required to submit a certified statement of income and expenditure covering both the applicant and any partner living with them; and
- That the applicant's opportunities for employment are severely limited by the nature of the care duties they are undertaking.

Flexible retirement will normally result in an actuarial reduction of pension benefits. In exceptional circumstances the Council may consider waiving the actuarial reduction where it is in the Council's interest to do so.

**5) Award of additional pension (31) (LGPS 2013)**

**Whether to award additional pension up to a maximum of £6,500 to an active member or a member who was an active member who was dismissed by reason of redundancy, or business efficiency, or whose employment was terminated by mutual consent on grounds of business efficiency within 6 months of the date the member's employment ended.**

The Council will not generally apply this discretion but in extreme cases consider on a case by case basis.

**6) Applying the rule of 85 (Transitional 2014)**

**'Switch on' the 85 year rule protection, allowing a member to receive fully or partly unreduced benefits subject to the Scheme employer paying a strain cost to the Pension Fund (Schedule 2 paragraph 1 (1) (c) ( Application of the 85 year rule between age 55 & 60) and that is correct).**

The Council will not usually exercise discretion to fund additional costs applicable to the 85 Year Rule for 55 to 60 year olds. However in exceptional circumstances, to be considered on individual merits on a case by case basis, where this is of benefit to the Council then the Council may exercise discretion to pay the cost waiving actuarial reductions.

**7) Whether to grant application for early payment of deferred benefits on or after age 55 and before age 60. NB: The rule of 85 currently applies for members for member who qualify for the rule and it cannot be turned off.**

Elections made under this Regulation by members aged less than 60 are ineffective without employer consent of the employing authority or former employing authority. No employees will be permitted to receive early payment of benefits prior to age 60 except in compassionate cases. Applications may be granted on a case by case basis in circumstances where it may be considered to be to the Council's operational or financial advantage.

**8) Regulation 30 (5) (Waiving of actuarial reduction)**

**Whether to waive, on compassionate grounds, any actuarial reduction applying to a member’s deferred benefits that are paid early.**

Elections made under this Regulation by members aged less than 60 are ineffective without employer consent of the employing authority or former employing authority. No employees will be permitted to receive early payment of benefits prior to age 60 except in compassionate cases. Applications may be granted on a case by case basis in circumstances where it may be considered to be to the Council’s operational or financial advantage.

## Local Government Pension Scheme Regulations 2013

		Discretion application
9(1)	Determination of contribution rate and how it will be determined.	<p>For new employees - Where possible a reasonable assessment is made and the contribution rate relevant to that annual rate is applied.</p> <p>The contribution policy is:</p> <p>The employee contribution band will be reviewed <b>each April</b>.</p> <p>Contributions are payable on all pay received such as non-contractual overtime or additional hours. Reductions in pay due to sickness, child related leave etc. are ignored. The salary used to determine your band will be assessed by taking into account basic salary each April plus any additional hours or overtime that were paid for in the previous financial year.</p> <p>A review of the initial policy is periodically undertaken to ensure a reasonable contribution collection.</p>

9(3)	To determine a revised employee contribution rate where there is a change in employment or a material change affecting the member's pensionable pay in the course of a year.	<p>Contributions are payable on all pay received such as non-contractual overtime or additional hours. Reductions in pay due to sickness, child related leave etc. are ignored. The salary used to determine your band will be assessed by taking into account basic salary each April plus any additional hours or overtime that were paid for in the previous financial year.</p> <p>We will review the banding in the event of a material change where a member requests such a review.</p>
16(2)(e) and 16(4)(d)	Whether and how much and in what circumstances to contribute to a shared cost APC/SCAPC	Generally this discretion will not be exercised but delegated authority is given to the Pensions Panel to determine on a case by case basis if there has been any operational benefit gained by the employer and if so whether the APC should be wholly or partly funded. As a general rule the Council will not contribute to a shared cost APC/SCAPC where the absence is due to an unauthorised absence such as strike action.
17(1)	Establishment of a Shared Cost AVC (SCAVC) facility	The decision taken by the Investment Committee in 2001 is still relevant, therefore for the time being the Council does not set up a shared cost AVC facility.

19(2)	Right to a refund if member left due to offence of fraudulent character or grave misconduct	In the first instance withhold the return of contributions in all cases but each situation is considered on a case by case basis with delegated powers being given to the Pensions Panel
20(1)	Specify in an employee's contract benefits to be determined as pensionable	Where the Council wishes to specify in a contract of employment that other payments or benefits may also be pensionable it is determined by the Pension Panel on a case by case basis with the appropriate business case being presented
21(5)	Determine "regular lump sum" for Assumed Pensionable Pay	Where necessary the Transactional Manager (HR, Pensions and Payroll) is given delegated authority to make a determination on a case by case basis
22(7)(b)	Extension of time limit for deferred benefits to not be aggregated (concurrent employments)	Where a decision is required delegated authority is given to the Team Leader (Pensions Administration) to take account on a case by case basis of the relevant circumstances whether or not the 12 month time limit is to be extended and that the decision is communicated in writing to the scheme member within one month of the decision being made.
22(8)(b)	Extension of time limit for deferred benefits to not be aggregated	Where a decision is required delegated authority is given to the Team Leader (Pensions Administration) to take account on a case by case basis of the relevant circumstances whether or not the 12 month time limit is to be extended and that the decision is communicated in writing to the scheme member within one month of the decision being made.
30(6), and 11(2) of the Transitional Provisions Regulations –	Flexible retirement and waiving any actuarial reduction that would apply	A business case is prepared for each request, ensuring that this includes the Fund cost and any costs of additional salaries for a new part-time post to fill the reduced capacity, as well as quantifying the benefits of agreeing to the flexible retirement.  Any actuarial reduction will not be waived.

30(8)	<p>To waive in whole or in part an actuarial reduction due for a member:</p> <ul style="list-style-type: none"> <li>• Who is allowed to take flexible retirement and is not protected by the 85 year rule</li> <li>• Who having reached age 55 but not yet their normal retirement age and who is no longer working in the employment in relation to their accrued benefits elects to receive early payment of their benefits*</li> </ul>	<p>A business case is prepared for each request, ensuring that this includes the Fund cost and any costs of additional salaries for a new part-time post to fill the reduced capacity, as well as quantifying the benefits of agreeing to the flexible retirement.</p> <p>Any actuarial reduction will not be waived.</p>
31	Power of employing authority to grant additional pension to an active member	The Council does not generally apply this discretion to award additional pension but may in extreme cases consider on a case by case basis where the full cost benefit is presented in a business case and agreed by the Pension Panel.
37(3)	Recovery of payments following date of discontinuance of third tier ill health pension entitlement	Where pension payments have continued to be paid after the date of discontinuance they should be recovered in all cases with the individual being notified of the repayment procedure and timescales.
37(7)	Subsequent determination on level of ill health benefit following review of third tier ill health award as to whether tier two ill health benefits should apply.	Where in the opinion of the medical adviser and any other relevant information available in each individual case, if the member at the time of the review of their tier 3 ill health entitlement, satisfies the requirements of a tier 2 ill health pension the Council agrees and determines to put the increased ill health pension into payment. Where the member does not satisfy the requirements of a tier 2 ill health pension all the facts of the case are presented to the Pension Panel for a final determination.

