



COUNCIL MEETING

**7.30 pm Wednesday, 21 March 2018
At Council Chamber - Town Hall**

Members of the Council of the London Borough of Havering are hereby summoned to attend a meeting of the Council at the time and place indicated for the transaction of the following business



**Kathryn Robinson
Monitoring Officer**

**For information about the meeting please contact:
Anthony Clements tel: 01708 433065
anthony.clements@oneSource.co.uk**



Please note that this meeting will be webcast.

**Members of the public who do not wish to appear
in the webcast will be able to sit in the balcony,
which is not in camera range.**

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

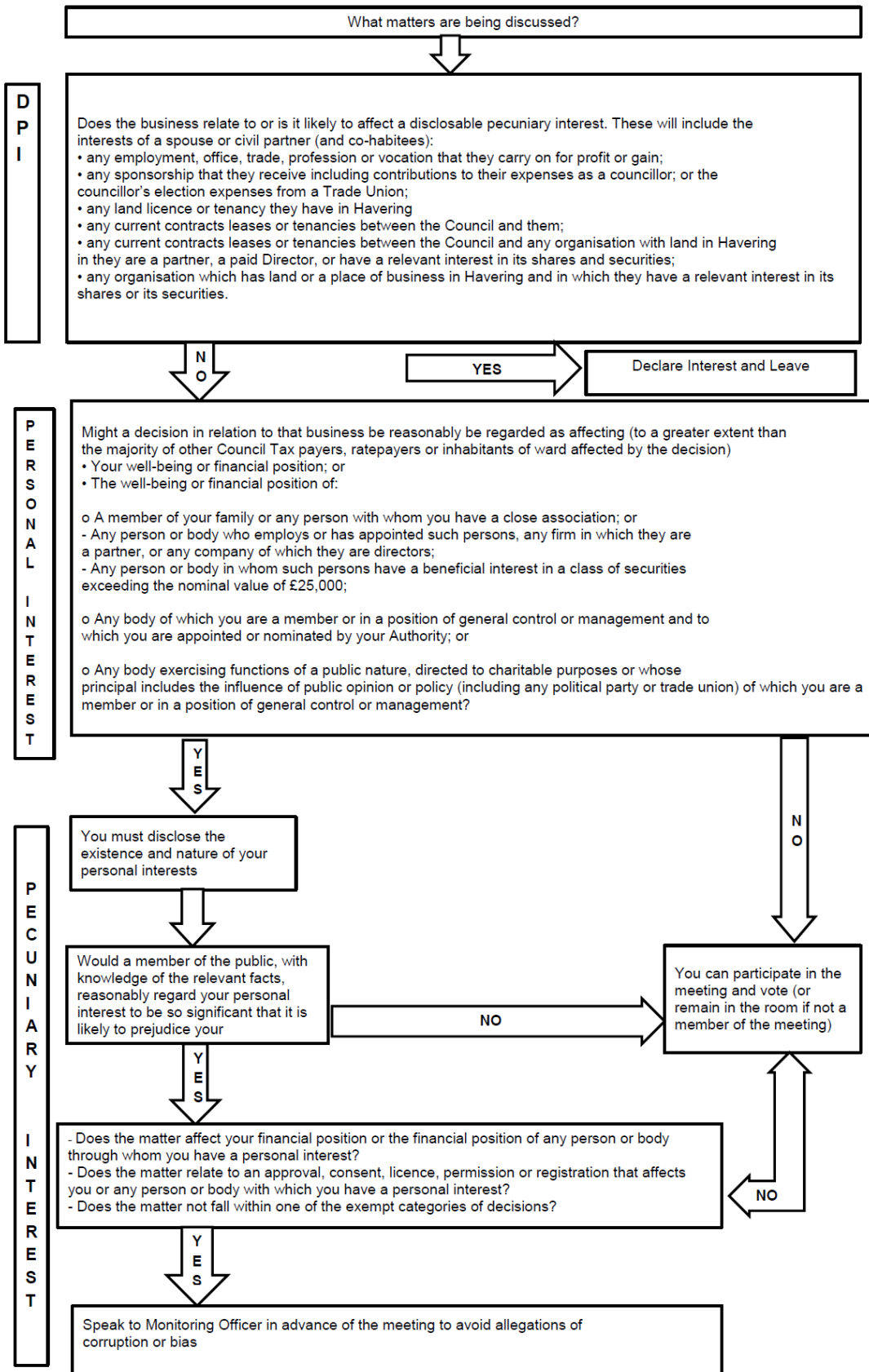
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA

1 PRAYERS

2 APOLOGIES FOR ABSENCE

To receive apologies for absence (if any).

3 MINUTES (Pages 1 - 20)

To sign as a true record the minutes of the meeting of the Council meeting held on 21 February 2018 (attached).

4 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

5 ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE

To receive announcements.

6 PETITIONS

To receive any petition presented pursuant to Council Procedure Rule 23.

Councillors Frost, Barrett, Williamson, Wise, Deon Burton and Darvill have given notice of intention to present a petition.

7 REVIEW OF PLANNING DECISION MAKING PROCESSES AND PROCEDURES
(Pages 21 - 90)

NOTE: The deadline for receipt of amendments to all reports published with the final agenda is midnight, Monday 19 March 2018.

To consider a report of the Governance Committee on Planning Decision Making, Processes and Procedures (attached).

8 REPORTS OF COMMITTEES, SUB-COMMITTEES AND MEMBER CHAMPIONS
(Pages 91 - 212)

To consider the annual reports of Committees, Sub-Committees and Member Champions (attached).

9 PAY POLICY STATEMENT 2018/19 (Pages 213 - 252)

To consider a report of the Chief Executive on the Pay Policy Statement 2018/19 (attached).

10 DATES OF COUNCIL MEETINGS 2018/19 (Pages 253 - 254)

To consider a report of the Chief Executive on the Dates of Council Meetings 2018/19 (attached).

11 MEMBERS' QUESTIONS (Pages 255 - 258)

Attached.

12 MOTIONS FOR DEBATE (Pages 259 - 262)

Attached.

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**MINUTES OF A MEETING OF THE COUNCIL OF THE
LONDON BOROUGH OF HAVERING
Council Chamber - Town Hall
21 February 2018 (7.30 - 10.35 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, Jason Frost, Jody Ganly, John Glanville, Linda Hawthorn, David Johnson, Steven Kelly, Phil Martin, Robby Misir, Ray Morgon, Barry Mugglestone, John Mylod, 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, Darren Wise and John Wood

Approximately 20 Members' guests and members of the public and a representative of the press were also present.

Apologies were received for the absence of Councillors Gillian Ford and Barbara Matthews.

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, Romford opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

82 MINUTES (agenda item 3)

The minutes of the meeting of the Council held on 24 January 2018 were before the Council for approval.

RESOLVED:

That the minutes of the meeting of the Council held on 24 January 2018 be signed as a correct record.

83 DISCLOSURE OF INTERESTS (agenda item 4)

As shown below, all Members present disclosed an interest in agenda item 8 – Members' Allowances Scheme as they were in receipt of a Members' Allowance.

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Barry Mugglestone, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Brian Eagling, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Carol Smith, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Clarence Barrett, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Damian White, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Darren Wise, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor David Durant, Personal and Prejudicial, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor David Johnson, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Denis O'Flynn, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Dilip Patel, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Frederick Thompson, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Garry Pain, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Graham Williamson, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Ian de Wulverton, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.
Councillor Jason Frost, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor Jeffrey Tucker, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor Jody Ganly, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor John Crowder, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor John Glanville, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor John Mylod, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor John Wood, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor Joshua Chapman, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor Julie Wilkes, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor June Alexander, Personal, in receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor Keith Darvill, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor Keith Roberts, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor Lawrence Webb, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor Linda Hawthorn, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor Linda Trew, Personal, In receipt of Members' Allowance..
8. MEMBERS' ALLOWANCES SCHEME.
Councillor Linda Van den Hende, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Meg Davis, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Melvin Wallace, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Michael Deon Burton, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Michael White, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Nic Dodin, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Osman Dervish, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Patricia Rumble, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Phil Martin, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Philippa Crowder, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Ray Best, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Ray Morgon, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Reg Whitney, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Robby Misir, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Robert Benham, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Roger Ramsey, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Ron Ower, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Stephanie Nunn, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Steven Kelly, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Viddy Persaud, Personal, In receipt of Members' Allowance..

8. MEMBERS' ALLOWANCES SCHEME.

Councillor Wendy Brice-Thompson, Personal, In receipt of Members' Allowance..

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

The Mayor noted with pleasure the recent opening of two new leisure centres in the borough. The Mayor also reminded Members of her civic dinner which was scheduled for 24 March 2018.

The Leader of the Council thanked Members for their good wishes following a head injury he had suffered in an accident recently.

85 PROCEDURE (agenda item 6)

The following procedural motion was **AGREED** without division:

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

86 THE COUNCIL'S BUDGET 2018//19 (agenda item 7)

Council had before it a report of the Cabinet (incorporating the budget proposals for 2018/19). This referred to reports presented to Cabinet at its meeting on 7 February 2018.

Following debate, the recommendations of Cabinet were **AGREED** by 32 votes to 9 (see division 1) and it was **RESOLVED**:

1. That the following as submitted in the report to Cabinet of 7 February 2018 be approved:

- **The General Fund budget for 2018/19**
- **The Council Tax for Band D properties and for other Bands of properties, all as set out in Appendix D of the Cabinet report.**
- **The Delegated Schools' Budget for 2018/19, as set out in section 4 of the Cabinet report.**

- The Capital Programme for 2018/19 as set out in section 9 and supported by Annexes 1, 2 and 3 of Appendix G of the Cabinet report.
 - That it pass a resolution as set out in section 11.3 of the Cabinet report to enable Council Tax discounts to be given at the 2017/18 level.
2. The Council delegate authority to the Chief Financial Officer to adjust the Corporate Risk Budget to account for any further variations that may arise from the final settlement.
 3. That, in accepting recommendation 1, Council is mindful of the advice of the Chief Finance Officer as set out in Appendix F of the report to Cabinet.
 4. That it be noted that under delegated powers the Chief Finance Officer has calculated the amount of 87,346 (called T in the Act and Regulations) as its Council Tax base for the year 2018/19 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) made under Section 31B of the Local Government Finance Act 1992 as amended.
 5. That the amount of £119,125,095 be now calculated as the Council Tax requirement for the Council's own purposes for 2018/19, with £6,645,284 of that amount being ringfenced for Adult Social Care.
 6. That the following amounts be now calculated by the Council for the year 2018/19 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended:

(a)	£505,518,040	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
(b)	(£386,392,945)	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£119,125,095	being the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

(d)	£1,363.83	being the amount at 5(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.
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7. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in the table below as the amounts of Council Tax for 2018/19 for each of the categories of dwellings.

Valuation Bands London Borough of Havering			
	Havering	Adult Social Care	Total
	£ p	£ p	£ p
A	858.50	50.72	909.22
B	1,001.58	59.17	1,060.75
C	1,144.67	67.63	1,212.30
D	1,287.75	76.08	1,363.83
E	1,573.92	92.99	1,666.91
F	1,860.08	109.89	1,969.97
G	2,146.25	126.80	2,273.05
H	2,575.50	152.16	2,727.66

- 8 That it be noted for the year 2018/19 the major precepting authority (the GLA) has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below as proposed by the Mayor.

Valuation Bands Greater London Authority	
	£ p
A	£196.15
B	£228.85
C	£261.54
D	£294.23
E	£359.61
F	£425.00
G	£490.38
H	£588.46

9. That, having calculated the aggregate in each case of the amounts at 6 and 7 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2018/19 for each of the categories of dwellings shown below:

Valuation Bands	£ p
	£ p
A	1,105.37
B	1,289.60
C	1,473.84
D	1,658.06
E	2,026.52
F	2,394.97
G	2,763.43
H	3,316.12

The effect of adopting this resolution would be to set the Council Tax for a Band D property at £1,658.06

10. That Council having considered the principles approved under the Local Government Finance Act 1992 by the Secretary of State for Communities and Local Government concludes that the Council's basic relevant amount of Council Tax for 2018/19 is not excessive.

11. That any Council Tax payer who is liable to pay an amount of Council Tax to the Authority in respect to the year ending on 31 March 2019, who is served with a demand notice under Regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 as amended and who makes payment to the Authority of the full balance of the estimated amount shown on that demand by 1 April 2018, may deduct a sum equivalent to 1.5% of and from the estimated amount and such reduced amount shall be accepted in full settlement of that estimated amount.
12. That Council approves the Housing Revenue Account (HRA) Major Works Capital Programme, detailed in Appendix 2a of the HRA Budget for 2018/2019 and HRA Major Works Capital Programme 2018/19 – 2022/23 report to Cabinet of 7 February 2018.
13. That Council approves the HRA Capital expenditure and financing for the 12 Sites Joint Venture, detailed in paragraphs 3.19.1 to 3.19.8 and Appendix 2a of the of the HRA Budget for 2018/2019 and HRA Major Works Capital Programme 2018/19 – 2022/23 report to Cabinet of 7 February 2018.
14. That Council approves the HRA Capital expenditure and financing to acquire up to 375 affordable dwellings from the Bridge Close JVLLP, detailed in paragraphs 3.20.1 to 3.20.5 and Appendix 2a of the HRA Budget for 2018/19 and HRA Major Works Capital Programme 2018/19 – 2022/23 report to Cabinet of 7 February 2018.
15. That Council approves the Treasury Management Strategy Statement, Prudential Indicators, and the Minimum Revenue Provision Statement for 2018/19 as shown in the separate report to Cabinet of 7 February 2018.

87 **MEMBERS' ALLOWANCES SCHEME (agenda item 8)**

A report of the Chief Executive proposed the Members' Allowances Scheme 2018/19. Following debate, the recommendations in the report were **AGREED** by 41 votes to 3 (see division 2) and it was **RESOLVED**:

1. That the Members' Allowances Scheme become (as set out in appendix 1 to these minutes) becomes effective from 1st April 2018 and the existing scheme be revoked with effect from the same date.
2. That there is no proposed increase in the basic allowance or SRAs.

88 **VOTING RECORD**

The record of voting decisions is attached at Appendix 2.

Mayor

COUNCIL, 21 FEBRUARY 2018

APPENDIX 1

Members' Allowances Scheme

Agreed at the meeting of the Council on 21 February 2018:

The new Scheme is agreed with effect from 1st April 2018 and the revocation of the Members' Allowance Scheme (2017) is effective from 31st March 2018.

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

- 1 This scheme may be cited as the Havering London Borough Council Members' Allowance Scheme. The new scheme shall have effect from 1st April 2018.
- 2 In this scheme, "councillor" means a councillor of the London Borough of Havering and "year" means the period ending on 31st March 2019 and any period of 12 months ending on 31st March in any year after 2019.
- 3 **Basic allowance (Schedule 1)**
 Subject to paragraphs 7 and 11, for each year a basic allowance of £10,208 shall be paid to each councillor.
- 4 **Special responsibility allowance (Schedule 1)**
 - (a) For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the Council that are specified in schedule 1 to this scheme.
 - (b) Subject to paragraph 7, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.
 - (c) When a councillor would otherwise be entitled under the scheme to more than one special responsibility allowance, then the entitlement shall instead be only to one of them, being the one attracting the higher rate.

- (d) Where a Member is also a member of another authority, that Member may not receive allowances from more than one authority in respect of the same duties.

5 **Child and dependent care allowance**

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

6 **Renunciation**

A Councillor may, by notice in writing given to the Chief Finance Officer, elect to forego any part of his/her entitlement to an allowance under this scheme.

7 **Part-year entitlements**

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

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

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

the period mentioned in paragraph 7(b)(i), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that paragraph) as bears to the whole the same proportion as the number of days during which his/her term of office as a councillor subsists bears to the number of days in that period.

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

8 Travelling and Subsistence (Schedule 2)

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

9 Claims and payments

- (a) Payments shall be made in respect of basic and special responsibility allowances, subject to paragraph 8(b), in instalments of one-twelfth of the amount specified in this scheme on the last working day of each month.
- (b) Where a payment of one-twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more than the amount to which, by virtue of paragraph 7, he or she is entitled, then payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

- (c) Payments in respect of Travel and Subsistence shall be made to the councillor on receipt of a claim form with supporting receipts/vouchers. Claims must be made within three months of the claim arising.

10 **Pension Scheme**

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

11 **Financial Limits**

The Chief Finance Officer will arrange for the budget for members allowances to be monitored to ensure that budgetary issues are reported to Members.

(a) Increases in Allowances

Basic Allowances as quoted will be updated for 2018/19 by any 2018/19 increases as agreed under the annual Local Government Pay Settlement of the Joint Negotiating Committee for Chief Officers of Local Authorities or its replacement under the local pay agreement. The amounts so calculated are to be rounded up to be divisible for payment purposes.

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

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

(b) Suspension of Basic and Special Responsibility Allowance

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

12 **Mayor and Deputy**

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

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

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

13 Co-Optees and Independent Persons' Allowances

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

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

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

14 Note

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

Schedule 1: Members' Allowances

Category of Allowance	Amount Per Member £
<u>Basic Allowance</u>	10,208
Special Responsibility Allowances:	
Leader of the Council	45,048
Deputy Leader of the Administration	31,420
Cabinet Members	28,780
Deputy Cabinet Members	14,390
Leader of Principal Opposition	14,418
Leader of Minority Opposition Groups	4,000
Mayor	12,000
Deputy Mayor	4,000
Overview and Scrutiny Board Chairman	14,418
Overview and Scrutiny Sub-Committee Chairmen	7,650
Licensing and Regulatory Services Committee Chairmen	14,418
Regulatory Services Committee Vice-Chairman	2,000
Licensing Committee Vice Chairmen	117+
Audit, Pensions, Highways and Governance Committees Chairmen	7,650
Adjudication & Review Committee Chairman	2,000
Rainham & South Hornchurch Working Party Chairman	7,650

+ Per meeting chaired

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

Schedule 2: Travel and Subsistence

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

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

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

Travel and subsistence arrangements for key events will be set in line with the above. Taking account of the practicalities of arrangements however, these will

be set out and documented by the Chief Finance Officer, prior to each event and be agreed with the Cabinet Member for Financial Management.

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VOTING RECORD

<i>DIVISION NUMBER:</i>	1	2
The Mayor [Cllr. Linda Van den Hende]	✓	✓
The Deputy Mayor [Cllr. Dilip Patel]	✓	✓
<u>CONSERVATIVE GROUP</u>		
Cllr Roger Ramsey	✓	✓
Cllr Robert Benham	✓	✓
Cllr Ray Best	✓	✓
Cllr Wendy Brice-Thompson	✓	✓
Cllr Joshua Chapman	✓	✓
Cllr John Crowder	✓	✓
Cllr Philippa Crowder	✓	✓
Cllr Meg Davis	✓	✓
Cllr Osman Dervish	✓	✓
Cllr Jason Frost	✓	✓
Cllr Steven Kelly	✓	✓
Cllr Robby Misir	✓	✓
Cllr John Mylod	✓	✓
Cllr Garry Pain	✓	✓
Cllr Viddy Persaud	✓	✓
Cllr Carol Smith	✓	✓
Cllr Frederick Thompson	✓	✓
Cllr Linda Trew	✓	✓
Cllr Melvin Wallace	✓	✓
Cllr Roger Westwood	✓	✓
Cllr Damian White	✓	✓
Cllr Michael White	✓	✓
<u>RESIDENTS' GROUP</u>		
Cllr Ray Morgon	O	✓
Cllr June Alexander	O	✓
Cllr Nic Dodin	O	✓
Cllr Jody Ganly	O	✓
Cllr Barbara Matthews	A	A
Cllr Barry Mugglestone	O	✓
Cllr Stephanie Nunn	O	✓
Cllr Reg Whitney	O	✓
Cllr Julie Wilkes	O	✓
Cllr John Wood	O	✓
<u>EAST HAVERING RESIDENTS' GROUP</u>		
Cllr Clarence Barrett	✓	✓
Cllr Alex Donald	✓	✓
Cllr Brian Eagling	✓	✓
Cllr Gillian Ford	A	A
Cllr Linda Hawthorn	✓	✓
Cllr Ron Ower	✓	✓
Cllr Darren Wise	✓	✓
<u>UK INDEPENDENCE PARTY GROUP</u>		
Cllr Lawrence Webb	X	O
Cllr Ian De Wulverton	X	O
Cllr John Glanville	O	O
Cllr David Johnson	X	X
Cllr Phil Martin	X	X
Cllr Patricia Rumble	X	O
<u>INDEPENDENT LOCAL RESIDENTS' GROUP</u>		
Cllr Jeffrey Tucker	X	O
Cllr Michael Deon Burton	X	O
Cllr David Durant	X	O
Cllr Keith Roberts	X	O
Cllr Graham Williamson	O	X
<u>LABOUR GROUP</u>		
Cllr Keith Darvill	✓	✓
Cllr Denis O'Flynn	✓	✓
TOTALS		
✓ = YES	32	41
X = NO	9	3
O = ABSTAIN/NO VOTE	11	8
ID = INTEREST DISCLOSED/NO VOTE	0	0
A = ABSENT FROM MEETING	2	2
	54	54

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COUNCIL, 21 MARCH 2018**REPORT OF GOVERNANCE COMMITTEE****REVIEW OF PLANNING DECISION MAKING PROCESSES AND PROCEDURES**

Governance Committee, at its meeting on 7 March 2018 considered a report reviewing the make-up and operation of the Regulatory Services Committee. The report (attached) proposes 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.

The report was agreed by Governance Committee on 7 March 2018 and Governance Committee accordingly recommends to full Council that:

- 1. 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 agreed.**
- 2. the main changes to the Constitution set out in Appendix A and the consequential minor amendments to the Constitution set out in Appendix B be agreed.**
- 3. 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. these changes be implemented after the May 2018 local elections.**

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GOVERNANCE COMMITTEE

Subject Heading:	Review of Planning Decision Making Processes and Procedures
SLT Lead:	Steve Moore
Report Author and contact details:	Mike Kiely (mike.kiely@havering.gov.uk)
Policy context:	The proposed changes are designed to improve the delivery of the Council's planning policies through decisions made in committee on planning applications.
Financial summary:	The changes proposed may result in additional costs to the Council because of the creation of two planning committees.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

SUMMARY

This report reviews the make-up and operation of Regulatory Service Committee and recommends reforms to improve the way the Council deals with planning applications and in particular strategic applications. Part 3 Responsibility for Functions, Part 4 Rules of Procedure and Part 5 Codes and Protocols within the Constitution are reviewed, alongside other consequential amendments to other parts of the Constitution, resulting in the setting up of a Strategic Planning Committee to deal with strategic applications and any other strategic matters and a Planning Committee to deal with everything else. The new Constitutional material is based on best practice, current law and nationally recommended procedures.

RECOMMENDATIONS

That Governance Committee recommend to Full Council:

1. 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.
2. the main changes to the Constitution set out in Appendix A and the consequential minor amendments to the Constitution set out in Appendix B.
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.

REPORT DETAILS

1 INTRODUCTION

- 1.1 New proposals for the governance of planning matters have been under review following a resolution at Full Council in October 2017 that the Governance Committee considers the current constitutional arrangements for determining planning applications and in particular major applications in addition to reviewing the right of members, other than those on the committee, to speak at Regulatory Services Committee meetings.
- 1.2 The regeneration and growth strategy that Havering has embarked upon is an exciting challenge. To achieve the quality of development that is both desired and needed, the Council is changing to be a more pro-active, delivery-focused planning authority. A myriad of changes will be needed to instil best practice throughout the organisation so that it is ready to handle the challenges that lie ahead. The involvement of Members in the pre-application stage is promoted as best practice¹. It will be vital to ensure that strategically important planning applications are dealt with properly and that the involvement of Members is achieved in an effective and systematic way so that the Council succeeds in its ambitions.

¹ “*Connecting Councillors with Strategic Planning Applications*” London First and POS London 2011 and “*10 Commitments for Effective Pre-Application Engagement*” LGA and BPF 2014

Governance Committee, 7 March 2018

- 1.3 Key Members have already been briefed on how a new strategic application process will operate. This report goes into the detail of the changes that would be needed to the Constitution to facilitate these improvements.
- 1.4 In this part of the report the changes proposed will be summarised. A detailed rationale for the proposed changes is set out in Appendix A. Appendix B contains consequential minor changes that need to be made to the Constitution as a result of the main changes. The detailed text for key parts of the Constitution are set out in the following appendices:
- Appendix C Functions Delegated to Staff
 - Appendix D Functions Not the Responsibility of the Executive
 - Appendix F Planning Committee Procedure Rules
 - Appendix G Planning Code of Good Practice
- 1.5 Appendix E sets out the text in the Town and Country Planning (Mayor of London) Order 2008 of Potentially Strategically Important (PSI) applications for planning permission. This definition is proposed to be used in the Committee Consideration Criteria and is included for information.
- 1.6 Appendix H has a flow chart that illustrates the process (as set out in the Planning Committee Procedure Rules) for deciding which planning applications go to planning committee for determination and which are decided with under delegated powers.

2 BACKGROUND

- 2.1 Havering has a higher than normal rate of major applications determined by the Council that are refused and subsequently allowed at appeal (nearly 10%). Over the last two years, nearly 85% of these were decisions by RSC against the recommendation of officers. Government uses this indicator as a measure of the quality of decision making and because of this poor performance Havering was at risk of being designated by DCLG.
- 2.2 Government looks at major application appeal performance as a % of all major applications determined over a defined two-year period (April 2015 to March 2017). If a LPA lose more than 10% of such appeals over the period, that is considered poor performance and designation can follow. Being designated means that an applicant on a major application can apply direct to the Planning Inspectorate to have the application determined and bypass the Council. This would result in significant reputational damage, as well as loss of jurisdiction and loss of fee income.
- 2.3 The risk of designation at the end of 2017 was because the Council had lost six appeals out of 65 such decisions and this puts LBH at 9.23% – of those six, five of the decisions were overturns at committee. This should mean the Council just escapes designation, but at the time of writing this report these figures have not yet been confirmed and agreed with DCLG. Nevertheless, the Council will be scrutinised by DCLG because it came so close to designation. It is therefore important that the Council can demonstrate that it has recognised the problem and are actively addressing it so that such a poor performance in the quality of decision-making is not likely to re-occur.
- 2.4 Whilst the Council was at risk, it was contacted by the Planning Advisory Service (PAS) as part of the Government's programme to assist LPAs who

are struggling in some way (there are other indicators on speed of determination and plan-making performance being used). The support has taken the form of a Planning Committee Review by two PAS specialist (a former Chief Planner and an experienced Planning Committee Chairman) assisted by a PAS Improvement Manager. They observed RSC in operation on two occasions and spoke to key members and officers. A report has been produced including the following key recommendations:

- Members should make decisions on borough wide issues rather than ward issues
- Planning committee needs to operate as an enabler and facilitator for development, rather than controlling or preventing it
- All committee members need to be adequately trained and agree to attend the entire programme – failure to do so needs to be effectively enforced
- A chief planner needs to be in place to manage the planning service and to act as the key go between with members

2.5 This report sets out the options for addressing these concerns.

3 AIMS OF THE REVIEW

3.1 All planning applications, but strategic planning applications in particular, can raise tensions locally and it is vital that they are processed correctly so that the potential for challenge is minimised. A carefully drafted Constitution is crucial for this.

3.2 The rate of growth in the South East's population is not abating and pressure on London Boroughs to accommodate growth will remain and probably increase. The integration of the pre-application process into the Council's committee process will mean that Planning Committee Councillors can play a greater role in the design process and input into a scheme's development before it is submitted as a planning application. As a borough that wants to encourage high quality developments that enhances Havering, these changes will enable the Council to do that much more effectively.

3.3 These changes mean that Members, quite rightly, will be spending more of their time on this strategic application workload and there will be a need to make the space for this by ensuring that only those non-strategic applications that need to, actually come to committee. Planning Committee's valuable time will need to be spent on strategic placemaking, rather than on neighbourhood dispute mediating. Their focus must shift to the borough as a whole, rather than having narrower ward issues as their focus. The committee's role as enablers and facilitators of development will need to be established and developed, with less of a focus on controlling or preventing development. Members' active involvement in the pre-application stage will be vital to this culture change for the committee.

3.4 A further consideration is that an application costs significantly more to process when the decision is taken at committee rather than under delegated powers. The difference will vary by application type, but it will be over £1,000 per application in most cases. This adds up to a considerable sum over a year. In the context of reduced council funding, it is even more important to ensure that Planning Committee only deals with those matters that it really needs to.

3.5 Finally, the issues highlighted in the previous section (Background) are addressed where relevant to the matters covered by this report.

3.6 This report sets out the options for achieving these aims.

4 REGULATORY SERVICES COMMITTEE

4.1 Planning applications are currently determined at Regulatory Services Committee (RSC). That committee also deals with the following matters, albeit very infrequently:

- Health and Safety
- Highways Use and Regulation
- Urban Development Corporation (this is the London Thames Gateway Development Corporation, which no longer exists)

4.2 Given the importance of determining planning applications in the context of a large growth and regeneration agenda, planning matters, particularly strategic ones, need to be dealt with in their own separate committee. This is the model most Council's adopt because it enables the level of expertise needed plus the training commitment necessary to be developed and delivered so that the committee is resourced to perform well.

4.3 It is proposed that there will be two planning committees: a Strategic Planning Committee (SPC) to deal with strategic applications and any other strategic planning matters and a Planning Committee (PC) to deal with everything else. The residual functions of RSC (Health and Safety and Highways Use and Regulation) will be allocated to the new Planning Committee.

4.4 The need for two committees should be kept under review. If a single committee is preferred after time, this can be accommodated with only minor changes to the procedures and provisions set out in this report.

4.5 The size of each committee needs to be considered. RSC is currently eleven members and it is proposed that number will remain for PC. Strategic planning committees are often smaller given the need to have a high-quality membership dealing with very important planning applications. It is recommended that seven members should be the size of the new SPC. The size of committees is determined by Full Council at the meeting in May along with the membership, based on political balance.

4.6 The existing Constitution (Part 2 The Articles of the Constitution, Appendix to articles – pg 28) states under the rules for RSC on membership requirements, "... of whom only one may be an Executive Member, or two if one is acting as a substitute". It is recommended that this be deleted as Cabinet members, sitting on SPC in particular, could be useful.

4.7 Finally, it is recommended that the following be added with respect to the membership of both committees:

"When the membership of the committee is determined, there should always be at least one Councillor in each Ward who is not a member of SPC or PC to ensure that there will always be a Councillor with whom residents will be able to discuss planning matters."

4.8 These changes are set out in Appendix B.

5 CONSTITUTION

- 5.1 The Constitution sets out what RSC deals with and how these matters are handled. This is mainly contained in the following parts of the Constitution:
- Part 3 Responsibility for functions: sets out the functions for RSC and the functions delegated to staff
 - Part 4 Rules of procedure: contains general rules for committees
 - Part 5 Codes and protocols: contains a “Protocol on probity in planning matters”
- 5.2 The whole Constitution has been reviewed for this purpose and the recommendations include the changes that will be required if the approach set out in the introduction is to be implemented. There are a number of other consequential changes to the Constitution that have been identified which will also need to be implemented. These are summarised in Appendix B.

6 RESPONSIBILITY FOR FUNCTIONS

- 6.1 This contains three things that will create, define and manage the remit of the new planning committees:
1. Council Functions
 2. Functions Delegated to [Head of Planning]
 3. Functions Not to Be the Responsibility of The Executive
- 6.2 The detailed design of and rationale behind these elements are set out in detail in Appendix A and summarised below.

COUNCIL FUNCTIONS

- 6.3 Part 3, section 1 of the Constitution defines the broad matters Council has delegated to committees to deal with. It is recommended that both planning committees deal with the following application types:
- Applications for Planning Permission
 - Applications for Listed Building Consent
- 6.4 The other application types we deal with under planning legislation are either very minor and raise no significant issues, are limited in the way they can be determined (ie they are confirming what a legal position is and no judgement is exercised) or are very specialised and determination is driven by expert opinion (either from council experts or external bodies).
- 6.5 SPC will deal with those applications that raise strategic issues. It is not proposed to define these by reference to the size of the development because that is not the only determining factor. It will be a decision for the [Head of Planning] to make. Essentially it will be those applications that go through the Development Team Approach pre-application service and are presented to SPC in the pre-application stage. Clearly the Constitution will need to specify that SPC will also receive presentations in the pre-application or pre-determination stage.
- 6.6 Both committees have a catch-all provision to receive other planning matters that the [Head of Planning] considers should be referred to committee.

DELEGATION SCHEME

Functions Delegated to [Head of Planning]

- 6.7 Part 3, section 3.6 sets out the specific matters delegated to named officers. It is proposed to redraft this to make it simpler, clearer and more comprehensive than the current approach. The new scheme is explained in Appendix A and set out in Appendix C.

Functions Not to Be the Responsibility of the Executive

- 6.8 Part 3, section 4 sets out the matters that are not Executive functions. The table also delegates matters to either officers or committees like PC/SPC. This is largely a statutory requirement to set out the different responsibilities between Full Council and the Executive. Essentially it is defined in legislation, but the way such documents are generally drafted in Constitutions (ie by reference to specific sections in legislation) mean that they can unintentionally miss some powers and quickly become out-of-date. Appendix D sets out an approach that refers to the parts of a statute (eg the Planning Act or other relevant statutes) rather than specific sections within an Act, which will ensure a more comprehensive approach and a much longer shelf life.

7 RULES OF PROCEDURE

- 7.1 The proposed changes in this area represents a major improvement to the Constitution.
- 7.2 The current rules for RSC are mainly contained in the general Committee Procedure Rules and the Protocol on Probity in Planning Matters. There are also rules scattered across other parts of the constitution. This makes it very difficult to know what the rules are, plus in some instances (eg, public speaking) they are duplicated and different. It is recommended that pulling together existing procedures into a single document would be advantageous.
- 7.3 Supplementing this with what is required to handle the new procedures around pre-application presentations will also be required.
- 7.4 These Rules would therefore be subservient to the general Committee Procedure Rules in Part 4 of the Constitution: Rules of procedure. They should be called Planning Committee Procedure Rules and within the document make it clear that they apply to both of the Council's new planning committees.

PLANNING COMMITTEE PROCEDURE RULES

- 7.5 The detailed design of and rationale behind these Rules are set out in detail in Appendix A. The new set of rules will have the following components:
- Committee Consideration Criteria
 - Public Speaking Procedure (including member speaking rights)
 - Pre-Committee Matters
 - Committee Agenda
 - Order of Proceedings
 - Decision Making
 - Voting Procedures
 - Committee Performance

7.6 A draft of the Rules is set out in Appendix F and they would be located in Part 4 of the Constitution: Rules of procedure.

8 CODES AND PROTOCOLS

8.1 Part 4 of the Constitution (Codes and Protocols) contains a “Protocol on probity in planning matters”. This tries to perform two separate roles. It sets out the standards of behaviour that all Councillors and officers involved in the planning process should adhere to, but also has some, but not all, of the procedures and rules that govern the operation of RSC. The rest of the procedures and rules for RSC are elsewhere in the constitution or have not been documented.

8.2 It is already recommended in the previous section, that all the SPC/PC procedure rules should be in one place. Here it is recommended that there should be a new Planning Code of Good Practice that will deal with standards of behaviour only and not cover the operation of two new planning committees. A draft is set out in Appendix G.

PLANNING CODE OF GOOD PRACTICE

8.3 The existing Code, in terms of standards of behaviour, seems to follow the Local Government Association’s (LGA) model code produced in 2009. There have been several subsequent changes to the legislation (eg Localism Act 2011) and the rules that sit behind such codes. The LGA therefore issued a new model code in 2013. Havering’s Code does not seem to pick these up and is therefore out of date in some places.

8.4 The new Code, based on the LGA 2013 model code, will cover the following areas:

- Aim of the Code
- Role and conduct of Councillors and officers
- Interests: registration and disclosure
- Bias: predisposition/predetermination
- Applications submitted by the Council, Councillors or officers
- Lobbying of and by Councillors
- Pre-application discussions
- Post-submission discussions
- Planning appeals
- Planning enforcement
- Councillor training

8.5 This can replace the current “Protocol on probity in planning matters” and should be in Part 5 of the Constitution: Codes and Protocols.

9 MEMBER BRIEFING

9.1 The proposals in this report were presented to an all-Member Briefing on 29 January 2018 in the Council Chamber. The main proposal to increase member involvement in strategic applications, particularly at the pre-application stage, was broadly welcomed. Comments were made on the following areas:

- Can a substitute (for ward members or local residents) attend to present: it was confirmed that they could.
- Clarification that the role of committee was not to hold officers to account (in the manner of a scrutiny committee) but to deliver the council's planning policies through positively enabling development.
- Concern about the need to ensure member capacity to support 2 x committees: it was acknowledged that two committees may prove to be unnecessary, but the 2-committee model was recommended initially to ensure there was sufficient capacity and, as set out in paragraph 4.4 above, will be kept under review. It was pointed out that each committee could comprise the same members – that was a matter for the Political Parties.
- It was felt desirable to retain members on the committee so they gain expertise: this is agreed, but again it is a matter for the Political Parties.
- Concern that a petition of over 50 signatories may be too high a hurdle: it was confirmed that this was a standard number used in many Councils, but the Head of Planning has discretion to refer any planning matter to committee and where there was a good reason to accept a smaller petition (such as in an area with very few dwellings) that discretion could be exercised.
- Public speaking timings were being brought into line with best practice which means all speakers get the same time (3 minutes in PC and 5 minutes in SPC). The public/applicants currently have 2 minutes and members 4 minutes. There was debate over these timings but it was not resolved.