38(6)	Decision whether a deferred and deferred pensioner member meets criteria for early payment due to permanent ill health	Where the Council is required to make a determination as to agreeing to the early payment of a deferred pension on the grounds of permanent ill health once the opinion has been received from the IRMP, all the facts of the case are presented to the Pension Panel for a final determination.
91 to 93	Forfeiture of pension rights as a result of offences or misconduct	The Council will seek recovery of any loss it has suffered and any such cases are referred to the Pension Panel to be considered
95	Impact of forfeiture decision on surviving spouse or civil partner	The Council will seek recovery of any loss it has suffered and any such cases are referred to the Pension Panel to be considered.
98(1)(b)	Agreement to a bulk transfer	Each opportunity is determined on a case by case basis with delegated authority given to the Transactional Manager (Exchequer and Transactional) in consultation with the Fund actuary.
100(6)	Extension of time limit to accept a transfer value	Where discretion needs to be exercised it is determined on a case by case basis with delegated authority given to the Team Leader (Pensions Administration).

## Government Pension Scheme (Transitional Provisions and Savings and Amendment) Regulations 2014

Regulation	Description	Discretion application
3(6), 4(6)(c), 8(4), 10(2)(a), 17(2) and 17(2)(b)	Agreement to member selecting final pay period for fees	Where a scheme member's final pay consists of fees then the use of a period of three years ending on 31st March in last ten will be permitted so as to have a fairer fee figure used in the calculation of benefits.
12(6)	Use of an ill health certificate produced under the 2008 scheme	Delegated authority is given to the Team Leader (Pensions Administration) to agree the use of a certificate produced under the 2008 scheme on a case by case basis.
	Continuing contribution in to a Shared Cost AVC (SCAVC) facility	The Council did not agree to the setting up of a Shared Cost AVC (SCAVC) facility so therefore this discretion does not apply.
15(1)(d)	Allow late application to convert scheme AVCs into membership credit	Where an election is received late then delegated authority is given to the Team Leader (Pensions Administration) to determine on a case by case basis.
Schedule 2 paragraph 1(1)(c)	<p>To allow the rule of 85 to apply for members (who otherwise qualify for the rule) electing to take early payment of their pension on or after age 55 and before age 60 under regulation 30(5) of the Local Regulations 2013.</p> <p>i.e. Use of the discretion waives the actuarial reduction that would otherwise arise. NB: This applies only to members who were members of the LGPS after 1 April 2014.</p>	<ul style="list-style-type: none"> <li>If the member satisfies the 85 year rule, that part of the member's benefits accrued under the Earlier Scheme(s) which is calculated by reference to any period of membership before the 1 April 2014 is reduced by reference to the period between the date of the request and age 60.</li> </ul>



		<ul style="list-style-type: none"> <li>If the member does not satisfy the 85 year rule, that part of the member's benefits accrued under the Earlier Scheme(s) which is calculated by reference to any period of membership before the 1 April 2014 is reduced by reference to the period between the date of the request and the date the member would satisfy the 85 year rule, or age 60 if later.</li> </ul> <p>Each case be dealt with on a case by case basis and although generally the 85 year rule will be applied as above, where there may be a circumstance for a different application agreement is sought from the Pension Panel.</p>
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## Discretions in relation to the Local Government Pension Scheme (Benefits Membership and Contributions) Regulations 2007

Regulation	Description	Discretion Application
11(2)	Final pay period to be used where a member's pay consists of fees	Where a scheme member's final pay consists of fees then the use of a period of three years ending on 31st March in last ten will be permitted so as to have a fairer fee figure used in the calculation of benefits.
12	Increase total membership for an active member (This will be spent after 30 September 2014)	For the remaining period for which this discretion will apply that the Council will not agree to the award of increased membership.
30(2)	Consenting to the immediate payment of benefits between age 55 and 60	No applications are permitted to receive early payment of their unreduced benefits prior to age 60 except in compassionate cases. Applications may be granted on a

		case by case basis in circumstances where it may be considered to be to the Council's operational or financial advantage subject to a business case to the Pension Panel.
30(5)	Waiving an actuarial reduction to pension benefits on compassionate grounds	<p>The waiving of an actuarial reduction on compassionate grounds will be considered on a case by case basis with the following criteria taken into consideration–</p> <ul style="list-style-type: none"> <li>Leave employment to care for dependent</li> <li>Dependents need for constant supervision</li> <li>No recourse to alternative care</li> <li>Suffering severe hardship</li> <li>Opportunity for employment severely limited</li> </ul> <p>If all the above criteria are met the Pension Panel will consider such cases, and that any costs that are incurred are paid by the relevant service/department. Any actuarial reduction that may apply will not be waived.</p>
30A(3)	Consenting to application of payment for a suspended tier 3 ill health pension	<p>Generally applications will not be agreed but may be granted on a case by case basis with all circumstances being taken account and to be determined by the Pension Panel.</p> <p>Where the Council is required to make a determination as to agreeing to the early payment of a deferred pension on the grounds of permanent ill health that once the opinion has been received from the IRMP, all the facts of the case will be presented to the Pension Panel for a final determination.</p>
30A(5)	To waive actuarial on compassionate grounds	The Pension Panel will determine each application on a case by case basis and that it will only agree to the waiving of an actuarial reduction in extreme circumstances where the application has been enforced on the member due to unforeseen circumstances or circumstances beyond their

		control.
Regulation 31(4) and 31(7)-	Determine payment of deferred pension on health grounds. Decision whether a deferred or deferred pensioner member meets criteria for early payment due to permanent ill health	Where the Council is required to make a determination as to agreeing to the early payment of a deferred pension on the grounds of permanent ill health once the opinion has been received from the IRMP all the facts of the case are presented to the Pension Panel for a final determination.

## Discretions in relation to the Local Government Pension Scheme (Administration) Regulations 2008

		Discretion application
Regulation 47(2)	Payment of a refund of contributions in misconduct cases	In the first instance the return of contributions will be withheld in all cases but each situation is considered on a case by case basis with delegated powers being given to the Pension Panel.
Regulation 72	Forfeiture of pension rights as a result of offences or misconduct	The Council seeks recovery of any loss it has suffered and any such cases are referred to the Pension Panel.

## Discretions in relation to the Local Government Pension Scheme Regulations 1997 (The 1997 Pension Regulations) (some may continue to apply in relation to historical cases or councillors)

There are a number of regulations within the former 1997 Pension Regulations that apply to councillors who elect to join the LGPS. Where discretions are applicable in relation to active councillor members they should be applied as they are mirrored within the LGPS Regulations applicable from 1 April 2014.

Regulation	Description	Discretion application
22(1)(b)	Allow post 31 March 1998 / pre 1 April 2008 member to select final pay period for fees to be a period of not less than 3 or more than 5 years back from date of leaving	Delegated powers have been given to the Pension Panel
23 (4)	Issue a certificate of protection of pension benefits where eligible non-councillor member fails to apply for one (pay reduction / restrictions occurring pre 1 April 2008)	Delegated powers have been given to the Pension Panel
31(2)*	Whether to grant applications for the early payment of pension benefits on or after age 55 and before age 60. NB: The rule of 85 currently applies for members who qualify for the rule and it cannot be turned off.	No employees are permitted to receive early payment of benefits prior to age 60 except in compassionate cases, where the payment of such benefits would arise on a voluntary basis.  Applications may be granted on a case by case
31(5)*	Whether to waive, on compassionate grounds, any actuarial reduction applying to a member's benefits that are paid before age 65.	Will be considered on a case by case basis.

31 (7A)	Whether to allow an employee who opted out to receive their benefits from their normal retirement date.	This to be allowed
34(1)(b)	Where a scheme member would be entitled to a pension or retirement grant under two or more regulations by reason of the same period of scheme membership, the employer can choose which benefits is to be paid if the member does not make a choice within 3 months of becoming entitled to elect.	Delegated powers have been given to the Pension Panel
71(7)(a)	Consent to a member's former employer assigning to the new employer rights under any SCAVC life assurance policy (pre 1 April 2008 non-councillor leavers)	No SCAVC payments are permitted.
88(2)	No right to return of contributions due to offence of a fraudulent character unless employer directs a total or partial refund is to be made (councillors and pre 1 April 2008 leavers)	Delegated powers have been given to the Pension Panel
92	Contribution Equivalent Premium (CEP) in excess of the Certified Amount (CA) recovered from a refund of contributions can be recovered from the Pension Fund (councillor or pre 1 April 2008 leaver)	Contribution Equivalent Premium (CEP) in excess of the Certified Amount (CA) recovered from a refund of contributions will be recovered from the Pension Fund
111(2) & (5)	Forfeiture of pension rights on issue of Secretary of State's certificate (councillors and pre 1 April 2008 leavers)	Delegated powers have been given to the Pension Panel
112(1)	Where forfeiture certificate is issued, direct interim payments out of Pension Fund until decision is taken to either apply the certificate or to pay benefits (pre 1 April 2008 leavers)	Delegated powers have been given to the Pension Panel

113(2)	Recovery from Fund of monetary obligation owed by former employee or, if less, the value of the member's benefits (other than transferred in pension rights ) (pre 1 April 2008 leavers)	Delegated powers have been given to the Pension Panel
115(2) & (3)	Recovery from Fund of financial loss caused by employee, or amount of refund if less (pre 1 April 2008 leavers)	Delegated powers have been given to the Pension Panel

## Discretions in relation to the Local Government Pension Scheme Regulations 1995 (the “1995 Pension Regulations”)

There are some regulations within the former 1995 Pension Regulations that still apply scheme members who ceased active membership before 1 April 1998. Where discretions are also applicable in relation to active members in the LGPS2014 Regulations they should be applied as they are mirrored within the LGPS Regulations applicable from 1 April 2014.

Regulation	Description	Discretion application
D11(2)(c)	Grant application from a pre 1 April 1998 leaver for early payment of deferred benefits on or after age 50 on compassionate grounds	Delegated powers have been given to the Pension Panel
D10	Decide in the absence from a pre 1 April 1998 leaver of an election from the member within 3 months of being able to elect, which benefit is to be paid where the member would be entitled to a pension or retirement grant under 2 or more regulations in respect of the same period of Scheme membership	Delegated powers have been given to the Pension Panel

## **SCHEME EMPLOYER CONFIRMATION**

The Pension Committee (24 June 2014) delegated to the Group Director of Resources, the Director of Human Resources and Organisational Development, and the Council's Monitoring Officer, acting jointly, the setting of the discretion decisions and Policy Statement.

It is understood that the discretions contained within this statement of policy are applicable to all eligible members of the Scheme. The Scheme rules allow for a revised statement to be issued at least one month in advance of the date that any new policy takes effect. The revised statement must be sent to the administering authority and the employer must publish its statement as revised in a place that is accessible to all of its eligible scheme members.

The policies made above:

- Have regard to the extent to which the exercise of the discretions could lead to a serious loss of confidence in the public service;
- Will not be used for any ulterior motive;
- Will be exercised reasonably;
- Will only be used when there is a real and substantial future benefit to the employer for incurring the extra costs that may arise;
- Will be duly recorded when applied.

Agreed on behalf of the Scheme Employer by the Group Director of Resources, the Director of Human Resources and Organisational Development, and the Council's Monitoring Officer, acting jointly.

Scheme Employer's Name: The London Borough of Havering

Date: 29 July



**The Local Government (Early Termination Of Employment)  
(Discretionary Compensation) (England And Wales)**

**Regulations 2006**

**Statement of Policy**

**(as amended)**

**(Published March 2010, effective from 1st April 2010)**

*The Council has made decisions under the above Regulations, which have resulted in the following policies being adopted. (Please note the above Regulations only apply to employees of the Council who are eligible to be members of the Local Government Pension Scheme (LGPS) and who have been employed for 2 years or more – **they do not apply to teachers**). All awards are subject to the Pension Scheme Regulations.*

**Increase of Statutory Redundancy Payments**

All redundancy payments will be based on an employee's actual weekly rate of pay.

**Compensation for Redundancy: General**

Employees whose employment is terminated by reason of redundancy will be paid according to the statutory redundancy table based on actual pay. Those who receive immediate pension benefits will have their redundancy payment capped at a maximum of £30,000.

**Added Pension Years Award for those aged 55 and over**

Employees aged 55 or over who are members of the LGPS and whose employment is terminated by reason of redundancy or in the interests of the efficient exercise of the authority's functions will be eligible for immediate payment of pension benefits. The Local Government (Early Termination Of Employment) (Discretionary Compensation) (England And Wales) Regulations 2006 do not provide for the award of compensatory added years.



## Grades, Incremental Points and Annual Full Time Equivalent Salaries for the Council's Other Employees

### 1. NJC for Local Government Employees (with effect from 1/4/17 to 31/3/18)

#### Administrative, Professional, Technical, Clerical Staff & Principal Officers & Social Workers

#### GLPC Outer London Pay Spine (Havering Council)

Spinal Point	G1	Spinal Point	G2	Spinal Point	G3	Spinal Point	G4	Spinal Point	G5	Spinal Point	G6
7	£17,985	11	£18,357	16	£19,281	21	£21,984	26	£25,242	31	£29,517
8	£18,051	12	£18,375	17	£19,623	22	£22,506	27	£26,019	32	£30,324
9	£18,105	13	£18,396	18	£19,917	23	£23,115	28	£26,805	33	£31,170
10	£18,330	14	£18,657	19	£20,598	24	£23,802	29	£27,801	34	£31,998
11	£18,357	15	£18,936	20	£21,276	25	£24,510	30	£28,668	35	£32,628
Spinal Point	G7	Spinal Point	G8	Spinal Point	G9	Spinal Point	G10	Spinal Point	G11	Spinal Point	G12
36	£33,444	41	£38,229	46	£42,876	51	£47,544	57	£53,478	66	£62,829
37	£34,338	42	£39,147	47	£43,815	52	£48,489	58	£54,480	67	£64,140
38	£35,286	43	£40,086	48	£44,751	53	£49,452	59	£55,494	68	£65,481
39	£36,372	44	£41,025	49	£45,666	54	£50,445	61	£57,501	70	£68,259
40	£37,293	45	£41,898	50	£46,608	55	£51,465	63	£59,523	71	£70,809

#### GLPC Outer London Pay Spine

Spinal Point	Pay	Spinal Point	Pay	Spinal Point	Pay
		27	£26,019	49	£45,666
6	£17,961	28	£26,805	50	£46,608
7	£17,985	29	£27,801	51	£47,544
8	£18,051	30	£28,668	52	£48,489
9	£18,105	31	£29,517	53	£49,452
10	£18,330	32	£30,324	54	£50,445
11	£18,357	33	£31,170	55	£51,465
12	£18,375	34	£31,998	56	£52,476
13	£18,396	35	£32,628	57	£53,478
14	£18,657	36	£33,444	58	£54,480
15	£18,936	37	£34,338	59	£55,494
16	£19,281	38	£35,286	60	£56,496
17	£19,623	39	£36,372	61	£57,501
18	£19,917	40	£37,293	62	£58,515
19	£20,598	41	£38,229	63	£59,523