10 CONCLUSIONS

- 10.1 This report covers the areas necessary to bring the Constitution up-to-date with respect to planning procedures and responsibilities and to enable it to deal with the expanded workload the regeneration and growth strategy is generating. It is hoped that the new elements have been clearly set out and that the new procedures will prove to be useable for members, officers and the public.

IMPLICATIONS AND RISKS

Financial implications and risks: The recommendations in this report should be cost neutral, but it is not possible to be definite at this stage as new procedures are proposed and their effectiveness will depend on how they are used by the public and members. There may be cost implications for the Members' Allowance Scheme if the membership of the two planning committees, or the Chair arrangements, are different. Members are paid only one Special Responsibility Allowance and accordingly any increase to the overall Members' Allowance Scheme will depend on appointment choices. The operation of the new committees should be reviewed after they have been in operation for a year.

Governance Committee, 7 March 2018

Legal implications and risks: This report and its recommendations have been drafted with the advice and assistance of the Council's Legal and Democratic Services to ensure they comply with the law and other requirements. A large part of the drafting changes are included to ensure the Council is in a strong position to avoid challenge to the operation of its planning committee.

Human Resources implications and risks: There are no human resources implications arising from the recommendations in this report because it will be managed by existing resources; however this will be kept under review.

Equalities implications and risks: The changes proposed are a combination of best practice and legal requirements and relate primarily to committee procedures and members' probity protocols. There are no specific equalities implications for people, including those with protected characteristics. An EA is therefore not necessary.

APPENDICES

**APPENDIX A
RATIONALE FOR MAIN CONSTITUTION AMENDMENTS**

This appendix sets out the detailed considerations behind the proposed changes summarised in the Report Details in the main report.

1 RESPONSIBILITY FOR FUNCTIONS

- 1.1 Part 3 of the Constitution defines, in section 1 under Council Functions, what broad matters Council has delegated to committees, like RSC, to deal with. This just confines each committee to dealing with certain things, as it would be odd if, for example, planning committee suddenly decided that it wanted to determine licensing applications and the Constitution didn't stop them!
- 1.2 Precisely when a committee deals with these matters is set out in a delegation scheme, which in LB Havering is called the "functions delegated to staff" and is in part 3, section 3 of the Constitution. Part 3, section 4 deals with the statutory requirement of defining the responsibilities between Full Council and Cabinet and is called the "Functions Not the Responsibility of the Executive".

2 COUNCIL FUNCTIONS

- 2.1 This is where the new planning committees will be created and defined. Part 3 Section 1.2 contains a table setting out the functions that are delegated to each of the Council's general committees to deal with. For RSC it states:

Committee	Functions
Regulatory Services	<p>Health and safety To carry out functions relating to health and safety under any "relevant statutory provision" within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the Council's capacity as employer</p> <p>Highways use and regulation To exercise powers relating to the regulation of the use of highways as set out in Part 3, section 4: functions not to be the responsibility of an authority's or to staff</p> <p>Planning and conservation To carry out functions relating to town and country planning and Planning Control as specified in:</p> <ul style="list-style-type: none">• Part 3, section 4: functions not to be the responsibility of an authority's Executive• Part 3, section 5: local choice functions that are not delegated to staff <p>Urban Development Corporation To form planning views on behalf of the Council in its role as consultee on applications to be decided by the Board of the Urban Development Corporation</p>

- 2.2 It will be necessary to delete the two sections headed “Planning and Conservation” and “Urban Development Corporation” (this relates to the London Thames Gateway Development Corporation, which no longer exists) for that committee. The residual functions of RSC will be allocated to the new Planning Committee.
- 2.3 To create and define the two new planning committees, a new section will be added to the table. This should contain three things, as appropriate for each committee:
1. SPC to receive presentations in the pre-application or pre-determination stage
 2. Specify the application types that both committees can deal with (see next section), rather than the current approach of cross referencing to other parts of the Constitution which can result in confusion and unintended consequences
 3. A catch-all for the [Head of Planning] to refer planning matters to committee

APPLICATION TYPES

- 2.4 The Constitution (part 3 section 3.6) sets out a long list of application types and sizes (over a page in length) that can be approved by officers, meaning the residual application types must always go to committee. This is a very odd way of drafting a delegation scheme as it can result in minor matters having to go to committee just because they were not included, plus it has some very low thresholds: eg, three houses or more must go to RSC. A different approach is needed where matters are delegated to officers unless there is some specific trigger that sends a particular application to committee. This part of the Constitution will identify the application types that the new committees will deal with. The triggers will be in the Committee Consideration Criteria in the Committee Procedure Rules.
- 2.5 It is recommended that there are only two application types that should go to planning committee:
1. Applications for planning permission
 2. Applications for listed building consent (often associated with an application for planning permission)
- 2.6 Applications for planning permission has a statutory meaning, so it is a good term to use, and includes the following:
- applications for outline planning permission
 - applications for full planning permission
 - applications to vary or delete conditions under s73 (this would include more significant “material” amendments).
- 2.7 The other application types we deal with under planning legislation are either very minor and raise no significant issues, are limited in the way they can be determined (ie they are confirming what a legal position is and no judgement is exercised) or are very specialised and determination is driven by expert opinion (either from council experts or external bodies). These other application types include:

- Approval of reserved matters: committees do not normally deal with these, but if they wished to be involved in the determination of a specific matter they can indicate that when determining the outline application
- Approval of conditions: these are minor matters
- Amendments to planning permissions under s96A: you can only permit an amendment where it is non-material, ie it has no materially different impact
- Advertisement consent: these are minor matters
- Hazardous substances consent: in practice, we must do what the Health and Safety Executive say
- Tree preservation order consents and trees in conservation areas notifications: these are highly specialised and the determination is driven by expert opinion
- Prior Notifications: permitted development with specified limited matters to be considered within a very tight timescale
- Certificates of lawful development: confirm a legal position with no planning judgement

2.8 None of these should come to committee, other than where the [Head of Planning] considers that it is necessary, which would be very rare.

ENFORCEMENT ACTION

2.9 The taking of enforcement action should be delegated and not be within the committee's remit, as is largely the case in Havering. However, according to section 4, there are some less-often used enforcement powers that are not delegated, such as completion notices, discontinuance orders and repair notices on listed buildings. The reason for these anomalies could have been that there may have been a fear of the Council being exposed to compensation or other unbudgeted expenditure. However, that should not be a reason for excluding them as delegated powers, because the exercise of any delegation is limited by the general provisions in section 3 which state in paragraph 3.1(b) that any such expenditure is, "subject to there being sufficient approved provision within the budget to cover that expenditure". The new drafting will therefore make all planning enforcement delegated.

LEGAL AGREEMENTS

2.10 Where a s106 agreement is necessary to make a development acceptable, that is intrinsically linked to the consideration of the planning application. An application should not need to come to committee merely because it has a s106 agreement. This should be delegated to officers. Section 4 of the Constitution currently puts all s106 agreements to committee, which is unnecessary.

RECOMMENDATION

2.11 Accordingly, the new section in the table for SPC & PC is recommended to be:

Committee	Functions
Strategic Planning	<p>1) To receive presentations in the pre-application or pre-determination stage.</p> <p>2) To determine:</p> <p>a) Applications for Planning Permission; or</p> <p>b) Applications for Listed Building Consent; which, in the opinion of the [Head of Planning] acting in his or her discretion, raise strategic issues and should be determined by the Strategic Planning Committee.</p> <p>3) Any other planning matter which, in the opinion of the [Head of Planning] acting in his or her discretion, raises strategic issues and should be referred to the Strategic Planning Committee.</p>
Planning	<p>Planning</p> <p>1) To determine:</p> <p>a) Applications for Planning Permission; or</p> <p>b) Applications for Listed Building Consent; except where they are referable to the Strategic Planning Committee.</p> <p>2) Any planning matter referred to the Planning Committee by the [Head of Planning] acting in his or her discretion.</p> <p>Health and safety</p> <p>To carry out functions relating to health and safety under any “relevant statutory provision” within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the Council’s capacity as employer.</p> <p>Highways use and regulation</p> <p>To exercise powers relating to the regulation of the use of highways as set out in Part 3, section 4: functions not to be the responsibility of an authority’s or to staff.</p>

3 DELEGATION SCHEME

3.1 This should be where you check whether a matter is delegated to officers to deal with or if a committee should deal with something. The way the Constitution is currently drafted makes this very difficult to understand. The main problems are:

- Part 3, section 3.6 sets out the specific matters delegated to named officers. However, within the text there are, by implication in some cases and explicitly in others, matters that need to be determined by RSC. This results in a confusing and complex document that, because RSC matters are not clearly identified, can leave gaps where it is not clear where responsibility lies.
- Part 3, section 4 is a statutory requirement to set out the matters that are not executive functions. The table also delegates these matters to either officers or committees like RSC. This duplication sets up the potential for confusion and conflict between the matters in this table and those listed in

section 3.6. Furthermore, the conventional approach to the drafting of this table makes it difficult to produce a comprehensive position and keep it up-to-date.

- The Protocol on Probity in Planning Matters, in part 5 of the Constitution, contains further criteria that implies when RSC will deal with matters. This is both complex and potentially confusing as there are contradictions between these elements. For example, section 3.6 contains no triggers for objections but the Protocol states that objectors have the right to address the committee, which could be read as implying that if an application has an objection it must go to RSC so the right to address the committee can be exercised. That is not what happens, and nor is it the intention of the document, but this wording puts the council at risk of a judicial review and needs to be corrected.

3.2 What is proposed is the following general approach:

- Part 3, section 3.6 will have a clear statement of all matters that are delegated to the [Head of Planning]
- Part 3, section 4 will have a clear and comprehensive statement of all planning functions and who deals with them
- The new Planning Committee Procedure Rules will set out clearly the criteria that will trigger committee consideration of a matter that is within the committee's remit (as set out in part 3, section 1: council functions)

RECOMMENDATION: FUNCTIONS DELEGATED TO [HEAD OF PLANNING]

3.3 Appendix C sets out the functions of the Council that are delegated to the [Head of Planning] (part 3, section 3.6 of the Constitution). This is drafted as comprehensively as possible by covering all planning matters delegated from Council to officers and referring to the exceptions set out in part 3, sections 4, 5 and 6, rather than repeating them. This avoids any unintended consequences or gaps. It clearly indicates where the criteria for matters that are for planning committee are set out (ie in the Procedure Rules for the two new committees).

3.4 The draft also contains specific delegations to officers to cover planning matters that are referred to the Council to deal with (eg delegations from the GLA or a future development corporation) and how minor amendments to recommendations that have been agreed at Council, Cabinet or Planning Committee can be dealt with under delegated powers. This makes for a much more efficient planning process and protects the Council from judicial reviews.

3.5 In the current Constitution, the matters that were the responsibility of the former post of Head of Regulatory Service are set out at paragraph 3.6.6. An exercise has been carried out by Legal Services to redistribute the functions to the new AD post headings. Planning functions are grouped under the title Planning Control. What is drafted in Appendix C will replace what is currently under that title.

RECOMMENDATION: FUNCTIONS NOT THE RESPONSIBILITY OF THE EXECUTIVE

- 3.6 Appendix D sets out the newly drafted table of “Functions not to be the responsibility of the Executive” (part 3, section 4 of the Constitution) covering those functions relating to planning. It addresses the issue of conventional drafting outlined in the main report.
- 3.7 The way these tables are normally drafted is to list very specific powers, duties and responsibilities with respect to statutory functions and then to allocate them to officers or a committee as appropriate. The drawback with this approach is that some obscure or implicit powers may be missed and new powers or amendments to existing powers must be specifically included when they occur. It is very easy to miss this and expose the authority to judicial review. Several powers are missing from the current table.
- 3.8 A more generic approach, where reference is made to the parts of the Planning Act (or other relevant statutes) rather than specific sections, is better as it ensures that the scheme is automatically more comprehensive. This will also provide a much longer shelf-life for the table in the context of changes or additions to legislation, particularly where they are enacted as an amendment to existing legislation, which generally is how such changes are delivered by Parliament.

4 PLANNING COMMITTEE PROCEDURE RULES

- 4.1 The new set of Rules will cover the following areas:
- Committee Consideration Criteria
 - Public Speaking Procedure
 - Pre-Committee Matters
 - Committee Agenda
 - Order of Proceedings
 - Decision Making
 - Voting Procedures
 - Committee Performance
- 4.2 The proposed changes or new procedures in each area are highlighted below.

COMMITTEE CONSIDERATION CRITERIA

- 4.3 The final component that will determine when a Planning Committee Matter (ie an application for planning permission or listed building consent) will come to committee is the Committee Consideration Criteria. It is important that the rules around these matters are clear to ensure that the Council is in the strongest possible position where aggrieved applicants or objectors look to challenge decisions.
- 4.4 These criteria need to do two things in deciding what comes to committee:
1. Define what applications are strategically important and should always go to committee for approval
 2. Define what applications are controversial and therefore justifies a decision by committee

- 4.5 The first matter to consider is whether only recommendations to grant planning permission should go to committee and refusals are always delegated, as is Havering's current practice. It is recommended that the committee should only deal with approvals. The reason is that in negotiating applications where the applicant is refusing to budge on an issue, having the ability to say they "can have the refusal by close of play" often brings them to their senses. Where refusals are controversial (which is very rare and hard to define) the [Head of Planning] can use his or her discretion, and bring it to Planning Committee. The other important factor is that an aggrieved applicant has a right of appeal, so has an outlet. Current practice should therefore continue.

Defining strategically important

- 4.6 One way to define strategically important developments is to specify a number of dwellings, floorspace, site area etc. This is the approach used in the current constitution and is unnecessarily complex. In London, you have the Mayor of London Order which sets out a statutory definition of strategically important development. The thresholds contained therein are set by Parliament and cannot be unilaterally changed by the Mayor. Furthermore, they are part of the service's day-to-day working so, from an administrative perspective, it is very efficient to use that definition. The wording in the Order is set out in appendix E. The wording in the constitution would be:

- the application is within the categories which must be referred to the Mayor of London under the Town and Country Planning (Mayor of London) Order

- 4.7 This is a much simpler and clearer definition and is easier to incorporate into work procedures. It would reduce many of the application types that would automatically now come to committee for approval, but would be a logical approach to justify. The application types that are no longer defined as strategic would still come to committee for approval if they were triggered by the controversy criteria (eg level of objection, petition or member referral).

Departures from the development plan

- 4.8 The main consideration that drives decision making is the Development Plan. Other matters that can be considered must be material planning considerations. The statutory position (s38(6) of the of the 2004 Planning and Compulsory Purchase Act) requires that decisions MUST be in line with planning policy unless there are good and demonstrable planning reasons to do otherwise. There are special provisions in the statutory code to deal with significant departures from the development plan in a certain way. Such "departures" should come to planning committee for approval and the following wording is suggested:

- the application does not accord with the provisions of the Development Plan and, in the opinion of the [Head of Planning] acting in his or her discretion, constitutes a significant departure

Council's own development

- 4.9 The Council's own schemes must be treated no differently from any other development. However in the interests of openness, it is generally considered

good practice that any significant council own development should come to committee for approval irrespective of whether it receives objections or is referred by a Ward Councillor. The following wording is recommended:

- the application is by or on behalf of the Council and, in the opinion of the [Head of Planning] acting in his or her discretion, it is a significant development;

Defining controversial

4.10 In most Councils there is generally a threshold of the number of objections received in response to publicity and advertisement of planning applications that triggers committee determination. In Havering, the level of objection is not a trigger. Applications can only be determined at committee in these circumstances if a Ward Councillor, or in specified circumstances any Councillor, refers it. This approach places a huge emphasis on the referral process. It is recommended that a reasonable objection threshold (12 is suggested) be introduced, coupled with an adjustment of member referral procedures so that they are used less frequently. This could be seen as the democratisation of the planning committee by enabling Havering residents and businesses (in sufficient numbers) to trigger committee consideration. The rules around this would have to be carefully drafted.

4.11 Defining what constitutes an objection is very important. There are several approaches that can be used to act as a filter to weed out unnecessary matters going to committee:

1. Being clear about what constitutes an objection
2. Have a threshold of objection letters that needs to be received
3. Clear rules around petitions
4. How the Member referral procedure should operate
5. Creating a gatekeeping function to filter out unsuitable matters

4.12 These methods are generally used in combination and they will be explained in turn below.

Defining an objection

4.13 All representations that are made will be considered by officers, but it is important to be clear which ones (cumulatively) can trigger committee consideration. They need to be defined carefully (to avoid legal challenges) and it is recommended that it should be as follows:

An objection is a letter, an email or a petition from any party (Councillor, local resident, business etc) that meets all the following requirements:

- It is in response to an application that has been publicised or advertised by the Council
- It is not anonymous and includes the person's name and postal address
- It is from, or on behalf of, a person who lives at or operates from an address which is within the London Borough of Havering
- It is received by the Planning Service within the relevant timescales (these are the statutory consultation periods)
- It raises objections that are material planning considerations and are related to the application

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- Any material planning objection raised cannot be overcome by scheme amendment, imposing planning condition(s) or securing planning obligation(s)

4.14 Identical or similar pro-forma letters or emails, which also meet the above requirements, will be treated as forming a Petition (ie, each letter potentially being a single signature on a petition) rather than being treated as individual Representations for the purposes of deciding whether they will trigger consideration by Planning Committee.

Level of objection

4.15 As stated earlier, a level of 12 objections is recommended. Additionally, objectors should be required to specifically state that they wish their objection to trigger committee consideration – the overall number target would still be required. Some objectors just want to make their case and do not necessarily wish that it should be considered by committee. This would also apply to petitions. This brings objectors and petitioners in line with the requirement for Councillors to do this. This would be made clear in the notification letters sent to neighbours etc on planning applications.

Petitions

4.16 A decision is needed on how many signatures are needed on a petition to trigger committee consideration. It is recommended that a requirement for 50 signatures would be reasonable for this. These should be clearly readable names and addresses from persons who own, live or operate from an address in Havering. The requirement for the petitioner to specifically state that they wish their petition to trigger committee consideration would also be included.

Member referral

- 4.17 It is important that a member referral procedure is properly designed and documented in the constitution. What constitutes a referral and the deadlines and procedures for their handling will need to be very clearly set out. Like other Representations, there should be a similar clear definition of what constitutes an appropriate referral request and, like individual or petition representations, clear time limits.
- 4.18 It is legitimate for members to be involved in the planning application process, to express their views and to have them considered. It is not appropriate for them to interfere with the process in a way that seeks to influence the outcome. The operation of the referral process in Havering does show signs of the latter, particularly the number of late referrals. This needs to be addressed as there is a danger that members may act unlawfully, or at least given that impression, if they try to refer an application to committee late in the process. It is important that the system of member referrals has integrity, is open and transparent and not susceptible to legal challenge.
- 4.19 Although the constitution states with respect to referrals, “If no such request is received by the deadline ... the Head of Regulatory Service may determine the application”, that deadline does not seem to be in the constitution. Any deadline has to be the statutory consultation period, because after that applications can, and should, be determined without delay (National Planning Policy Framework paragraph 14).

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- 4.20 The following rules are recommended with respect to member referrals:
- Only a Councillor where the application site is within, partly within or adjoining their ward can refer an application for planning permission or listed building consent to committee.
 - The current provision (in paragraph 3.6.6 of the Responsibility for Functions) for a Councillor, who is not a Ward Councillor, to refer an application in exceptional circumstances and with the approval of the [Head of Planning] to committee, is amended to make it clear that only applications that are within the remit of Strategic Planning Committee can be so referred.
- 4.21 This represents an expansion of the current position, to recognise that it may be legitimate for a non-ward Councillor to refer strategic applications to committee.

Gatekeeping

- 4.22 There does need to be a gatekeeper role, deciding which applications with representations (individual or petitions) over the trigger levels or with Ward Councillor referrals go on the committee agenda. The reason for this is that there is an expectation that if a member refers an application to committee, they are expected to attend the committee and explain their concerns. The same expectation would extend to local residents who regularly make representations, such as resident groups or amenity societies. To enable this requirement to be enforced, the Committee Consideration Criteria for Individual Representations, Petition Representations and Ward Councillor Representations would need to have words added along the lines of "... the [Head of Planning] (in consultation with the chairman) agrees to the item being placed on the Planning Committee agenda".

Recommendations

- 4.23 The new triggers for committee consideration would therefore be:
- To approve Applications for Planning Permission or Applications for Listed Building Consent where at least one of the following applies:
- a) the application is within the categories which must be referred to the Mayor of London under the Town and Country Planning (Mayor of London) Order;
 - b) the application does not accord with the provisions of the Development Plan and, in the opinion of the [Head of Planning] acting in his or her discretion, constitutes a significant departure;
 - c) the application is by or on behalf of the Council and, in the opinion of the [Head of Planning] acting in his or her discretion, it is a significant development;
 - d) Individual Representations have been received, in accordance with these Rules;
 - e) a Petition Representation has been received, in accordance with these Rules; or
 - f) a Representation from a Ward Councillor has been received, in accordance with these Rules.

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- 4.24 Any application caught by these Criteria will be referred in the Rules collectively as a Planning Committee Matter. “In accordance with these Rules” will mean that Representations must meet both general requirements and specific referral criteria.
- 4.25 The general requirements are set out in paragraphs 4.13 and 4.14 above.
- 4.26 The specific referral criteria for individual, petition and Ward Councillor representations are set out below:

Individual Representations

- 4.27 A Planning Committee Matter may be reported to Committee where Individual Representations have been received that all meet the General Requirements for a Representation and additionally meet the following Criteria:
- Any Individual Representation clearly states that they wish the application to be determined by Committee; and
 - At least 12 such Representations have been received from individual properties within the London Borough of Havering for each application.
- 4.28 Representations for each application are those that are received from individual properties within the London Borough of Havering, ie not one from each member of a family, a household or a business within a property. If several objections are received from a single property, they will be treated as a single objection.

Petition Representations

- 4.29 A Planning Committee Matter may be reported to Committee where one or more Petition Representations (including pro-forma letters) have been received that all meet the General Requirements for a Representation and additionally meet the following Criteria:
- Any Petition Representation clearly states that they wish the application to be determined by Committee; and
 - All such Petitions must total at least 50 signatures with clearly readable names and addresses from persons who own, live at or operate from an address which is within the London Borough of Havering.
- 4.30 Where such petition(s) contain less than 50 such signatories they will individually (in the case of each petition) or collectively (in the case of pro-forma letters) be treated as each forming a single Individual Representation for the purposes of deciding whether a Planning Committee Matter will be referred to Committee.

Ward Councillor Representations

- 4.31 A Planning Committee Matter may be reported to Committee where a Councillor for the ward within which the application site is situated or adjoins has made a Representation that meets the General Requirements for a Representation and additionally meets all the following Criteria:
- The application site is within, partly within or adjoining the Councillor’s ward;
 - It clearly states that the Councillor wishes the application to be determined by Committee;

- It gives specific reasons for this that relate solely to matters that are material planning considerations and justify consideration by Planning Committee rather than under delegated powers – just saying that the Councillor considers that the matter should be determined by Planning Committee will not be sufficient;
 - It states whether the Councillor has been approached by any person concerning the application; and
 - If so, provides details of that contact, including the identity of the person(s).
- 4.32 A Councillor, who is not a Ward Councillor, may request that a Planning Committee Matter be reported to committee if they consider that there are exceptional circumstances that justify it. The decision as to whether such a matter is reported to committee is for the [Head of Planning], acting in his or her discretion, to make. Generally, only matters that are within the remit of Strategic Planning Committee will be accepted under this provision.

PUBLIC SPEAKING PROCEDURE

- 4.33 The resolution from Full Council requires the right of members to speak at committee to be reviewed. It is clear that Councillors within whose ward the application site is situated have such a right. The issue is the right of non-ward Councillors to address committee.
- 4.34 The current provision is set out in para 13 of the Committee Procedure Rules. This relates the right to speak with the right to call-in applications; members who do so are expected to address the committee on their call-in request. Non-ward Councillors can only call-in applications to committee in exceptional circumstances and the decision is for the [Head of Planning] to make.
- 4.35 In line with the proposed clarity around call-in rights set out above (paras 4.20 and 4.21) the same approach will be employed with respect to speaking rights for Councillors. The procedures around addressing committee will be based on the following principles:
- Clarity that for both committees there are up to three Councillor slots, but also clarity that Councillors should avoid duplication and coordinate their attendance at committee in the interest of efficiency.
 - For PC, the Councillor slots are for Councillors where the application site is within, partly within or adjoining their ward only, as these applications generally raise local issues. Non-ward Councillors and non-referring ward Councillors do not have a right to address the committee. The chair's discretion would remain but the default position would be clearly set out.
 - A non-ward Councillor can register as an objector and address the committee. The current procedure requires that a registering objector must have submitted an objection. This requirement is an unnecessary complication and the new rules just require that an objector registers (on a first come basis – as now).
 - For SPC, the three Councillor slots are open to all Councillors, but priority will be in the following order:
 - Referring ward Councillors
 - Referring non-ward Councillors
 - Non-referring ward Councillors

- Non-referring non-ward Councillors
- The ability of cabinet members to address the SPC on strategic cases to raise significant issues for their portfolio area will be included and this will be an additional slot over and above the other Councillor slots. However, where the council is the applicant and the promoting Cabinet Member wishes to address committee, this should be done in the applicant's slot; they should not use the cabinet member slot.
- Ward Councillors are able to address SPC on Development Presentations (again, three speaking slots a maximum of five minutes each), but they should confine their presentations to commenting on aspects of the development (eg its design, highway impacts, level of affordable housing etc) and not objecting to the principle of the development or the scheme as a whole. The reason for this is that the pre-application process is where the Council should work to improve schemes so they can be approved. The time for objecting to the development is once the application is made.

4.36 Other general public speaking procedural changes are as follows:

- In the interests of natural justice, most councils have slots of the same length. Therefore, all slots (ie the registered objector, a responding applicant and any councillors) will be 3-minutes long in PC and 5-minutes long in SPC.
- All speakers (objectors, responding applicants and Councillors) must register 15 minutes before the start of the meeting.
- Where an item is on the agenda solely because of the level of objections, a petition, or a Councillor referral, and nobody registers to address the committee before the meeting starts, that item comes off the agenda and be dealt with under delegated powers.

PRE-COMMITTEE MATTERS

4.37 The main issues here are to make it clear that committee members should raise areas of concern with officers in advance of the meeting wherever possible and to clarify the expectations and procedures around site visits. Essentially capturing current practice, that it is the responsibility of Members to be familiar with the sites on the agenda.

COMMITTEE AGENDA

4.38 The agenda will be divided into sections as follows:

1. Development presentations (SPC only)
2. Applications for decision
3. Other planning matters (eg an Article 4 Direction)
4. Items for information

4.39 Only item 2 would attract public speaking rights.

General delegations

4.40 In the reports to Committee an approach where they do not set out the full wording of planning conditions, reasons for refusal, informatives and planning obligations, but are a summary of them, will be adopted. A fully worded draft decision notice would have been prepared which would be available to look at

any detail, if needed. This approach is considered better for the following reasons:

- it communicates the details of the recommended decision more clearly to Members and the public than many pages of detailed conditions or grounds; and
- there can sometimes be a delay before a decision is issued (such as waiting for the signing of a legal agreement or views from the Mayor of London and/or the National Planning Case Unit) and something may arise which necessitates an amendment, a deletion or an addition.

4.41 It will therefore be necessary in the procedure rules to delegate to the [Head of Planning] the power to communicate the detailed wording of committee decisions to applicants.

Update Report

4.42 It is important to set a deadline for matters to be included in the Update Report. Having to deal with last-minute submissions should be avoided. In addition, the report should be emailed to Planning Committee Members in advance of the meeting so that they have a bit longer to read it. It is therefore recommended that the deadline by which material must be received in the service will be noon on the day of the meeting. Generally, material received after this time will not be reported to the Committee unless the [Head of Planning] considers it necessary. The [Head of Planning] must have an absolute discretion in this regard

ORDER OF PROCEEDINGS

4.43 This will set out how each item on the agenda will be dealt with, such as in what order the speakers are heard etc. it is not proposed to change what is standard practice at Havering in this area other than to split the officer presentation so that before the speakers, officers introduce the application (ie describe the development), and after the speakers, they will outline the material planning considerations that led to the recommendation. This will also give officers the opportunity to pick up any issues that may have come up in public speaking.

4.44 Part 4, section 8 of the general Committee Procedures Rules, sets a 2½ hour guillotine for committees like RSC, but this does not seem to be followed. Many Councils adopt this, as very late Planning Committees are not helpful to anyone. It is recommended sticking to the 2½ hour length with the provision of an extra 30 minutes to finish off the item that was started before the guillotine.

4.45 Items that have not been determined within the guillotine time limits should be automatically delegated to officers to determine in accordance with the recommendation set out in the report, unless the meeting determines otherwise by way of a resolution made prior to the guillotine and agreed on a majority vote. Generally, it would only be items that remain undetermined for which there are speakers that would be voted on to extend the guillotine time to deal with them. Other items should normally be left to officers to determine under delegated powers. This is a more efficient approach than having to reconvene the meeting to deal with undetermined items, especially ones that are uncontroversial.

DECISION MAKING

- 4.46 This brings together probity advice around decision making, so it is all in one place.

VOTING PROCEDURES

- 4.47 It is much better if the voting convention in Planning Committee is that the recommendation is voted on first, rather than having motions moved and seconded. The reason for this is that when the committee is looking to go against the officer recommendation, this triggers a critical set of procedures that are designed to protect the Council's interests. As will be explained below, there are circumstances where this might result in the item being deferred. Therefore, it is important to know that the committee wants to go down this road; hence they should decide first whether they agree the recommendation in the report. The recommendation can be amended (eg adding or varying a condition) before the vote in the usual way.
- 4.48 In all cases where the committee departs from the recommendation (either an alternative one or an amendment) the Rules will say that they must receive and consider advice from the [Head of Planning] or his or her representative on the proposed changes. Where the officer considers that he/she is unable to give that advice in the meeting, further consideration of the matter will be suspended and the agenda item will be adjourned so that a report can come to the next available committee setting out the advice, if necessary on the private business part of the agenda if legal advice is required. The reason for this is to avoid the situation where officers must advise in the meeting that grounds of refusal are weak or not defensible at appeal or that there is a risk of costs being awarded against the Council.
- 4.49 The legal requirement to accurately record reasons for decisions will also be clearly set out so that decisions that go against the recommendation in the report are soundly made and recorded, so that they are not liable to judicial review.

COMMITTEE PERFORMANCE

- 4.50 This section is necessary to make sure that both committees perform in the way that is expected, in the same way as the planning service generally is so monitored. This is designed to ensure that the issues behind the designation risk that has emerged are picked up earlier and addressed through routine monitoring of both performance and quality indicators.

APPENDIX B CONSEQUENTIAL MINOR CONSTITUTION AMENDMENTS

The following miscellaneous amendments will be needed to the Constitution:

PART 1: SUMMARY OF THE CONSTITUTION

7. Other Committees (pg 7)

Reference needs to be made to the new SPC/PC.

PART 2: THE ARTICLES OF THE CONSTITUTION

Article 3: Citizens and the Council

3.02 Participation (pg 15):

Needs to exclude SPC/PC, as their public speaking rules will be set out in their own committee procedure rules – should not be up to the committees as consistency is vital – only the chair will have discretion.

Article 9: Decision making

9.05 Referral of decision maker to higher authority (pg 23):

SPC/PC have their power delegated from Council – it is very rare for such committees to refer planning matters back to full council – this should be excluded by adding a new paragraph that says:

“Decisions of the SPC/PC cannot be referred to another body (except officers), including to the council.”

9.06 Decision making (pg 23):

Need to refer to new SPC/PC Procedure Rules by adding new text at the end of paragraph (d) which states:

“... and the SPC/PC will additionally follow the SPC/PC procedure rules set out in part 4 of this Constitution.”

9.08 Party Whip (pg 23):

Need to change the reference from RSC to SPC/PC.

Article 12: Suspension, interpretation and publication of the Constitution

12.01 Suspension of the Constitution, (c) Rules capable of suspension (pg 27):

Reference to Planning Committee Rules will be needed so that they cannot be suspended other than as stated in the Rules, which will usually be at the chair's discretion.

Appendix to Articles (pg 28)

This will need a reference to the make-up of the new SPC/PC and their sizes. It is recommended that:

- SPC to be seven members
- PC to be eleven members
- The rules for RSC on membership requirements state, “... of whom only one may be an Executive Member, or two if one is acting as a substitute” – it is recommended that this be deleted as Cabinet members, on SPC in particular, is

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beneficial and encouraged by the Local Government Association and the Planning Advisory Service.

- It is also recommended that the following is added:
“When the membership of the committee is determined, there should always be at least one Councillor in each Ward who is not a member of SPC or PC to ensure that there will always be a Councillor with whom residents will be able to discuss planning matters.”

PART 4: RULES OF PROCEDURE

Committee Procedure Rules (pgs 179 - 189)

Need to delete/amend the following as they will be in the SPC/PC Procedure Rules:

7. Attendance at Committee

(e) Members of the public wishing to address the committee (pg 182)

Need to add the note,

“This rule shall not apply to SPC/PC as the public speaking procedures for these committees are set out in their own committee procedure rules.”

8 Conclusion of meetings (pg 182)

PC/SPC will have its own guillotine rules as they need to operate slightly differently. Therefore, need to add a new paragraph between (a) & (b) which says,

“The rules for the conclusion of SPC/PC meetings are set out in their own committee procedure rules.”

13 Regulatory Services Committee (pg 184)

This relates to public speaking and will be covered in the new SPC/PC procedure rules, so should be deleted. There may need to be a note somewhere – perhaps here – that SPC/PC does have a separate set of procedural rules.

18 Training and continuity of membership of certain committees (pg 188)

This allows a member to be on SPC/PC for 6 months with no training. Best practice is that all SPC/PC members and substitute members must receive basic training on planning and probity before being able to sit on committee. They should also be obliged to keep up-to-date by attending other training offered. This will be covered in the Committee Procedure Rules, so the following sentence should be added at the end of paragraph (a):

“The rules for training of SPC/PC members are set out in their own committee procedure rules.”

**APPENDIX C
FUNCTIONS DELEGATED TO STAFF**

The following amendments to part 3, section 3.6 of the Constitution are proposed:

[HEAD OF PLANNING]

1. To deal with planning related matters in the following parts of the Constitution:
 - a. part 3 section 4: functions not to be the responsibility of the Executive;
 - b. part 3, section 5: local choice functions; and
 - c. part 3 section 6: proper officer functions,
2. except where it is indicated that it is a matter that:
 - a. is required to be determined by SPC/PC in accordance with the Committee Consideration Criteria in the Planning Committee Procedure Rules;
 - b. is an Executive function and is dealt with at Cabinet or by a Cabinet Member delegation; or
 - c. is retained by Council to determine.
3. Planning related matters delegated to the Council by other bodies except where a matter is required to be determined by Planning Committee in accordance with the Committee Consideration Criteria in the Planning Committee Procedure Rules.
4. Where Cabinet or Council determines an item on an agenda:
 - a. in the event of changes being made to an officer recommendation by Cabinet/Council, the task of formalising the wording of those changes, within the substantive nature of the Cabinet/Council decision, is delegated to the Report Author;
 - b. the Report Author has delegated authority to make changes to the wording of the Cabinet/Council decision prior to the decision being actioned, provided that the Report Author is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by Cabinet/Council nor that such changes could reasonably have led to a different decision having been reached by Cabinet/Council.
5. Where Planning Committee determines an item on an agenda:
 - a. in the event of changes being made to an officer recommendation by the committee, the task of formalising the wording of those changes, within the substantive nature of the committee decision, is delegated to the [Head of Planning];
 - b. the [Head of Planning] has delegated authority to make changes to the wording of the committee decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) and to accept changes to the application prior to the decision being actioned, provided that the [Head of Planning] is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such changes could reasonably have led to a different decision having been reached by the committee.
6. Any other planning related matter delegated from Council to officers.