<b>20</b>	£21,276	<b>42</b>	£39,147	<b>64</b>	£60,525
<b>21</b>	£21,984	<b>43</b>	£40,086	<b>65</b>	£61,536
<b>22</b>	£22,506	<b>44</b>	£41,025	<b>66</b>	£62,829
<b>23</b>	£23,115	<b>45</b>	£41,898	<b>67</b>	£64,140
<b>24</b>	£23,802	<b>46</b>	£42,876	<b>68</b>	£65,481
<b>25</b>	£24,510	<b>47</b>	£43,815	<b>69</b>	£66,861
<b>26</b>	£25,242	<b>48</b>	£44,751	<b>70</b>	£68,259

## **2.Soulbury Committee (with effect from 1/9/17 to 31/8/18)**

### **Educational Improvement Professionals**

<b>Spine Point</b>	<b>Salary</b>	<b>Spine Point</b>	<b>Salary</b>
1	£34,067	26	£62,914
2	£35,287	27	£64,001
3	£36,439	28	£65,102
4	£37,606	29	£66,207
5	£38,767	30	£67,309
6	£39,928	31	£68,402
7	£41,148	32	£69,512
8	£42,321*	33	£70,623
9	£43,689	34	£71,761
10	£44,908	35	£72,895
11	£46,112	36	£74,062
12	£47,277	37	£75,210
13	£48,597 **	38	£76,371
14	£49,773	39	£77,515
15	£51,073	40	£78,659
16	£52,248	41	£79,809
17	£53,426	42	£80,958
18	£54,582	43	£82,106
19	£55,775	44	£83,259
20	£56,391 ***	45	£84,410
21	£57,575	46	£85,562
22	£58,607	47	£86,719
23	£59,744	48	£87,865 ****
24	£60,762	49	£89,016 ****
25	£61,851	50	£90,168 ****

Salary scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit and motivate staff.

\*normal minimum point for EIP undertaking the full range of duties at this level.

\*\*normal minimum point for senior EIP undertaking the full range of duties at this level.

\*\*\*normal minimum point for leading EIP undertaking the full range of duties at this level.

\*\*\*\*extension to range to accommodate structured professional assessments.

### **Educational Psychologists – Scale A**

<b>Spine Point</b>	<b>Salary</b>
1	£35,731
2	£37,545
3	£39,359
4	£41,171
5	£42,984
6	£44,797
7	£46,504
8	£48,211
9	£49,810*
10	£51,411*
11	£52,903*

#### Notes

Salary scales to consist of six consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.

\*Extension to scale to accommodate structured professional assessment points.

### **Senior & Principal Educational Psychologists**

<b>Spine Point</b>	<b>Salary</b>
1	£44,797
2	£46,504
3	£48,211*
4	£49,810
5	£51,411
6	£52,903
7	£53,516
8	£54,661
9	£55,795
10	£56,950
11	£58,081
12	£59,235
13	£60,409
14	£61,543**

15	£62,731**
16	£63,908**
17	£65,093**
18	£66,276**

Notes

Salary scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.

\*Normal minimum point for the principal educational psychologist undertaking the full range of duties at this level.

\*\*Extension to range to accommodate discretionary scale points and structured professional assessments.

**Trainee Educational Psychologists**

<b>Spine Point</b>	<b>Salary</b>
1	£22,955
2	£24,636
3	£26,314
4	£27,996
5	£29,675
6	£31,355

**Assistant Educational Psychologists**

<b>Spine Point</b>	<b>Salary</b>
1	£28,218
2	£29,371
3	£30,523
4	£31,669

**Young People's Community Service Managers**

<b>Spine Point</b>	<b>Salary</b>	<b>Spine Point</b>	<b>Salary</b>
1	£35,333	13	£49,103
2	£36,489	14	£50,259
3	£37,645	15	£51,417
4	£38,824*	16	£52,578
5	£40,023	17	£53,745
6	£41,192	18	£54,904
7	£42,388**	19	£56,057
8	£43,747	20	£57,235***
9	£44,497	21	£58,435***
10	£45,654	22	£59,663***
11	£46,805	23	£60,915***

12

£47,958

24

£62,194\*\*\*

Notes:

The minimum Youth and Community Service Officers' scale is 4 points.

Other salary scales to consist of not more than four consecutive points based on duties and responsibilities attaching to posts and the need to recruit retain and motivate staff.

\*normal minimum point for senior youth and community service officers undertaking the full range of duties at this level.

\*\*normal minimum point for principal youth and community service officer undertaking the full range of duties at this level.

\*\*\*extension to range to accommodate discretionary scale points and structured professional assessments.

**London Area Payments**

With effect from 1<sup>st</sup> September 2017 staff in the London area shall receive the following:

(a) at the rate of £3,057 per annum to officers serving in the Inner area.

(b) at the £2,016 per annum to officers serving in the Outer area.

(c) at the rate of £779 per annum to officers serving in the Fringe area.

(d) officers normally serving in the London area but temporarily employed elsewhere shall continue to receive London area payments at the rate appropriate to their normal area of employment.

(e) in the case of an officer required to serve in different parts of the London areas, or partly outside that area, the officer shall be deemed to be serving in the area in which he is required to spend more than one half of his time.

(f) for the purpose of this paragraph –

**The “Inner Area”** means the area of the London Boroughs of: Camden, City of London, Greenwich, Hackney, Hammersmith & Fulham, Islington, Kensington & Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth, Westminster (the former Inner London Education Authority), and the London Boroughs of Barking and Dagenham, Brent, Ealing, Haringey and Merton.

**The “Outer Area”** means Greater London, excluding the Inner area.

**The “Fringe Area”** means:

Berkshire: the districts of Bracknell, Slough, Windsor and Maidenhead.

Buckinghamshire: the districts of Beaconsfield and Chiltern.

Essex: the districts of Basildon, Brentwood, Epping Forest, Harlow and Thurrock.

Hertfordshire: the districts of Broxbourne, Dacorum, East Hertfordshire, Hertsmere, St. Albans, Three Rivers, Watford and Welwyn Hatfield.

Kent: the districts of Dartford and Sevenoaks. Surrey: the whole County.

West Sussex: the district of Crawley.

**The “London Area”** comprises the Inner area, the Outer area and the Fringe area.

**3. JNC for Youth & Community Workers (with effect from 1/9/16 to 31/8/18)**

**Support Worker Level**

<u>Spine Point</u>	<u>1/9/16</u>	<u>1/9/17</u>
2	15,507	15,807
3	16,117	16,417
4	16,681	16,931
5	17,241	17,491
6	17,828	18,006
7	18,450	18,636
8	19,069	19,260
9	19,856	20,055
10	20,472	20,677
11	21,467	21,682
12	22,441	22,665
13	23,445	23,679
14	24,485	24,730
15	25,194	25,446
16	25,935	26,194
17	26,662	26,929

<u>Grade</u>	<u>Spine Points</u>	<u>Grade</u>	<u>Spine Points</u>	<u>Grade</u>	<u>Spine Points</u>
First Level		Second Level		Second Level (Contd.)	
YSW 11	1-4	YSW 21	7-10	YSW 25	11-14
YSW 12	2-5	YSW 22	8-11	YSW 26	12-15
YSW 13	3-6	YSW 23	9-12	YSW 27	13-16
		YSW 24	10-13	YSW 28	14-17

**Professional Level**

<u>Spine Point</u>	<u>1/9/16</u>	<u>1/9/17</u>
13	23,445	23,679
14	24,485	24,730
15	25,194	25,446
16	25,935	26,194
17	26,662	26,929
18	27,396	27,670
19	28,123	28,404
20	28,852	29,141
21	29,672	29,969
22	30,601	30,907

23	31,505	31,820
24	32,413	32,737
25	33,329	33,662
26	34,243	34,585
27	35,159	35,511
28	36,085	36,446
29	37,005	37,375
30	37,924	38,304
31	38,545*	38,930*
32	39,565*	39,961*

\* Discretionary Points

### **LONDON AREA ALLOWANCE**

	<b>2016</b>	<b>2017</b>
Outer	£1979	£1,999

### **SLEEPING IN DUTY ALLOWANCE**

	<b>2016</b>	<b>2017</b>
Sleeping in Allowance	£34.34	£34.68
Disturbance Element	£19.19	£19.38

## **4. School Teachers Pay & Conditions**

### **Unqualified Teachers**

<b>Spine Point</b>	<b>Salary</b>
1	£19,749
2	£21,684
3	£23,618
4	£25,555
5	£27,487
6	£29,422

### **Main Pay Scale**

<b>Spine Point</b>	<b>Salary</b>
M1	£26,662
M2	£28,315
M3	£30,067
M4	£31,929
M5	£34,637
M6	£37,645

### **Upper Pay Scale**

<b>Spin Point</b>	<b>Salary</b>
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U1	£39,519
U2	£40,981
U3	£42,498

Lead Practitioner

Minimum	£42,498
Maximum	£62,985

Teaching and Learning Responsibility

Minimum	£529
Maximum	2,630

Additional Payments for Class Teachers

TLR 2 min	£2,667
TLR 2 max	£6,515

TLR 1 min	£7,699
TLR 1 max	£13,027

SEN min	£2,106
SEN max	£4,158

**Leadership**

Scale	Salary
L1	£42,498
L2	£43,486
L3	£44,490
L4	£45,525
L5	£46,582
L6	£47,667
L7	£48,870
L8	£49,924
L9	£51,090
L10	£52,325
L11	£53,597
L12	£54,766
L13	£56,059
L14	£57,370
L15	£58,720
L16	£60,202
L17	£61,515
L18	£62,985
L19	£64,469
L20	£65,988

**Leadership**

Scale	Salary
L21	£67,545
L22	£69,139
L23	£70,774
L24	£72,454
L25	£74,177
L26	£75,934
L27	£77,738
L28	£79,591
L29	£81,481
L30	£83,432
L31	£85,422
L32	£87,461
L33	£89,562
L34	£91,697
L35	£93,897
L36	£96,141
L37	£98,459
L38	£100,817
L39	£103,195
L40	£105,697
L41	£108,259

L42	£110,887
L43	£112,460

**Additional Payments/Allowances for Other Employees**

The following additional payments/allowances may be paid to employees other than Chief Officers.

Additional Allowance  
Additional Hours  
Additional Payments  
Additional Pension  
Additional Programmed Activity  
Additional Statutory Paternity Pay Birth  
Advance of Pay  
Agreed Programme Activity (NHS)  
Annual leave not taken  
Bank Holiday Enhanced  
Bicycle Mileage  
Callout Allowance  
Casual Pay  
Childcare Allowance  
Contractual overtime  
Electoral registration  
Electoral duties  
Enhanced payments  
Excess Leave  
FE Lecturer Pay  
First Aid  
GTC Payment  
Gritting Allowance  
Holiday Pay  
Honorarium  
Invigilation  
Keep In Touch Days Payment  
Leave Not Taken  
Local Authority Liaison Officer Allowance  
London Allowance  
London Living Wage Allowance  
Market Supplement  
Mileage  
New Starter Arrears  
Night rates  
Occupational Adoption Pay  
Occupational Maternity Pay  
Occupational Sick Pay  
On-call allowance  
Out of school activity  
Overtime  
Pay adjustment

Pay In Lieu Of Notice  
Pension  
Protected rate  
Redeployment payment  
Relocation expenses  
Session payment  
Shared Parental Salary Offset  
Shift payment  
Sleep in allowance  
Special Needs Allowance  
Standby allowance  
Statutory Adoption Pay  
Statutory Maternity Pay  
Statutory Paternity Pay  
Statutory Shared Parental Pay Birth  
Statutory Sick Pay  
Supplement  
Supply  
Teaching Assistant 2 Allowance  
Travel Allowance  
TLR2  
TLR7  
Unsocial hours

FULL COUNCIL, Wednesday 21 March 2018

**MEMBERS' QUESTIONS**

**Solar Park Proposals**

**1) To the Cabinet Member for Housing (Councillor Damian White)  
From Councillor Ray Morgon**

Would the Cabinet Member confirm how much money was spent on the work in relation to the Solar Park proposals and what changed in the business case that would see a £1 million income for the Council turn into being financially unviable?

**Answer**

Initial feasibility work on the scope to develop solar park proposals took place in 2015/16. It considered development of solar parks on two sites in Havering (at Dagnam Park and Gerpins Lane) and two sites in Thurrock. The aim was to generate income to help deliver essential Council services.

There was engagement with the community for the Havering sites. The Leader met with Friends of Dagnam Park on several occasions and visited the park with them.

The total cost of the feasibility work was £142K after the fee for grid connections had been returned to the Council.

It was concluded that the Dagnam Park site was not suitable as there were a number of changes to the business case assumptions that supported the proposals. This took account of matters such as wider economic circumstances (such as the fall in oil prices from over \$100 a barrel to less than half of that), the reduction in income from Government subsidies through payments such as Feed in Tariffs, the land remediation costs for the Gerpins Lane site and energy prices were not expected to rise as much as initially expected.

In response to a supplementary question, the Cabinet Member stated that he could meet with Councillor Morgon separately to discuss in more detail why the Gerpins Lane site was not considered a viable option for the solar park.

**Applications for Places in Junior Schools**

**2) To the Cabinet Member for Children and Learning (Councillor Robert Benham)  
From Councillor Patricia Rumble**

Why do parents now have to apply for a pupil place in junior schools, when the child already attends the infant section of the same school? Is this not just adding another layer of bureaucracy?

**Answer**

Infant and Junior Schools are not the same school. In Havering, we have some Infant schools that are maintained by the Local Authority, with Junior schools that are operated by Academy Trusts.

The 2014 School Admissions Code requires that Admissions Authorities set admissions arrangements for all schools, and that the priority must be awarded to Looked After Children and Previously Looked After Children.

Prior to the 2018 intake of pupils, Havering stated that all pupils currently attending an infant school in year 2 would have an automatic entitlement to transfer to the partner junior school, however in October 2017 we were contacted by the DfE following a complaint to them from a Junior academy.

The DfE were concerned about the use of the term ‘automatic entitlement’ because it is not possible under admissions law to give a child in school ‘A’ automatic entitlement to a place in school ‘B’. DfE concluded that our admissions arrangements were unlawful.