**APPENDIX D
FUNCTIONS NOT THE RESPONSIBILITY OF THE EXECUTIVE**

The following amendments to part 3, section 4 of the Constitution are proposed:

FUNCTIONS RELATING TO PLANNING

Function	Provision of Act or Statutory Instrument	Decision making body
Functions relating to development plans	Part 2 of the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004	[Head of Planning], except where: <ul style="list-style-type: none"> approval by the Executive is required for consultation on a Local Development Framework Document; approval by the Executive is required for adoption of a Supplementary Planning Document, the Local Development Scheme, the Statement of Community Involvement or the Authority's Monitoring Report; approval by Council is required for submission or adoption of a Development Plan Document
Functions relating to control over development (including the assessment of environmental effects)	Part 3 of the Town and Country Planning Act 1990	[Head of Planning], except where: <ul style="list-style-type: none"> an application for Planning Permission is required to be determined by Planning Committee in accordance with the Committee Consideration Criteria in the Planning Committee Procedure Rules
Functions relating to planning enforcement	Part 7 of the Town and Country Planning Act 1990	[Head of Planning]
Functions relating to special planning controls (e.g. trees, amenity land and advertisements)	Part 8 of the Town and Country Planning Act 1990	[Head of Planning]
Functions relating to highways and planning	Part 10 of the Town and Country Planning Act 1990	[Head of Planning]
Functions relating to statutory undertakers and planning	Part 11 of the Town and Country Planning Act 1990	[Head of Planning]

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Function	Provision of Act or Statutory Instrument	Decision making body
Functions relating to Crown land and planning	Part 13 of the Town and Country Planning Act 1990	[Head of Planning]
Functions relating to financial provisions for planning	Part 14 of the Town and Country Planning Act 1990	[Head of Planning]
Functions relating to miscellaneous and general planning provisions (e.g. rights of entry)	Part 15 of the Town and Country Planning Act 1990	[Head of Planning]
Functions relating to listed buildings	Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990	[Head of Planning], except where: <ul style="list-style-type: none"> an application for Listed Building Consent is required to be determined by Planning Committee in accordance with the Committee Consideration Criteria in the Planning Committee Procedure Rules
Functions relating to conservation areas	Part 2 of the Planning (Listed Buildings and Conservation Areas) Act 1990	[Head of Planning], except where: <ul style="list-style-type: none"> approval of the Executive is required to designate a conservation area
Functions relating to general matters relating to listed buildings and conservation areas (e.g. Crown land and rights of entry)	Part 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990	[Head of Planning]
Functions relating to controls over hazardous substances	Planning (Hazardous Substances) Act 1990	[Head of Planning]
Functions relating to Certificates of Appropriate Alternative Development	Part 3 of the Land Compensation Act 1961	[Head of Planning]
Functions relating to the control of advertisements, displays etc	Part 3 of the London Local Authorities Act 1995	[Head of Planning]
Functions relating to surveillance and covert human intelligence sources	Part II of the Regulation of Investigatory Powers Act 2000	[Head of Planning]

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Function	Provision of Act or Statutory Instrument	Decision making body
Functions relating to the civil recovery of the proceeds etc of unlawful conduct	Part 5 of the Proceeds of Crime Act 2002	[Head of Planning]
Functions relating to charging for discretionary services	Part 8 Chapter 1 of the Local Government Act 2003	[Head of Planning]
Functions relating to Nationally Significant Infrastructure Projects	Parts 1 to 9 of the Planning Act 2008	[Head of Planning]
Functions relating to the Community Infrastructure Levy	Part 11 of the Planning Act 2008	[Head of Planning], except where: <ul style="list-style-type: none"> approval by Council is required to submit a draft charging schedule for examination, approve a charging schedule or withdraw a charging schedule approval by the Executive is required to consult on or adopt a new or amended Regulation 123 List
Functions relating to Neighbourhood Planning	Part 6 Chapter 3 of the Localism Act 2011	[Head of Planning], except where: <ul style="list-style-type: none"> approval by the Executive is required to authorise a Plan to be put to referendum or to agree that a Plan be Made
Functions relating to self-build and custom house building	Part 1 Chapter 2 of the Housing and Planning Act 2016	[Head of Planning]

APPENDIX E

MAYOR OF LONDON ORDER

The Town and Country Planning (Mayor of London) Order 2008 sets out in a schedule Potentially Strategically Important (PSI) applications for planning permission. These are referred to the GLA for comment and potentially for determination by the Mayor.

It is recommended that this is a useful definition (by Parliament) of what constitutes a strategic planning matter across London and therefore in Havering.

The criteria for PSIs are grouped into three parts: large scale developments, major infrastructure and development which may affect strategic policies. The criteria in the Order vary for different parts of London. Those applicable to Havering are set out below.

1. Large Scale Developments

- A. Development which comprises or includes the provision of more than 150 dwellings (*Government have consulted on reducing this to 50*)
- B. Development which comprises or includes the erection of a building or buildings with a total floorspace of more than 15,000 square metres
- C. Development which comprises or includes the erection of a building of one or more of the following descriptions:
 - a) the building is more than 25 metres high and is adjacent to the River Thames;
 - b) the building is more than 30 metres high
- D. Development which comprises or includes the alteration of an existing building where the development would increase the height of the building by more than 15 metres and the building would, on completion of the development, fall within a description set out in Category C above

2. Major Infrastructure

- A. Development which comprises or includes mining operations where the development occupies more than 10 hectares
- B. Waste development to provide an installation with capacity for a throughput of more than:
 - a) 5,000 tonnes per annum of hazardous waste; or
 - b) 50,000 tonnes per annum of waste;produced outside the land in respect of which planning permission is sought; or
Waste development where the development occupies more than one hectare.
- C. Development to provide:
 - a. an aircraft runway;
 - b. a heliport (including a floating heliport or a helipad on a building);
 - c. an air passenger terminal at an airport;
 - d. a railway station or a tram station;
 - e. a tramway, an underground, surface or elevated railway, or a cable car;
 - f. a bus or coach station;
 - g. an installation for a use within Class B8 (storage or distribution) of the Schedule to the Use Classes Order where the development occupies more than 4 hectares;
 - h. a crossing over or under the River Thames; or

- i. a passenger pier on the River Thames.
Development to alter an air passenger terminal to increase its capacity by more than 500,000 passengers per year.
Development for a use which includes the keeping or storage of buses or coaches where:
 - a. it is proposed to store 70 or more buses or coaches or buses and coaches; or
 - b. the part of the development that is to be used for keeping or storing buses or coaches or buses and coaches occupies more than 0.7 hectares.
- D. Waste development which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated and which falls into one or more of these sub-categories:
 - a. it occupies more than 0.5 hectares;
 - b. it is development to provide an installation with a capacity for a throughput of more than:
 - 1. 2,000 tonnes per annum of hazardous waste; or
 - 2. 20,000 tonnes per annum of waste.

3. Development Which May Affect Strategic Policies

- A. Development which is likely to:
 - a. result in the loss of more than 200 houses, flats, or houses and flats (irrespective of whether the development would entail also the provision of new houses or flats); or
 - b. prejudice the residential use of land which exceeds 4 hectares and is used for residential use
- B. Development:
 - a. which occupies more than 4 hectares of land which is used for a use within Class B1(business), B2 (general industrial) or B8 (storage or distribution) of the Use Classes Order; and
 - b. which is likely to prejudice the use of that land for any such use
- C. Development which is likely to prejudice the use as a playing field of more than 2 hectares of land which:
 - a. is used as a playing field at the time the relevant application for planning permission is made; or
 - b. has at any time in the five years before the making of the application been used as a playing field
- D. Development:
 - a. on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and
 - b. which would involve the construction of a building with a floorspace of more than 1,000 square metres or a material change in the use of such a building
- E. Development:
 - a. which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and
 - b. comprises or includes the provision of more than 2,500 square metres of floorspace for a use falling within any of the following classes in the Use Classes Order:
 - 1. class A1 (retail)

2. class A2 (financial and professional)
 3. class A3 (food and drink)
 4. class A4 (drinking establishments)
 5. class A5 (hot food takeaways)
 6. class B1 (business)
 7. class B2 (general industrial)
 8. class B8 (storage and distribution)
 9. class C1 (hotels)
 10. class C2 (residential institutions)
 11. class D1 (non-residential institutions)
 12. class D2 (assembly and leisure)
- F. Development for a use, other than residential use, which includes the provision of more than 200 car parking spaces in connection with that use
- G. Development which:
- a. involves a material change of use;
 - b. does not accord with one or more provisions of the development plan in force in the area in which the application site is situated,
 - c. where the application site is used or designed to be used wholly or mainly for the purpose of treating, keeping, processing, recovering or disposing of refuse or waste materials; and
 - d. the application site:
 1. occupies more than 0.5 hectares; or
 2. contains an installation with a capacity for a throughput of more than 2,000 tonnes per annum of hazardous waste; or
 3. contains an installation with a capacity for a throughput of more than 20,000 tonnes per annum of waste
- H. Development which:
- a. comprises or includes the provision of houses, flats or houses and flats;
 - b. does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and
 - c. is on a site that is adjacent to land used for treating, keeping, processing, recovering or disposing of refuse or waste materials with a capacity for a throughput of more than:
 1. 2,000 tonnes per annum of hazardous waste; or
 2. 20,000 tonnes per annum of waste
- I. Development which:
- a. involves a material change of use;
 - b. does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and
 - c. is either:
 1. on a site that is used for keeping or storing 70 or more buses or coaches or buses and coaches; or
 2. on a site on which an area of over 0.7 hectares is used for keeping or storing buses or coaches or buses and coaches

APPENDIX F PLANNING COMMITTEE PROCEDURE RULES

The following to be inserted into Part 4 Rules of procedure of the Constitution:

Contents

1. Introduction
2. Committee Consideration Criteria
3. Public Speaking Procedure
4. Pre-Committee Matters
5. Committee Agenda
6. Order of Proceedings
7. Decision Making
8. Voting Procedures
9. Committee Performance

1 INTRODUCTION

- 1.1 These Rules apply to all meetings of the Council's Planning Committees in relation to the determination of planning applications and any other business dealt by the committee.
- 1.2 When the term "Councillor" is used, it means that the text is applicable to all Members of the Council. The term "Planning Committee Councillor" means a Member or a substitute Member of the Council's Strategic Planning Committee or Planning Committee.
- 1.3 The determination of planning applications is a statutory administrative process involving the application of national, strategic, local and neighbourhood level planning policies within a legislative framework. Planning decisions can be appealed by unsuccessful applicants and challenged by way of judicial review by aggrieved parties. Complaints about maladministration and injustice can also be made to the Local Government Ombudsman. To mitigate these risks, it is vital that those involved in the determination of planning applications, and particularly officers and Councillors, act reasonably and fairly to applicants, supporters and objectors.
- 1.4 These Rules are designed to help ensure that this is achieved, but they should not be read in isolation. Councillors need to also have regard to the Planning Code of Good Practice (the Planning Code) within this Constitution. Whilst both these Rules and the Planning Code interpret the Members' Code of Conduct with respect to planning matters, they are subordinate to the Members' Code of Conduct and, in the event of any inconsistencies arising between these Rules and the Members' Code of Conduct, the latter shall prevail.

2 COMMITTEE CONSIDERATION CRITERIA

- 2.1 Part 3 of the Constitution (Responsibilities for functions) sets out what functions are the responsibilities of committees and the functions delegated to staff.
- 2.2 Part 3.1.2 (Functions delegated to general council committees) set out the matters that are within the remit of a Planning Committee.

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- 2.3 For Strategic Planning Committee, these are:
1. To receive presentations in the pre-application or pre-determination stage.
 2. To determine:
 - a. Applications for Planning Permission; or
 - b. Applications for Listed Building Consent; which, in the opinion of the [Head of Planning] acting in his or her discretion, raise strategic issues and should be determined by the Strategic Planning Committee.
 3. Any other planning matter which, in the opinion of the [Head of Planning] acting in his or her discretion, raises strategic issues and should be referred to the Strategic Planning Committee.
- 2.4 For Planning Committee, these are:
1. To determine:
 - a. Applications for Planning Permission; or
 - b. Applications for Listed Building Consent; except where they are referable to the Strategic Planning Committee.
 2. Any planning matter referred to the Planning Committee by the [Head of Planning] acting in his or her discretion.
- 2.5 Part 3.3 (Functions delegated to staff) lists all the planning powers that have been delegated by Council to specific officers and identifies the exceptions where they need to be determined by a Planning Committee in accordance with the Committee Consideration Criteria in these Procedure Rules. These exceptions relate to applications for Planning Permission or Listed Building Consent only. All other planning application types are delegated to officers.

COMMITTEE CONSIDERATION CRITERIA

- 2.6 The Committee Consideration Criteria in relation to planning matters are:
- Planning Committee to approve Applications for Planning Permission or Applications for Listed Building Consent where at least one of the following applies:
- a) the application is within the categories which must be referred to the Mayor of London under the Town and Country Planning (Mayor of London) Order;
 - b) the application does not accord with the provisions of the Development Plan and, in the opinion of the [Head of Planning] acting in his or her discretion, constitutes a significant departure;
 - c) the application is by or on behalf of the Council and, in the opinion of the [Head of Planning] acting in his or her discretion, it is a significant development;
 - d) Individual Representations have been received, in accordance with these Rules;
 - e) a Petition Representation has been received, in accordance with these Rules; or
 - f) a Representation from a Ward Councillor has been received, in accordance with these Rules.
- 2.7 Any application caught by these Criteria is referred in these Rules collectively as a Planning Committee Matter.

GENERAL

- 2.8 The Rules around Individual Representations, Petition Representations and Ward Councillor Representations (referred in these Rules collectively as Representations) comprise:
- **Timescales:** within which all Representations must be with the Planning Service
 - **General Requirements:** that all Representations must comply with
 - **Committee Referral Criteria:** that applies to the specific Representation categories
- 2.9 These will be applied in determining whether any Representation received in respect of a Planning Committee Matter would require it to be determined by a Planning Committee.
- 2.10 Any Representation that does not meet the Timescales, General Requirements and Committee Referral Criteria will therefore not be a factor in deciding whether the application will be considered by Committee. However, such Representations will still be considered by the case officer in finalising their report and recommendation, provided he/she receives the Representation before submitting their report for authorisation.
- 2.11 For probity reasons the Timescales, General Requirements and Committee Referral Criteria must be adhered to. The decision of the [Head of Planning] will be final in determining whether the Timescales, General Requirements or Committee Referral Criteria are met.
- 2.12 Nothing in these Rules interferes with the absolute right of the [Head of Planning] to refer a planning application or other matter to Committee as prescribed in the Constitution.

TIMESCALES

Statutory notification period

- 2.13 Applications may be publicised in a variety of different ways: letters to nearby neighbours, emails to Councillors and, in some cases, by the display of one or more site notices or an advertisement in the local paper. However, it does not matter how a person hears of a proposal, anyone is able to submit a Representation to the Planning Service.
- 2.14 The time limit for the public to make a Representation is specified on the Council's standard letter, notice or advert. The statutory period is usually 21 days.
- 2.15 Representations on applications must be made in writing (letter or email) to the Planning Service. They can also be made directly via the "View Planning Application Received" link and the "Enter Comment" button on a live application on the Council's website.
- 2.16 Representations on a planning application should not be sent to any email address other than the one on the notification email or advert (planning@haverling.gov.uk). This is important because other email addresses (eg, the case officer, team leader or service head) may not be monitored (eg, the officer may be on leave) and the email will therefore not be actioned.

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2.17 Councillors must ensure that any Representations made directly to them must go through the Planning Service. It is important for probity reasons to ensure that all representations made on an application follow the same process.

Amended plans

2.18 Where the Council accepts amended plans on an application and it is considered necessary to republicise them, the Council will notify those people who have responded to the original publicity exercise and anyone considered to be affected by the amendment.

2.19 Amended plans are often negotiated in response to Representations. The Council may consider that an amendment it receives has overcome the Representations previously made, so it is therefore important that people consider whether they need to make a further Representation as follows:

- If the amendments do overcome their concerns, a person may write to confirm this, but the General Requirements (in particular paragraph 2.23 below) are designed to take account of such circumstances so people do not have to make a further Representation.
- If someone has already made a Representation and the amendments do not overcome their concerns, they should make a further Representation to that effect.
- If the amendment raises new concerns, such further Representations need to be made.

2.20 The time limit for responding to publicity of amendments will generally be at least 14 days.

Councillor timescales

2.21 All Councillors receive the weekly list of planning applications across the whole borough, listed by ward.

2.22 If a Councillor wishes to make or forward Representations on an application, they must respond by email to planning@haverling.gov.uk (not to another email address – see paragraph 2.16 above) within the timescale given on that email.

GENERAL REQUIREMENTS

2.23 A Representation is a letter, an email or a petition from any party (Councillor, local resident or business, stakeholder etc) that meets all the following requirements:

- It is in response to an application that has been publicised or advertised by the Council;
- It is not anonymous and includes the person's name and postal address;
- It is from, or on behalf of, a person who owns, lives at or operates from an address which is within the London Borough of Havering;
- It is received by the Planning Service within the relevant Timescales set out above;
- It raises objections that are material planning considerations and are related to the application; and

- Any material planning objection raised cannot be overcome by scheme amendment, imposing planning condition(s) or securing planning obligation(s).
- 2.24 Identical or similar pro-forma letters or emails, which also meet the above requirements, will be treated as forming a Petition (ie, each letter potentially being a single signature on a petition) rather than being treated as individual Representations for the purposes of deciding whether they will trigger consideration by Planning Committee.
- 2.25 We will only notify the person who sends in a petition or a bundle of pro-forma letters about the progress of an application. Where we receive a petition that is not sent in by an individual, we will write to the first person on the petition, if a clear address is included. Pro-forma letters that are received individually will not be notified about the progress of an application. A pro-forma letter is a letter or email that has been produced and distributed for people to just sign and send to the Council.
- 2.26 See below for the Criteria for Petitions.

COMMITTEE REFERRAL CRITERIA

Individual Representations

- 2.27 A Planning Committee Matter may be reported to Committee where Individual Representations have been received that all meet the General Requirements for a Representation and additionally meet the following Criteria:
- Any Individual Representation clearly states that they wish the application to be determined by a Committee; and
 - At least 12 such Representations have been received from individual properties within the London Borough of Havering for each application.
- 2.28 Representations for each application are those that are received from individual properties within the London Borough of Havering, ie not one from each member of a family, a household or a business within a property. If several objections are received from a single property, they will be treated as a single objection.
- 2.29 The Planning Committee Matter will only be reported to Committee under these Criteria where:
- the recommendation is for approval; and
 - the [Head of Planning] (in consultation with the Chairman) agrees to the item being placed on the Planning Committee agenda.
- 2.30 Otherwise the Planning Committee Matter will be determined under delegated powers.

Petition Representations

- 2.31 A Planning Committee Matter may be reported to Committee where one or more Petition Representations (including pro-forma letters – see paragraph 2.24 above) have been received that all meet the General Requirements for a Representation and additionally meet the following Criteria:
- Any Petition Representation clearly states that they wish the application to be determined by Committee; and

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- All such Petitions must total at least 50 signatures with clearly readable names and addresses from persons who own, live at or operate from an address which is within the London Borough of Havering.
- 2.32 Where such petition(s) contain less than 50 such signatories they will individually (in the case of each petition) or collectively (in the case of pro-forma letters) be treated as each forming a single Individual Representation for the purposes of deciding whether a Planning Committee Matter will be reported to Committee.
- 2.33 The Planning Committee Matter will only be reported to Committee under these Criteria where:
- the recommendation is for approval; and
 - the [Head of Planning] (in consultation with the Chairman) agrees to the item being placed on the Planning Committee agenda.
- 2.34 Otherwise the Planning Committee Matter will be determined under delegated powers.

Ward Councillor Representations

- 2.35 A Planning Committee Matter may be reported to Committee where a Councillor for the ward within which the application site is situated or adjoins has made a Representation that meets the General Requirements for a Representation and additionally meets all the following Criteria:
- The application is within, partly within or adjoining the Councillor's ward;
 - It clearly states that the Councillor wishes the application to be determined by Committee;
 - It gives specific reasons for this that relate solely to matters that are material planning considerations and justify consideration by Planning Committee rather than under delegated powers – just saying that the Councillor considers that the matter should be determined by Planning Committee will not be sufficient;
 - It states whether the Councillor has been approached by any person concerning the application; and
 - If so, provides details of that contact, including the identity of the person(s).
- 2.36 A Councillor, who is not a Ward Councillor, may request that a Planning Committee Matter be reported to committee if they consider that there are exceptional circumstances that justify it. The decision as to whether such a matter is reported to committee is for the [Head of Planning], acting in his or her discretion, to make. Generally, only matters that are within the remit of Strategic Planning Committee will be accepted under this provision
- 2.37 The Planning Committee Matter will only be reported to Committee under these Criteria where:
- the recommendation is for approval; and
 - the [Head of Planning] (in consultation with the Chairman) agrees to the item being placed on the Planning Committee agenda.
- 2.38 Otherwise the Planning Committee Matter will be determined under delegated powers.

3 PUBLIC SPEAKING PROCEDURE

- 3.1 People can only address the committee on items that are on the Applications for Decision part of the agenda. Other items on an agenda (such as Development Presentations) do not attract public speaking rights, except at the discretion of the Chairman.
- 3.2 Ward Members can address the committee on Development Presentations. The procedures for this are set out towards the end of this section.

SPEAKING SLOTS

- 3.3 Subject always to the limitations below, for each planning application on the “Applications for Decision” part of the agenda there the following separate categories of speaking slot, in the following order, allocated to:
1. An objector who has registered a speaking slot (a “Registered Objector”)
 2. The applicant or his/her agent/representative/supporter(s) in response to a Registered Objector (a “Responding Applicant”)
 3. Councillors – maximum of 3 slots (see next section for rules)
 4. Cabinet Member on Strategic Planning Committee only (see subsequent section for rules)

Allocation of speaking slots for Councillors

- 3.4 For Planning Committee, the Councillor slots are for Councillors where the application site is within, partly within or adjoining their ward only, as these applications generally raise local issues, and those Councillors have also clearly indicated that they wish the application to be referred to Committee for consideration in accordance with these rules (Referring Ward Councillors).
- 3.5 Non-Ward Councillors and non-Referring Ward Councillors do not have a right to address the committee.
- 3.6 For Strategic Planning Committee, the three Councillor slots are open to all Councillors, but priority will be in the following order:
1. Referring Ward Councillors
 2. Referring other Councillors
 3. Non-Referring Ward Councillors
 4. Non-referring other Councillors
- 3.7 For both committees. if a Referring Ward Councillor wishes to speak but is unable to attend the Committee, they may nominate a substitute Councillor to address the Committee on their behalf.
- 3.8 In all cases, Councillors should avoid duplication and coordinate their attendance at committee in the interest of efficiency.

Allocation of speaking slot for a Cabinet Member

- 3.9 A Cabinet Member can address Strategic Planning Committee on strategic cases where significant issues for their portfolio area arise. However, where the council is the applicant and the promoting Cabinet Member wishes to address committee, this should be done in the applicant’s slot and not this slot.

Length of Speaking Slots

- 3.10 Each speaking slot for items on Strategic Planning Committee is a maximum of five minutes each. Each speaking slot for items on Planning Committee is a maximum of three minutes each.
- 3.11 If the Chairman, using his discretion, changes the time allocated to any speaker slot, all speaker slots will be offered the same length of time to speak.

COMMITTEE NOTIFICATIONS

- 3.12 Where a planning application is reported on the “Applications for Decision” part of the agenda, all the individuals and organisations (including Councillors) that made a Representation on the application will be notified (by letter or email) that the application will be considered by Committee.
- 3.13 The Council will only notify the person who sends in a petition or a bundle of pro-forma letters. Where we receive a petition that is not sent in by an individual, we will write to the first person on the petition, if a clear address is included. Pro-forma letters that are received individually will not be notified.
- 3.14 The applicant (or his/her agent) will be sent a similar notification.
- 3.15 The notification will explain the procedures regarding public speaking. Requests to address Committee will not be accepted prior to the publication of the agenda and these notifications.

REGISTERING A SPEAKING SLOT

- 3.16 Any objector who wishes to address Committee must notify the Council by the date specified in the notification to register a speaking slot. Email or telephone should be used for this purpose. This communication should provide the name and contact details (email address and/or phone number) of the intended speaker so that any changes to the arrangements can be communicated.
- 3.17 The Registered Objector speaking slot is allocated on a strictly first come basis. Any further objectors registering to speak will be told that the slot has been taken.
- 3.18 If there is a Registered Objector on an item, the applicant will be contacted by the Council and given the opportunity to register to speak in response to the Registered Objector.
- 3.19 If there are supporters wishing to address the committee, they must liaise with the applicant. However, the slot is for the applicant to decide how to use.
- 3.20 If a public speaker needs special arrangements this must be brought to our attention when registering a speaking slot so that arrangements can be made in good time. Havering Town Hall has facilities for wheelchair users, including level access and toilets. The Chamber is fitted with a hearing loop.

REGISTERING ATTENDANCE

- 3.21 On the night of the Committee meeting:
- Registered Objectors and Responding Applicants who have a registered speaking slot; and

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- An eligible Councillor (or his/her nominated substitute – see paragraphs 3.4 to 3.9 above).

must register their attendance with the Committee Clerk at the meeting at least 15 minutes before the meeting starts.

Limitations

3.22 Where an item is on the agenda only because of the level of Representations received and:

- no Registered Objector, Responding Applicant or Referring Councillor has registered a speaking slot; or
- a Registered Objector, Responding Applicant or Referring Councillor has registered a speaking slot but nobody has registered their attendance at the Town Hall in accordance with paragraph 3.21 above;

the item will be removed from the agenda and reverted to the [Head of Planning] to determine under delegated powers and will not be considered by the committee. In such circumstances, a Responding Applicant would lose their right to address the Committee.

SPEAKING

3.23 All those involved in public speaking are restricted to an oral presentation only. The officers' presentation is therefore not available for use by public speakers.

3.24 Following the completion of a speaker's address to the Committee, that speaker shall take no further part in the proceedings of the meeting, unless permitted to do so by the Chairman of the Committee.

3.25 The distribution of additional material or information to Planning Committee Councillors is not permitted at the meeting. If a speaker, or any other member of the public, wishes to bring material to the Committee's attention they need to either supply it to the Planning Service, if it is written material, by noon on the day of the Committee, to include in the Update Report (see paragraphs 5.7 to 5.11 below for procedures, limitations and deadlines) or otherwise send it direct to Councillors in advance of the meeting. Councillors contact details are available from the Council's website.

ADDITIONAL CONSIDERATIONS FOR COUNCILLORS

3.26 When a Councillor addresses the Committee in accordance with these Procedures (either as a Referring Councillor or as a Registered Objector) they must:

- declare, before making their speech, details of any material contact with the applicant, agent, adviser, neighbour, objector or other interested party and whether the speech is made on behalf of such person(s) or any other interest;
- sit separately from Planning Committee Councillors, to demonstrate clearly that he/she is not taking part in the discussion, consideration or vote; and
- not communicate in any way with Planning Committee Councillors or pass papers or documents to them during the meeting.

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- 3.27 A Planning Committee Councillor may address the Committee in accordance with these Rules but, where they do so, they cannot take part in the debate or vote on the application they have made Representations on. They may address the Committee in accordance with these procedures provided they do not have a Disclosable Pecuniary Interest in the matter.
- 3.28 Where the Councillor has a Disclosable Pecuniary Interest, the Councillor may only address the Committee on any matter in which they have such an interest if they have been granted a dispensation by the Monitoring Officer for this purpose.

DEVELOPMENT PRESENTATIONS

- 3.29 The Responsibility for Functions (part 3 of the Constitution) enables Strategic Planning Committee to receive presentations in the pre-application or pre-determination stage.
- 3.30 Ward Councillors can address the Committee when it is considering Development Presentations. There are three speaking slots a maximum of five minutes each. Ward Councillors will be notified that the development will be presented to Committee. On the night of the Committee meeting a Ward Councillor (or his/her nominated substitute) must register their attendance with the Committee Clerk in attendance at the meeting at least 15 minutes before the meeting starts.
- 3.31 If more than one Ward Councillor indicates that they wish to speak, Councillors should avoid duplication and coordinate their attendance at committee in the interest of efficiency.
- 3.32 Like all public speaking slots, Ward Councillors are restricted to an oral presentation only and the presentation is therefore not available for their use. The additional considerations for Councillors, set out above, also apply to these speaking slots.
- 3.33 Ward Councillors who elect to address the Planning Committee at a Development Presentation should remember that the purpose of these presentations is for participants (including Councillors) to be constructive and to try to improve schemes so that they can be approved if they are finally submitted as formal planning applications. Any presentation should be confined to commenting on aspects of the development (eg its design, highway impacts, level of affordable housing etc) and not objecting to the principle of the development or the scheme as a whole. If you are unable to do this then you should not register to speak at this stage. The time to address the Planning Committee on your objection will be when any subsequent planning application is reported on the applications for decision part of the agenda.
- 3.34 If you do not follow the advice in the previous paragraph, the Chairman may stop you from speaking.

CHAIRMAN'S DISCRETION

- 3.35 At the discretion of the Chairman, such as in the interests of natural justice or in exceptional circumstances, the public speaking procedures may be varied. The reasons for any such variation shall be recorded in the minutes. The number of objectors or supporters should not, of itself, be a factor.

4 PRE-COMMITTEE MATTERS

- 4.1 The work of Planning Committee mainly comprises the determination of planning applications. Delays in determining applications will jeopardise the Council's ability to meet national performance targets and impact adversely on the interests of residents and affected applicants.
- 4.2 The Council is expected to decide all applications within statutory timescales. Applications that are to be considered by Committee are included on the agenda of the first available Committee after completion of the officer's report so that a decision can be taken in the shortest possible time. For this reason, Councillors should avoid requests for officers to speed up or delay the determination or assessment of an application for their own personal or political convenience or following lobbying by applicants, agents/advisers, residents or other interested parties.

PRE-COMMITTEE BRIEFING

- 4.3 A further potential cause of delay is the deferral by committee of agenda items for Councillors to undertake site visits or receive further information. To minimise this risk Planning Committee Councillors who consider that they need further information (including a site visit) or who have queries on an application should contact the [Head of Planning] as soon as possible before the meeting at which it will be considered.

SITE VISITS

- 4.4 It is advisable that Planning Committee Councillors are familiar with the sites of the applications on the agenda to enable them to make informed decisions on the planning applications before them and to avoid deferring or adjourning those decisions pending site visits.
- 4.5 The presumption will be that planning Committee Councillors will be sufficiently familiar with the agenda sites and their locations before the meeting. Councillors may already be familiar with them from their local knowledge or will visit one or more of them in advance of the meeting. Advice on site visits by individual Planning Committee Councillors is given below.
- 4.6 In addition, photographs of sites will be presented by officers at committee.

By Planning Committee Councillors

- 4.7 Where a Planning Committee Councillor visits the site before the meeting, care must be taken to ensure that they comply with the Planning Code of Good Practice in the Constitution. Such visits should be carried out discreetly and the Councillor should avoid making themselves known to the applicant or to neighbours. Accordingly, he/she should not go onto private land, such as the application site or a neighbouring property. The reason for this is that contact between a Planning Committee Councillor and the applicant or a local resident could be misinterpreted as lobbying and may create a suspicion of bias. Where such contact is made, this should be declared in Committee, but it should not prevent that Councillor from taking part in the consideration of that application, if he/she has followed the advice in the Planning Code of Good Practice and acts in accordance with the Members' Code of Conduct.

By the Planning Committee

- 4.8 Where the Chairman of the Committee considers that a whole committee site visit is necessary because a proposal appears to be particularly complex or it is difficult to visualise from the plans, wherever possible this should be made in advance of the Committee meeting.
- 4.9 If a request for a site visit emerges during the meeting of the committee, this request will be decided by a majority vote and the reasons for it recorded in the minutes.
- 4.10 The procedure for site visits by Committee shall be as follows:
- Only the Planning Committee Councillors and officers can attend a site visit.
 - Arrangements for visits will not normally be publicised or made known to applicants, agents or third parties, such as objectors.
 - Where permission is needed to go onto land, contact will be made with the owner by officers. The owner cannot take any part in the visit, other than to effect access onto the site.
 - The purpose of a site visit is to enable Planning Committee Councillors to view the site and to better understand the impact of the development. The Committee should not receive representations or debate issues during a site visit. They can ask the Planning Officer present questions of clarification.
 - The Planning Officer will make a note of the site visit and it will be placed on the planning file.
 - Where new information emerges from a site visit that needs to be brought to the attention of the Committee, this will be included in the Update Report.
 - Failure to attend a formal site visit shall not bar a Planning Committee Councillor from voting on an item at the Committee meeting that considers it, provided the Planning Committee Councillor is satisfied that he/she is sufficiently familiar with the site and its location.

5 COMMITTEE AGENDA

- 5.1 The Committee's agenda may contain the following sections for planning reports:
- **Development presentations:** to enable the Committee to receive presentations on proposed developments, including when they are at the pre-application stage. These items do not attract public speaking rights, other than Ward Councillors.
 - **Applications for decision:** these items attract public speaking rights as detailed above.
 - **Other planning matters:** non-application matters that require Committee consideration. These items do not attract public speaking rights.
 - **Items for information:** reports that are for information only. These items do not attract public speaking rights.

REPORTS

- 5.2 Each planning application for decision is the subject of a written report with an officer recommendation. Reports will be produced in a standard form provided by the [Head of Planning], and will identify and analyse the material considerations, of which the Committee need to take account when considering the application on its planning merits.
- 5.3 In addition to the written report, illustrative material will usually be presented at the meeting to explain the scheme. The planning files will also be available (via the document management system) at the meeting for inspection by Planning Committee Councillors.

RECOMMENDATIONS AND DELEGATIONS

- 5.4 The recommendations in the reports to Committee do not set out the full wording of planning conditions, reasons for refusal, informatives and planning obligations, but are a summary of them. There are two reasons for this:
1. It communicates the details of the recommended decision more clearly to Planning Committee Councillors than many pages of detailed conditions or grounds; and
 2. There can sometimes be a delay before a decision is issued (such as waiting for the signing of a legal agreement or views from the Mayor of London and/or the National Planning Case Unit) and something may arise which necessitates an amendment, a deletion or an addition.
- 5.5 It is hereby delegated to the [Head of Planning] to communicate the detailed wording of Committee decisions to applicants.
- 5.6 The Functions Delegated to Staff states that where the Committee determines an item on an agenda and either the committee makes changes to the recommendation or it is necessary for officers to subsequently make changes (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision or to accept changes to the development), the making of these changes, provided that they are within the substantive nature of the committee decision, is delegated to the [Head of Planning].

UPDATE REPORT

- 5.7 It is common for material (such as late representations) to be received by the Planning Service after the close of the agenda. Such material will be considered and placed on the public planning file along with all the other papers for the application, subject only to any public exclusion restrictions.
- 5.8 Where this material needs to be brought to the attention of the Committee, so that it can be considered, it will be presented in the Update Report. It will comprise a summary of what has been raised, in the same way as representations are summarised in the main Committee report.
- 5.9 The Planning Service will email the Update Report to Planning Committee Councillors and publish it on the Council's website as soon as it is ready, but before the Committee commences.
- 5.10 The practicality of producing such a report means there must be a cut-off point for the receipt of late material by the Planning Service. This is noon on the day of the meeting. Generally, material received after this time will not be

reported to the Committee. The [Head of Planning] has an absolute discretion in this regard.

- 5.11 Material must not be distributed to Planning Committee Councillors by members of the public (including public speakers) or other Councillors during the meeting. The distribution of such material should be done in advance of the meeting as explained in paragraph 3.25 above.

6 ORDER OF PROCEEDINGS

- 6.1 Except as otherwise stated on the agenda, generally meetings take place at Havering Town Hall. The time the meeting is expected to begin will be stated on the agenda papers.

- 6.2 At the discretion of the Chairman, the agenda may be re-ordered at the meeting.

DEVELOPMENT PRESENTATIONS

- 6.3 The procedure for considering each item shall be as follows:

- The [Head of Planning], or his/her representative, will introduce the main issues;
- The developer will present their scheme for no longer than 15 minutes unless the Chairman, exercising his/her discretion, has allowed a longer period;
- A Ward Councillor, if registered to speak in accordance with Rule 3 (Public Speaking Procedure), can address the committee for no longer than 5 minutes unless the Chairman, exercising his/her discretion, has allowed a longer period;
- Through the Chairman, Planning Committee Councillors may ask questions; and
- The [Head of Planning], or his/her representative, will summarise the issues raised by the Committee which will form the minute for the item.

APPLICATIONS FOR DECISION

- 6.4 The procedure for considering applications where there are public speakers shall be as follows:

- The [Head of Planning], or his/her representative, will introduce the development the subject of the application;
- Public speaking in accordance with Rule 3 (Public Speaking Procedure) will take place;
- The [Head of Planning], or his/her representative, will present the material planning considerations and address, where necessary, any issues raised during public speaking; and
- The Committee will consider the item and reach a decision.

- 6.5 The procedure for considering applications where there are no public speakers shall be as follows:

- If requested by the Chairman, the [Head of Planning], or his/her representative, will present the main issues; and
- The Committee will consider the item and reach a decision.

OTHER PLANNING MATTERS

- 6.6 The procedure for considering any item shall be as follows:
- If requested by the Chairman, the [Head of Planning], or his/her representative, will present the main issues;
 - Through the Chairman, Planning Committee Councillors may ask questions of clarification; and
 - The Committee will consider the item and, if required, reach a decision.

OTHER PROCEDURAL ISSUES

Attendance

- 6.7 Where a decision is made on an agenda item, to be able to vote a Planning Committee Councillor must be present throughout the whole of the Committee's consideration of that item, including the officer introduction and any public speaking. Any dispute as to whether the Planning Committee Councillor in question should be permitted to vote shall be decided by the Chairman, in consultation with legal and other officers as necessary.
- 6.8 This does not apply to Development Presentations because no decisions are being made as they are part of an informal pre-application process, rather than the formal planning application decision making process.

Duration of meetings

- 6.9 Planning Committee meetings are subject to a guillotine that they should finish within 2½ hours of the time that the meeting was due to start (as listed on the agenda papers). An item started before the guillotine can continue to be considered for a further 30 minutes to enable it to be determined.
- 6.10 Where a report has been placed on a Planning Committee agenda but the meeting either fails to start to consider that item prior to the guillotine, or starts consideration before the guillotine but fails to complete determination of it within the additional 30 minutes, further consideration of the matter will be suspended and it will be delegated to officers to determine in accordance with the recommendation set out in the report.
- 6.11 The meeting can only suspend these provisions if it does so by way of a resolution made prior to the guillotine and agreed on a majority vote. Generally, the committee would only suspend the guillotine for undetermined items with speakers.

Minutes

- 6.12 The minutes of the meeting will record:
- The Councillors and officers present at the meeting;
 - Any disclosures of interest made by Councillors or officers;
 - For each item, the identity of any public speakers and the decision;
 - Where a decision goes against the recommendation, the reason(s) for doing so;
 - Where a decision is deferred, the reason(s) for doing so;
 - Any decision to suspend the guillotine, and the reason(s) for doing so;
 - The use of the Chairman's discretion to depart from these Procedure Rules, and the reason(s) for doing so; and

- The time the meeting finished.

7 DECISION MAKING

7.1 In coming to a decision on a planning application, a Planning Committee Councillor must:

- Come to meetings with an open mind.
- Comply with these Rules.
- Not allow anyone (except officers, other Planning Committee Councillors and public speakers when they are addressing the Committee) to communicate with you (orally, electronically, in writing or by any other means) during the Committee's proceedings as this may give the appearance of bias. For the same reason, it is good practice to avoid such contact in the period before the meeting starts and when it ends.
- Consider the advice that planning, legal or other officers give the Committee in respect of the recommendation, any proposed amendment to it or on any other matter.
- Comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 and always make decisions in accordance with the development plan unless there are good and demonstrable planning reasons to come to a different decision.
- Come to a decision only after due consideration of all the information reasonably required to base a decision upon. This will include the local information that Planning Committee Councillors are uniquely placed to access, but always remembering to take decisions on planning grounds alone.
- Raise any queries you may have on an application with the [Head of Planning] prior to the meeting.
- If you feel that there is insufficient time to digest new information or that there is insufficient information before you, seek an adjournment to allow these concerns to be addressed.
- Not vote on a proposal unless you have been present to hear the entire debate, including the officers' introduction and any public speaking. The Chairman should be prepared to consider adjourning briefly to allow any necessary comfort breaks during meetings.
- Make sure that if you are proposing, seconding or supporting a decision contrary to the officer's recommendation or the Development Plan, that you clearly identify and understand the planning reasons leading to this conclusion and that you consider any advice planning, legal or other advice officers give you. Your reasons must be given prior to the vote and be recorded. Be aware that you may have to justify the resulting decision by giving evidence in the event of any challenge.

8 VOTING PROCEDURES

- 8.1 The Chairman will bring the Committee to a vote when he/she considers that there has been sufficient debate of an item.
- 8.2 The Committee will vote on the recommendation set out in the report, unless a motion is made and seconded to defer or adjourn consideration of an item (for example for a site visit or further information/advice).

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- 8.3 If a Planning Committee Member wishes to amend the recommendation (such as an additional condition or a variation to a condition) they will need to move this and have it seconded prior to any vote on the recommendation.
- 8.4 The committee must consider carefully any advice officers give on the proposed amendment, including legal advice. If the [Head of Planning] (or his/her representative) and the legal representative consider that they are unable to give that advice immediately, further consideration of the matter will be suspended and the agenda item will be adjourned so that the [Head of Planning] can bring a report to the next available committee setting out his/her advice. If legal advice is required, this may need to be on the private business part of the agenda. In such cases, it will be important that the Chairman communicates clearly to the meeting that a decision on the application has not been made and that it will be considered further at a future committee meeting.
- 8.5 For the vote on the recommendation (or an amendment to the recommendation) to be successful there needs to be a majority vote in favour of it. In the event of an equality of votes, the Chairman has an additional casting vote. This can be exercised irrespective of whether the Chairman voted.

DECISIONS CONTRARY TO THE RECOMMENDATION

- 8.6 A motion to go against the recommendation must always be considered after a vote on the recommendation (or an amendment to the recommendation) has taken place, so that officers are clear that the committee may be minded to go against the recommendation and can prepare their advice accordingly.
- 8.7 When the recommendation is not supported, a new motion to either grant or refuse the application must be moved and seconded. However, before a new motion is proposed, the Committee must first receive advice from the [Head of Planning], or his/her representative, as to what form a new motion could take. That advice will be based upon the material planning considerations that have been discussed by the Committee and whether there are grounds that could be defended in the event of an appeal or legal challenge.
- 8.8 The solicitor advising the Committee may be called upon as necessary to give advice on legal matters, but cannot advise the committee on planning matters.
- 8.9 Once the Committee has received the advice of the [Head of Planning], or his/her representative, they can proceed to a vote. A detailed minute of the Committee's reasons to go against the officer's recommendation, which as a matter of law (*Dover District Council v CPRE Kent* [2017] in the UK Supreme Court) must be clear and convincing, shall be made and a copy placed on the application file.
- 8.10 If the [Head of Planning] (or his/her representative) and the legal representative consider that they are unable to give that advice immediately, the procedure outlined in paragraph 8.4 above must be followed. In such cases, it will be important that the Chairman communicates clearly to the meeting that a decision on the application has not been made and that it will be considered further at a future meeting of the Committee.

DECISIONS CONTRARY TO THE DEVELOPMENT PLAN

- 8.11 The law requires that where the Development Plan is relevant, decisions must be taken in accordance with it unless there are good planning reasons to do otherwise. If a Committee intends to approve an application which does not accord with the provisions of the Development Plan, the material considerations must be clearly identified and the justification for overriding the Development Plan clearly demonstrated. The application must be advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) Order 2015 and, depending upon the type of development proposed, may also have to be referred to the Secretary of State for Communities and Local Government (National Planning Case Unit).
- 8.12 If the recommendation in the officer report would not accord with the provisions of the Development Plan, the justification will be included in that report and the necessary advertisement would have been undertaken.
- 8.13 If the Committee is minded to make a decision which would be contrary to the officer recommendation (whether for approval or refusal) and that decision would not accord with the provisions of the Development Plan, such a motion may only contain the Committee's initial view and must be subject to a further report detailing the planning issues raised by such a decision. Further consideration of the matter will be suspended to a future meeting of the Committee when officers will present a report setting out the proposed new position and explaining the implications of the decision. If legal advice is required, this may need to be on the private business part of the agenda. Any necessary advertisement of the application will also be undertaken. In such cases, it will be important that the Chairman communicates clearly to the meeting that a decision on the application has not been made and that it will be considered further at a future meeting of the Committee.
- 8.14 If, having considered the report, the Committee decides to determine the application contrary to the provisions of the Development Plan, a detailed minute of the Committee's reasons, which as a matter of law (*Dover District Council v CPRE Kent* [2017] in the UK Supreme Court) must be clear and convincing, shall be made and a copy placed on the application file.

9 COMMITTEE PERFORMANCE

- 9.1 Planning Committee carries out the Council's statutory planning application determination function and, like all local planning authorities, are expected to do so properly and lawfully. Decisions "must be made in accordance with the [development] plan unless material considerations indicate otherwise" (s38(6) of the Planning and Compulsory Purchase Act 2004). Government have a range of planning performance monitoring regimes and have taken powers from Parliament to take action where performance is under specified levels. Both speed and quality of decisions are measured.
- 9.2 It is therefore important that the performance of Planning Committee is monitored like other parts of the planning service. The following indicators will be used to monitor performance:
- The percentage of officer recommendations that are overturned

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- The percentage of agenda items that are deferred
- 9.3 Such performance management reports shall be reported at least annually, to Planning Committee in the first instance and then to Council.
- 9.4 Where an application is determined against the recommendation and it goes to appeal, particular consideration will be given to those cases where:
- The appeal was allowed;
 - The appeal was dismissed, but not all grounds were supported; or
 - Costs were awarded against the Council.
- 9.5 Such matters shall be considered as they arise and reported to Planning Committee in the first instance and then to Council. A summary of these matters shall be included in the annual performance management report.

APPENDIX G PLANNING CODE OF GOOD PRACTICE

The following to be inserted into Part 5 Codes and Protocols of the Constitution:

Contents

1. Introduction
2. Aim of the Code
3. Role and conduct of Councillors and officers
4. Interests: Registration and Disclosure
5. Bias: predisposition/predetermination
6. Applications submitted by the Council, Councillors or officers
7. Lobbying of and by Councillors
8. Pre-application discussions
9. Post-submission discussions
10. Planning appeals
11. Planning enforcement
12. Councillor training

1 INTRODUCTION

- 1.1 This Code has been prepared using advice in the Local Government Association's revised guidance note on good planning practice for Councillors and officers dealing with planning matters – Probity in Planning for Councillors and Officers (November 2013).

KEY PURPOSE OF PLANNING

- 1.2 Planning has a positive and proactive role to play at the heart of local government. It helps Councils to stimulate growth whilst looking after important environmental areas. It can help to translate goals into action. It balances social, economic and environmental needs to achieve sustainable development.
- 1.3 The planning system works best when Councillors and officers involved in planning understand their roles and responsibilities and the context and constraints in which they operate.
- 1.4 Planning decisions are based on balancing competing interests and making an informed judgement against a local and national policy framework. In doing this, decision-makers need an ethos of decision-making in the wider public interest on what can be controversial proposals.

2 AIM OF THE CODE

- 2.1 In today's place-shaping context, early Councillor engagement is encouraged to ensure that proposals for sustainable development can be harnessed to produce the places that communities need. This guidance is intended to reinforce Councillors' community engagement role whilst maintaining good standards of probity that minimizes the risk of legal challenge.
- 2.2 Planning decisions can be controversial. The risk of controversy and conflict are heightened by the openness of a system which invites public opinion before taking decisions and the legal nature of the development plan and

decision notices. Nevertheless, it is important that the decision-making process is open and transparent.

- 2.3 One of the key aims of the planning system is to balance private interests in the development of land against the wider public interest. In performing this role, planning necessarily affects land and property interests, particularly the financial value of landholdings and the quality of their settings. Opposing views are often strongly held by those involved. Whilst Councillors must take account of these views, they should not favour any person, company, group or locality, nor put themselves in a position where they may appear to be doing so. It is important, therefore, that the Council makes planning decisions affecting these interests openly, impartially, with sound judgement and for justifiable reasons.
- 2.4 The process should leave no grounds for suggesting that those participating in the decision were biased or that the decision itself was unlawful, irrational or procedurally improper.

WHEN THE CODE APPLIES

- 2.5 This code applies to Councillors when they are involved in the planning process. This includes, where applicable, when part of decision making meetings of the Council, in exercising the functions of the planning authority or when involved on less formal occasions, such as meetings with officers or consultative meetings. It applies as equally to planning enforcement matters or site-specific policy issues as it does to planning applications. If you have any doubts about the application of this Code to your own circumstances you should seek advice early from the Monitoring Officer, and preferably well before any meeting takes place.
- 2.6 This Code applies to all meetings of the Council's Planning Committees in relation to the determination of planning applications and any other business dealt with at these committees. When the term "Councillor" is used, it means that the text is applicable to all Members of the Council. The term "Planning Committee Councillor" means a Member or a substitute Member of the Council's Strategic Planning Committee or Planning Committee.

RELATIONSHIP TO THE MEMBERS' CODE OF CONDUCT

- 2.7 Councillors are reminded that this Code is designed primarily for Planning Committee Councillors and Councillors who, for whatever reason, find themselves involved in the planning process. It should not be read in isolation. Whilst this Code interprets the Members' Code of Conduct with respect to planning matters, it is subordinate to the Members' Code of Conduct and, in the event of any inconsistencies arising between this Code and the Members' Code of Conduct, the latter shall prevail.

3 ROLE AND CONDUCT OF COUNCILLORS AND OFFICERS

GENERAL ROLES OF COUNCILLORS AND OFFICERS

- 3.1 Councillors and officers have different but complementary roles. Both serve the public. Officers are responsible to the Council as a whole, whilst Councillors are responsible to the electorate.

- 3.2 Officers are not appointed to serve any political group and therefore advise all Councillors. Officers carry out the daily functions of the Council's business in accordance with Council or Committee decisions or under powers delegated to them pursuant to the Constitution. Officers are governed by the Officers Code of Conduct contained in the Constitution. In addition, planning officers, who are Members of the Royal Town Planning Institute (RTPI), are subject to a professional code of conduct and breaches may be subject to disciplinary action by the RTPI. Similarly, officers who are solicitors are subject to regulation by The Solicitors Regulation Authority. Officers in other professions will have corresponding codes.
- 3.3 The Localism Act 2011 sets out a duty for each local authority to promote and maintain high standards of conduct by Councillors and to adopt a code of conduct. The Members Code of Conduct in the Constitution is consistent with the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership. It embraces the standards central to the preservation of an ethical approach to Council business, including the need to register and disclose interests, as well as appropriate relationships with other Councillors, staff and the public. The Council's constitution set down rules and orders which govern the conduct of Council business.

RELATIONSHIP BETWEEN COUNCILLORS AND OFFICERS

- 3.4 Mutual trust, respect and understanding between Councillors and officers are the keys to achieving effective local government. A successful relationship can only be based upon mutual trust and understanding of each other's positions. This relationship, and the trust that underpins it, must never be abused or compromised.
- 3.5 Planning officers' views, opinions and recommendations will be presented based on their overriding obligation of professional independence, which may on occasion be at odds with the views, opinions or decisions of the Committee or its Councillors.
- 3.6 Councillors must not put pressure on officers to put forward a particular recommendation or deal with a planning matter in a particular way. This does not prevent a Councillor from asking questions or submitting views to an officer. These views must be received in written form and be placed on the planning file, so that they can be considered together with other material planning considerations.

4 INTERESTS: REGISTRATION AND DISCLOSURE

- 4.1 A Councillor should refer to the Members' Code of Conduct for assistance in identifying Disclosable Pecuniary Interests or any Other Interests or seek advice from the Monitoring Officer prior to attending a meeting. A failure to properly register a Disclosable Pecuniary Interest or to participate in discussion or voting in a meeting on a matter in which a Councillor has a Disclosable Pecuniary Interest, are criminal offences. Ultimately, responsibility for fulfilling the requirements rests with each Councillor.
- 4.2 The provisions of the 2011 Act seek to separate interests arising from the personal and private interests of the Councillor from those arising from the Councillor's wider public life. Councillors should think about how a reasonable

Member of the public, with full knowledge of all the relevant facts, would view the matter when considering whether the Councillor's involvement would be appropriate.

REGISTRATION OF INTERESTS

- 4.3 A Councillor must provide the Monitoring Officer with written details of relevant interests within 28 days of their election or appointment to office. Any changes to those interests must similarly be notified within 28 days of the Councillor becoming aware of such changes.

DISCLOSURE OF INTERESTS

- 4.4 It is always best to identify a potential interest early on. If a Councillor thinks that they may have an interest in a matter to be discussed at a Planning Committee, he or she should raise this with the Monitoring Officer as soon as possible.

Personal and Pecuniary Interests

- 4.5 The Council's Members' Code includes provisions for declaration of interests that are wider than Disclosable Pecuniary Interests under the Localism Act 2011. Some personal interests may amount to pecuniary interests that impact on members' ability to participate and vote on that item.

Disclosable Pecuniary Interests

- 4.6 Where a Councillor has a Disclosable Pecuniary Interest relating to an item under discussion, the Councillor may not participate (or participate further) in any discussion of the matter at the meeting or participate in any vote (or further vote) on the matter. The Councillor should also withdraw from the Chamber. This means that a Councillor with a Disclosable Pecuniary Interest is precluded from making representations orally to the committee or from making representations on behalf of a party to the hearing.
- 4.7 A Councillor with a Disclosable Pecuniary Interest can still present their views to the committee through other means. For example, the Councillor can:
- make written representations in their private capacity in accordance with the Committee Consideration Criteria as set out in the Planning Committee Procedure Rules – the existence and nature of the interest should be disclosed in such representations and the Councillor should not seek preferential consideration for their representations – such written representations should be addressed to officers rather than to other Councillors;
 - use a professional representative to make a representation on the Councillor's behalf in circumstances where the Councillor's planning application is under consideration; or
 - arrange for another Councillor (eg, a fellow ward Councillor) to represent the views of the Councillor's constituents on matters in which the Councillor has a Disclosable Pecuniary Interest.
- 4.8 Although a Disclosable Pecuniary Interest relating to an item under discussion requires the withdrawal of the Councillor from the committee, in certain circumstances, a dispensation can be sought from the Monitoring Officer to be present for that item of business.

- 4.9 Members should also have regard to the requirements regarding personal and pecuniary interests under the Code since these may also require a declaration of interest and may impact on members' ability to participate in an item.

5 BIAS: PREDETERMINATION/PREDISPOSITION

- 5.1 In addition to being aware and taking appropriate action in relation to interests, Planning Committee Councillors need to avoid any appearance of bias or of having predetermined their views before taking a decision on a planning application, on planning policies or on other planning matters, such as enforcement. Avoidance of bias or predetermination or the appearance of bias or predetermination is a principle of natural justice that the decision maker is expected to adhere to.
- 5.2 The courts have sought to distinguish between situations which involve predetermination or bias on the one hand and predisposition on the other. The former is indicative of a "closed mind" and likely to leave the committee's decision susceptible to challenge by Judicial Review. The latter is the perfectly normal process of someone making up their mind.
- 5.3 Clearly expressing an intention to vote in a particular way before a meeting (predetermination) is different from where a Councillor makes it clear that, although they have an initial view, they are willing to listen to all the material considerations presented at the committee and keep an open mind before deciding on how to exercise their vote (predisposition). The latter is acceptable; the former is not and may result in a Court quashing such a planning decision.
- 5.4 Section 25 of the 2011 Act provides that a Councillor should not be regarded as having a closed mind simply because they previously did or said something that, directly or indirectly, indicated what view they might take in relation to any particular matter. This enacted the common-law position that a Councillor may be predisposed on a matter before it comes to Committee, provided they remain open to listening to all the arguments and potentially changing their mind in the light of information presented at the meeting. Nevertheless, a Councillor in this position will always be judged against an objective test of whether the reasonable onlooker, with knowledge of the relevant facts, would consider that the Councillor was biased.
- 5.5 For example, a Councillor who states, "Windfarms are blots on the landscape and I will oppose each and every windfarm application that comes before the committee" will be perceived very differently from a Councillor who states, "Many people find windfarms ugly and noisy and I will need a lot of persuading that any more windfarms should be allowed in our area". The former has a closed mind and is predetermined, whereas the latter is predisposed but is maintaining an open mind.
- 5.6 This distinction is particularly important in the context of the Council's practice of facilitating presentations to Strategic Planning Committee by developers of schemes at the pre-application stage. After these presentations, Planning Committee Councillors question details of the development so that they can input into the design development of these strategic developments. They will therefore express views on aspects of the development (such as its external appearance, impact on neighbours or transport network implications) which

will display predisposition around these elements. What a Planning Committee Councillor should not do at this pre-application stage is to express a firm view on the development as a whole, as this could amount to predetermination. Such a view should only be formed at the end of the process, when all the material considerations are available to the Planning Committee Councillors to consider and weigh up before finalising their view.

DEALING WITH LOBBYING

- 5.7 A Planning Committee Councillor who has been lobbied and wishes to support their constituents or is a Ward Councillor and wishes to campaign for or against a proposal, will need to consider whether this is likely to be regarded as amounting to bias and going against the fair determination of the planning application. If they have predetermined their position or have given that impression, they should avoid being part of the decision-making body for that application. A Planning Committee Councillor could speak at a Planning Committee (in accordance with the Council's public speaking procedures) on behalf of their constituents, having declared their pre-determined position but could not take part in the planning decision.
- 5.8 Participation as a Planning Committee Councillor where a Councillor is or may be perceived to be biased, in addition to the risk of a complaint against the individual Councillor, also places the decision of the Committee at risk from legal challenge. As such, if a Planning Committee Councillor considers that they are or have given the impression that they are biased or predetermined they must carefully consider whether it is appropriate for them to participate in the matter.

6 APPLICATIONS SUBMITTED BY THE COUNCIL, COUNCILLORS OR OFFICERS

APPLICATIONS SUBMITTED BY THE COUNCIL

- 6.1 Proposals for a Council's own development can give rise to suspicions of impropriety. It is perfectly legitimate for such proposals to be submitted to and determined by the Council. Proposals for a Council's own development will be treated no differently from any other application.
- 6.2 Certain Councillors may, through their other roles outside of a Planning Committee (eg a Cabinet Member), have been heavily committed to or involved in a Council's own development proposal. In such circumstances, when an item comes to be considered at Planning Committee, the Councillor concerned, if they sit on the Committee, must consider whether they have an interest or degree of involvement with the proposals that could give the impression of bias. If in doubt, they are encouraged to seek advice from the Monitoring Officer. The most appropriate course of action, if that is the case, is that the Councillor concerned may address the Committee in the applicant's speaking slot (see the Planning Committee Procedure Rules) but does not take part in its consideration and determination. It is important that the Councillor should restrict their address to the Committee to relevant planning considerations rather than wider non-planning issues that are not material to the determination of the application.

APPLICATIONS SUBMITTED BY COUNCILLORS OR OFFICERS

- 6.3 It is perfectly legitimate for planning applications to be submitted by Councillors and members of staff. However, it is vital to ensure that they are handled in a way that gives no grounds for accusations of bias or pre-determination.
- 6.4 If a Councillor or an officer submits their own proposal to the Council which they serve, they should take no part in its processing. A Councillor who acts as an agent or representative for someone pursuing a planning matter with the authority should also take no part in its processing.
- 6.5 The 1APP planning application form requires an applicant to indicate whether they are a member of staff or a Councillor or a partner/spouse of a member of staff or a Councillor. Decisions relating to applications where members of staff or Councillors are the applicant should be reported to Committee where they relate to the following:
- Councillors
 - Senior officers of the Council (Service Head and above)
 - Officers of the Local Planning Authority.
- 6.6 The term “Officers of the Local Planning Authority” means officers within the Council who, in the opinion of the [Head of Planning], are closely involved in the day-to-day work of the Council’s planning function.
- 6.7 The procedures to be followed in Committee in such circumstances are as follows:
- The consideration in Committee of an application from a Councillor may be considered a Disclosable Pecuniary Interest for that Councillor and he/she will need to be mindful of their obligations in relation to Disclosable Pecuniary Interests as set out in the Members’ Code of Conduct.
 - If such a Councillor does not have a Disclosable Pecuniary Interest, they may address the Committee as the applicant in accordance with the Council’s public speaking procedures. If, however, such a Councillor has a Disclosable Pecuniary Interest they may not participate in the consideration of the matter and may therefore not speak on the matter. They would need to have a representative speak on their behalf.
 - The Planning Committee Councillors must consider whether the nature of any relationship means that they have a Disclosable Pecuniary Interest in relation to the matter and if so, they may not participate in the consideration of that matter.
- 6.8 The principle in the final bullet point also applies to an application submitted by a member of staff when it is considered in Committee.

7 LOBBYING OF AND BY COUNCILLORS

- 7.1 Lobbying is a normal part of the planning process. Those who may be affected by a planning decision, whether through an application, a site allocation in a development plan or an emerging policy, will often seek to influence it through an approach to their Ward Councillor or to a Planning Committee Councillor.

- 7.2 As the Nolan Committee's 1997 report stated: "It is essential for the proper operation of the planning system that local concerns are adequately ventilated. The most effective and suitable way that this can be done is through the local elected representatives, the Councillors themselves".
- 7.3 Lobbying, however, can lead to the impartiality and integrity of a Councillor being called into question, unless care and common sense are exercised by all the parties involved.

LOBBYING OF COUNCILLORS

- 7.4 A Planning Committee Councillor should explain to those lobbying or attempting to lobby them that, whilst they can listen to what is said, it may prejudice their impartiality and ability to participate in the Committee's decision making if they are asked to express either an intention to vote one way or another or such a firm point of view that it amounts to the same thing. Planning Committee Councillors should ensure that it is made clear to any lobbyists that they will only be able to reach a final decision on any planning matter after they have heard all the relevant arguments and looked at the relevant information during the sitting of the determining Committee.
- 7.5 Planning Committee Councillors should therefore:
- suggest to lobbyists that they write to the Planning Service in order that their views can be included in the officer report prepared for determination under delegated powers or by Committee;
 - pass on any lobbying correspondence received (including plans, data, correspondence etc in respect of an application) to the Planning Service (planning@havering.gov.uk) as soon as practicably possible so that it can be considered and included in the report on the application;
 - refer the matter to another ward member;
 - remember that their overriding duty is to the whole community not just to the residents and businesses within their ward and that they have a duty to make decisions impartially and should not improperly favour, or appear to improperly favour, any person, company, group or locality;
 - not accept gifts or hospitality from any person involved in or affected by a planning proposal, but if a degree of hospitality is unavoidable (eg, refreshments at a meeting), ensure that they comply with the provisions in the Members' Code of Conduct on gifts and hospitality; and
 - inform the Monitoring Officer where they feel that they have been exposed to undue or excessive lobbying or approaches (including inappropriate offers of gifts or hospitality), who will in turn advise the appropriate officers to follow the matter up where necessary.
- 7.6 Planning Committee Councillors should note that, subject to the requirements to ensure that they comply with the Members' Code of Conduct and the rules regarding bias and pre-determination and ensure that they take appropriate action in relation to Disclosable Pecuniary Interests, they are not precluded from:
- listening or receiving viewpoints from residents or other interested parties;
 - making comments to residents, interested parties, other Councillors or appropriate officers, provided they do not consist of or amount to predetermination and they make clear they are keeping an open mind;

- seeking information through appropriate channels; or
- being a vehicle for the expression of opinion or speaking at the meeting as a Ward Councillor, provided they explain their actions at the start of the meeting or item and make it clear that, having expressed the opinion or ward/local view, they have not committed themselves to vote in accordance with those views and will make up their own mind having heard all the facts and listened to the debate.

7.7 In the interest of openness, Planning Committee Councillors should declare any lobbying to which they have been subject.

7.8 It is very difficult to convey every nuance of these situations and to get the balance right between the duty to be an active local representative and the requirement when taking decisions on planning matters to take account of all arguments in an open-minded way. It cannot be stressed too strongly, however, that the striking of this balance is, ultimately, the responsibility of the individual Councillor.

LOBBYING BY COUNCILLORS

7.9 Planning Committee Councillors should not become a Member of, lead or represent a national or local organisation whose primary purpose is to lobby to promote or oppose planning proposals. If a Councillor does, he/she may appear to be biased. Whilst they may be able to address the Committee as a Ward Councillor or an objector, they are not able to participate or vote on any matter in respect of which they have such an interest, unless they have received a dispensation for this purpose from the Monitoring Officer.

7.10 Planning Committee Councillors can join general groups which reflect their areas of interest and which concentrate on issues beyond particular planning proposals, but they should disclose a personal interest and consider whether that also amounts to a pecuniary interest where that organisation has made representations on a particular proposal. Where a Planning Committee Councillor is able to participate they should make it clear to that organisation and the Committee that they have reserved judgement and the independence to make up their own mind on each separate proposal.

7.11 Councillors should not excessively lobby Planning Committee Councillors regarding their concerns or views on a planning application, nor attempt to persuade them that they should decide how to vote in advance of the meeting at which any planning decision is to be taken.

7.12 Councillors should not put pressure on officers for a particular recommendation or decision, and should not do anything which compromises, is likely to compromise, or could be seen as compromising the officers' impartiality or professional integrity. Nor should they request officers to speed up or delay the determination or assessment of an application for their own personal or political convenience or following lobbying by applicants, agents/advisers, local residents or other interested parties.

7.13 Call-in requests, whereby in certain circumstances a Ward Councillor can require a proposal that would normally be determined under officers' delegated authority, to be determined by Committee, require the reasons for call-in to be recorded in writing and to refer solely to material planning

considerations. The Councillor must additionally commit to attending the Planning Committee at which the application is to be determined, to explain their concerns. A Councillor who fails to do so on two or more occasions within a year may be excluded from exercising these rights. The procedures for this are set out in the Planning Committee Procedure Rules.

- 7.14 Planning Committee Councillors should not decide or discuss how to vote on any application at any sort of political group meeting, or lobby any other Planning Committee Councillor to do so.
- 7.15 As previously outlined, Councillors must always be mindful of their responsibilities and duties under their Code of Conduct. These responsibilities and duties apply equally to matters of lobbying as they do to the other issues of probity explored elsewhere in this Code.

8 PRE-APPLICATION DISCUSSIONS

- 8.1 Discussions between a potential applicant and the Council prior to the submission of an application can be of considerable benefit to both parties and are encouraged by the National Planning Policy Framework. However, it would be easy for such discussions to become, or to be seen by objectors to become, part of a lobbying process on the part of the potential applicant. For this reason, the Council have developed a pre-application process that enables engagement at the pre-application stage.
- 8.2 For major strategic applications, the Council offers a service to potential applicants, which includes presenting their schemes to the Council's Planning Committee. Details of this are set out in the Planning Committee Procedure Rules. This is the way in which Planning Committee Councillors engage with these schemes and there should therefore be no need to attend any other meeting with potential applicants or their agents/representatives.
- 8.3 In other cases, potential applicants may seek to meet Planning Committee Councillors. For minor or household applications, these can be treated as a form of lobbying and Councillors, including Planning Committee Councillors, should follow the advice set out above in section 7.
- 8.4 Where the application is more substantial, but not subject to pre-application committee presentations, these meetings will be subject to the following procedures:
- No meeting involving Planning Committee Councillors shall be convened without the presence of a Council planning officer for the entire duration of the meeting.
 - Understand that such meetings will attract a fee and make sure the applicant understands this.
 - Both this Code and the Members' Code of Conduct will apply when attending such meetings.
 - Any Planning Committee Councillor involved in such a meeting, who sits on the Committee that subsequently considers any resulting application, should declare their attendance at the meeting in the same way as lobbying would be declared.

- Officers (and any Councillor, if present) should make it clear from the outset that the discussion will not bind the Council to making a particular decision and that any views expressed are personal and provisional.
- Any advice given should be consistent and in accordance with the Development Plan and officers should agree, prior to any meeting, on a consistent interpretation of Development Plan policies as applied to the particular proposal.
- Councillors should not become drawn into any negotiations, which should be done by officers to ensure that the authority's position is co-ordinated.
- A contemporaneous note of the meeting should be prepared by the planning officer attending and a copy sent to all parties for their agreement.
- The final version of the note of the meeting will be placed on the planning file and should a planning application subsequently be received, it will thereby be open to public inspection.

8.5 Councillors should not seek to arrange meetings that would circumvent the Council's normal pre-application procedures, including the need to charge applicants for such meetings.

8.6 Planning Committee Councillors should not attend pre-application meetings that are not organised through officers.

9 POST-SUBMISSION DISCUSSIONS

9.1 A Planning Committee Councillor should not usually be involved in discussions with a developer or agent when a planning application has been submitted and remains to be determined. Potentially, these discussions could be interpreted, particularly by objectors to a proposal, as an indicator of predetermination or bias.

9.2 There are limited circumstances when Planning Committee Councillors may legitimately engage in post-submission discussions. An example would be in the case of a large-scale development, where it is desirable for there to be a full understanding of the Council's planning and economic objectives. Such meetings will be organised by officers and run under the same procedural rules as pre-application discussions.

9.3 If a Planning Committee Councillor is contacted by the applicant, their agent or objectors, they should follow the rules on lobbying and consider whether it would be prudent in the circumstances to make notes when contacted. A Councillor should report to the [Head of Planning] any significant contact with the applicant or other parties, explaining the nature and purpose of the contact and their involvement, so that it can be recorded on the planning file.

9.4 Planning Committee Councillors should not attend post-submission meetings that are not organised through officers.

10 PLANNING APPEALS

10.1 Appeals against the planning decisions of the Council are heard by a Planning Inspector appointed by the Secretary of State. Any hearing or inquiry will be open to the public and Councillors are able to attend. Councillors are encouraged to attend such hearings, as they can be a good learning

experience. This part of the Code is concerned with Councillors who wish to actively participate in these appeals.

- 10.2 If a Councillor wishes to attend a public inquiry or informal hearing as a Ward Councillor or as a member of the public, they are free to do so. It is strongly recommended that they discuss their participation with the [Head of Planning] to ensure that they are aware of the process and that they do not act in a manner which compromises their position as a Councillor, brings the Council into disrepute or puts the decision made at risk of challenge.
- 10.3 A Planning Committee Councillor cannot attend an appeal on behalf of the Council's Planning Committee, even if they sat on the Committee that made the decision, unless this is as part of the Council's case as decided by the [Head of Planning]. The decision of the Committee will be documented in the minute and set out in the decision notice. The planning officer will present the Council's case on its planning merits, in accordance with the Committee's decision. The inspector is required to determine the appeal on its planning merits and therefore all representations should be so directed.
- 10.4 Where the appealed decision was contrary to the officer's recommendation, officers are generally able to present the Council's case in a satisfactory manner. Where this may not be possible, the case will be presented by a planning consultant employed by the Council.

11 PLANNING ENFORCEMENT

- 11.1 It is perfectly legitimate for Councillors to bring to the attention of the Planning Service suspected breaches of planning control so that they may be investigated to see whether any action is possible or necessary. They should bring these to the attention of the [Head of Planning].
- 11.2 The Council's planning enforcement service operates to a priority system so that those breaches that cause the most harm are dealt with first. This priority system is designed to produce a fair and responsive enforcement service. Councillors must not seek to have matters that they have raised given preferential treatment merely because they are a Councillor.

12 COUNCILLOR TRAINING

- 12.1 Councillors may not participate in decision making at meetings of the Council's Planning Committee unless they have attended mandatory training. This will be provided by the Council's planning and legal services and will cover the principles of planning and probity in planning.
- 12.2 Whilst all new Planning Committee Councillors (and new substitutes) must attend this compulsory training before they can participate in the Council's Planning Committees, all other Planning Committee Councillors (and substitutes) are also encouraged to attend so that they can ensure that they keep up-to-date on these matters. All Planning Committee Councillors (and substitutes) must attend this training at least every two years, or as recommended individually or collectively by the Monitoring Officer.
- 12.3 All Planning Committee Councillors should endeavour to attend any other specialised training sessions provided, since these will be designed to extend

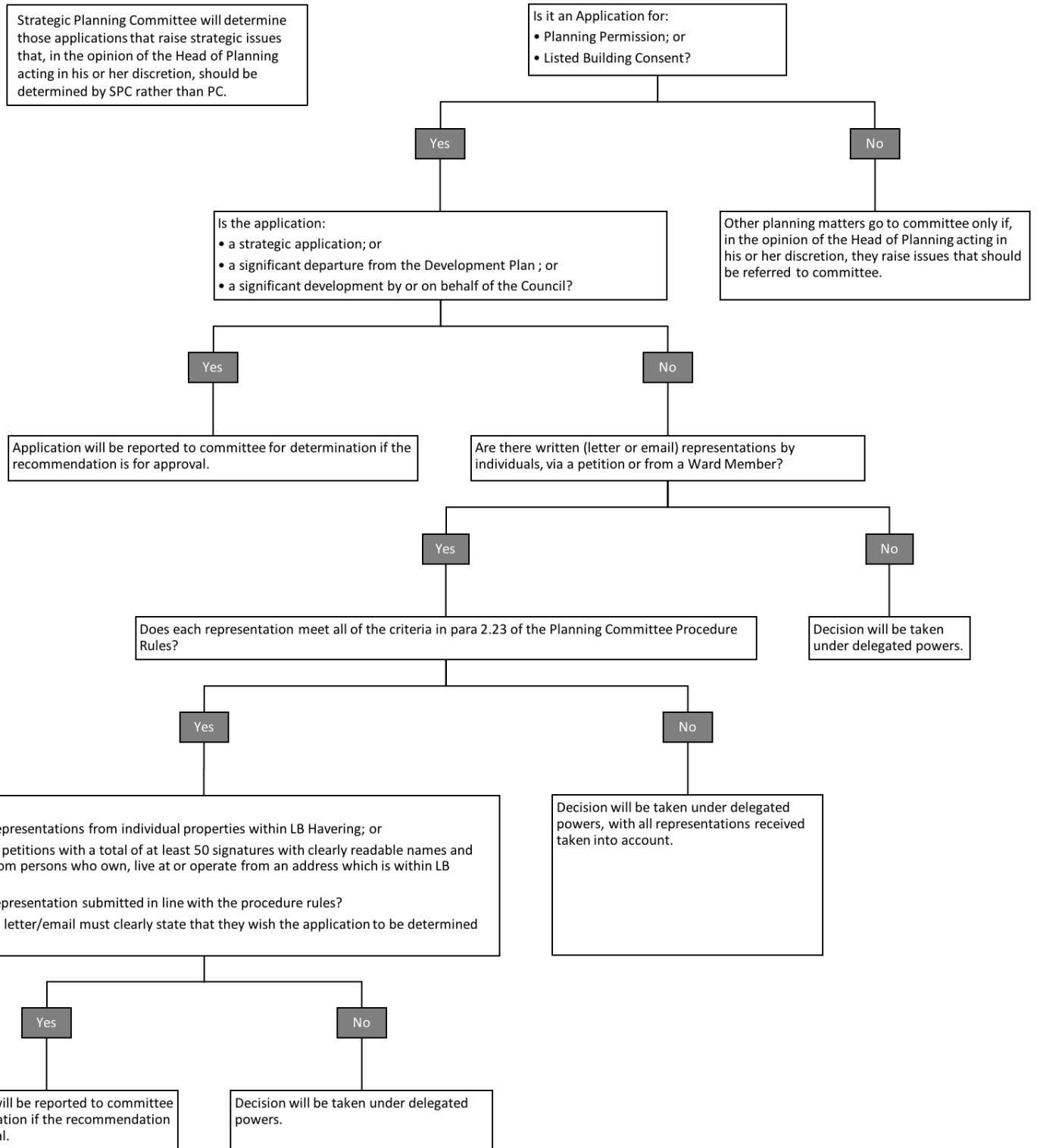
Governance Committee, 7 March 2018

their knowledge of planning law, policy, procedures, and good practice, which will assist them in carrying out their role.