Following on from this we immediately amended our processes and published a brief document on the Havering website titled “Transferring to a Havering Junior School in September 2018”.

In response to a supplementary question, the Cabinet Member stated that he did not feel that the DfE was correct in its judgement but that this could not be changed.

**Tri-Borough Police Project**

**3) To the Leader of the Council (Councillor Roger Ramsey)  
From Councillor Jeffrey Tucker**

Did the Council Leader agree to Havering taking part in the Tri-borough police pilot?

**Answer**

There is no formal agreement in place between the local authority and either the Metropolitan Police Service or the Mayor’s Office for Policing and Crime (MOPAC) with regard to the tri-borough policing pathfinder. The Leader and the Chief Executive were consulted with and informed by the MPS that the tri-borough footprint was one of the preferred sites, but were not required to consent formally to the pilot taking place in this borough.

In response to a supplementary question, the Leader of the Council explained that pilots of these models were the responsibility of the Police and public and the Council could not dictate these. The Council had been told that the pilot would be reversible, would be for six months duration and that the council could influence

**Council, 21 March 2018**

the service but none of this had been the case. In addition, the Council had been advised during the pilot period that Havering Police Offices and Hornchurch police station would close which had led to the Council taking legal action to challenge the Police Station closure.

**Parking Areas on the Briar Road Estate**

**4) To the Cabinet Member for Environment and Community Safety (Councillor Damian White)**

**From Councillor Keith Darvill**

Have all of the planned new car parking spaces and reconfigured parking areas in the Briar Road Estate, Harold Hill been constructed and marked out thus delivering the spaces promised to residents during the consultation phase and meetings which commenced in November 2012 and relate to the 33 sites disposed of for development of 102 properties (being the subject of an executive decision made on 6/3/2013).

**Answer**

The scheme was complete as per the agreed planning application with all of the car parking and landscaping work being undertaken by the developer, Notting Hill Housing Association.

In response to a supplementary question, the Cabinet Member agreed to take up with the estate developers any lack of parking spaces delivered.

**CCTV Camera Charges**

**5) To the Cabinet Member for Housing (Councillor Damian White)**  
**From Councillor Nic Dodin**

Would the Cabinet Member confirm why Council tenants are being charged the higher rate CCTV charge when they are nowhere near a fixed CCTV camera?

**Answer**

Tenants are charged the higher rate for CCTV if there is a permanent camera within the locality of where they live. This is generally within a half mile radius.

I understand that the Councillor is referring to Bevan Way, which is in a half mile radius of a camera sited by Hacton Parade. However, if the Councillor has a specific address which is of concern I will ask officers to investigate this further and respond directly.

In response to a supplementary question, the Cabinet Member confirmed that it was the policy of the housing department to charge tenants for CCTV within the service charge.

## Homeless Reduction Act 2017

### 6) To the Cabinet Member for Housing (Councillor Damian White) From Councillor John Glanville

Is the Council confident that it has sufficient resources to meet its obligations under the Homeless Reduction Act 2017 which comes into force on 3 April 2018?

#### **Answer**

With the support of the Senior Leadership Team and Members, there will be an increase in the staffing resource within the Housing Solutions Service to help prevent and relieve residents from homelessness in line with the Act. As a result, a new service delivery model is being implemented which will focus on improving access, information and advice for residents and strengthening residents' independence and resilience of the community.

Business processes have been streamlined. For example we have introduced an online income and expenditure assessment that will help residents with budget management. The information on affordability will also help them make informed decisions about where they want to live. We will also continue to support residents with rent deposits where this is needed.

We have been working with the voluntary and statutory partners, supported by Homeless Link and Shelter, to put in place effective pathways and referral mechanisms to enable residents to get help at the right time. As a result we are setting up Homelessness Forum to continue with the engagement.

Over the past year, we have worked closely and built on our well established relationship with the private landlord sector in order to access good quality and affordable accommodation.

In response to a supplementary question, the Cabinet Member explained that the Housing Service had been very robust in ensuring that it could deal with demand. Work had been undertaken with the Chartered Institute of Housing and other stakeholders to ensure that demand predictions were accurate and that unforeseen events could be coped with.



## Flag Flying Policy

### 7) To the Leader of the Council ( Councillor Roger Ramsey)

#### From Councillor David Durant

Was the Council Leader aware of the flag protocols before agreeing to fly a LGBT flag in front of the Town Hall for a month?

#### **Answer**

Yes. Councillor Durant should refer to a recent response sent via email on this matter.

In response to a supplementary question, the Leader of the Council apologised for any offence that had been inadvertently caused by the LGBTQ flag being displayed incorrectly in a recent photocall outside the Town Hall.

## Out of Hours Service

### 8) To the Cabinet Member for Housing (Councillor Damian White)

#### From Councillor Stephanie Nunn

Would the Cabinet Member explain why a resident of Thomas Sims Court rang the out of hours telephone number (01708 756699) to report an overflowing toilet and was told to ring back at 9am?

#### **Answer**

The resident concerned had called in and the response provided did not conform to our agreed protocols with our out of hours company General Dynamics IT Ltd, (GDIT). The call handler did not act in line with our standards which clearly identify this requiring an urgent response.

After speaking directly with the resident, Sheltered scheme staff have apologised and seen whether more could have been done. The sheltered facility had other toilet and shower facilities available which could have been offered as an alternative provision. The Telecare and Out of Hours Managers have reinforced the need for strict adherence to protocols and for monitoring against contract terms.

There are also issues with the Out of Hours Contractors which have been addressed.

The AD for Housing Services is fully sighted on this, is currently reviewing both contracts and offers his apology.

In response to a supplementary question, the Cabinet Member agreed that there were further problems with the out of hours service as he had been approached by another resident who had been given the same advice. The Council Chief Executive was personally involved in reviewing the service and it was likely that changes would be proposed at the next Cabinet meeting.

**Global Legal Identifier**

- 9) **To the Cabinet Member for Financial Management, Transformation and IT (Councillor Clarence Barrett)**  
**From Councillor Lawrence Webb**

Why has the Council found it necessary to apply for a Global Legal Identifier?

**Answer**

The Pension Fund renewed its LEI (Legal Entity Identifier) in February 2018.

From 3 January 2018 our fund managers subject to MiFID II (Markets in Financial Instruments Directive) transaction reporting obligations would not be able to execute a trade on our behalf if we are eligible for a Legal Entity Identifier (LEI) and didn't have one.

The LEI number was previously maintained by our Fund Manager RUFFER. It was no longer necessary for them to maintain this once the mandate transferred to the London CIV\* (Collective Investment Vehicle) so ownership and subsequent renewal transferred to the Havering Pension Fund.

\*The London CIV is a mandatory investment asset pooling vehicle which, in line with regulations, Pension Fund assets are required to commence transferring assets into the pool from April 2018.

The Council applied for a LEI (Legal Entity Identifier) number in November 2017. MiFID II regulation that came into effect on 3 January 2018 and required the Council to make applications using the LEI number for the retention of professional investor status to institutions that offer investments in non-standard treasury investments such as bonds which remain a key part of the council's treasury management strategy.

In response to a supplementary question, the Cabinet Member stated that the address for the Council Identifier was probably given as the Central Library building as this was where the finance staff were based. The Cabinet Member would however check this if Councillor Webb could provide him with details of the relevant Identifier number.