- 12.4 Training provided on planning related matters, whilst aimed at Planning Committee Councillors, is open to any Councillor with an interest to attend.

**APPENDIX H
DELEGATION PROCESS FLOW CHART**

This flow chart relates to planning applications only and whether they are determined by Committee or under delegated powers. It does not cover pre-application presentations or other non-application planning matters, nor does it deal with speaking rights at either committee.



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COUNCIL, 21 MARCH 2018

REPORTS OF COMMITTEES, SUB-COMMITTEES AND MEMBER CHAMPIONS

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MEMBER CHAMPION FOR YOUNG PEOPLE

<p style="text-align: center;">ANNUAL REPORT ON THE WORK OF THE AUDIT COMMITTEE 2017/18 FINANCIAL YEAR</p>

1. Introduction

This reports covers the period April 2017 to March 2018 and outlines:-

- Information relating to the Audit Committee;
- The coverage of work undertaken by the Audit Committee;
- Actions taking during the year, including training, to ensure the effectiveness of the Audit Committee; and
- Future planned work and challenges.

2. Background

2.1 The Audit Committee has been in place for a number of years. The Committee's terms of reference list the responsibilities and authorities delegated in the Council's Constitution, which comprise:

Internal control

- To consider and monitor the adequacy and effectiveness of the authority's risk management and internal control environment and to make recommendations to full Council where necessary.

External audit

- To monitor the adequacy and effectiveness of the External Audit Service and respond to its findings.

Internal audit

- To support the Officers with their delegated responsibility of ensuring arrangements for the provision of an adequate and effective internal audit.
- To monitor the adequacy and effectiveness of the internal audit service and to receive and monitor an annual internal audit plan from the audit manager.
- To approve the Annual Statement of Accounts, including the Annual Governance Statement, and to recommend as necessary to the Governance Committee regarding the committee's responsibilities to monitor corporate governance matters generally.
- To monitor proactive fraud and corruption arrangements.

The Audit Structure (as at April 2018):

Audit Committee: Councillor Viddy Persaud (Chairman)
Councillor Julie Wilkes (Vice-Chair)
Councillor Clarence Barrett
Councillor David Johnson
Councillor Frederick Thompson
Councillor Graham Williamson*

**For part of the 2017-18 municipal year and was replaced by Councillor Mylod.*

Internal Auditors: oneSource
External Auditors: Ernst & Young

During the year under review, the Sub-Committee met on four occasions and dealt with the following issues:

3. Audit Committee coverage

3.1 The Audit Committee has received the reports as set out in Appendix A. The coverage can broadly be categorised as regular and specific. More information on both is set out below.

3.2 Regular work

The Committee has regularly reviewed:

- Progress against the audit plan and performance;
- Key findings/issues arising from each audit undertaken;
- Progress against implementation of the recommendations;
- Anti-fraud and corruption activity, including frauds investigated and outcomes;
- Treasury Management activity; and
- The Accounts closedown timetable and progress reports.

3.3 Specific Review / Reports

There were several during the year including a review and approval of:

- the Statement of Accounts;
- the Annual Governance Statement; and
- the Annual Audit Plan.

The Committee also received assurances via:

- Annual Report from Internal Audit that includes the Annual Assurance Statement; and
- The work of external Audit (EY).

4. Priorities and work plan for the forthcoming year

- 4.1 The Audit Committee is currently planned to meet on four occasions over the next municipal year. There are specific reports planned throughout the year, running through a mix of quarterly progress reports and annual reviews of specific strategies and policies within the remit of the Committee, together with progress reports from the Council's external auditor.
- 4.2 Officers will continue to ensure all members on the Committee, and their nominated substitutes, are adequately trained.
- 4.3 The Committee will continue to oversee the effectiveness of the audit team and wider fraud resources in accordance with Public Sector Audit Standards Audit and Accounts Regulations 2015.
- 4.4 The Committee will focus on the embedding of the Risk Management arrangements agreed in the Revised Management Policy and Strategy.
- 4.5 Fraud prevention and detection will continue to be high on the Audit Committees agenda going forward.
- 4.6 The Committee will continue to focus on ensuring Value for Money and challenging weak areas that have been highlighted by the work of Internal Audit.
- 4.7 A draft forward plan and indicative training plan are detailed in Appendix B.

AUDIT COMMITTEE AGENDA ITEMS – FROM JUNE 2017 TO MAY 2018

June 2017

- Internal Audit Annual Report 2016/17
- Annual Governance Statement 2016/17
- Accounts Closure Update
- Treasury Management Annual Report

September 2017

- Annual Statement of Accounts 2016/17
- Treasury Management Update Q1
- Internal Assurance Report Q1

November 2017

- Annual Audit Letter
- Closure of Accounts Timetable
- Treasury Management Mid-Year Update 2017/18
- Internal Assurance Report Q2
- Annual Governance Statement 2016/17 (Amendment)

February 2018

- External Audit Plan 2017/18: London Borough of Havering and Havering Pension Fund
- 16/17 Grants Certification Report
- Accounting Policies 2017/18
- Closure of Accounts Timetable 2017/18
- Assurance Progress Report Quarter 3
- Governance Update
- Internal Audit Strategy and Charter and 2018/19 Plan
- Treasury Management Q3 Update 2017/18
- Treasury Management Strategy Statement, Prudential Indicators and Minimum Revenue Provision Statement for 2018/19
- Audit Committee – Annual Report 2017/18

April 2018

- External Audit – Interim Audit update (if necessary)
- Head of Assurance Annual Report 2017/18
- Annual Report on Risk Management
- Member Training Plan

AUDIT COMMITTEE – DRAFT FORWARD PLAN / TRAINING

FORWARD PLAN	AGENDA ITEM	PLANNED TRAINING
July 2018	<ul style="list-style-type: none"> • Annual Governance Statement 2017/18 • Treasury Management Annual Report 2017/18 • Annual Statement of Accounts 2017/18 • External Audit Report to those charged with Governance (ISO 260) • Response to Auditors report to those charged with Governance • Assurance Progress Report Q1 • Treasury Management Update Q1 	Training on the role of the audit committee and the financial statements will take place between May-July
October 2018	<ul style="list-style-type: none"> • 2017/18 Annual Audit Letter • 6 Month Review of Risk Management • Assurance Progress Report Q2 • Treasury Management Quarter 1 Update 	Per training plan to be considered April 18
January 2019	<ul style="list-style-type: none"> • External Audit Plan 2019/20 for London Borough of Havering and Havering Pension Fund • Governance Update • 17/18 Grants Certification Report • Assurance Progress Report Q3 • Draft Treasury Management Strategy Report 19/20 • Treasury Management Mid-Year Report • Accounting policies 2018/19 • Closure of Accounts Timetable 2018/19 • 2019/20 Internal Audit Plan, Strategy and Charter 	
April 2019	<ul style="list-style-type: none"> • Head of Assurance Annual Report 2018/19 • Audit Committee – Annual Report 2018/19 • Member training plan 	



Havering

LONDON BOROUGH

HAVERING PENSION FUND

**BUSINESS PLAN/REPORT ON THE WORK
OF THE
PENSIONS COMMITTEE
DURING
2017/18**

INTRODUCTION

The Havering Pension Fund (the Fund) provides benefits to Council employees (except teachers). The performance of the Fund impacts on the cost of Council services through the cost of employer contributions. It is therefore beneficial to issue a Business Plan/Annual report to all Council Members on the Havering Pension Fund and the work of the Pensions Committee.

The Business Plan looks forward over the next three years and will be reviewed and updated annually.

This is the last year of the current Pensions Committee term of office due to the Local Elections being held in May 2018, therefore the Committee's achievements and ongoing developments will only cover the period 1st April 2017 to 31 December 2017 and outlines:

- The work of the Pensions Committee
- Key issues arising during the course of the year

The value of assets held and the financial position of the Havering Pension Fund for 2017/18 is included in the formal Annual Report of the Fund itself and not included here. The Annual Report is prepared later in the year when the pension fund accounts have been finalised.

BACKGROUND TO THE PENSION FUND

The Council is an Administering Authority under the Local Government Pension Scheme Regulations and as such invests employee and employer contributions into a Fund in order to pay pension benefits to scheme members. The Fund is financed by contributions from employees, employers and from profit, interest and dividends from investments.

The Pension Fund has a total of 44 employers, of which the London Borough of Havering is the largest. The other employers in the Fund are made up of 38 Scheduled bodies (Academies and Further Education bodies) and 6 Admitted bodies (outsourced contracts). There were six new employers and one cessation during 2017/18.

The Council has delegated the responsibility for investment strategy and performance monitoring to the Pensions Committee.

Pension Fund – Funding

The Fund's Actuary (Hymans Robertson) carried out a triennial valuation during 2016/17 based on data as at 31 March 2016. The main purpose of the valuation is to calculate the funding position within the Fund and set employer contribution rates for the following three years with new rates commencing 1 April 2017.

The valuation is a planning exercise for the Fund, to assess the monies needed to meet the benefits owed to its members as they fall due. As part of the valuation process, the Fund reviews its funding and investment strategies to ensure that an appropriate contribution plan is in place.

As a measure of monitoring that the funding plan is on track the Fund Actuaries also provided Members with a report to illustrate the estimated development of the Pension Fund's funding position from 31 March 2016 to 30 September 2017 (the mid-way point between valuations)

A comparison of funding levels can be seen below:

Summary

Ongoing funding basis	31 Mar 2013	31 Mar 2016	30 Sep 2017
	£m	£m	£m
Assets	461	573	687
Liabilities	752	857	990
Surplus/(deficit)	(292)	(284)	(303)
Funding level	61.2%	66.8%	69.4%

The improvement in funding position is mainly due to strong investment performance over the periods.

Pension Fund – Investment Strategy Development & Performance Monitoring

In conjunction with the 2016 Valuation and in line with regulations the Committee developed a new Investment Strategy Statement (ISS) which replaced the Statement of Investment Principles (SIP) from March 2017 and later updated in November 2017.

The current asset allocation targets are shown below and reflect the asset allocation split and targets against individual fund manager benchmarks:

Asset Class	Target Asset Allocation (ISS Jan 17) %	Investment Manager/ product	Segregated / pooled	Active/ Passive	Benchmark and Target
UK/Global Equity	15.0	LCIV Baillie Gifford (Global Alpha Fund)	Pooled	Active	MSCI All Countries Index plus 2.5%
	7.5	SSgA - LGIM (from Nov 17)	Pooled	Passive	FTSE All World Equity Index
	7.5	SSgA - LGIM (from Nov 17)	Pooled	Passive	FTSE RAFI All World 3000 Index
Equities	30.0				
Multi Asset Strategy	12.5	LCIV Baillie Gifford (Diversified Growth Fund)	Pooled	Active	Capital growth at lower risk than equity markets
	15.0	GMO Global Real (UCITS)	Pooled	Active	OECD CPI g7 plus 3 - 5%
	15.0	LCIV Ruffer	Pooled	Active	Absolute Return
Multi-asset	42.5				
Property	6.0	UBS	Pooled	Active	IPD All balanced (property) Fund's median +
Infrastructure	2.5	Unallocated			
Real assets	8.5				
Gilt/Investment	19.0	Royal London	Segregated	Active	• 50% iBoxx £

Asset Class	Target Asset Allocation (ISS Jan 17) %	Investment Manager/ product	Segregated / pooled	Active/ Passive	Benchmark and Target
Bonds					non- Gilt over 10 years <ul style="list-style-type: none"> • 16.7% FTSE Actuaries UK gilt over 15 years • 33.3% FTSE Actuaries Index- linked over 5 years. Plus 1.25%*
Bonds and Cash	19.0				
TOTAL	100.0				

*0.75% prior to 1 November 2015

At its meeting in June 2017, the Pensions Committee agreed to adopt a timetable to develop and implement the investment strategy over the medium to long term.

In September 2017 the Pensions Committee appointed a new passive Global Equity Manager and assets were transferred from State Street Global Assets to Legal and General Investment Management (LGIM) in November 2017.

In moving towards the long-term strategy, the initial focus has been on reviewing the bond allocation with the expectation that this be split between index-linked gilts, multi-asset credit and private debt. Work is in progress to make an investment to the Real Asset mandate, a decision is expected in March 2018 followed by movement of funds in the subsequent weeks.

As at December 2017 the total value of assets with the LCIV is £313m which represents 44% of assets under management. The London CIV has a business arrangement with LGIM to deliver the passive global mandate; this can be classified as being within the London CIV so the allocation increases to £417m (58.3%).

UBS, SSgA/LGIM, Ruffer, GMO and Baillie Gifford manage the assets on a pooled basis. Royal London manages the assets on a segregated basis.

The Fund will continue to have ongoing discussions with the London CIV to progress the transition of assets onto the London CIV platform in accordance with the Department of Communities and Local Government (DCLG) timelines.

The performance of the Fund is measured against a tactical and a strategic benchmark.

The Fund has adopted a strategic benchmark for the whole of the fund of Gilts (All Stocks Index Linked Gilts) + 1.8%. The main factor in meeting the strategic benchmark is market performance.

The Fund has adopted a strategic benchmark for the whole of the fund of Gilts (All Stocks Index Linked Gilts) + 1.8%. The main factor in meeting the strategic benchmark is market performance.

In 2017/18, for the 12 months ending 31 December 17 the overall return on the Fund's investments can be seen in the tables below. For comparison, the performance data as at the same period in 2016/17 is also shown:

Strategic Benchmark - A strategic benchmark has been adopted for the overall Fund of Index Linked Gilts + 1.8% per annum. This is the expected return in excess of the fund's liabilities over the longer term. The strategic benchmark measures the extent to which the fund is meeting its longer term objective of reducing the funds deficit. The current shortfall is driven by the historically low level of real interest rates which drive up the value of index linked gilts (and consequently the level of the fund liabilities).

The overall net performance of the Fund against the **Strategic Benchmark** (i.e. the strategy adopted of Gilts + 1.8% Net of fees) is shown below:

	12 Months to 31.12.17	12 months to 31.12.16
	%	%
Fund	9.9	14.5
Strategic Benchmark	4.1	21.5
*Difference in return	5.6	-5.7

Source: WM Company

Totals may not sum due to geometric basis of calculation and rounding.

Tactical Benchmark - Each manager has been set a specific (tactical) benchmark as well as an outperformance target against which their performance will be measured. This benchmark is determined according to the type of investments being managed. This is not directly comparable to the strategic benchmark as the majority of the mandate benchmarks are different but contributes to the overall performance.

The overall net performance of the Fund against the new **Combined Tactical Benchmark** (the combination of each of the individual manager benchmarks) follows:

	12 Months to 31.12.17	12 months to 31.12.16
	%	%
Fund	9.9	14.5
Tactical Benchmark	5.7	12.6
*Difference in return	4.0	1.7

The Fund uses the services of State Street Global Services Performance Services PLC (formerly known as WM Company) to provide comparative statistics on the performance of the Fund for its quarterly monitoring.

Annual performance and comparisons to the Local Authority universe is provided by the Pensions & Investment Research Consultants Limited (PIRC).

The (DCLG) Guidance on Preparing and Maintaining an Investment Strategy Statement (ISS) issued September 2016 relaxed the regulatory framework for scheme investments which also included the relaxation on reviewing investment manager performance.

In light of the above guidance, and the monitoring of managers in the London CIV now being carried out by them, the Committee reviewed the current reporting arrangements in June 2017 and agreed that only one fund manager will attend each Committee meeting.

FUND GOVERNANCE STRUCTURE

Day to day management of the Fund is delegated to the Statutory Section 151 Officer. Investment strategy and performance monitoring of the Fund is a matter for the Pensions Committee which obtains and considers advice from the authority's officers, and as necessary from the Fund's appointed professional adviser, actuary and performance measurers who attend meetings as and when required.

The terms of reference for the Committee are:

- To consider and agree the investment strategy and statement of investment principles (SIP) (now called Investment Strategy Statement) for the Pension Fund and subsequently monitor and review performance
- Authorise staff to invite tenders and to award contracts to actuaries, advisers and fund managers and in respect of other related investment matters
- To appoint and review the performance of advisers and investment managers for pension fund investments
- To take decisions on those matters not to be the responsibility of the Cabinet under the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 relating to those matters concerning pensions made under Regulations set out in Sections 7, 12 or 24 of the Superannuation Act 1972

The membership of the Pensions Committee reflects the political balance of the Council and therefore the members of the Pensions Committee are as follows:

Conservative Group:

Cllr John Crowder (Chair)
Cllr Melvin Wallace
Cllr Joshua Chapman (from May 2017)

UKIP

Cllr David Johnson (Vice Chair)

Residents Group

Cllr Nic Dodin (up to 22 Nov 17)
Cllr Stephanie Nunn

East Havering Residents' Group

Cllr Clarence Barrett

***Independent Resident Group (from 22 Nov 17)**

Vacant*

Other

Union Members (Non-voting) - John Giles (Unison), Andy Hampshire (GMB)
Admitted/Scheduled Body Representative (voting)

*Due to a Councillor changing political parties an adjustment was made to the political allocation of representatives who sit on the Pensions Committee from 22 November 2017. This resulted in

the Residents Group losing one seat (Cllr Nic Dodin) and the Independent Residents Group gaining one seat (currently vacant and will be reviewed after the local elections).

From May 2017 Cllr Joshua Chapman replaced Cllr Jason Frost

Fund Administrator	London Borough of Havering
Actuary	Hymans Robertson
Auditors	Ernst and Young LLP
Performance Measurement	State Street Global Services – Performance Services PLC (formerly WM Company) Pensions & Investment Research Consultants Limited (PIRC)
Custodians	State Street Global Services
Investment Managers	Royal London Asset Management (Investment Bonds) UBS (Property) Ruffer LLP (Multi Asset) (transferred to London CIV 21 June 2016) State Street (Passive UK/Global Equities until 8 November 2017) Legal & General Investment management (from 8 November 2017) Baillie Gifford (Global Equities) (transferred to London CIV 15 February 2016) Baillie Gifford Diversified Growth Fund (Multi Asset) (transferred to London CIV 11 April 2016) GMO Global Real Return (UCITS) from January 2015 London CIV Baillie Gifford Diversified Growth Fund (from 15 February 2015) London CIV Baillie Gifford Global Alpha (from 11 April 2016) London CIV RF Absolute Return (from 21 June 2016)
Investment Advisers	Hymans Robertson LLP
Legal Advisers	London Borough of Havering Legal Services provide legal advice as necessary (specialist advice is procured as necessary)
Section 151 Officer	Debbie Middleton
Pension Fund Accountant	Debbie Ford - Onesource
Pensions Administration Management	Sarah Bryant Director of Exchequer & Transactional Services - Onesource

PENSION COMMITTEE MEETINGS 2017/18

The Committee met a number of times during 2017/18 and **Annex A** sets out the coverage of matters considered, but the key issues that arose in the period are shown below:

Major milestones and key issues considered by the Committee

- **Annual Report**

The Pension Fund Annual Report 31 March 2017 was produced in line with the LGPS (Administration) regulations and agreed.

- **Investment Strategy Statement**

The updated Investment Strategy Statement was approved and agreed to implement changes aiming to meet the long term asset allocation targets.

- **Business Plan**

The Pension Fund Business Plan for 2018/19 was agreed incorporating the work of the Pension Committee members during 2017/18.

- **Reviewed Fund Managers quarterly performance**

- **Fund Manager voting and Engagement Activity**

Noted the review of fund manager voting and engagement and agreed to receive this report annually.

- **Reviewed performance of the Pension Fund's Custodians, Investment Advisor and Actuary.**

- **Noted LGPS guides for Outsourcing and Admissions.**

- **Considered options on the Future of the delivery of the Pensions Administration service**

- **Appointment of new Passive Global Equity manager**

- **Impact of adaptation of implementation of the Markets in Financial Instrument Directive (MiFID 11)**

- **Noted Local Pension Board Annual report for the year ending March 2017**

- **Collective Investment Vehicle (CIV)**

The Committee received updates on the progress of the London CIV.

PENSION COMMITTEE MEETINGS 2018/19 AND ONWARDS

In addition to the annual cyclical work programme as shown in **Annex B** there are a number of key issues that are likely to be considered by the Pensions Committee in the coming year and beyond:

- Assessment/Appointment of Real Asset Manager
- Assessment/Appointment of Private Debt Manager
- Interviewing/Appointment of Investment Advisor
- Receive update on Actuary appointment
- ESG policy Development
- London CIV Pooling progression/Continued transfer of assets to the London CIV
- Training and discussion on the Social Responsibility investments impact on existing strategy.
- Continued training and development – induction of new members, where applicable, following May 2018 Local elections
- Finalisation and execution of the investment strategy
- Topical issues discussed as appropriate
- DCLG Investment Regulation changes as applicable

INTERNAL & EXTERNAL RESOURCES

The Pensions Committee is supported by the Administrating Authority's Finance and Administration services (oneSource) and the associated costs are therefore reimbursed to the Administrating Authority by the Fund. The costs for these services form part of the Administrative and Investment Management expenses as reported in the Pension Fund Statement of Accounts.

Estimated costs for the forthcoming three years for Administration, Investment Management expenses and Governance & Oversight follow in this report.

Pensions Administration - A review of the Pensions Administration services was undertaken during 2017 which resulted in the administrating authority's services for pension administration being outsourced and awarded to the Local Pensions Partnership (LPP). It was agreed to establish one post (Projects and Contracts Manager) within the Authority to monitor the LPP contract. The service was transferred to LPP on the 1 November 2017 and the Projects and Contracts Manager is now in post.

Accountancy and Investment support - The Onesource Finance service that supports the Pension Fund consists of an establishment of 2 full time equivalent posts.

FINANCIAL ESTIMATES

In June 2014 The Chartered Institute of Public Finance & Accountancy (CIPFA) produced guidance on how to account for Management costs and then updated it in 2015 in order that improvements in cost comparisons can be made across all funds. Management costs are now split between three cost categories as follows:

Administrative Expenses

Includes all staff costs associated with Pensions Administration, including Payroll.

	2016/17 Actual £000's	2017/18 Estimate £000's	2017/18 Projected Outturn	2018/19 Estimate £000's	2019/20 Estimate £000's	2020/21 Estimate £000's
*Administration & Processing	496	496	444	565	419	421
Other Fees	7	7	8	8	8	8
Other Costs	59	72	27	30	30	30
TOTAL	562	575	479	603	457	459

* a) Projected outturn reflects cessation of CEP Tax payments

b) Estimated costs from 2018/19 reflect the costings presented to the Committee in June 2017, and

c) one off hosting costs expected during 2017/18 have slipped to 2018/19, as this function has yet to transfer to LPP

Investment Management expenses

These costs will include any expenses incurred in relation to the management of fund assets.

	2016/17 Actual £000s	2017/18 Estimate £000's	2017/18 Projected Outturn	2018/19 Estimate £000's	2019/20 Estimate £000's	2020/21 Estimate £000's
*Fund Manager Fees	2,958	2,958	3,261	3,261	3,261	3,261
Custodian Fees	34	34	20	20	20	20
Performance Measurement services	11	11	11	11	11	11
TOTAL	3,003	3,003	3,292	3,292	3,292	3,292

* Fees are charged based on fund values, so will increase as the asset value increases

Governance and Oversight

This category captures all costs that fall outside the above two categories and include legal, advisory, actuarial and training costs. Staff costs associated with the financial reporting and support services to the Committee is included here.

	2016/17 Actual £000's	2017/18 Estimate £000's	2017/18 Projected Outturn	2018/19 Estimate £000's	2019/20 Estimate £000's	2020/21 Estimate £000's
Financial Services	142	142	147	147	147	147
Actuarial Fees	83	50	31	50	50	80
Audit Fees	24	21	18	21	21	21
Member training (inc. LPB)	5	10	4	10	10	10
Advisor Fees	42	50	60	50	50	50
CIV/SAB Levy	25	103	103	93	78	48
Local Pension Board	3	5	3	5	5	5
Pensions Committee	36	36	36	36	36	36
TOTAL	360	417	402	412	397	397
OVERALL TOTAL	3,925	3,995	4,173	4,307	4,146	4,148

Please note the following regarding the figures in the above tables

- Management and custody fees are charged according to the fund value; therefore an average figure has been applied for 2018/19 onwards.
- Based on 2017/18 fund and staffing structures.
- Fund Management fees takes no account of fee savings that are expected from joining the London CIV as these are available at this time.

TRAINING AND DEVELOPMENT STRATEGY

The Local Pension Board (LPB) has been in place since 25 March 2015.

The Pensions Regulator Code of Practice which came into force on 1 April 2015 includes a requirement for members of the Pension Committee/LPB to demonstrate that they have an appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a member of the Committee/LPB.

LGPS (Amendment) (Governance) Regulations 2015 states that Administering Authority must have regard to guidance issued by the Secretary of State. Guidance was issued by the Shadow Scheme Advisory Board in January 2015 and states that the Administering Authority should make appropriate training available to assist LPB members in undertaking their role. It was always the plan to adopt a training strategy that will incorporate Pension Committee member training with LPB members to keep officer time and training costs to a minimum.

A joint training strategy has been developed and was agreed by the Pensions Committee on the 24 November 2015 and presented to the Local Pension Board at its meeting on the 6 January 2016. The Training Strategy can be found in **Annex C**.

The Pension Committee of the London Borough of Havering Pension Fund fully supports the intentions behind CIPFA's Knowledge and Skills Code of Practice and has agreed to formally adopt its principles. The Training Strategy formally sets out the arrangements the London Borough of Havering Pension Fund will take in order to comply with the principles of the CIPFA Code of Practice.

Pension Committee and Board members are expected to achieve a minimum level of training credits and the CIPFA's Knowledge and Skills self-assessment training questionnaire will be used to record credits attained and identify gaps in the knowledge and skills of the members.

Long membership of the committee is encouraged in order to ensure that expertise is developed and maintained within. The Council recommend that the membership of the Pension Committee remain static for the life of the term in Council, unless exceptional circumstances require a change.

Maintaining expertise, experience and knowledge is a key focus for the committee in order to meet the "qualitative test" under **Markets in Financial Instrument Directive (MiFID 11)**. Firms will undertake an assessment of the **expertise, experience and knowledge** of the local authority and its pension fund committee in order to be reasonably assured that they are capable of making their own investment decisions and have an understanding of the risks involved before a firm will permit election to professional status. All requests for election have been granted for existing investment service providers.

PROVISION OF TRAINING

A training budget has been agreed for the provision of training for £10,000 but this will be re-evaluated as appropriate. Training costs will be met from the Pension Fund.

The majority of training and development is cyclical in nature, spanning the four year membership of the committee. Associated training and development will be given when required which will be linked to the Pension Fund meeting cyclical coverage for 2018/19 as shown in **Annex B**.

In addition to the cyclical training and development that the Committee will have over the lifetime of their membership, training will be provided in the areas where it has been specifically requested or has been identified as required. Special pension committee meetings will be arranged from time to time to discuss matters that fall outside of the cyclical meetings.

The Fund uses the three day training courses offered by the Local Government Employers which is specially targeted at elected members with Pension Fund responsibilities. All new members are encouraged and given the opportunity to attend.

Members receive briefings and advice from the Fund's Investment adviser at each Committee meeting.

Members and Officers also attend seminars arranged by Fund Managers or other third parties who specialise in public sector pensions.

The Fund is a member of the CIPFA Pensions network which gives access to an extensive programme of events, training/workshops, weekly newsletters and documentation, including briefing notes on the latest topical issues.

The Pension Fund Accountant also attends quarterly forum meetings with peers from other London Boroughs; this gives access to extensive opportunities of knowledge sharing and benchmarking data.

Officers within onsource Pensions teams also benefit from sharing of best practice

The London CIV runs periodic seminars to aid Officer and Committee member development.

Training and development took place during 2017/18 to ensure that Members of the Committee were fully briefed in the decisions they were taking.

Training logs are maintained and attendance and coverage can be found in **Annex D**.

The Pensions Regulator has launched an e-learning programme and this has been made available for members to use.

Training will be targeted as appropriate.

PENSIONS COMMITTEE MEETINGS HELD DURING 2017/18

ANNEX A

MONTH	TOPIC	ATTENDED BY
15 June 2017	<ul style="list-style-type: none"> Pension Fund Performance Monitoring for the quarter ending 31 March 2017, received presentations from Multi Asset managers GMO (Global Real Return) Agreed the Business Plan/Annual Report on the work of the Pensions Committee 2016/17 Considered the options for the future of the Pensions Administration service Considered an Independent Review of the Investment Strategy and agreed to progress implementation of Investment Strategy changes 	Cllr John Crowder (chair) Cllr David Johnson (vice chair) Cllr Steven Kelly (sub for Cllr Wallace) Cllr Phillipa Crowder (sub for Cllr Frost) Cllr Clarence Barrett Cllr Stephanie Nunn Andy Hampshire (GMB union Rep)
6 September 2017 (Special meeting)	<ul style="list-style-type: none"> Interview of Passive Global Equity Managers 	Cllr John Crowder (chair) Cllr Ray Morgon (sub for Cllr Nunn) Cllr Nic Dodin Cllr Alex Donald (sub for Cllr Barrett)
19 September 2017	<ul style="list-style-type: none"> Pension Fund Performance Monitoring for the quarter ending 30 June 2017, received presentations from Ruffer (Multi Asset Manager). Noted Pension Fund Accounts for the year ending 31 March 2017. Agreed the Pension Fund Annual Report for the year ending 31 March 2017. Considered and agreed to become members of the Local Authority Pension Fund Forum (LAPFF) Considered impact of the implementation of the Markets in Financial Instrument Directive (MiFID 11) 	Cllr John Crowder (chair) Cllr David Johnson (vice chair) Cllr Melvin Wallace Cllr Joshua Chapman Cllr Clarence Barrett Cllr Stephanie Nunn Cllr Nic Dodin (from 7:25pm)
21 November 2017	<ul style="list-style-type: none"> Noted the views of officers on the performance of the Fund's Custodian for the period to September 2017. Noted the views of officers on the performance of the Fund's Actuary for the period to September 2017. Noted the views of officers on the performance of the Fund's Investment Advisor for the period to September 2017. Considered and agreed changes as necessary to the Governance Compliance Statement Agreed changes to the Investment Strategy Statement 	Cllr John Crowder (chair) Cllr David Johnson (vice chair) Cllr Joshua Chapman Cllr Melvin Wallace Cllr Clarence Barrett Cllr Stephanie Nunn Cllr Nic Dodin John Giles (UNISON)

PENSIONS COMMITTEE MEETINGS HELD DURING 2017/18

ANNEX A

MONTH	TOPIC	ATTENDED BY
	<ul style="list-style-type: none"> Agreed to join National Framework for Actuarial and Investment Advisory Services. Noted the Employer outsourcing guide for Local Government Pension Scheme Employers Noted the Havering Pension Fund Employers Admission Policy Noted results of the Whistle Blowing Annual review Noted admission of Harrison Catering Services to the pension Fund. 	
12 December 2017	<ul style="list-style-type: none"> Pension Fund Performance Monitoring for the quarter ending 30 September 2017, received presentations from the London CIV for both the Baillie Gifford Global Alpha Fund and the Diversified Growth Fund. Noted the Valuation Funding update from 31 March 16 to 30 September 2017. Noted Responsible Investment - Manager Review Noted Local Pension Board Annual Report for year ended 31 March 2017 Noted the legal settlement of a cessation of an employer from the Fund 	Cllr John Crowder (chair) Cllr David Johnson (vice chair) Cllr Melvin Wallace Cllr Joshua Chapman Cllr Clarence Barrett Cllr Stephanie Nunn John Giles (UNISON) Andy Hampshire (GMB union Rep)

- Please note that three members constitute a quorum.
- Target dates for issuing agendas were met.

INDICATIVE PENSIONS COMMITTEE CYCLICAL MEETINGS AND COVERAGE FINANCIAL YEAR 2018/19

ANNEX B

	13 MARCH 2018	JUNE 2018	JULY 2018	SEPTEMBER 2018	NOVEMBER 2018	DECEMBER 2018	MARCH 2019
Formal Committees with Members	<ul style="list-style-type: none"> ▪ Overall Monitoring Report on Pension Fund to end of Dec 17: <ul style="list-style-type: none"> a) Royal London (Bonds) ▪ Business Plan/Report on the work of the Pensions Committee 2017/18 ▪ Audit Plan 2017/18 ▪ Investment Advisor Contract Extension 	<ul style="list-style-type: none"> ▪ Overall Monitoring Report on Pension Fund to end of March 18: <ul style="list-style-type: none"> a) UBS (Property) ▪ FRC Stewardship Code ▪ Social Responsible Investments and impact 	<ul style="list-style-type: none"> ▪ Pension Fund Accounts 17/18 	<ul style="list-style-type: none"> ▪ Overall Monitoring Report on Pension Fund to end of June 18: <ul style="list-style-type: none"> a) Legal & General (Passive Global Equity) ▪ Pension Fund Annual Report for 17/18 ▪ Admitted Body Monitoring 	<ul style="list-style-type: none"> ▪ Annual review of Custodian ▪ Annual review of Adviser ▪ Annual review of Actuary ▪ Annual review of Fund Managers Voting & Engagement ▪ Review of Governance Policy ▪ Whistleblowing Annual Assessment ▪ Risk Register Review 	<ul style="list-style-type: none"> ▪ Overall Monitoring Report on Pension Fund to end of September 18: <ul style="list-style-type: none"> a) GMO (Multi Asset) 	<ul style="list-style-type: none"> ▪ Overall Monitoring Report on Pension Fund to end of December 18: <ul style="list-style-type: none"> a) London CIV (Pooling manager)
Training	Associated Training	Associated Training	Associated Training	Associated Training	Associated Training	Associated Training	Associated Training

Contents

LGPS Knowledge & Skills Training Strategy

- 1 Introduction
- 2 Meeting the business plan
- 3 Delivery of Training
- 4 On-going development
- 5 CIPFA Requirements
- 6 Guidance from the Scheme Advisory Board
- 7 Training records and certification
- 8 Risk
- 9 Budget

Introduction

This is the Training Strategy for the London Borough of Havering Pension Fund.

It sets out the strategy agreed by the Pension Committee and the Local Pension Board concerning the training and development of the members of the

- Pension Committee (the “Committee Members”);
- members of the local pension board (the “Board members”) and
- officers of the London Borough of Havering Pension Fund responsible for the management of the Fund (the “Officers”).

The Training Strategy is established to aid the Committee Members in performing and developing personally in their individual roles and to equip them with the necessary skills and knowledge to challenge and act effectively within the decision making responsibility put upon them. A code of practice and a framework of knowledge and skills has been developed by CIPFA which LGPS Funds are expected to sign up to.

The Public Service Pensions Act 2013 also requires London Borough of Havering Council to set up a Local Pension Board. The Act requires the Pensions Regulator to issue a code of practice relating to the requirements of the knowledge and understanding of Board members. Guidance on the knowledge and understanding of Local Pension Boards in the LGPS has also been issued by the Shadow Scheme Advisory Board in January 2015. Although this has not been designated as statutory guidance it should be held as good guidance and should be acknowledged.

The objective of the CIPFA knowledge and skills framework is to determine and set out the knowledge and skills sufficient to enable the effective analysis and challenge of decisions made by officers and advisers to the Pension Committee whilst the guidance for local pension boards issued by the Shadow Scheme Advisory Board is to assist the individual Board members in undertaking their role to assist the Scheme Manager (the London Borough of Havering Pension Fund) in the effective governance and administration of the local government pension scheme.

The training desired to achieve the additional knowledge and skills will be contained in the appropriate training plan(s)

Strategy Objectives

The Fund objectives relating to knowledge and skills are to:

- Ensure the pension fund is managed and its services delivered by people who have the appropriate knowledge and expertise;
- Ensure the pension fund is effectively governed and administered;
- Act with integrity and be accountable to our stakeholders for our decisions, ensuring they are robust and are well based and regulatory requirements or guidance of the Pensions Regulator, the Scheme Advisory Board and the Secretary of State for Communities and Local Government are met.

To achieve these objectives –

The Committee Members require an understanding of:

- Their responsibilities as an administering authority of a local government pension fund;
- The fundamental requirements relating to pension fund investments;

- The operation and administration of the pension fund;
- Controlling and monitoring the funding level; and
- Taking effective decisions on the management of the London Borough of Havering Pension Fund.

Board members are conversant with–

- The Regulations and any other regulations governing the LGPS
- Any document recording policy about the administration of the Fund
- and have knowledge and understanding of:
- The law relating to pensions; and
- Such other matters as may be prescribed

To assist in achieving these objectives, the Fund will aim for full compliance with the CIPFA Knowledge and Skills Framework and Code of Practice to meet the skill set within that Framework. Attention will also be given to the guidance issued by the Shadow Scheme Advisory Board, the Pensions Regulator and guidance issued by the Secretary of State. So far as is possible, targeted training will also be provided that is timely and directly relevant to the Committee's and Board's activities as set out in the Fund's 3-year business plan. For example, funding training will be given immediately preceding the Committee or Board meeting that discusses the Funding Strategy Statement.

Board members will receive induction training to cover the role of a local pension board and understand the duties and obligations of a LGPS administering authority, including funding and investment matters.

All those with decision making responsibility in relation to LGPS pension matters and Board members will:

- have their knowledge measured and assessed;
- receive appropriate training to fill any knowledge gaps identified; and
- seek to maintain their knowledge.

Application of the training strategy

This Training Strategy will apply to all Committee Members and representatives with a role on the Pension Committee and to all the Board members. Other officers involved in the management and administration of the Fund will have their own sectional and personal training plans and career development objectives.

Purpose of training

The purpose of training is to:

- Equip people with the necessary skills and knowledge to be competent in their role;
- Support effective and robust decision making;
- Provide individuals with integrity;
- Meet the required needs in relation to the Fund's objectives.

Summary

This training strategy:

- Assists in meeting the Fund's objectives;
- Meets the business plan;

- Will assist in achieving delivery of effective governance and management;
- Will equip those responsible with appropriate knowledge and skills;
- Promote ongoing development of the decision makers;
- Lead to demonstrating compliance with the CIPFA Knowledge and Skills Framework;
- Lead to demonstrating with statutory requirements and associated guidance

Meeting the business plan

Timely and relevant

There will be times in the year when different circumstances will require specific training. For example, funding training can be provided just prior to the Committee meeting that discusses the Funding Strategy Statement.

It is vital that training is relevant to any skills gap or business need and training should be delivered in a manner that fits with the business plan.

The training plan will therefore be regularly reviewed to ensure that training will be delivered where necessary to meet immediate needs to fill knowledge gaps.

Delivery of Training

Training resources

Consideration will be given to various training resources available in delivering training to the Committee Members, Board members or officers in order to achieve efficiencies. These may include but are not restricted to:

For Pension Committee and Local Pension Board Members	For Officers
<ul style="list-style-type: none"> • In-house* • Self-improvement and familiarisation with regulations and documents • The Pension Regulator’s e-learning programme • Attending courses, seminars and external events • Internally developed training days and pre/post Committee/Board sessions* • Shared training with other Funds or Frameworks* • Regular updates from officers and/or advisers* • Circulated reading material 	<ul style="list-style-type: none"> • Desktop / work based training • Attending courses, seminars and external events • Training for qualifications from recognised professional bodies (e.g. CIPFA, CIPP, PMI) • Internally developed sessions • Shared training with other Funds or Frameworks • Circulated reading material

*These may be shared training events for Pension Committee and Local Pension Board members

Training Plans

To be effective, training must be recognised as a continual process and will be centred on 3 key points

- The individual
- The general pensions environment
- Coping with change and hot topics

Training Plans will be developed at least on an annual basis, as per the Business Plan. These will be updated as required taking account of the identification of any knowledge gaps, changes in legislation, Fund events (e.g. the triennial valuation) and receipt of updated guidance.

Induction Training will be provided for all new officers with pensions responsibilities, members of the Pension Committee and Local Pension Board. This will involve covering the requirements of the Training Strategy alongside guidance and information on the requirements of their roles..

External Events

As information on events becomes available, members will be advised by email.

After attendance at an external event, Committee Members and Board members will be expected to provide verbal feedback at the following Pension Committee/Board meeting covering the following points:

- Their view on the value of the event and the merit, if any, of attendance;
- A summary of the key learning points gained from attending the event; and
- Recommendations of any subject matters at the event in relation to which training would be beneficial to other Pension Board members.

Officers attending external events will be expected to report to their direct line manager with feedback covering the following points:

- Their view on value of the event and the merit, if any, of attendance;
- A summary of the key learning points gained from attending the event; and
- Recommendations of any subject matters at the event in relation to which training would be beneficial to other officers.

On-going development

Maintaining knowledge

In addition to undertaking on-going assessment in order to measure knowledge and skills against the CIPFA requirements and identify knowledge gaps, Officers, Committee Members and Board members are expected to maintain their knowledge of on-going developments and issues through attendance at external events and seminars.

Appropriate attendance at events for representatives of the Pension Committee and Board will be agreed by the appropriate chairman.

If an event occurs and appropriate, members will be advised by email.

The Committee/Board will approve an appropriate level of credits for attendance at an event in relation to the type of event, its content and relevance to knowledge maintenance.

In any event, attendance at events/seminars (which may include some internal training sessions) that are not direct training courses focussed on the CIPFA Knowledge Skills Framework or issued guidance but enhance and improve related on-going and emerging pension knowledge will count as one credit for each session of up to a half day.

Where the Committee/Board members have work related experience or previous knowledge through former membership of a Committee or Board will be able to count this as credits in their own assessment and score accordingly.

There is a practical recognition that it will take a newly appointed member a reasonable period to attain the required full level of knowledge and understanding and hence the training and continued development will span the duration of the role.

Owing to the changing world of pensions, it will also be necessary to have ad hoc training on emerging issues or on a specific subject on which a decision is to be made by the Pension Committee in the near future or is subject to review by the Local Pension Board. These will also count as credits in maintaining knowledge.

As a measure of training given or knowledge level officers, Committee Members and Board members are expected to have a minimum level of training credits. These are as follows -

Relevant Group	Knowledge Skills - level of attainment	The expected minimum level of credits over the 4 year term of office
Officers	Own sectional and personal development objectives	Own sectional and personal development objectives
Pension Committee and Local Pension Board Members	32 credits	8 credits

These will be measured and monitored annually by Pension Fund Accountant and reported in the Pension Fund Annual Report. Please see the appendix Knowledge and Skills – self assessment of training needs for basis of scoring.

CIPFA Requirements

CIPFA Knowledge & Skills Framework

In January 2010 CIPFA launched technical guidance for Elected Representatives on Pension Committees and non-executives in the public sector within a knowledge and skills framework. The Framework covers six areas of knowledge identified as the core requirements:

- Pensions legislative and governance context;
- Pension accounting and auditing standards;
- Financial services procurement and relationship development;
- Investment performance and risk management;
- Financial markets and products knowledge; and
- Actuarial methods, standards and practice.

The Knowledge and Skills Framework sets the skill set for those responsible for pension scheme financial management and decision making under each of the above areas in relation to understanding and awareness of regulations, workings and risk in managing LGPS Funds.

CIPFA's Code of Practice on Public Sector Pensions Finance, Knowledge and Skills (the "Code of Practice")

First published in October 2011 and redrafted in July 2013, CIPFA's Code of Practice embeds the requirements for the adequacy, acquisition, retention and maintenance of appropriate knowledge and skills required. It recommends (amongst other things) that LGPS administering authorities:

- formally adopt the CIPFA Knowledge and Skills Framework in its knowledge and skills statement;
- ensure the appropriate policies and procedures are put in place to meet the requirements of the Framework (or an alternative training programme);
- publicly report how these arrangements have been put into practice each year.

The Pension Committee of the London Borough of Havering Pension Fund fully supports the intentions behind CIPFA's Code of Practice and has agreed to formally adopt its principles. This Training Strategy formally sets out the arrangements the London Borough of Havering Pension Fund will take in order to comply with the principles of the CIPFA Knowledge and Skills Code of Practice.

Guidance from the Scheme Advisory Board

General Principles

The Shadow Scheme Advisory Board has taken note of the regulatory requirements and the principles of the Pension Regulator's code of practice and published in January 2015 guidance in a local government context for administering authorities to support them in establishing their local pension board and this includes a section to enable it to help Board members to meet their knowledge and understanding obligations.

Knowledge and understanding must be considered in the light of the role of a Local Pension Board and the London Borough of Havering will make appropriate training available to assist and support Board members in undertaking their role.

Pension Committee Members

Although the CIPFA knowledge and skills framework complements the code of practice that should be adopted by administering authorities there is no legal requirement for knowledge and understanding for members of a Pension Committee. However it will be seen as good practice and governance if members of a Pension Committee use the knowledge and skills requirements set at a similar benchmark as the Local Pension Board.

Degree of Knowledge and Understanding

The role of the Local Pension Board is to assist the administering authority. To fulfil this role, Board members should have sufficient knowledge and understanding to challenge failure to comply with regulations, any other legislation or professional advice relating to the governance and administration of the LGPS and/or statutory guidance or codes of practice.

Board members should understand the regulatory structure of the LGPS and the documentary recording of policies around the administration of the London Borough of Havering Fund in enough detail to know where they are relevant and where it will apply.

Acquiring, Reviewing and Updating Knowledge and Understanding

Board members should commit sufficient time in their learning and development and be aware their responsibilities immediately they take up their position. London Borough of Havering will therefore provide induction training for all new Board members which will also be available to new Committee Members.

Flexibility

It is recognised that a rigid training plan can frustrate knowledge attainment when it is required for a particular purpose or there is a change in pension's law or new responsibilities are required of Board members. Learning programmes will therefore be flexible to deliver the appropriate level of detail required.

Training records and certification

Progress and achievement

Personalised training plans will be used to document and address any knowledge gaps and update areas of learning where required and assist in the acquisition of new areas of knowledge in the event of change.

Progress and achievement will be certificated at least on an annual basis individually to all Committee Members, Board members and officers. These will detail:

- The current assessment of an individual's acquired knowledge;
- Their progress against achieving the credits from other internal/external training or events; and
- All training courses and events attended by them to date.

Risk

Risk Management

The compliance and delivery of this training strategy is at risk in the event of –

- Frequent changes in membership of the Pension Committee or Pension Board
- Poor individual commitment
- Resources not being available
- Poor standards of training
- Inappropriate training plans

These risks will be monitored by officers within the scope of this training strategy and be reported where appropriate.

Budget

Cost

A training budget will be agreed and costs will be met from the Pension Fund.

PENSIONS COMMITTEE MEMBER TRAINING 2017/18

ANNEX D

DATE	TOPIC COVERED	LOCATION	KSF	COST	ATTENDED BY
19 April 2017	DG Publishing " Question Time" – Progress on Pooling	Royal Society of Medicine, 1 Wimpole Street	KSF 1	Free	Cllr Stephanie Nunn
18 September 2017	New Councillor Induction	Town Hall	ALL	Officer Time (1 hour)	Cllr Joshua Chapman
19 September 2017	Officers - Pension Fund Accounts 16/17 Briefing covered: - overview of the Pension Fund Accounts	Town Hall – prior to Pensions Committee meeting	KSF 2	Officer Time	Cllr David Johnson (vice chair) (also audit) Cllr Melvin Wallace Cllr Stephanie Nunn Cllr Clarence Barrett (also audit) Cllr Graham Williamson (Audit Cttee) Cllr Viddy Persaud (Audit Cttee)
21 November 2017	Hymans – Actuary-Admissions and TUPE policies	Havering Town Hall	KSF 6	Part of contract	Cllr John Crowder Cllr David Johnson (vice chair) (also audit) (part) Cllr Melvin Wallace Cllr Stephanie Nunn (part)

OVERVIEW AND SCRUTINY BOARD ANNUAL REPORT 2017/18

INTRODUCTION

This report is the annual report of the Board, summarising the Board's activities during its year of operation ended May 2018.

It is planned for this report to stand as a public record of achievement for the year and enable Members and others to have a record of the Board's activities and performance.

BOARD MEMBERSHIP

Councillor Gillian Ford (Chairman)
Councillor Lawrence Webb
Councillor John Crowder
Councillor Steven Kelly
Councillor Robby Misir
Councillor Dilip Patel
Councillor Viddy Persaud (Vice-Chair)
Councillor Linda Trew
Councillor Michael White
Councillor Barbara Matthews
Councillor Ray Morgon
Councillor Barry Mugglestone
Councillor Darren Wise
Councillor Ian de Wulverton
Councillor Graham Williamson
Councillor Keith Darvill

WORK UNDERTAKEN

During the year under review, the Board dealt with the following issues:

VOLUNTARY SECTOR STRATEGY REFRESH

Members had considered a report which detailed progress in implementing the Voluntary Sector Strategy 2015-18.

The report set out updates to the key themes which were as follows:

Strengthening joint working arrangements between the Council and the sector

Improving communications and access to information

Increasing volunteering

Commissioning processes and market positioning

Access to learning and development opportunities

BUSINESS DEVELOPMENT

The Board had been presented to on the subject of business development which had included support offered to small businesses, links with business rates, how the Council attracted large businesses to the area and market management and support with diversification

SICKNESS ABSENCE

The Board also received a presentation on sickness absence management and the introduction of a new sickness policy and process

Significant work was being undertaken and the focus needed to be sustained by managers to ensure absence levels continued to decrease which would include:

- Workplace Wellbeing Forum
- Interactive refresher sessions / Sickness Cases Focussed HR support
- Data analysing
- Day One absence Pilot
- Implementation of MedigoldOne

Due to concerns raised by the Board on the newly implemented staff sickness process, the O & S Board requested a follow up report, outlining the outcomes of the implementation.

The average number of days absent per employee had continued to reduce from 10.46 in the financial year 15/16 to 9.28 in the 12 month rolling period from October 2016 to September 2017 – an 11% decrease in just over a year. The overall position for rolling year sickness absence continued to improve with a reduction in days.

PROPERTY SERVICES

The Board had received a presentation which set out the main activity areas in respect of the property services supplied by oneSource to Havering Council and provided additional information on some key areas relating to commercial property income and property disposals.

The presentation set out the service's main areas of activity.

Appended to the report was a summary of the Council's overall property portfolio as contained in the Council's Asset Management Plan.

A more detailed and slightly updated record of the Council's portfolio was published as part of the Government's transparency agenda and can be found on the Council's website.

FACILITIES MANAGEMENT

Members received an overview of Facilities Management within the Council.

Set up in 2012 with the aim to meet statutory compliance obligations the Council as a corporate landlord incorporated 80 buildings including office accommodation, libraries, social care, parks, parks depot, leisure, housing offices (excludes Housing buildings), crematoriums and some of the education buildings. A further proposed 24 buildings were to be added corporate landlord model.

Included in the presentation was a list of the premises that were currently within the corporate landlord model.

THE COUNCIL'S FINANCIAL STRATEGY

In January 2018 the Board considered a report which had provided an update on assumptions within the Medium Term Financial Strategy approved by Cabinet in October. It also set out further budget proposals to achieve a balanced budget for 2018/19. The report sought (Board rather than Cabinet) approval for the amendments to the Council Tax Support Scheme from April 2018. Members sought and received clarification on a number of items in the report.

OVERVIEW & SCRUTINY SUB-COMMITTEE/TOPIC GROUPS UPDATES

Throughout the year the Board continued to receive updates from the Chairmen of the Overview and Scrutiny Sub-Committees of the work that each Sub-Committee was dealing with.

The Board also received updates throughout the year of the work of the various topic groups that had been set up by the Sub-Committees to scrutinise the Council's and its partners work.

Each Sub-Committee annual report will show the business transacted throughout the year.

Regular updates were received on the work of the successful Debt Recovery topic group which had been set up independently to consider the Council's outstanding debts with a particular reference to Council Tax and NNDR historical debt. The group had instigated a more robust council process, increasing debt recovery levels.

CALL-INS

During the year the Board considered three Requisitions on the following subjects:

- CALL-IN OF A NON-KEY DECISION REGARDING THE PROPOSAL TO TRANSFER NEWHAM'S COUNCIL TAX AND BENEFITS SERVICE BACK TO THE COUNCIL
- CALL-IN OF A NON KEY DECISION REGARDING THE MAYOR'S DRAFT TRANSPORT STRATEGY - LONDON BOROUGH OF HAVERING RESPONSE
- CALL-IN OF A CABINET DECISION RELATING TO THE APPROVAL OF THE REGENERATION LOCAL LETTINGS PLAN & DECANT POLICY AND POSSESSION PROCEDURE

OVERVIEW AND SCRUTINY RULES – EXCEPTION TO THE CALL-IN (REQUISITION) PROCEDURE

The Chairman updated Board Members on Exception to the call-in waiver requests received. The following requests were made during the last year:

Response to MOPAC's Public Access & Engagement Strategy Consultation.

Authority to waive standing orders to award a works contract directly to Valuegrade for an extension to the 16+ SEN facility of the Avelon Road Centre.

To approve the Direct Award of the Adults Emergency Duty Team (AEDT) service contract to North East London Foundation Trust (NELFT), under section 75 agreement.

Three grant applications with the GLA. These were grants in relation to the provision of affordable housing and other key infrastructure in three key areas of the borough; Waterloo Estate (£2.7m) Bridge Close (£12.4m) and the Rainham linear Park (£4.5m).

Executive Decision on the Council's response to the new draft London Plan.

CORPORATE PERFORMANCE INDICATORS

Throughout the year the Board continued to receive the Quarterly Performance Reports that had previously been reported to Cabinet and Demand Pressure Dashboards which illustrated the growing demands on Council services and the context that the performance levels set out in the reports had been achieved within. Each of the Overview & Scrutiny Sub-Committees had agreed to focus on and be updated on two or three key indicators that were within their remit.

Each Overview & Scrutiny Sub-Committee continued to receive a report covering performance areas that were bespoke to the Sub-Committee's terms of reference.

IMPLICATIONS AND RISKS

Financial implications and risks:

None – narrative report only.

Legal implications and risks:

None – narrative report only.

Human Resources implications and risks:

None – narrative report only.

Equalities implications and risks:

While the work of the Board can impact on all members of the community, there are no implications arising from this specific report which is a narrative of the Board's work over the past year.

BACKGROUND PAPERS

Minutes of meetings of the Overview and Scrutiny Board 2017/18.

**Children and Learning Overview and Scrutiny Sub-Committee
Summary of work undertaken 2017/18**

INTRODUCTION

This report is the annual report of the Sub-Committee, summarising the Sub-Committee's activities during its year of operation ended March 2018.

It is planned for this report to stand as a public record of achievement for the year and enable Members and others to have a record of the Committee's activities and performance.

SUB-COMMITTEE MEMBERSHIP

Councillor Gillian Ford (Chairman)
Councillor Meg Davis (Vice-Chair)
Councillor Viddy Persaud
Councillor Carol Smith
Councillor Philippa Crowder
Councillor Ray Morgon
Councillor Jody Ganly
Councillor John Glanville
Councillor Keith Roberts

Statutory Member representing the Churches:

Lynne Bennett (Church of England)
Jack How (Roman Catholic Church)

Statutory Members representing parent governors:

Julie Lamb (Special)

Non-voting members representing local teacher unions and professional associations:

Ian Rusha (NUT)
Keith Passingham (NASUWT)

During the year under review, the Sub-Committee met on four occasions and dealt with the following issues:

1. Report on Fostering

The Sub-Committee received and noted a report that provided an update on fostering arrangements in relation to developments, on-going performance and challenges in Havering pre and post the Ofsted inspection.

Members noted that there had been significant work in maintaining foster carer recruitment, which had now expanded to include recruitment of specialist foster carers.

The Sub-Committee noted that the innovation programme was being used to target specialist foster carers in recognition of the range of multiple and complex needs of some the children coming to care.

The Sub-Committee noted the action plan for the service below:

- The Care Resources Service to continue to ensure fostering responded effectively to current challenges for children and the recruitment drive be further developed.
- To continue with the recruitment campaign to expand the number of in-house carers and to ensure foster carers were committed to working to keep sibling groups together wherever possible.
- To strengthen in-house offer and build a proposal in relation to an enhanced fostering model based upon the existing/projected profile of service demand, by first quarter 2017/18.
- To explore a range of joint commissioning options, to include fostering capacity with an East London sub-regional. Further information to be provided in quarter one of 2017/18.

The Overview & Scrutiny Sub-Committee held a special meeting, to investigate further opportunities to increase Foster Carer recruitment in the borough.

2. Service Improvement and Transformation

The Sub-Committee received and noted a report that detailed the service approach to continuous improvement. Members noted that the services key objectives for the year were:

- Improving the quality and effectiveness of social work interventions and to improve the experience for families.
- Provide effective interventions at all levels of need ensuring effective primary and secondary prevention.
- Increase the stability and skills of the workforce to improve the quality of relationships with children and their families.
- Improve the response to demand to ensure that families are provided a timely and proportionate intervention and increase the reach of early help services.
- Consolidate learning to ensure we continue to provide effective and co-ordinated services for children at risk of child sexual exploitation.
- Ensure that feedback from children and their families is sought to improve the quality of interventions.
- In house and commissioned services demonstrate good value when outcomes and costs are benchmarked against other authorities.

- Continue to build on improvements to the quality of placements for children in care, improving timeliness of permanency and enhancing the outcomes for care leavers.
- Reduce the budget deficit by installing strict financial controls. Monitor and report on progress, whilst looking for further opportunities.
 - Implement and track the first year of the Innovation Programme.
 - Monitor against the thirteen recommendations made by Ofsted and report on progress to them, to the Department for Education and internal stakeholders.
 - Ensure the workforce development and retention activity is in place to increase the number of permanent social workers.
 - Develop and implement the Social Care Academy, providing a strong and competitive offer for social workers, with the aim of encouraging highly skilled and experienced practitioners to work for Havering.

The Sub-Committee noted that a range of activities were underway to deliver against objectives and noted the next steps by the service.

3. OFSTED Improvement

The Sub-Committee received an update report that highlighted that the service was meeting its statutory responsibilities and was continuing to evidence improvement against Ofsted recommendations. The report informed that further to the submission of the formal response to the Ofsted's recommendations, the service was committed to making changes in the short and long term, to raise social work standards.

The Sub-Committee received the following update on the monitoring progress:

1. Children's Services had a Transformation and Improvement Board, which was responsible for overseeing change initiatives and service improvement.
2. Progress against the Ofsted Action Plan would be monitored every month, with a report available describing trends, ongoing activity within the service and the impact the activity was having.
3. A set of Key Performance Indicators (KPIs) had been agreed by the Board.

Early measures showed considerable improvement in a number of areas, including;

- A reduction in the number of Child in Need plans.
- A reduction in the number of Child Protection Plans.
- An increase in the number of social workers taking up permanent positions.
- An ongoing improvement in the timeliness of interventions in Early Help.
- Improved performance in the MASH
- More direct contact with Care Leavers
- Improved rate of Return Home Interviews completed within 72 hours
- Increase in allocation of independent visitors

The Sub-Committee noted the following next steps by the Service:

1. The delivery of a new business intelligence solution, Power BI from Microsoft, would enable the service to receive data in differing formats and enhance how the Ofsted indicators would be monitored. It would also allow for easier retrieval of reports, resulting in being able to manage areas of risk more closely. The service was proposed to start from August 2017.
2. The Service would continue to monitor the performance of all Ofsted key indicators, against the Ofsted Action Plan, managing risk and ensuring all milestones and deliverables were agreed and managed.
3. To continue to work with the Safeguarding Board and responding to their challenge and ensuring alignment in activity that was shared or had an overlap.
4. To prepare for the next Ofsted quarterly meeting, expected in autumn 2017.
5. To begin to plan for the new inspection framework being developed by Ofsted.

The Sub-Committee noted the improvement the Ofsted improvement and monitor progress update report.

4. HAVERING SCHOOL IMPROVEMENT

The Sub-Committee received and noted a report that detailed the vision of the service to ensure a good start for every child to reach their full potential and its ambition to establish a self-improving education system.

The report outlined the progress to improve standards of teaching, learning and leadership across Havering's schools and the establishment of the independently chaired Improvement Board. The Regional Schools Commissioner had engaged with the authority on this work. The Sub-Committee noted the steps that had been taken and the steps planned to be taken by the service.

5. HEALTHWATCH HAVERING - ANNUAL REPORT

The Sub-Committee received the annual report of Healthwatch Havering, a statutory organisation established by the Health and Social Care Act 2012.

The Company Secretary highlighted that Healthwatch Havering had continued to work with various partners such as the newly formed Havering Locality Development Planning Group – a partnership between the Council and Clinical Commissioning Group (CCG).

The Chair noted the lack of reference to children's services within the report. The Sub-Committee commended Healthwatch Havering and the Company Secretary for the annual report and noted it.

6. POLICE VIEW ON CHILD PROTECTION

The Sub-Committee received, and noted, a presentation on Police Child Protection and how the Police Service was organised to undertake such investigations.

Members received an explanation of the role and purpose of the safeguarding officer and the tactics deployed in providing a victim's safety. Furthermore, an explanation of the role of Community Safety Unit Detective Constables (DC's) was received. The Police had also recently recruited Sexual Offences Investigation Technique (SOIT) Officers and filled some Child Abuse Investigation Team vacancies, with new recruits helping to ease the pressure on existing team members, leaving others more accessible to the community.

7. SCHOOL EXPANSION PROGRAMME

The Sub-Committee received and noted an update report on the School expansion programme from the School Provision & Commissioning Manager, which informed members on the progress of the school expansion programme since April 2017.

The report indicated that the Local Authority had a statutory duty to plan and secure sufficient school places for the area to meet the needs of its children and families.

The report outlined that as primary children move into the secondary sector, the number of secondary age pupils were expected to rise significantly from 2015/16 to 2022/23. It would cause the current surplus of places in the sector to be eroded and surpassed.

A further Cabinet report would be prepared for autumn 2017 which would provide an update to the current pupil projections and identify plans to meet the planned demand for school places up until 2020/21.

8. FUTURE EDUCATION SERVICES

The Sub-Committee received an update report that outlined the plans to review services provided by the Local Authority to schools over the next academic year.

It was stated that against a backdrop of academisation and proposed changes to schools funding it was important for schools to receive timely, coherent and quality services from the borough to enable schools to deliver quality teaching, learning and support to children locally.

The Sub-Committee noted that traded services were experiencing challenging economic conditions and this was anticipated to continue. The Local Authority's statutory duties to schools reduced further as more schools become academies.

The Sub-Committee was informed that it was imperative to find financial savings across Children's Services and as such it was timely for the service to undertake a wholesale review of both statutory and traded services available to schools and reshape our relationship locally.

The Sub-Committee was informed that given the importance to continue to provide services to schools whilst managing a sustainable financial position, the Chief Executive and Director of Children's services would oversee a phased programme of reviews of services, commencing in September 2017. The review would be carried out internally by managers and staff in the Education and Learning Department. Phasing the programme would enable engagement with staff groups and schools throughout the review and also ensure minimal disruption to services provided to schools during this period.

The Sub-Committee noted the contents of the report

9. PRESENTATION ON POWER BI

The Sub-Committee received, and noted, a presentation on Power BI, a suite of business analytics tools that would deliver insights throughout the service that would enable the user to visualize and analyse data with greater speed, efficiency, and understanding. Power BI would connect users to a broad range of data through easy-to-use dashboards, interactive reports, and compelling visualizations that bring data to life with a unique 360 degree view for the user. The presentation highlighted to Members the tools features and benefits and members noted the next steps of implementation.

10. CHILDREN SERVICES ANNUAL COMPLAINTS REPORT 2016-17

In accordance with the Children Act 1989 Representations Procedure (England) Regulations 2006, the Sub-Committee received the Children's Services Complaints Annual report for 2016/17, which provided information about the numbers and types of complaints handled by the Children's Service during 2016/17, as well as Members' correspondence.

The report detailed the main reasons for complaint and members noted that the service had taken steps to resolve the issues, including face to face complaint meetings to provide parents/carers with a better understanding of actions were taken.

The service would continue to use complaints as an important feedback resource and provide opportunities for young people to play a more active part in developing the service.

The Sub-Committee noted the contents of the report.

11. EDUCATION SERVICES ANNUAL COMPLAINTS REPORT 2016-17

The Sub-Committee received a briefing on the Education Services Annual Complaints report for 2016/17.

It was explained that the Education Services had gone through a structural change in 2016/17 resulting in senior management and team changes. The Sub-Committee noted the statistics contained within the report.

Education Services continue to use complaints as a feedback resource for learning and the collection of complaints data relating to schools was to be encouraged to identify particular themes arising within schools. Structural changes had an impact on response times, however as the Service stabilises this should see a return to the high response rates seen in previous years.

The Sub-Committee noted the report.

12. HIGH NEEDS REVIEW AND STRATEGY

The Sub-Committee received a briefing on the review of the High Needs Strategy. The report informed the Sub-Committee that the revised strategy sets out the proposals for the additional capital and allocated High Needs block funding budget from central government, as well as proposals to improve the processes and services that were currently been delivered.

The Sub-Committee noted the emerging priorities for provision for Special Educational Needs and Disability (SEND) and those requiring alternative provision. These included establishing a bursary scheme for early years' providers, schools and post-16 providers to adapt their environment in order to make their school/provision more inclusive. The intention was to increase the hourly rate for top up payments to schools for pupils with Education Health and Care Plans (EHCP) to £14.

The Head of Adult and Children's Disabilities informed the Sub-Committee that a draft strategy would be produced in November for further consultation with stakeholders. It was suggested that the Sub-Committee receives the report at a future meeting.

The Sub-Committee noted the briefing report.

13. HAVERING SCHOOL RESULTS

The Sub-Committee was briefed on the key areas of performance in each of the key stages of education as at 31 October 2017.

The report detailed that in the Early Years Foundation Stage (pupils aged 5), children in Havering had a strong start in their education, with the percentage of children improving and reaching a Good Level of Development (GLD) in the Early Years Foundation Stage Profile exceeding the number found nationally again in 2017. Havering ranked 52/152 of all local authorities, and 6th amongst

our statistical neighbours. The EYFS measure has been unchanged since 2013 during which Havering attainment had improved consistently.

The Sub-Committee was informed that Ofsted measured performance based on providers being judged as either Good or Outstanding, the remaining judgements being 'Requires improvement' and 'Inadequate' with the additional descriptor of 'serious weaknesses' or special measures. Historically the main focus was 'percentage of providers judged to be good or better'. In recent years this focus has changed to 'percentage of pupils in a good or better school'.

In line with the Government's initial intention of enforced academisation, 'failing' schools that became sponsor-led were classified as new establishments, and exempted from inspection for a minimum of 3 years and were not included in Ofsted calculations. It had led to a period of sustained national improvement of schools being Good or Better increasing from 69% in 2012 to 89% in 2017.

The Sub-Committee noted that Havering's secondary sector had improved in 2017 and in primary, and now in line with national and statistical neighbours. The new measure mirrors the position though in primary sector the percentage of pupils in a good or better school was above national and the rankings for primary have significantly improved in 2017.

The Sub-Committee was informed that as part of the next steps, the service would continue to monitor the performance of all schools on a regular basis with a refreshed approach to bringing about necessary improvements.

The monitoring would include forensic evaluation of progress through monthly performance review meetings in those schools identified as being under-performing and a greater use of the powers available to the authority where schools are a cause for concern.

The Sub-Committee noted the update report on school improvement.

14. THE OLIVE AP ACADEMY

The Sub-Committee received a presentation from Chief Executive and Chief Operating Officer for Olive Academies.

The Olive Alternative Provision (AP) Academy Havering provides full-time provision for 64 Key Stage 3 and 4 pupils, many of whom have been permanently excluded from mainstream school in Havering. It was stated that the academy conversion had also provided a unique opportunity to shape the new provision in line with current education thinking so that Havering schools received the support they required.

The key aim at KS4 was to prepare students to be successful in the 21st century world. It was the ambition of the Academy that a student should not need to be permanently excluded to be in receipt of a curriculum offer

appropriate to meet their needs. The aim was to agree a pathway with the student, their family and their home school.

It was stated that at Key Stage 3, the aim was to work with students in preventative and proactive ways, which maintain them in their home school as it was an objective of the Academy to also work with mainstream schools to prevent permanent exclusions.

The analysis of 2017 performance indicated that the Academy was starting to address the historical underperformance of Manor Green College and in comparison to national benchmarks, the Sub-Committee was informed that students at Olive AP Academy Havering were performing significantly better than AP Centres in the local area and nationwide. The progress of the students was noted as significantly higher and attainment was also very significantly higher.

The Sub-Committee was informed that as part of the governance at the Academy, the Trust promotes a link between its academies and the local mainstream schools and was committed to securing their representation on each advisory board. In Havering a monitoring group that comprised an independent Chair, three Havering schools representatives from (Drapers Academy, Abbs Cross Academy and the Albany School) supports the work of the academy on a half-termly basis.

The Sub-Committee was informed that the Trust was grateful for the support of the Council in funding the proposed new building project to improve the quality of the site. It was indicated that improving the quality of the building represented an opportunity to embed our ambitious vision for the academy.

The Sub-Committee thanked the Chief Executive and Chief Operating Officer for Olive Academies for working with the authority and making the time to attend and update Members on the progress at the Academy.

15. IN YEAR ACCESS PROTOCOL

The Assistant Director for Education Services briefed the Sub-Committee on the Fair Access Protocol.

It was stated that the School Admissions Code requires each local authority to have in place a Fair Access Protocol which all local schools/academies must adhere to.

The report informed Members that part of the aims of the In Year Fair Access Protocol included:

- Acknowledging the real needs of vulnerable young people who were not on the roll of a school and to ensure that an appropriate placement was identified and pupils/young people are on roll within 10 school days of the panel;

- Seeking to find an alternative placement or support for those on roll of a school where it could be demonstrated that they were at risk of permanent exclusion;
- Recording the progress and successes of the young people placed through the Panel.

It was mentioned that the Pre Panel met on a monthly basis to discuss each of the pupils in detail taking into consideration the number of vacancies at each school/academy in each year group and the total number of pupils/young people that have been admitted to each school/academy in each year group through the IYFAP process in the last academic year.

The Sub-Committee noted that a pupil/young person would not be referred to a school/academy that was placed in an Ofsted Category, unless under exceptional circumstances.

The Sub-Committee was also informed that Social Inclusion Funding was in place in order that schools and academies could apply for “top up” funding towards the costs of approved learning support/pastoral support, and/or alternative provision, for students who were at risk of permanent exclusion.

The Sub-Committee noted that the Education Services would continue to monitor the admissions arrangements of all schools on a regular basis. The monitoring would include evaluation of referral data and a greater use of the powers available to the authority where schools were a cause for concern.

The Sub-Committee noted the report.

16. REGIONALISATION OF ADOPTION SERVICES IN LONDON & THE ADOPTION SUPPORT FUND

The Sub-Committee received a report that outlined Havering’s involvement in the regionalisation of adoption services in London and give an overview of the Adoption Support Fund that was available for all local authorities with adoption support services.

Havering was part of the East London Regional Adoption Agency (RAA) which includes Barking and Dagenham; Newham; Waltham Forest and Tower Hamlets.

The Sub-Committee noted the following benefits of moving to the RAA would be to:

- Speed up matching
- Improve adopter recruitment and adoption support
- Access to more potential adopters
- Reduce costs / increase efficiencies around savings
- Improve the life chances of vulnerable children.

- Reduce risk of post code lottery
- Offer more resilience to service from the scale or volume

It was also stated that part of the benefit would include less competition and more collaboration, which would provide greater scope for financial efficiencies and significantly improve outcomes for children and young people.

The Sub-Committee was informed that within the court proceedings, a RAA should be in a position to promote a more coherent and joined up working with the court services.

The Sub-Committee noted that in principle Havering would participate in and lead the East London RAA.

That a further report would be produced outlining progress, risk and seek formal permission for Havering to lead and participate in the East London RAA.

17. HAVERING LOCAL SAFEGUARDING CHILDREN BOARD – ANNUAL REPORT 2016/17

The Chairman of the Havering Safeguarding Children Board presented the annual report of the board to the Sub-Committee.

The Sub-Committee noted that the purpose of the report was to fulfil the statutory requirement that the Local Safeguarding Children Board publish an annual report on the effectiveness of safeguarding in their local area.

The annual report provided an overview of the Ofsted Inspection in October 2016. The Sub-Committee noted that whilst the Ofsted recommendation was 'requires improvement' for both Children Social Care and the HSCB, the report fully acknowledged that Children Social Care had made and were making exciting changes in approach and structure through 'Face to Face', that would help to support children and families in Havering. The approach had been fully supported by the board.

The report also detailed an overview of the 2016-17 safeguarding strategic aims and a summary of the HSCB board sub group working and governance 2016-17.

The Chairman of the Havering Safeguard Children Board outlined that the past year had seen a very major change in the structure of the Metropolitan Police. Havering had been one of the pathfinder areas and the board had been involved in the consultation around the structure, focusing on the need to ensure safeguarding structures such as the CAIT remain strong.

The Sub-Committee was informed that the coming year would see some continued challenges with the impact of budgetary restraints which must be a focus of the board during the next financial year.

The Children Social Care Act which came into force in 2017, had major implications for agencies and specifically Children's Social Care. A new 'Working Together Guidance' would be introduced to support the new act and would continue to work with the Chief Executives and officers of the three statutory agencies, to ensure that Havering was in the best position to implement the new legislation.

The Sub-Committee thanked the Chairman of the board for attending and noted the annual report.

18. CORPORATE PERFORMANCE INDICATORS

At its meeting in July 2017, the Sub-Committee received the fifteen corporate performance indicators for Children and Learning for Quarters 1 2017/18. It noted that nine were classified as Green and three as Red. Areas for improvement included the time children took to reach adoption but there were very low numbers of children involved. In terms of children leaving care but not in education, employment or training, Havering was behind its target but continued to perform better than its statistical neighbours.

At its meeting in November 2017, the Sub-Committee received the corporate performance indicators for Quarter 2 of 2017/18 relevant to its remit. It noted that that six (43%) of the indicators have a status of Green while eight (57%) have a status of red under the revised tolerance ratings.

The report informed the Sub-Committee that the three performance indicators that report to Overview & Scrutiny Board had all been rated at red for the quarter.