**“Everyone Active” Scheme**

- 10) **To the Cabinet Member for Culture and Community Engagement (Councillor Melvin Wallace)**  
**From Councillor Michael Deon Burton**

Is the Council involved in the pricing policy of SLM 'Everyone Active' to ensure our publicly funded leisure centres are widely used by the public, including those on low incomes?

**Answer**

Within the contract between the Council and SLM there are a number of 'protected prices' for which SLM have to seek the approval of the Council. These include, for example, junior swimming and swimming lessons, adult swimming lessons, pool hire

## **Council, 21 March 2018**

by clubs and ice rink hire for London Raiders and Romford Ice Dance and Figure Skating Club.

There is also a discounted pricing policy for concessions that includes;

- Aged 16 years and over and in full time education
- Registered disabled (a carer accompanying a registered disabled person shall be admitted free of charge, providing they can reasonably demonstrate in the view of the Contractor that they are a carer of the registered disabled person)
- Aged 60 or over
- Individuals receiving job seeker/incapacity benefit
- Individuals on low income and receiving income support
- Looked after children and their siblings

SLM are able to charge a maximum of 65% of the standard price, fee or charge for all categories of use for the above concessions.

Over the duration of the Contract SLM pay the Council to operate and manage the Council's leisure centres. In order to generate the income to pay the Council, the business model dictates that SLM are reliant on use by the public. Pricing is a key factor in a very competitive market place. If pricing is set too high by SLM, the public will not use the leisure centres and SLM will not realise the revenue required to pay the contractual sums to the Council.

In response to a supplementary question, the Cabinet Member confirmed that he would send to Councillor Deon Burton full details of the leisure centres pricing structure as well as publicise this more widely.

## **Charging Points for Electric Cars in Havering**

### **11) To the Cabinet Member for Environment and Community Safety (Councillor Osman Dervish)**

#### **From Councillor Jody Ganly**

Would the Cabinet Member confirm why there are so few charging points for electric cars in Havering and whether Havering Council have applied for any government grants available to install more?

#### **Answer**

Electric Vehicle charging point infrastructure can be found in a number of locations across Havering including Gidea Park and Harold Wood station car parks, CEME, and the Britannia Multi-Storey car park in Market Place (off Ducking Stool Court), Romford.

Electric Vehicle infrastructure also gets installed in new developments as part of the planning process. Examples include the "Reflections" development in Romford and Kings Park development in Harold Wood and Orchard Village in Rainham.

## **Council, 21 March 2018**

Havering has one of the highest levels of car ownership in London and one of the highest modal splits for people travelling by car. In comparison the number of registered electric vehicle users in the borough is very small. To date there have been only a small number of enquiries made to the Council concerning electric vehicle infrastructure provision.

Provision of electric vehicle charging infrastructure has also been included as a long term action in the Council's Draft Air Quality Action Plan and will be carried out based on a feasibility assessment, in order to improve air quality within the borough.

The Council will continue to review the electric vehicle charging infrastructure in the borough and will consider the merits of further funding opportunities should they arise.

In response to a supplementary question, the Cabinet Member confirmed that he was aware of Government grants being available for part of the cost of installing electric charging points but added that there had been low interest from residents so far in electric cars.

## **Viability Statement on Affordable Housing**

### **12) To the Cabinet Member for Housing (Councillor Damian White) From Councillor Phil Martin**

How long, on average, does it take for a viability statement on affordable housing submitted with a planning application, to be assessed and ratified?

#### **Answer**

On average it can take between 4 to 6 weeks for a statement to be assessed and ratified by an external consultant. This timeframe applies in most cases. The timeframe varies from development to development depending upon the nature of what is being proposed, the complexity of the viability case and the quality and accuracy of the information contained within the submitted statement.

There may be cases where the conclusions of the viability consultant are queried by officers and in such cases, further work on viability, in order to reach a firm conclusion may be necessary. The time taken to do additional work again varies on a case by case basis. The longest delays occur where the argument for reducing the affordable housing requirement is weak and officers seek to argue for more affordable housing. In these cases discussions can become more protracted. Officers are unable to complete their report or make a recommendation until a conclusion on all material planning matters has been reached.

In response to a supplementary question, the Cabinet Member stated that the Council enforced planning procedures in accordance with the law and this was certainly not done for the financial gain of the Council. The Cabinet Member was

**Council, 21 March 2018**

offended by this suggestion and offered to refer any specific concerns of Members to the Head of Planning.

## **Hazardous Waste**

### **13) To the Cabinet Member for Environment and Community Safety (Councillor Osman Dervish)**

#### **From Councillor Reg Whitney**

Whilst it is understood that the Council are not responsible for the removal of dumped waste in private alleyways, would the Cabinet Member agree that there are some situations where hazardous or potentially hazardous waste should be removed in the interest of residents' health and safety at the earliest possible opportunity by the Council?

#### **Answer**

The Council is not required to undertake the clearance of dumped waste from private land including service roads. Clearance is the responsibility of the land owner. However the Council will support land owners and those living nearby who may be affected by this type of problem.

Our enforcement team would investigate to establish the owner of the land, the nature of the waste and the identity of those responsible for dumping it. Depending on the type of waste the removal may need to be made promptly by the Council to reduce the impact on local people.

We will always endeavour to recover our costs from the land owner or those responsible for dumping the waste.

In response to a supplementary question, the Cabinet Member added that cases of hazardous waste dumped on private land would be investigated. The Cabinet Member was happy to look at specific cases raised by the councillor.

## **Housing Development in the Borough**

### **14) To the Leader of the Council (Councillor Roger Ramsey)**

#### **From Councillor Barbara Matthews**

Would the Leader of the Council confirm what he is doing to resist the Conservative Government and Labour Mayor of London's plan to overdevelop Havering by both setting similarly high and unsustainable housing targets?

#### **Answer**

Havering has taken a very robust stance on the proposals from the Government and the Mayor of London to impose housing targets on Havering that are unrealistic, unachievable and unsustainable. The underlying preparation of the figures was also badly flawed.

The Government's paper 'Planning for the right homes in the right places' (autumn 2017) and the draft London Plan (winter 2017) both identified annual housing targets for Havering that would be completely out of character with its suburban

**Council, 21 March 2018**

setting and appearance (1,821 and 1,875 new homes per year, respectively). These targets are significantly different to the Council's own assessments supporting its Local Plan.

The Government's target is a 'need' based figure whilst that from the Mayor of London in his draft London Plan is derived from a strategic housing land availability assessment and is a 'capacity' based figure. The Mayor of London has also done his own 'need' based assessment and has identified a London-wide need for an additional 66,000 new homes each year.

Havering's Local Plan must be in 'general conformity' with the London Plan. If it is formally adopted, the London Plan target of 1,875 new homes per year will become the target that Havering is expected to achieve and secure through our planning policies.

Havering responded very firmly to both consultations stressing the harm that they would do to Havering by destroying its established character. Furthermore, we highlighted that development on this scale would be completely out of step with existing and planned provision of the infrastructure needed to support change.

The Council has supported the robust collective response from Local London which represents several east London boroughs.

Havering is bringing forward its new Local Plan to ensure that it has robust planning policies to safeguard Havering and to make sure that we secure development (including the right numbers of homes) well suited to the borough that is well planned, high quality and creates places where people want to live, work and visit.

Members and officers will continue to highlight to the Mayor of London that his draft London Plan will be harmful to Havering and that the housing targets need to be revised considerably.