- Total number of in-house foster carers
- Percentage of looked after children placed in in-house foster care
- Percentage of young people leaving care who are in education, employment or training at ages 18-21

Whilst the Sub-Committee noted the highlights, the report also outlined the following areas that required improvements:

- Care Leavers in education – the percentage care leavers in education, employment or training was on a downward trajectory, but there was expectation of an improvement as destinations become better known. Six Pathway Coordinators have also been recruited to work with young people and care leavers to help them plan their transitions into adulthood, education or employment route.
- Adoption – Ten children who have been adopted or were currently placed with their prospective adoptive families were awaiting orders, six waited less than 14 months between starting to be looked after and moving in with their adoptive families.
- Recruitment of Foster Carer - Despite the recruitment of new in-house foster carers being ahead of schedule, the total number of in-house foster carers was lower than target.

- The percentage of looked after children “Staying Put” was based on the number of young people who ceased to be looked after on their 18th birthday who have a foster care placement and remain living with that carer. By the end of September, two 18 year olds cease to be LAC who were eligible for Staying Put, however only one remained in placement.
- Care Proceedings –There had been notable shift towards shared responsibility to reduce delay by Children’s Services as well as the Courts. In Quarter 1, Havering’s average timescale for concluding proceedings was 40.9 weeks. In Quarter 2, it had reduced to 34 weeks. It was noted that a number of long running cases that were concluded in October 2017 negatively affected performance.

At its meeting in February 2018, the Quarter 3 corporate performance report was outlined. The summary for the quarter detailed that 8 indicators (53%) have a status of green while 7 (47%) have a status of red. The report indicated that an improvement on the position at the end of Quarter 2, when 43% of indicators were rated Green and 57% were rated Red.

The report informed the Sub-Committee of the following areas that required improvements:

- The percentage (57.6%) of care leavers were 80/139 in education, employment or training., whilst this was lower than the Havering target, the council was surpassing the national average and many other London boroughs. The Council had been awarded funding from the Department of Works & Pensions (DWP) to set up a Work Club at The Cocoon. An application had also been made to the DWP Community Budget to enable the service deliver a programme aimed specifically at supporting young people to attain employment and/or embark on further education.
- Whilst there had been a positive increase in the number of new foster carers and the percentage of LAC placed with in-house carers, the total number of in-house carers had not changed significantly.
- The proportion of Care Proceedings completed in under 26 weeks remains significantly below target, albeit improved on Quarter 2. Four long-running cases which have gone beyond 50 weeks have significantly impacted on the average case duration not only for this quarter but also for the whole year 2017-2018. An updated legal planning and pre-proceedings review procedures would be circulated to all social care staff for the future.
- The proportion of children attending Good or Outstanding schools was currently slightly below target, but figures were expected to improve over the coming months.

The Sub-Committee noted the performance report.

19. THE CORPORATE PARENTING PANEL

The Corporate Parenting Panel met on a monthly basis throughout the year, with a new model of working. Bi-monthly meetings are now 'Participation Meetings' with a variety of contributors, including care leavers, foster carers, social workers, police and virtual head. Collectively, the Panel consider a variety of topics, including policy, information, advice and support, service improvement, communication for the borough's children in care, those transitioning into adult services and leaving care. The bi-monthly 'Formal Meetings' focus on a number of areas including performance, outcomes, out of borough provision, improvement, CSE and missing, safeguarding, education, health, fostering and adoption, housing, leaving care, tracking of individual cases and statutory responsibilities.

20. ANY OTHER BUSINESS

During the year the Sub-Committee arranged a meeting special meeting that afforded Members the opportunity to interact with Foster Carers.

It was an opportunity for the Foster Carers relate their personal experience, challenges and expectation. The Sub-Committee noted from the session that Foster Carer expressed satisfaction from the support that was offered and available from the service.

Another session was proposed for later in the New Year.

The Sub-Committee were delighted to have been joined by students from the Corbets Tey @ Avelon and their parents. Students and parents spoke of the success of Corbets Tey @ Avelon and the skills the young people have achieved.

The Chair would like to thank all outside body members, partners, Officers and Members, for their dedication to the sub-committee over the last year and the last four years of this Council.

IMPLICATIONS AND RISKS

Financial implications and risks:

None – narrative report only.

Legal implications and risks:

None – narrative report only.

Human Resources implications and risks:

None – narrative report only.

Equalities implications and risks:

While the work of the Sub-Committee can impact on all members of the community, there are no implications arising from this specific report which is a narrative of the Sub-Committee's work over the past year.

BACKGROUND PAPERS

CRIME AND DISORDER SUB-COMMITTEE – ANNUAL REPORT 2017/18

INTRODUCTION

This report is the annual report of the Sub-Committee, summarising our activities during its year of operation ending May 2018. This report will stand as a public record of achievement for the year and enable members and others to have a record of the Committee's activities and performance.

SUB-COMMITTEE MEMBERSHIP

Councillor Ian de Wulverton (Chairman)
Councillor David Durant (Vice-Chair)
Councillor Ray Best
Councillor Brian Eagling
Councillor John Mylod*
Councillor Garry Pain

**For part of the 2017-18 municipal year and was replaced by Councillor June Alexander.*

During the year under review, the Sub-Committee met on 4 occasions and dealt with the following issues:

1. Corporate Performance reporting

Throughout the year, the Sub-Committee had received reports on the outcome of performance against the indicators which fell within the Sub-Committees remit.

Alterations had been made to the tri-borough model, including outstanding calls being managed on an incident list for each borough, rather than as a single incident list for all three boroughs, as when the pilot began. The impact of these alterations had begun to be seen in the performance achieved.

The Sub-Committee received quarterly reports on the proportion of ASB incidents relating to travellers. In the second quarter, there were 1,548 Computer Aided Dispatches which had an opening code that related to anti-social behaviour in Havering, with 1,026 being 'closed' as anti-social behaviour. Six of these dispatches related to five separate traveller incursions, a reduction from the previous quarter. The previous year, traveller incursions drove 100 calls, however a dedicated Inspector covers had taken the responsibility for the three boroughs.

2. Serious group Violence and Knife Crime Strategy 2017

Since the introduction of a tri-borough Gangs Unit, the borough had benefitted from having access to a resource which proactively monitored and disrupted the boroughs high risk gang nominals.

Whilst data might show that knife crime was not linked to gangs, there was a local awareness of the migration of gang members into Havering from other boroughs. Research revealed that only 11% of Havering's Trident Gangs List were under 18 years of age and 20% were on the Habitual Knife Crime list.

The Sub-Committee were made aware of the various risk management panels linked to gangs and serious group violence. The delivery structure of information and intelligence flow for the East Area Gangs Panel and Serious Group Violence Panels were received and the 2017-2021 Serious Group Violence and Knife Crime Action Plan was noted.

3. Reducing Re-offending rates

The re-offending figures for Havering were very positive, being better than the national average and the London average for all but one set, the 35-39 age group.

The Reducing Reoffending Action Plan 2016-20 focused on prioritising accommodation, education, training and employment, finance and debt and enforcement and compliance.

The Havering Community Safety Strategic Assessment had shown that 40% of acquisitive crime in Havering came from Class A drug users alone.

The Sub-Committee noted the progress against the Reducing Re-offending Action Plan 2016-20, Integrated Offender Management Panel and Drugs Intervention Panel.

4. Street Triage

In response to a large number of people with mental health problems being taken into police custody, NELFT had established a scheme whereby police could call out NELDT triage staff if they found a person having a mental health crisis. The scheme operated throughout Havering and Outer North East London. The scheme had been the first such street triage scheme to operate in the UK. Police officers received enhanced safeguarding including on mental health issues. There was also a mental health team included in the Safeguarding team.

The Sub-Committee noted the report by Healthwatch Havering and the responses given by the Chief Superintendent at the meeting.

5. Safer Neighbourhood Board Annual Report

The Sub-Committee received the Annual Report of the Safer Neighbourhood Board.

6. Update on Tri-Borough Model

The revised structure included four Superintendents leading different functions which included Safeguarding, Emergency Response, Neighbourhoods and

Investigations. HQ was a fifth function, which pulled issues such as Police resources and performance together across the three boroughs. The Council was represented on both the Pathfinder Project Board and the Oversight Board that reviewed the tri-borough model. The Chief Superintendent reported that the staffing resources were broadly sufficient and that leadership was an issue to improve performance.

The Sub-Committee had noted the update provided.

7. Report from Superintendent Responsible for Neighbourhoods

The Metropolitan Police were required to make savings of £400m by 2020. It was felt that the introduction of the tri-borough model was a more efficient way of working but required a cultural change, whereby officers would retain ownership of a whole investigation. The focus for neighbourhoods would be at the individual ward level and Havering had not lost any Inspectors who dealt with partnership and neighbourhoods work.

The Sub-Committee noted the update provided.

8. Report from Superintendent Responsible for Protecting Vulnerable People

The use by Police of a safeguarding car allowed the correct officer to attend incidents quickly. This allowed better crime management and meant assistance could be given to vulnerable victims more quickly. The number of outstanding suspects were increasing and it was felt that this was due to more victims pressing charges and a higher number of occurrences of domestic abuse.

The Sub-Committee noted the update on protecting vulnerable people.

9. Violence Against Women and Children

The Violence against Women and Girls (VAWG) Strategy was in its final year and the new strategy covered issues such as trafficking, modern day slavery and child sexual exploitation.

It was agreed that most victims of domestic violence wanted to stay in their homes, which was not easy to resolve at times. Resources for services to deal with VAWG had been maintained. A refuge was currently provided by Havering Women's Aid and this contract was due to be recommissioned. The SOLACE Women's Aid charity provided support groups and counselling. The existing victim support scheme in key services was funded until at least July 2018.

Around 20% of domestic abuse victims were male. A total of sixty domestic abuse champions had been trained to advise colleagues on this area.

All domestic violence cases were risk-assessed and the most high risk cases were referred to the domestic violence Multi-Agency Risk Assessment Conference (MARAC) which comprised representatives of the Council, Police, Probation Service, the health sector and other agencies. There had been an

increase in the number of MARAC referrals but fewer cases were now referred more than once. There had not been a domestic violence homicide in Havering since 2003, an indication that risks were managed well. Police looked at the frequency and severity of domestic abuse carried out by repeat perpetrators and sought to manage high risk individuals. Sarah's Law, whereby an individual's history of domestic violence could be disclosed to a family was used by Havering. Refuges were situated locally and had good facilities.

The Sub-Committee noted the position.

10. Metropolitan Police Report on Investigation

The number of outstanding named suspects was significantly high, which was a trend in the east, Waltham Forest and Newham, due to the number of foreign national offenders and the high amount of mobility in and out of the country.

Habitual knife carriers were being targeted and officers would be carrying out intense weapon sweep and intelligence-led operations to confiscate knives and tackle those wanted in connection with knife-related offences and violent crime.

Robbery offences had increased by 81% from the previous year, however small numbers reflected high percentiles. Burglary had been a key focus on the lead up to the Christmas period. Good news stories included an arrest for possession of a prohibited weapon, an arrest for possession with intent to support and being carried in a stolen vehicle and an arrest made in respect of two persons driving into pedestrians with a car.

The Sub-Committee had noted the report on Investigations.

11. Havering Community Safety Partnership's Partnership Plan 2017/18 to 2019/20

The Havering Community Safety Partnership comprised of five responsible authorities who, by law, were required to work together to tackle crime, disorder substance misuse and reoffending. There was a statutory requirement that the Havering Community Safety Partnership produce an annual strategic assessment of these issues in co-ordination with a community safety strategy or plan.

The strategic themes and cross cutting area identified were protecting vulnerable individuals/victims, supporting the most prolific and/or high harm offenders and creating safer locations.

The Sub-Committee had noted the Community Safety Plan 2017-2020 that was approved by Council on the 12 July 2017.

12. Topic Groups

How the Criminal Justice System Deals with Offenders with Mental Health Issues

The topic group was established to identify weaknesses, if any, and make recommendations to partners on ways to tackle those weaknesses; to assess how the various agencies deal with offenders with mental health issues; to seek to identify ways in which the process could be improved; and to investigate the various stages at which the Justice system interacted with people with mental health issues.

During the course of its review, the topic group met and held discussions with the following people:

- Elaine Greenaway, Senior Public Health Strategist, London Borough of Havering
- Inspector Cavanaugh, Metropolitan Police Detention Service
- Liz Micalap, Mental Health Practitioner
- Tim Churchyard, YOS Manager, London Borough of Havering
- Janet Chapman, CAMHS Nurse Practitioner
- Wellington Makala, NELFT
- Anita-Grant Williams, National Probation Service
- Sonja de Groede, National Probation Service
- Yasmin Lakhi, London Community Rehabilitation Company
- Bob Barr, Havering Clinical Commissioning Group
- Bernard Natale, Mental Health Commissioning, LBH
- Hong Tan, NHS England

The topic group made the following recommendations:

- i) Metropolitan Police Service and NHS England to continue to work together to provide Mental Health Practitioners in custody suites.
- ii) North East London NHS Foundation Trust, the Youth Offending Service and the Probation Service to work together to ensure a smooth transition process for young persons in the criminal justice system to ensure continued access to mental health services.
- iii) North East London NHS Foundation Trust to continue to provide Child and Adolescent Mental Health Services (CAHMS) Youth Offenders Services Practitioner Service.
- iv) Public Health and Clinical Commissioning Group to continue to work together to ensure adequate services available locally for offenders with mental health and substance abuse issues.

Increase in Unlawful Traveller Encampments

At its meeting on the 28 July 2016, the Crime & Disorder Sub-Committee agreed to establish a topic group to scrutinise the number of places originally provided in Havering for Travellers, how this had grown and how it was predicted to grow in the future as well as the reasons behind these changes.

During the course of its review, the topic group met and held discussions with the following people:

- Savinder Bhamra, Corporate Policy and Diversity Advisor
- Diane Egan, Community Safety and Development Manager
- Steve Moore, Director of Neighbourhoods
- Simon Thelwell, Planning Manager, Regulatory Services

Whilst the topic group had not met since the 21 September 2016, since the introduction of the East Area Borough Command Unit in January 2017, the boroughs of Barking & Dagenham, Havering and Redbridge had worked collaboratively to address illegal incursions. The Police had revised their operating procedures for dealing with illegal incursions. The Crime and Disorder Overview and Scrutiny Sub-Committee have actively monitored a notable reduction in traveller incursions in 2017-18.

Documentation compiled for traveller injunction was reviewed on 13 February by the Barrister representing the Council. As a result of this persons experience in obtaining injunctions pursuant to Section 222 Local Government Act 1972 and Section 187B Town and Country Planning Act 1990, they have developed significant expertise in cases concerning unauthorised encampments. Once the documentation has been agreed, the process of obtaining the Injunction would commence and it was hoped that this will in place by April when traveller incursions usually begin to happen.

The working party made the following recommendations:

- i) That consideration be given to the establishment of a Gypsy and Traveller Officer post in the borough.
- ii) That members are proactive in encouraging residents who contact them and these type of complaints to notify the Police so that the complaint is registered.

Environment Overview and Scrutiny Sub-Committee Summary of work undertaken 2017/18

INTRODUCTION

This report is the annual report of the Sub-Committee, summarising the Sub-Committee's activities during its year of operation ended March 2018.

It is planned for this report to stand as a public record of achievement for the year and enable Members and others to have a record of the Sub-Committee's activities and performance.

SUB-COMMITTEE MEMBERSHIP

Councillor Darren Wise (Chairman)
Councillor Carol Smith (Vice-Chair)
Councillor Nic Dodin
Councillor Keith Darvill
Councillor Garry Pain
Councillor Patricia Rumble

During the year under review, the Sub-Committee dealt with the following issues:

PARKS AND OPEN SPACES

The Council's Parks Development Manager gave the Sub-Committee a presentation on the Council's parks and open spaces.

The presentation showed that the Council managed 100 parks and open spaces including 4 country parks and also detailed the works carried out managing the parks including the management of maintenance, parks ranger service and parks management and a formal inspection system.

In total the Council maintained and managed 41 play areas including 26 recreation/fitness areas.

The Council also managed 27 allotments including liaising with allotment societies, management of Public Right of Ways including liaising with ramblers and liaison with 18 friends of parks groups.

Officers advised that dealt with event and activities management, management of leases and licences and management of sports pitch hire.

FOOD AND FEED SERVICE AND PLAN 2017/18

The Council's Food Safety Division Manager presented to the Sub-Committee regarding the Food and Feed Service and Plan 2017/18.

The presentation contained facts and figures from the Council's interventions when visiting premises that sold or provided food for consumption by the public.

Officers advised that the Food Standards Agency had audited the service in December 2015 and found that the Council needed to clarify its interventions due against its capacity and to clarify the intervention strategy for food standards. At the time 1200 premises were overdue for inspection.

Members had noted the reactive work of the service which included complaints about food purchased in the borough, hygiene of premises, labelling of food, food poisonings and service requests for information.

Members noted that the service had tendered in the private sector for 500 lower risk broadly compliant premises inspections using funds from vacant posts. This freed up officer time to concentrate on high risk and non-compliant premises and any revisits from the outsourced work. Non-compliant premises took up most of officer's time and prosecution was very time consuming.

The Food Hygiene Rating Scheme (FHRS) in England, Wales and Northern Ireland helped consumers choose where to eat out or shop for food by giving them information about the hygiene standards in restaurants, takeaways and food shops. The rating was out of 6 with zero lowest and 5 highest. Premises only had to voluntarily display their rating for customers to see although it was planned to introduce mandatory display after Brexit.

Over 1800 premises in the borough had to be inspected over a three year period. In Havering 87% were rated 3 and above (broadly compliant) 13% were not. Members also noted examples of non-compliance and the fines/costs that had been paid.

CIVIL PARKING ENFORCEMENT

The Sub-Committee received a presentation on current operational service issues within their remit. During the presentation, it was explained that there were strict legislation and governance surrounding civil parking enforcement.

During discussion, concern was expressed that there were instances of unreasonableness when issuing penalty charge notices and it was explained that individuals had the right of appeal.

Havering was the sixth lowest issuing authority within London in 2016/17, and despite an increase in the number of enforcement officers over the past few years, the borough continued to be lower in comparison with others. This may be due to not having enough officers on patrol, however the avoidance of saturation of the borough with enforcement officers was a consideration.

During discussion of Moving Traffic Contraventions (MTCs), it was explained that with the exception of bus lane cameras, cameras were deployable based on evidence of non-compliance at a site. Transport for London had reported that since the introduction of bus lane cameras in the borough, there had been a reduction in journey times and an increase in bus reliability.

The main reasons for issuance of a penalty charge notice were parking on a single yellow line; parking on a footway when prohibited to do so; parking in a residents bay without a valid permit; parking in a loading place; and parking on a double yellow line/loading restriction. The Sub-Committee requested that a comparison of these reasons be provided. Members raised concern regarding overweight vehicles parking in residential areas around the borough. This had been managed by the London scheme, and although the Council had since opted out of the scheme, this could be reviewed.

Further concern was expressed that penalty charge notices were being received by individuals when parking machines were out of order. If a parking machine was non-operational, this would be alerted to the backup facility and officers informed of the time the machine is out of order so that penalty charge notices are not enforced during this time and when the issue had been rectified. In-house operations have the capability to resolve minor issues with the parking machines, however external support from the supplier is sought to fix other issues as soon as possible. It was noted that the Council were not enforcing the Pay by Phone facility.

The Chairman had asked for some statistical data on moving traffic contraventions across the borough – number of PCNs issued and whether the levels of PCNs were decreasing and road safety was improving.

HOUSES IN MULTIPLE OCCUPATION - ADDITIONAL LICENSING SCHEME

The Sub-Committee received a presentation on the Houses in Multiple Occupation Additional Licensing Scheme.

The presentation detailed the consultation process which commenced in May 2017. Following consultation and subsequent Cabinet approval, a designation was made on the 11 October 2017 for an Additional Houses in Multiple Occupation Scheme, covering twelve wards. The scheme could not go live until at least ninety days had passed from the decision date, therefore no licences would be issued before the 10 January 2018, although applications could be made prior to this date. Enforcement would start from 1 March 2018 and the scheme would be reviewed regularly. An explanation as to what properties would be covered by the scheme was provided as outlined in the appendix to the report.

The scheme had been publicised widely, with public notices having been published fortnightly in local press; public notices had been displayed in all borough libraries and main Council Office buildings; direct mailings sent to external organisations; and there was a proposal for extensive publicity and post campaign commencing January 2018.

To ensure the effectiveness of the scheme, robust enforcement against those that try to avoid licensing was paramount. The introduction of the scheme would create a financial deterrent for criminal landlords and would increase the number of licence applications and subsequently generate income for the Council. Once licensed, the Council would be in a position whereby it could monitor properties to ensure compliance with licence conditions and could prosecute or issue civil penalty notices for breach of conditions.

FLY TIPPING IN HAVERING - AN UPDATE OF THE JANUARY 2017 PRESENTATION

The Sub-Committee received an update of the January 2017 Fly Tipping in Havering presentation. It was explained that the Enforcement Group comprise of the Parks Protection Team, Neighbourhood Wardens; Anti-social Behaviour Officers, the CCTV control room and Street Scene Enforcements. Members requested that a visit be arranged to view the Control Room.

In 2016-17, the borough recorded 4,061 actual fly-tips, ranging from a black sack to a lorry load of rubble. During the same period, the StreetScene Enforcement Team carried out 11,748 enforcement actions. Over the winter months of 2016-17, the StreetScene Enforcement Team undertook a cover surveillance operation in Little Gerpins Lane to target heavy commercial fly-tippers, of which four individuals were caught and were being prosecuted. The Environment Service Highways Teams proposal to close Sunnings Lane and Little Gerpins Lane had been approved by the Highways Advisory Committee.

The StreetScene Enforcement Team were investigating new powers to seize vehicles from unlicensed waste carriers; were tackling businesses that do not hold waste transfer notes and were working with external agencies to tackle the challenges from traveller families and organised criminals.

TREES AND FOLIAGE OVERHANGING THE HIGHWAY

The Sub-Committee received a presentation on trees and foliage overhanging the highway.

The most frequent complaints received about public trees were surrounding epicormics growth, footway and property damage and fruit fall. Where works were carried out in default, the Council recovers expenses through the County Court. Although the law requires the Council to advise recipients of the potential consequences of non-compliant, the Council's approach was to engage, educate, encourage and enforce.

CORPORATE PERFORMANCE INDICATORS

Throughout the year the Sub-Committee continued to receive the Quarterly Performance Reports that had previously been reported to Cabinet and Demand

Pressure Dashboards which illustrated the growing demands on Council services and the context that the performance levels set out in the reports had been achieved within.

IMPLICATIONS AND RISKS

Financial implications and risks:

None – narrative report only.

Legal implications and risks:

None – narrative report only.

Human Resources implications and risks:

None – narrative report only.

Equalities implications and risks:

While the work of the Sub-Committee can impact on all members of the community, there are no implications arising from this specific report which is a narrative of the Committee's work over the past year.

BACKGROUND PAPERS

Minutes of meetings of Environment Overview and Scrutiny Sub-Committee 2017/18

Health Overview and Scrutiny Sub-Committee Annual Report 2017/18

INTRODUCTION

This report is the annual report of the Sub-Committee, summarising the Sub-Committee's activities during its year of operation ended March 2018.

It is planned for this report to stand as a public record of achievement for the year and enable Members and others to have a record of the Sub-Committee's activities and performance.

SUB-COMMITTEE MEMBERSHIP

Councillor Michael White (Chairman)
Councillor Dilip Patel (Vice-Chair)
Councillor Alex Donald
Councillor Nic Dodin
Councillor Denis O'Flynn
Councillor Carol Smith

During the year under review, the sub-committee met formally on four occasions and dealt with the following issues:

1. East London Health and Care Plan

The Sub-Committee was briefed by senior plan officers on this important programme which sought to redesign health services across North East London. The plan sought to involve all relevant parties including Councils, NHS bodies, carers and the voluntary sector in the improvement of the provision of local health services. Whilst specific proposals impacting on Havering were not yet available, it was possible that plans for the relocation of GPs or the reprovision of the NHS 111 service could be brought forward. It was likely that the East London Health and Care Plan would be scrutinised further, including via the Outer North East London Joint Health Overview and Scrutiny Committee.

2. Public Health Budget

The Council's Director of Public Health briefed the Sub-Committee on how the Council's public health budget was used. Government funding for public health in Havering had been reduced and the Sub-Committee discussed savings made including from the Council's Drug and Alcohol Action Team. The rationale for the

ending of the Council's main smoking cessation service was also explained to the Sub-Committee.

3. Performance Information

Throughout the year under review, the Sub-Committee reviewed performance information within its remit, focussing on areas including childhood obesity, delayed transfers of care and patient experience of primary care.

4. Barking, Havering and Redbridge University Hospitals' NHS Trust (BHRUT) Winter Pressures

Senior BHRUT officers briefed the Sub-Committee on the Trust's plans for coping with the peak demand levels expected over the winter period. This included discussion of vacancy rates at the Trust and how non-urgent cases could be diverted from A&E and treated in other parts of the health service. Other initiatives included a move towards having more patient discharges at weekends and encouraging doctors to write up prescriptions prior to the day of a patient's discharge.

5. Digital Roadmap for Integration between Health and Social Care

Work on upgrading and integrating NHS IT systems was explained to the Sub-Committee including plans to allow GPs to work from any location, including from a hospital environment. A pilot of video consultations was also under way, allowing cardiology consultants to more easily contact a patient's GP. NHS funding had also been received for the introduction in GPs of patient self-check-in and Wi-Fi availability.

6. Air Pollution

Public Health officers also briefed the Sub-Committee on air pollution in the borough and its links to conditions such as asthma and diseases including bowel and stomach cancer. The locations of pollution hotspots such as Romford Town Centre and Gallows Corner were also scrutinised as were the number of pollution monitoring stations within Havering. Other initiatives to combat pollution included the introduction of four Public Space Protection Orders outside schools and the launch of an app giving travel and pollution advice. The Council had also introduced the Miles the Mole campaign to raise awareness of pollution issues within schools.

7. Healthwatch Havering

The Sub-Committee continued to enjoy a productive working relationship with Healthwatch Havering, an organisation representing users of local health and social care services. A director of the organisation attended most meetings of the Sub-Committee and was allowed to ask questions of witnesses. The Healthwatch

Havering annual report was presented at the September meeting of the Sub-Committee.

Members of the Sub-Committee worked closely with Healthwatch Havering volunteers to conduct a joint topic group review of delayed referrals to treatment at BHRUT. This was believed to be the first such joint Overview & Scrutiny-Healthwatch review in the UK and the review made a number of recommendations which have now been responded to in detail by the health bodies. Responses to the report, in particular from BHRUT, were reviewed by the Sub-Committee at its September meeting and the issue of delays in referral to treatment continues to be scrutinised by both the Sub-Committee and Healthwatch.

The Sub-Committee has also received updates from Healthwatch during the year on its work scrutinising the quality of in-patient meals at Queen's Hospital.

8. Outer North East London Joint Health Overview and Scrutiny Committee

Throughout the year under review, the Sub-Committee was represented by Councillors White, Patel and Dodin on the Joint Health Overview and Scrutiny Committee covering Outer North East London. This Committee allows scrutiny of health service issues covering more than one Council area and, in addition to Havering, includes representation from Barking & Dagenham, Redbridge, Waltham Forest, Essex and Epping Forest Councils.

Among the issues scrutinised by the Joint Committee, which met on four occasions during the year, were the following:

BHRUT Safety of Services – The Joint Committee scrutinised, with BHRUT officers, the Trust's complaints process and learning from complaints.

Single Accountable Officer – The Joint Committee was addressed by the Single Accountable Officer covering all Clinical Commissioning Groups in North East London. This covered initial plans to meet targets to bring together health and social care budgets and dealing with financial challenges in the local system by addressing costs and the quality of care.

Clinical Commissioning Groups (CCGs) – Financial Recovery Programme – The Joint Committee also scrutinised plans by the local CCGs to recover a serious deficit across the local area. This work included ensuring better value for money in contracts, supporting provider efficiencies and improved use and disposal of estates.

North East London NHS Foundation Trust (NELFT) Future Plans – Senior NELFT officers explained to the Joint Committee, at its July meeting, the future plans of the Trust. The decision to close and then re-open the Brookside Unit for young people with mental health issues was scrutinised in some detail. The Trust's strategy to intervene as early as possible with people exhibiting mental health issues was also explained with the introduction of the Improving Access to Psychological Therapies service which allowed patients to self-refer if they were in need of Talking Therapies.

Whipps Care for Patients with Dementia – The Joint Committee was addressed at its October meeting by a member of the public who explained the poor treatment experienced by her mother, who suffered with dementia, on being admitted to Whipps Cross Hospital. The Joint Committee was then able to discuss in some detail with Barts Health NHS Trust officers how patients with dementia were now cared for. This included dementia screening for all admitted patients over 75 years of age and initial dementia awareness training for all staff, regardless of post or grade.

Spending NHS Money Wisely 2 Consultation – The Joint Committee was briefed by NHS officers on proposals to cease, on financial grounds, the funding of certain NHS treatments and procedures. Whilst the Joint Committee was supportive of most plans, proposals to restrict the availability of cataract surgery did raise concern and this was fed back to commissioners as part of the Joint Committee’s response to the consultation.

IMPLICATIONS AND RISKS

Financial implications and risks:

None – narrative report only.

Legal implications and risks:

None – narrative report only.

Human Resources implications and risks:

None – narrative report only.

Equalities implications and risks:

While the work of the Sub-Committee can impact on all members of the community, there are no implications arising from this specific report which is a narrative of the Sub-Committee’s work over the past year.

BACKGROUND PAPERS

None not already in public domain.

Individuals Overview and Scrutiny Sub-Committee Annual Report 2017/18

INTRODUCTION

This report is the annual report of the Sub-Committee, summarising the Sub-Committee's activities during its year of operation ended March 2018.

It is planned for this report to stand as a public record of achievement for the year and enable Members and others to have a record of the Sub-Committee's activities and performance.

SUB-COMMITTEE MEMBERSHIP

Councillor Ray Best (Chairman)
Councillor Linda Trew (Vice-Chair)
Councillor John Wood
Councillor Linda Hawthorn
Councillor Keith Roberts
Councillor Patricia Rumble
Councillor Roger Westwood

During the year under review, the sub-committee met formally on four occasions and dealt with the following issues:

Older People's Housing Strategy

The Sub-Committee were presented with a number of reports concerning older people's housing that had previously been agreed by Cabinet. The latest copies of Council magazines – Sheltered Times and At The Heart were also provided in order to show more recent updates.

The older people's housing strategy had identified an under provision of extra care sheltered housing and of housing for people with dementia. The Council's existing sheltered housing stock had also been found to have too high a proportion of bed-sit accommodation. Many sheltered housing schemes also did not have lifts or were otherwise not compliant with the Disability Discrimination Act. External communal space such as gardens were also not fit for purpose in some cases.

Five schemes had been selected for regeneration. Maygreen Crescent had not proven popular as a sheltered scheme and the remaining residents would be moved out. The Serena, Solar and Sunrise blocks in South Hornchurch would be

redeveloped as an older person's village with approximately 150 homes. A consultation exercise re this scheme was currently in progress. It was clarified that a private older person's development was expected to be built in central Romford. It was also hoped to re-provide sheltered housing on the Royal Jubilee Court site. There were around 52 people currently living at this site but there were also approximately 40 bedsits on site that could not be let out.

Hostels improvement programme

It was confirmed that there were three hostels in Havering: Will Perrin Court with 46 rooms, Abercrombie House with 37 rooms and Queen Street Villas with 12 rooms.

There were approximately 250-300 people living in the three hostels. The hostels had recently been reviewed by the Chartered Institute of Housing which had made a number of recommendations including changing the role of staff.

Experienced staff had therefore now been recruited and residents were now given risk assessments and support plans as well as many other programmes being available. A total of 159 children lived in the centres which was challenging and officers worked with sports teams and children's centres etc. to ensure opportunities were available. Most hostel residents were already living in the Havering area and had come to the hostels due to increased costs of rent.

The average time spent by people in hostels had reduced to 3-4 months. Hostel residents still had to bid for housing accommodation and assistance could be given to do this via computer. New hostel residents were given a welcome pack including a duvet, pillow, cutlery and food items. It was suggested that it would be useful to arrange a visit to Abercrombie House in order to view the improvements that had taken place.

The design out crime officer had visited all three sites and suggested improvements such as the installation of high hedges which would be carried out. Injunctions had been taken out to prevent e.g. violent ex-partners from entering hostels and the Police would be called if necessary.

Adult social care - Better Care Fund

The Better Care Fund had commenced in April 2015 and was an attempt by Central Government to bring together health and social care. In Havering, a joint plan had been developed with the Havering Clinical Commissioning Group for how the funding would be spent.

The amount allocated to Havering under the Better Care Fund was in the region of £20 million. In the coming financial year, it was planned to use the Better Care Fund monies to undertake more joint working across Havering, Redbridge and Barking & Dagenham. Havering's Better Care Fund submission was currently with NHS England for approval and it was noted that this was money that had been topsliced

from the CCG budget. Adult Social Care in Havering received £3.3 million from the Better Care Fund but other nearby areas received double this allocation.

Intergrated Care Partnership Update

One of the key strands of work for the Integrated Care Partnership (ICP) related to accountable care and it was aimed to develop an alliance of care providers involving social care, the NHS and GPs. A provider group had been set up to develop services in a more effective way.

A pilot area was running on intermediate care – care for people in the six weeks following discharge from hospital. It was clarified that a rehabilitation package such as physiotherapy or occupational therapy was provided by the NHS but the Council paid for re-ablement services such as aids and adaptations in a person's own home.

The current re-ablement provider was NELFT and a joined up assessment was being introduced from December 2017.

Update on Joint Havering Carers Strategy 2017-19 (council continuous improvement model)

Increased funding had been received to commission services for carers and a new provider was in place with services being delivered. Havering's carer hub was operating from Romford and offered advice and support. Carers of those with different conditions were recognised and the offer had consequently been adapted. Other services were in place to encourage peer support and to reduce social isolation.

Members of Havering Carers Voice continued to be developed, with active recruitment continuing at Carers forums, feeding into the Council's Carer's Board, which contributed to improved engagement.

East London Healthcare Partnership

The Partnership was established with a shared goal to help people live healthy and independent lives with the mission of protecting vital services and to provide better treatment and care built around the needs of local people, safely and conveniently, closer to home.

The Partnership's top priority was to reduce the pressures on hospitals and accident and emergency departments, when often people should be supported by NHS 111 staff, GPs, community staff and resources in their own homes.

Healthwatch Havering

The Sub-Committee has continued, throughout the year under review, to enjoy a productive working relationship with Healthwatch Havering – a local organisation representing the users of local health and social care services. Members of Healthwatch regularly attend meetings of the Sub-Committee and are able to ask questions of witnesses.

The Healthwatch Havering annual report was also presented to the Sub-Committee during the year under review. This outlined the statutory powers of Healthwatch to undertake enter and view visits to health and social care premises and how these were used in Havering. Other relevant aspects of Healthwatch's work included seeking the views of local people on health and social care services and work to scrutinise local services for people with learning disabilities.

Visit to Home Support Services

In January 2018, members of the Sub-Committee visited Home Support Services who provide homecare support throughout the borough. Positive discussions were held with a number of senior staff from the company.

IMPLICATIONS AND RISKS

Financial implications and risks:

None – narrative report only.

Legal implications and risks:

None – narrative report only.

Human Resources implications and risks:

None – narrative report only.

Equalities implications and risks:

While the work of the Sub-Committee can impact on all members of the community, there are no implications arising from this specific report which is a narrative of the Sub-Committee's work over the past year.

BACKGROUND PAPERS

Minutes of the Sub-Committee 2017/18

Towns and Communities Overview and Scrutiny Sub-Committee Summary of Work Undertaken 2017/18

INTRODUCTION

This report is the annual report of the Sub-Committee, summarising the Sub-Committee's activities during its year of operation ended March 2018.

It is planned for this report to stand as a public record of achievement for the year and enable Members and others to have a record of the Committee's activities and performance.

SUB-COMMITTEE MEMBERSHIP

Councillor Lawrence Webb (Chairman)
Councillor Linda Hawthorn (Vice-Chair)
Councillor June Alexander
Councillor Michael Deon Burton
Councillor Jody Ganly
Councillor Steven Kelly
Councillor Robby Misir
Councillor Carol Smith
Councillor Frederick Thompson

During the year under review, the sub-committee met on four occasions and dealt with the following issues:

1. PRESENTATION ON 'MOBILE FURNITURE RULES

At its request, the Sub-Committee received a presentation on Mobile Furniture rules.

The Sub-Committee was informed that Mobile Furniture were installed under permitted development rights for telecommunications operators covered by Class A, Part 16 of the 'Town and Country Planning (General Permitted Development) Order 2015. The order enabled operators to undertake certain types of development without requiring permission from the local authority.

The Sub-Committee was made aware that a resident of the borough had made a representation direct to a telecommunications operator over the installation of a third cabinet and requesting that the cabinets be in one single colour as it was in the vicinity of the resident's home.

The Sub-Committee noted that officers had separately written to the consultants who were acting on behalf of telecommunication operators to relay the concerns which have been raised a Member and the resident and had yet awaiting a response.

The Sub-Committee **NOTED** the presentation.

2. UPDATE ON FRIENDS OF THE PARKS

At its request, the Sub-Committee received a briefing on Friends of Park groups who volunteer and work in partnership with the Public Realm service to assist with the improvement and development of public spaces.

It was mentioned that there were currently 18 Friends of Parks groups across the borough; nine of the groups had achieved official Friends Group status. These included two new ones; Hall Lane Mini Golf Course and Upminster Hall Playing Field.