In response to a supplementary question, the Leader of the Council added that the Government was requiring 1,800 new homes per year to be built in Havering whilst the Council's own study had indicated that approximately 1,362 homes per year were needed. The Council was also challenging the targets in the Mayor of London's housing plan. The Mayor had indicated that some 9,000 homes in Havering could be built on small sites but the Council had not been consulted on this.

**15) To the Cabinet Member for Environment and Community Safety (Councillor Osman Dervish)**  
**From Councillor Barry Mugglestone**

In response to a supplementary question at January Council on why a high number of parking ticket appeals were being lost by the Council, the Cabinet Member indicated he would investigate and report back to me. Can he confirm why I am still waiting?

**Answer**

Thank you for your question. You are quite right that one of the follow-up actions from our last Council meeting was for me to investigate reasons behind the apparent

**Council, 21 March 2018**

64% of lost appeals when parking tickets were contested at the independent adjudicator that you flagged at the meeting.

I have had the opportunity to discuss it with officers and understand that perhaps there was an initial misunderstanding. The Council are actually winning 64% of appeals cases it contests and this is a good improvement on last year's figures when we won just over half of cases and compare favourably against many other London boroughs. We should also keep in mind that the vast majority of PCNs issued do not go to London Tribunals and typically less than 1% of cases are decided by the independent adjudicator.

The figures are good and improving and make sure that the Council's parking enforcement operations keep on top of their appeals processes, particularly as the borough continues to grow over the coming years. The increased success at defending appeals shows the efforts are starting to pay off.

In response to a supplementary question, the Cabinet Member agreed that there could be errors in the appeals process. He was happy to investigate any specific cases if the Councillor could supply details.

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## VOTING RECORD

<i>DIVISION NUMBER:</i>	1	2	3	4	5	6	7	8	9
<b>The Mayor [Cllr. Linda Van den Hende]</b>	X	X	✓	✓	✓	X	✓	X	✓
The Deputy Mayor [Cllr. Dilip Patel]	X	X	✓	✓	✓	X	✓	X	✓
<b><u>CONSERVATIVE GROUP</u></b>									
Cllr Roger Ramsey	X	X	✓	✓	✓	X	✓	X	✓
Cllr Robert Benham	X	X	✓	✓	✓	X	✓	X	✓
Cllr Ray Best	X	X	✓	✓	✓	X	✓	X	✓
Cllr Wendy Brice-Thompson	X	X	✓	✓	✓	X	✓	X	✓
Cllr Joshua Chapman	X	X	✓	✓	✓	X	✓	X	✓
Cllr John Crowder	X	X	✓	✓	✓	X	✓	X	✓
Cllr Philippa Crowder	X	X	✓	✓	✓	X	✓	X	✓
Cllr Meg Davis	X	X	✓	✓	✓	X	✓	X	✓
Cllr Osman Dervish	X	X	✓	✓	✓	X	✓	X	✓
Cllr Jason Frost	X	X	✓	✓	✓	X	✓	X	✓
Cllr Steven Kelly	✓	✓	✓	✓	✓	X	✓	X	✓
Cllr Robby Misir	X	X	✓	✓	✓	X	✓	X	✓
Cllr John Mylod	A	A	A	A	A	A	A	A	A
Cllr Garry Pain	X	X	✓	✓	✓	X	✓	X	✓
Cllr Viddy Persaud	X	X	✓	✓	✓	X	✓	X	✓
Cllr Carol Smith	X	X	✓	✓	✓	X	✓	X	✓
Cllr Frederick Thompson	X	X	✓	✓	✓	X	✓	X	✓
Cllr Linda Trew	X	X	✓	✓	✓	X	✓	X	✓
Cllr Melvin Wallace	X	X	✓	✓	✓	X	✓	X	✓
Cllr Roger Westwood	X	X	✓	✓	✓	X	✓	X	✓
Cllr Damian White	X	X	✓	✓	✓	X	✓	X	✓
Cllr Michael White	X	X	✓	✓	✓	X	✓	X	✓
<b><u>RESIDENTS' GROUP</u></b>									
Cllr Ray Morgon	X	✓	✓	O	✓	X	X	✓	✓
Cllr June Alexander	O	✓	✓	O	X	O	X	✓	X
Cllr Nic Dodin	X	✓	✓	O	✓	X	X	✓	✓
Cllr Jody Ganly	X	✓	✓	O	✓	X	X	✓	X
Cllr Barbara Matthews	O	✓	✓	O	X	O	X	✓	X
Cllr Barry Mugglestone	X	✓	✓	O	✓	X	X	✓	✓
Cllr Stephanie Nunn	X	✓	✓	X	✓	X	X	✓	✓
Cllr Reg Whitney	X	✓	O	✓	✓	✓	X	✓	✓
Cllr Julie Wilkes	X	✓	O	X	✓	X	X	✓	✓
Cllr John Wood	A	A	A	A	A	A	A	A	A
<b><u>EAST HAVERING RESIDENTS' GROUP</u></b>									
Cllr Clarence Barrett	X	X	✓	✓	✓	X	✓	X	✓
Cllr Alex Donald	X	X	✓	✓	✓	X	✓	X	✓
Cllr Brian Eagling	X	X	✓	✓	✓	X	✓	X	✓
Cllr Gillian Ford	X	X	✓	✓	✓	X	✓	X	✓
Cllr Linda Hawthorn	X	X	✓	✓	✓	X	✓	X	✓
Cllr Ron Ower	X	X	✓	✓	✓	X	✓	X	✓
Cllr Darren Wise	X	X	✓	✓	✓	X	✓	X	✓
<b><u>UK INDEPENDENCE PARTY GROUP</u></b>									
Cllr Lawrence Webb	O	✓	✓	O	✓	✓	✓	✓	O
Cllr Ian De Wulverton	O	✓	✓	O	✓	✓	✓	✓	O
Cllr John Glanville	O	✓	✓	O	✓	O	✓	✓	✓
Cllr David Johnson	O	✓	✓	O	✓	✓	✓	✓	X
Cllr Phil Martin	O	✓	✓	O	✓	O	✓	✓	X
Cllr Patricia Rumble	O	✓	✓	O	✓	✓	✓	✓	X
<b><u>INDEPENDENT LOCAL RESIDENTS' GROUP</u></b>									
Cllr Jeffrey Tucker	✓	O	O	X	X	✓	X	✓	X
Cllr Michael Deon Burton	✓	✓	O	X	X	✓	X	✓	X
Cllr David Durant	✓	O	O	X	X	✓	X	✓	X
Cllr Keith Roberts	✓	X	O	X	X	✓	X	✓	X
Cllr Graham Williamson	✓	✓	O	X	X	✓	X	✓	X
<b><u>LABOUR GROUP</u></b>									
Cllr Keith Darvill	✓	X	✓	X	X	X	X	X	✓
Cllr Denis O'Flynn	✓	X	✓	X	X	X	X	X	✓
<b>TOTALS</b>									
✓ = YES	8	18	45	31	43	10	36	20	39
X = NO	36	32	0	9	9	38	16	32	11
O = ABSTAIN/NO VOTE	8	2	7	12	0	4	0	0	2
ID = INTEREST DISCLOSED/NO VOTE	0	0	0	0	0	0	0	0	0
A = ABSENT FROM MEETING	2	2	2	2	2	2	2	2	2
	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>

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