The Sub-Committee noted that the official Friend's status was a voluntary application that a group could achieve if the criteria were met and in return the Council would provide the group with additional support.

The Sub-Committee noted that many of the groups had been active in the parks and open spaces, working with the Parks department to help clear unwanted vegetation, remove rubbish, paint railings and raising money for capital works. Some groups periodically organised fun-days and other such events to help promote their sites.

A survey of all the groups was carried out in 2016 and the service identified that there were 174 active members of friends groups.

The Sub-Committee **NOTED** the report.

3. ROMFORD MARKET TRANSFORMATION PROGRAMME

The Sub-Committee received an alternative proposal for the delivery of the Romford Market Transformation Programme.

The programme covered a range of activity including rebranding, better control and management of stalls, delivery of public Wi-Fi, increasing and diversifying the number of traders and to physically transform the space.

The Sub-Committee noted that the programme included the physical transformation for a new Market House, which was aimed to deliver a high-quality food offer with public realm space for seating and a play area for children.

Following a final costing for the Market House, an additional spends of almost £1 million for groundwork made the transformation programme unviable.

The Sub-Committee noted that the costs of the project increased following the presence of utility pipes. It was explained that although previous work had been undertaken on the market place the utilities were considered to be at a depth that did not impact on previous public realm work and as such a full ground surveys would not have been undertaken.

The Sub-Committee was informed that all plans received from the utilities companies as part of initial enquiry work in RIBA stage 1-2 indicated that the gas pipe was in a different location to that which was subsequently discovered during ground investigations.

The Sub-Committee was informed that despite the setback in the delivery of the programme, an operational focus had continued on growing trader numbers, expanding the offer and making small changes to refresh the look of the market.

Officers were currently working on a revised business plan for the market which would incorporate the four key area of the transformation programme. The Sub-Committee requested that a detailed financial business plan and layout of the market place be brought to a future meeting.

The Sub-Committee **NOTED** the position.

4. UPDATE ON THE TWO METRE HIGH FRONT WALLS AND APPEAL DECISION

At request of Council, the Sub-Committee reviewed the issue of a two metre front wall which had been erected at the front of a property in the borough to consider any action that could be taken as a consequence. The Sub-Committee was informed that following the decision to refuse a lawful use certificate the owner of the premises had lodged an appeal. The inspector appointed to hear the appeal had upheld the council's position.

The Sub-Committee noted that all attempt to open negotiation with the owners to reach an equitable solution to date had proved impossible as the owners had not engaged.

The Sub-Committee indicated to officers that a deadline should be set for the owners to engage, and once this passed to proceed with enforcement action that required the reduction of the wall to no more than 1 metre in height.

5. PARKS AND OPEN SPACES PRESENTATION

The Sub-Committee's received and noted the presentation on the Council's parks and open spaces.

The presentation detailed that the Council managed 100 parks and open spaces including 4 country parks including the management of maintenance and parks ranger service.

It was noted that the council maintained and managed 41 play areas, 26 recreation/fitness areas, managed 27 allotments including liaising with allotment societies, management of public right of ways including liaising with ramblers and liaison with 18 friends of parks groups.

The Sub-Committee was informed that the Council currently had 13 parks that held Green Flag status. Going forward green flag application had been made for Langtons Gardens and the retention of existing sites.

The Sub-Committee noted that the service was also tasked with capital project management and external funding applications which formed part of the Parks and Open Spaces strategy.

The Sub-Committee was also informed that it was the intention of the service plan to continue participation in the London in Bloom best borough category.

It was indicated that the service would continue to work with private companies that wanted to invest in the parks and help the service be more commercial in order to generate income.

6. CABINET REPORT UPDATES

In accordance with the Council's Continuous Improvement Model, the Sub-Committee received presentation updates on the following Cabinet reports. Following the officers update, the Sub-Committee decided not to take the individual items any further:

- **Revised Housing Allocations Scheme and introduction of new Homelessness Placements Policy**
- **Romford Development Framework**
- **Award of the sport and Leisure Management contract**
- **Review of Cabinet Report – Housing Scheme for the buy-back of ex Council Properties**
- **Estate Improvements – Highfield Road**

7. CORPORATE PERFORMANCE INDICATORS

At its meeting in September 2017, the Sub-Committee received the 6 corporate performance indicators for Towns & Communities for Quarters 1 2017/18. It noted that performance ratings were available for 3 of the 6 indicators. One indicator had a status of Green (on target) at (33%), two indicators have a status of Red, (off target) at (67%).

Areas for improvement included the number of complaints closed within timescale for 'Housing - Repairs' which was below target:

- Although the results are identified as 'Housing – Repairs' the figures include those from other service areas. CRM is unable to differentiate more accurately the performance of housing services.
- It was stated that the complaints process in housing was being reviewed to try to improve efficiency. A number of measures were being considered including the proposal to have contractor complaints staff working alongside Council complaints officers to improve response times and quality.

At its meeting in November 2017, the Sub-Committee received the corporate performance indicators for Quarter 2 of 2017/18 relevant to its remit. All three performance indicators were rated as red (off target). However, 3 of the 5 indicators for which data were available have are shown an improving direction of travel against Quarter 1.

The following areas for improvement were detailed in the report:

- Housing repairs completed - performance was below target for within the target timescale with 12,140 repairs in time against a total of 13,195 repairs (92%), but it was an improvement compared to the same period last year (89.68%).
- It was also stated that a service improvement plan had been put in place with the responsive repairs maintenance contractor. The action plan was being monitored and scrutinised at regular review meetings, in addition to the normal contractual and partnership meetings.
- The number of Stage 1 complaints closed within timescale for Housing issues was below target.
- There were four Stage 2 complaints that were not closed within timescales resulting in the outturn being 0.6% below target (where bigger is better).
- Planning and Building Control and Public Protection were currently not meeting the 95% target.
- One complaint was closed late due to a 3 month investigation. The correspondent was kept updated of progress throughout the complaint process and the matter was resolved to the complainant's satisfaction.

The five corporate performance indicators for Quarter 3 of 2017/18 indicated that three performance indicators were rated as red (off target).

The following areas for improvement were detailed in the report:

- The number of Stage 1 complaints closed within the target timescale for all non-ASB Housing complaints was below target. For the year to date, 319 out of 404 (79%) of Stage 1 complaints were closed within 15 days against a target of 95%. The Acting Assistant Director of Housing was aware of the fall in performance and had instigated a new, structured approach to achieving targets, with milestones and warnings incorporated into the process.
- There were five Stage 2 complaints that were not closed within the target timescale during Quarter 3 resulting in the year to date outturn being below target.
- The overall outturn took into account the performance of the contractors used for maintenance and gas repairs to the end of Quarter 3. Gas contractor performance was at 98.42% (within target). A total of 4,694 gas repairs were completed within the target timescale out of 4,769 repairs completed.
- Maintenance contractor performance was being monitored through regular contract management meetings as well as separate monthly service improvement meetings.

The report informed the Sub-Committee that an improvement plan had been implemented and a series of corrective actions instigated by the contractor, which included an allocation of extra resources to manage the number of out of target orders; scrutinising employee productivity, and reviewing supply chain management to ensure timely completions.

8. TOPIC GROUP UPDATE

The Sub-Committee currently had a Topic Group running and another about to commence scrutiny:

- **Housing Repairs Topic Group**
The Topic Group had met with officers to review cases that had been brought to the attention of Members by local residents. Officers plan to return to the Topic Group with a comprehensive report on each of the four cases under review. A visit is also planned as part of the process.

The Chairman has asked for interested Members to indicate participation of the review group to undertake a forensic look at Housing Repair.

- **Green Belt Topic Group**
The aim of the Topic Group was to scrutinise and better understand the process involved in Green Belt land designation within the Local Plan

system. The Group had undertaken a tour of the designated green belt land across the borough.

The Group was recently provided with a briefing note that gave an update on the approach to the Green Belt Study that was being undertaken as part of the evidence base for the emerging Local Plan.

IMPLICATIONS AND RISKS

Financial implications and risks:

None – narrative report only.

Legal implications and risks:

None – narrative report only.

Human Resources implications and risks:

None – narrative report only.

Equalities implications and risks:

While the work of the Sub-Committee can impact on all members of the community, there are no implications arising from this specific report which is a narrative of the Sub-Committee's work over the past year.

BACKGROUND PAPERS

Minutes of meetings of Towns and Communities Overview and Scrutiny Sub-Committee

ANNUAL REPORT FOR THE MEMBER CHAMPION FOR ARMED FORCES 2017/18



Armed Forces Day Parade

Hundreds of Havering residents turned out to show their support as the borough marked the ninth national Armed Forces Day on Saturday 24 June.

Shoppers and residents packed Romford Market Place and South Street to watch the parade, led by the Royal British Legion Band and Corps of Drums Romford.

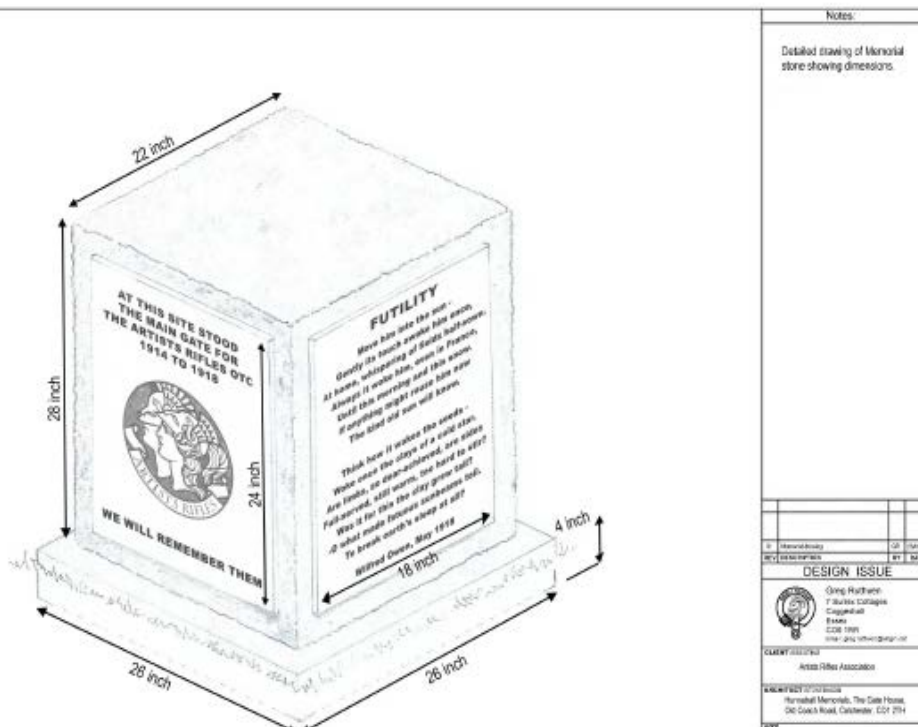
The Mayor of Havering, Councillor Linda Van den Hende, who made a speech to mark the occasion, said:

“This event allowed local people to show their support and appreciation to the armed forces – from currently serving troops, to service families, and from veterans to cadets.

It was extremely humbling to see the huge numbers of people lining the route and waving Union Flags. It made me very proud to be Mayor of Havering.”

World War 1 Commemoration Events

As mentioned within my report to Council last year, the Council and other organisations continue to commemorate the Centenary of the First World War, focusing on the 6 key commemoration dates identified by the Government.



Planning application submitted for the Artists Rifles memorial

In November 2017, a short service was held by Reverend Weston from St Michael's Church Romford, to consecrate the site of a planned memorial to the Artists Rifles who were based at Hare Hall. The ceremony was attended by the Head teacher and students from the Royal Liberty School, which now occupies part of the site where the camp once stood, members of the Royal British Legion, the Artists Rifles Association and representatives from the Royal Air Force. The memorial will be installed to mark the centenary of the end of the conflict later this year.

Havering will be holding a beacon lighting event which is part of nationwide event on Armistice Day 2018.

In addition to the marking of significant dates within the centenary, long term projects such as improvements to the borough's main war memorials and the Council's online diary, published by Havering Local Studies Library, continue. The diary, updated

regularly with local stories from the First World War, can be viewed following this link: <https://arena.yourlondonlibrary.net/web/havering/world-war-one-diary>.

Armed Forces Covenant

During the period covered by the report, eight ex-service personnel were housed under the Armed Forces Covenant. Currently there are thirteen ex-service personnel on the housing register waiting for a property. They have all been awarded the Community Contribution (CC1) priority in line with the Housing Allocation policy. This is a high priority in recognition of the contribution that they have made to the community through their service.

Armistice Day Parade and Service



More than 2000 people attended Remembrance Sunday commemorations, services and parades across Havering to remember those who lost their lives and to honour their sacrifices.

Services and parades took place in Romford, Upminster, Hornchurch, Elm Park, Harold Hill, Harold Wood, Rainham and Ardleigh Green.

Councillor Linda Van den Hende, the Mayor of Havering, laid a wreath on behalf of Councillors and staff at the service held in Romford's Coronation Gardens following the parade led by the Royal British Legion Band and Corps of Drums Romford.

Councillor Roger Ramsey, Leader of the Council, said: "No one plays a greater role in keeping us safe than our Armed Forces and these services gave us a chance to remember the servicemen and women past and present."

Councillor John Crowder

ANNUAL REPORT FOR THE MEMBER CHAMPION FOR EQUALITIES & DIVERSITY 2017/18

I am pleased to report on my fourth year as Equality and Diversity Champion for the London Borough of Havering. I have continued to assist with raising the profile of groups that I visit, encouraging them to network with each other and helping to publicize what they offer to the community. A recent initiative undertaken was to get people in sheltered housing together with HASWA to learn more about what's going on in Queens Theatre and their immediate area.

The role of council champions complements the responsibilities of portfolio holders, and other councillors with designated responsibilities.

Council champions focus on their area of responsibility by:

- raising the profile and demonstrating the Council's commitment to the issue
- promoting effective communication and positive working relationships both within the Council and amongst partners, stakeholders and community groups
- providing positive support, and on occasions constructive challenge, to officers in driving forward the Council's agenda on the issue

Equality

This means treating everyone with fairness and respect and recognising the needs of individuals. It is about addressing existing disadvantages affecting how people participate in society.

Diversity

This means recognising, valuing and taking account of people's different backgrounds, knowledge, skills, needs and experiences. It is also about encouraging and using those differences to create a cohesive community and effective workforce.

The Equality Framework for Local Government

This is a comprehensive explanation of what equality and diversity means: "An equal society protects and promotes equal, real freedom and opportunity to live in the way people value and would choose, so that everyone can flourish.

"An equal society recognises the people's different needs, situations and goals, and removes the barriers that limit what people can do and be."

Thinking about diversity in addition to equality helps to take a broader view of disadvantage to include groups and sub-groups not specifically named in the law, and helps us to understand when disadvantage may be related to something other than the factors identified in law.

Almost a year on and many groups in Havering have been disappointed with unsuccessful bids through Ensemble Community Solutions which was established as a special purpose vehicle to apply for funding on behalf of its member organisations.. The unsuccessful bidders have been told that alternative funding must be sought as central government grants diminish to local authorities. This is very challenging for an organisation such as First Step Nursery where their work demands high ratios of staff to children.

I have always found that any organisations and groups I have visited, for example First Step, HAD, HASWA and the Partially Sighted Society have been most appreciative of a Havering councillor showing an interest in them and supporting them. I think it is very important that this part of our role, engaging and supporting groups is undertaken. I have been pleased for example have formed a strong bond with many of the groups and will always offer support where I can.

All these splendid groups have both committed staff and volunteers and could not carry out such a wide range of services without them. I thank them all for the work they are doing for the community of Havering.

The Council's commitment to Equality and Diversity (E&D) is set out in Fair to All Equality Policy, the Single Equality Scheme Action Plan, Departmental Service Plans, the Equality Framework for Local Government, and the borough's forthcoming cohesion strategy. This report highlights the main achievements in 2017 – 2018, and sets out some of our plans for the year ahead.

Objective 1. Understanding the needs of Havering's diverse communities

The London Borough of Havering comprises of different individuals, families, community groups and lifestyles, but we are one Havering. The Council is committed to engaging all local communities in its decision-making processes and will endeavour to ensure everyone experiences a genuine sense of belonging, optimism, dignity and pride. The Borough's expanding diversity is a key strength, and this will be reflected in the forthcoming Community Cohesion Strategy (2018 – 2022); which acknowledges our differences, but quite deliberately, acknowledges and celebrates our many similarities and the fact that there's much more that unites than divides us as a borough and community. The principal objective of the Strategy will be:

'To nurture and promote a unified, caring, healthy and happy borough, where every individual experiences equal life chances, and where neighbours interact, respect, and value each other.'

The objective will be achieved through active partnership working with community and faith leaders, voluntary and statutory services, businesses, the police, schools

and colleges, pubs and clubs, and others. In support of this, internal Equality and Diversity staff training sessions have been opened up to local charities, so that there is a seamless understanding of the issues concerned and a shared understanding of what needs to be done. Local residents will be integral stakeholders and be invited to directly help to inform and grow the strategy as a living document.

The Community Engagement Forum will be launched in the summer of 2018. It will facilitate effective consultation and ensure local residents have the opportunity to fully engage in developing the strategy and influence decisions.

Accurate data is essential in helping us to understand the needs of our increasingly diverse borough, and the people who make it their home. The Data Hub is utilised by a range of authorised services; our goal is joined-up data collection and provision.

A series of internal conversations have been held with different departments with a view to improving the information that we collect and use in respect of the people we serve. The Housing department is key to these conversations, especially in respect of future major housing regeneration projects. We are particularly conscious of gaps in our current data pertaining to newer and 'hidden' communities; such as African, Asian, Faith and LGBT communities. Once launched, the recently proposed Community Diversity Forum will facilitate robust engagement and consultation with these community groups in the future.

Objective 2. Improving the life chances for all, particularly for the most vulnerable

Carrying out Equality Impact Analysis (EIA) is an important way to ensure public services are provided in a manner that is non-discriminatory, improves equality, and promotes equal life chances for all. This is now embedded best practice across all Council services. The purpose is to examine our plans, services and activities to see whether they are inclusive or not. If they are found to exclude any particular group, then service providers must show what they will do to mitigate the problem. The current paper-based EIA system will in the future become electronic to facilitate a more robust process. Strong consultation and data collection will remain integral to the process. The EIA process should be seen as an essential part of each project and not seen as a 'bolt on' at the end of a project.

The Council and its partners continue to provide support to people experiencing domestic violence in the borough through a variety of initiatives, such as:

The Domestic Violence Advocacy Project provides advice and support to domestic violence victims and their families living and working in Havering.

We continue to support **Junior Citizens** by building upon our success of previous years. More than 1600 pupils from year six classes across the borough learn to protect themselves from knife crime, drugs, and other potential dangers while taking part in the Junior Citizen Project, run by Havering Council and the Police. Junior Citizen was created out of a desire to educate young people at a crucial point in their educational and social development right before the move into secondary school.

The scheme has run for the past four years and is funded by MOPAC. It has proved very successful, based on student feedback and goes from strength to strength.

Objective 3. Remove Barriers to accessing the Council's Services

The translation and interpreting service remains in place and will do so for the foreseeable future. The related policy was refreshed in 2015 to reflect demographic changes and the Council entered into a new partnership arrangement with the Language Shop accordingly. There is a pan-London meeting concerned with the Language Shop which is attended by the Corporate Diversity Advisor who is responsible for monitoring the agreement.

Objective 4. Promoting Community Relations and Civic Pride

The development of the new Community Engagement Forum is intended to enhance community relations. There are also a series of community-facing projects that, if agreed, will do the same. Suggested projects include:

Pride in Havering Campaign; 100 Diverse Lives; Meet My Neighbour; Mentoring for Success; Skill Swap; Good Citizen Programme; Report It!; Havering Voices Choir; Creative Havering; Sporting Buddies; and the You and Me Diversity Challenge. Each project will have clear outcomes and success criteria and appropriate approval will be sought before they are actioned. g a. These projects will promote a united, cohesive community and give visibility and a voice to the borough's 'hidden' communities, including African, Asian, Disabled, LGBTQ, and minority communities of faith. It is envisaged that the projects will largely be developed within existing resources.

As with the planned Engagement Forum, the existing consultation policy aims to support a process of informed and transparent decision-making and planning by improving the quality and effectiveness of public consultation undertaken by or on behalf of the Council. The policy is supported by a series of Consultation Worksheets, which offer practical advice, templates and useful information for staff undertaking consultation. Together, the policy and worksheets will help to ensure that we:

- Have a consistent approach to consultation
- Have a clear set of standards and protocols
- Better co-ordinate consultations to reduce repetition, duplication and consultation fatigue
- Utilise new technologies and social media
- Better utilise resources, skills and expertise
- Make use of our networks and partnerships
- Co-design services with users
- Better engage with hard-to-reach groups
- Comply with the Equality Act 2010, the Data Protection Act 1998 and other relevant legislation

- Improve the impact of consultation.

A new Voluntary Sector Strategy 2018 / 21 will be written this year. This will build on the focus of the existing Voluntary Sector Strategy which seeks to:

- Strengthen communities and to increase the effectiveness and impact of the voluntary sector so that it can support communities to be more resilient, by enabling neighbours, communities and families to support one another, and local people to take the lead on improving their local areas through voluntary action, and
- Improve local voluntary sector capacity to deliver quality local services that people need, and that new types of services, which best meet people's needs are developed with and by the sector hopefully through new models of delivery.

The Community safety and development team provided support in developing the Havering LGBT+ Forum, which is now fully established. Its purpose is to:

- Provide and maintain resources for Havering's LGBT+ communities including training, advice and support.
- Build effective relationships with individuals and groups in Havering and across London and Essex.
- Become a focal point for advice and consultation with service providers and departments within statutory organisations.
- Promote acceptance, equality, and understanding of Havering's LGBT+ communities.
- Challenge discrimination in all its forms against LGBT+ people.

The Rainbow Flag was flown at the front of the Town Hall for the first time to support LBGT History Month in February 2018.

Havering's Repeat Victim Project goes from strength to strength. Its purpose is to protect the most vulnerable members of our community from telephone scam calls. Over 70 residents now have call minder/protection equipment and over 16,000 telephone scams have been deflected as part of this project.

'Prevent' awareness (counter-terrorism) training has been rolled out departmentally and to the community. This included Prevent Training to foster carers, Havering transport staff, social services staff and Ward Panel Chairs.

Equalities and Diversity is now an embedded session regarding all new starters in induction sessions for the Council.

Equalities and Diversity will also feature after the May Council election for the induction of Councillors.

Taxi marshalls, street pastors, and well-trained supervisors continue to offer protection to people enjoying the borough's night-time economy.

Objective 5. Develop a diverse workforce that can respond to the needs of all our customer

One Source has agreed to work with the Corporate Diversity Advisor to incorporate equality in the staff induction programme. All revised and new HR policies and procedures will continue to be subject to scrutiny by the Corporate Leadership Team (CLT) Policy Group. There is a strong proposal under consideration for the development of a Staff Diversity Forum, which, if formed, will play a useful role in helping to look at how we can better respond to the diverse needs of our customers.

Well trained staff is key to offering fair, inclusive services. The suite of e-learning and face-to-face training offered to staff includes:

- Equality Essentials (everything to do what equality and diversity means in a public service and community setting)
- Unconscious Bias (being aware of how our own biases affect decisions)
- Disability Aware (understanding everything disability)
- Challenging Behaviour (this training includes counter-terrorism learning)
- Equality Impact Assessments (how to complete them successfully)

So far over 200 staff have completed all modules.

With regard to the new training programme five class room based training sessions have been held with a total of 61 staff attending. This is delivered by the Corporate Equalities and Diversity Advisor.

Eight training sessions for Transport were delivered at Central Depot with 98 staff attending

There are further sessions arranged for each month going forward and they will be advertised in global news and the normal channels.

We are arranging to do sessions with all of Development Control. These will be scheduled in the next couple of months.

Once trained, all staff will be able to offer a better quality service to residents of the borough.

Objective 6. Embedding equalities into business as usual

Every manager and staff member is encouraged to see themselves as E&D champions. However, formal responsibility for the E&D agenda lies with the Community Safety and Development team and Corporate Diversity Advisor. She/he is responsible for:

- Advising on Council's statutory duties under the Equality Act 2010 and other relevant legislation

- Ensuring the Council is compliant with legislation and follows best practice
 - Advising on any E&D related queries and issues regarding both service users and staff members
 - Producing and overseeing the Council's Single Equality Scheme and Action Plan
 - Designing, delivering and commissioning E&D related training
 - Supporting EIAs and report writers to assess the equality implications and risks of their decisions, enabling decision-makers to make informed and evidence-based decisions
 - Managing The Language Shop translation and interpreting service for Havering
 - Over the past year the team has focused on mainstreaming the E&D agenda into all core processes of business while maintaining a high-profile corporate E&D function that meets the needs of customers and employees.
-
- All service development, policies, and key decisions are now subject to an EIA. Cabinet and committee reports also consider relevant Equality and Social Inclusion implications. The EIA template, which is used to inform decision-making, has been improved to include socio-economics and health implications.

In conclusion

LB Havering is making good progress with its equality and diversity agenda, and the Council's commitment to this important policy will become much more visible in the months and years ahead. The proposal to seek to attain 'Excellence' status of the Equality Framework for Local Government is ambitious and welcome. This will involve the Council, its partners, and the whole community of Havering working together. Havering's work on equality and diversity is integral to making London greater.

Councillor Stephanie Nunn

ANNUAL REPORT FOR THE MEMBER CHAMPION FOR HISTORIC ENVIRONMENT 2017/18

Introduction

I am very pleased to be able to present my fourth report as Champion for the Historic Environment. Much has happened since my last report, which was presented to the July 2017 Full Council meeting. I will try and include the most important issues, and hope members will find the report interesting and informative. Please let me know of any issues that you have with the heritage in your wards. Havering has so much history and I sometimes feel that more could be made of it - budget restraints do not help, and funding from outside sources is sometimes the only option. Ideally, we need friends groups to apply for the funding, and these are to be encouraged. I wholeheartedly thank those that do exist, and give them my total support

Listed Buildings

I am pleased to say that while no buildings came off our listed buildings “at risk” report by Heritage England, none were actually added to it.



Upminster Windmill

The Windmill project to restore Upminster Windmill is progressing satisfactorily despite the timber structures being more decayed than anticipated. At time of writing, the cap and sails are still in Holland being repaired, but will be returned soon and the mill re-assembled. It looks very sad at present, and has been likened to a giant pepper pot, but only for a few more months. It is hoped that a re-opening will be organised when the works have been completed, with a celebrity guest to preside - I have my eye on royalty, but have yet to convince my fellow trustees. The Visitor Centre was officially opened on 28th August, with a general open day. Sadly the

grandson of the last Miller, Albert Abraham has died so could not see the project though to its conclusion

I am pleased to report on progress at Bretons, where we are exploring culture and heritage, sports and leisure and adventure zones.



Bretons Manor- Image: Havering Libraries-Local Studies

Havering has submitted its bid for the London Borough of Culture 2020 to support some of the activity around Bretons. If successful, Bretons Manor House, barns, outbuildings and walled garden will be restored to their former glory and a range of new events and community activities will be introduced exploring the borough's RAF and other war related heritage, museum, gallery and cafes.



The Tithe Barn, Cranham

I am pleased to report that a condition survey is being carried out at Upminster Tithe Barn. This is the first time that it has been done for many years and it will be very useful to establish if there are any problems with the structure of the barn. Historic England have been very supportive and they have indicated that grants may be available if problems are found and it has to be added to the heritage at Risk Register.

The latest building to be added to the National Statutory list of Listed Buildings by the Secretary of State is Romford War Memorial. This means that we now have three Listed War Memorials in the Borough -Rainham, Upminster and Romford.

Conservation Areas

The idea of conservation areas was conceived 50 years ago and in 2017, we marked the occasion with a special Heritage Environment Forum meeting, when Historic England sent representatives to talk to us on Conservation Areas and how they developed..

This was very informative, and although not too well attended, it was enjoyed by all that came. I am keen for another Conservation Area to be designated in the little village of Noak Hill. For those who do not know this part of the world, I can very well recommend a visit.

Our other Conservation Areas are all satisfactory, although concerns still persist about the new Thames crossing in North Ockendon, where notices have been served. As it would only add 7 minutes onto a car journey if the road was re-routed north of North Ockendon, it is to be hoped that alternatives might be re-considered in order to save the many listed buildings which will be affected

Gidea Park has had an unsuitable planning application refused, and generally the article 4 direction is being followed

Romford is still on the “At Risk Register” and unfortunately the application for a new Heritage Action Zone was turned down by Historic England. This would have helped with funding schemes. The Bitter End, former public house, which could be such an attractive building, is still unused and empty.



Bitter End, formerly The White Hart, in High Street, Romford 1984. Image: Havering Libraries-Local Studies/Ian Peaty Collection

The good news is that work is underway to update the Romford Conservation Area Appraisal and Management Plan and this is likely to be consulted on later in 2018.

Local List

Our Local List is important. It is not easy to get buildings listed by Heritage England as there is a strict national criteria. However, many building in Havering are special to us and of local importance. They are recognised by the Borough as heritage assets and are valued by the community for their contribution to the history, appearance, character and cultural role of Havering. The list is on the Council website and can be viewed here:

https://www.havering.gov.uk/download/downloads/id/1403/heritage_register.pdf



Towers Cinema,

Image: Havering Libraries-Local Studies

It is important that the Local List is maintained, updated and taken into consideration at Planning committees before more of our heritage goes the same way as the old Towers Cinema and Hare Lodge.

In order to update the Local List, the Council must consult on the criteria to be adopted when assessing whether or not a site is suitable for inclusion on the list. Work is currently underway to prepare draft criteria and the consultation will hopefully take place later in the year.

Listed Building & Conservation Advice

As there is no “in-house” Conservation Officer in the Planning Team, the planning officers have an effective working arrangement with Place Services who offer Heritage support on Listed Buildings and Conservation Area applications.

Miscellaneous

Local Plan

The Havering Local Plan is due to be submitted to the Secretary of State for independent examination by a planning inspector. The Plan updates existing planning policies in the Local Development Framework and provides appropriate policies to conserve and enhance the historic environment.

Open House

Open House had its 25th anniversary this year. In Havering, there were fifteen properties open to the public in Havering and it was a very successful event.

London in Bloom

It was very pleasing to note that two of our three historic parks, Raphael Park and Langton Gardens, were both given the Gold award in this scheme. This only leaves our smallest heritage park, the Clockhouse Gardens, which got silver this year, to be up-graded to gold for us to get our hat-trick. Funding has been applied for to refurbish the gardens.



Clockhouse Gardens: Image: Havering Libraries-Local Studies

Communications

Sadly, both Hornchurch and Romford historic societies folded last year, which has left an enormous gap in the Borough's cultural life. If anybody knows of anyone who might be interested in reinstating these societies and taking on the organisation of meetings and events, please let me know.

Romford Museum is still arranging talks, followed by cream teas, and the Old Chapel in Upminster also organises regular speakers.

Archaeology month

This was celebrated in July 2017, and the Upminster Archaeology group had an open weekend at the mill, where the previous finds were all on display. Boxes were provided for children to excavate and happily, every child had an archaeological find!

Land of the Fanns



Land of the Fanns

Groups can apply for a grant for projects that take place within and around the Land of the Fanns Landscape Partnership Scheme Project Area (above) and deliver the objectives of the Landscape Conservation Action Plan:



- Conserving and enhancing the historic and/or natural landscape of the Land of the Fanns area
- Helping people, learn about and enjoy the heritage and/or landscape of the Land of the Fanns
- Involving the local community and volunteers



At the beginning of February, I attended a conference to launch an exciting new project to be run by Thames Chase, examining the heritage of the landscape in this area of Havering. This project is part funded by the Heritage Lottery Fund and will deliver 26 individual local projects over a five year period.

These projects will cover heritage, environment, skills and training, interpretation, heritage and environmental restoration volunteering and much more over the course of its lifetime.

The scheme offers a fantastic opportunity for local people to find out more about some of the hidden gems this unique landscape has to offer and get involved through events and learning new skills.

The name Fanns is an ancient Saxon word for fens or a marshy low lying landscape.

War Memorials



Upminster War Memorial: Image: Havering Libraries-Local Studies

A scheme to re-landscape Coronation Gardens is being developed and the name plaques on Upminster War Memorial are being updated as they are incorrect at present.

Local Studies

Havering Local Studies is part of the Havering Library Service and holds a large collection of documents and images that support research. The full report of the Local History Librarian is attached as an appendix to this report.

Councillor Linda Hawthorn

Havering Local Studies report April 2017 -January 2018

Havering Local Studies is part of the Havering Library Service and is open to the public 21 hours per week and an additional 6 hours on the second Saturday of each month. Local Studies continues to support individuals and organisations in their local and family history research and responds to over 1,000 enquiries via visit, email, letter and telephone.

The service has also supported work in other Council departments, supplying images and information for *Living* magazine, Parks and assisting researchers preparing plans for redevelopment in the Borough, notably for Beam Park, during the year 2017-2018. Links with the Havering Museum are maintained.

Staffing

There is one full time member of staff in Local Studies. The Local History Librarian is assisted by an average of 15 volunteers who help sort, repackage, digitise and catalogue images in our collection to make them available online and among these a number who support the Local History Librarian working with members of the public. Throughout the period April 2017-January 2018, volunteers contributed 663 hours to Local Studies.

New volunteers recruited to assist visitors to Local Studies attend three two hour Local Studies training sessions and have completed a set of questions designed to build on the information and skills in the training sessions.

During this year 48 members of the Library staff around the Borough attended awareness training in Local Studies across 7 sessions to improve communication of this part of the service to library visitors around the Borough.

Digitisation

Digitisation of images and other material in the collection continues. The images are available to view in the Havering Libraries' catalogue available online through the Libraries' webpages <https://arena.yourlondonlibrary.net/web/havering/welcome>. A key element of staff training was to draw attention to this means of accessing our collection.

Talks, exhibitions and visits

The Local History Librarian has given a number of talks about the collection including a well-attended ***Introduction to the Havering Local Studies Collection*** which will be repeated elsewhere in the Borough in the coming year and a repeat of ***Raphael Park 1901-1905- the Making of Havering's First Public Park*** at the park. Two classes from The Mawney Foundation School attended for research sessions about **Havering in the Second World War**



Year 6 pupils from Mawney Foundation School in Local Studies

HORNCHURCH LIBRARY
 50 years in North Street
 A look back at the history of Hornchurch Library from its beginnings in 1936 and the opening of the present library on 7th September 1967

FROM 7TH SEPTEMBER DURING OPENING HOURS
 Hornchurch Library, 44 North Street, Hornchurch, RM11 1TB
 Tel: 01708 434903 email: Hornchurch.Library@havering.gov.uk

@haveringlibraries
 /haveringlibraries

Images from Glass-Victorian and Edwardian photographs of Havering from glass plates and lantern slides was displayed in Local Studies and the 50th anniversary of the present Hornchurch Library was celebrated in an exhibition **Hornchurch Library-50 years in North Street**.

The year will conclude in March 2018 with the launch of **Humphry Repton and Romford** to mark the bi-centenary of the death of the celebrated landscape gardener who lived at Hare Street, Romford (now Gidea Park).

Poster for **Hornchurch Library-50 years in North Street** exhibition

Additions to the collection

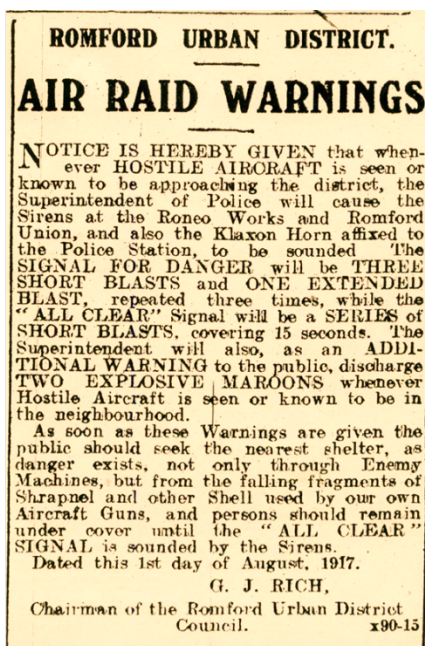
There have been 20 donations of items or collections made to Local Studies during the 2017-2018 (to January 2018). Of particular interest is a Super 8 film **Upminster Heritage** by John Wynstanley shot in the 1970s (Acc2017/21) which is being digitised as part of the London: A Bigger Picture project with Film London which concluded in 2017. A large collection of documents, minutes, photographs and ephemera relating to **Romford Football Club** (Acc2017/12) collected by John Hayley who was club secretary and, with Terry Felton co-authored the five volume History of Romford FC. Among several items transferred from Havering Museum is a unique **Havering Park photograph album c. 1890-1910** (Acc2017/13).



Online

Home Front Havering <https://arena.yourlondonlibrary.net/web/havering/world-warone-Diary>

Our online diary of life in Havering during the First World War was updated monthly during the year. In 1917 many local men were killed in major battles at Arras and Passchendaele, in May 1917 two brothers, Alfred and Arthur Sagggers of Romford, were killed on the same day. At home, shortages of food and fuel began to hit and Air Raid Warnings were sounded in Romford



1st August A public notice about Air Raid Warnings was issued by the Chairman of the Romford Urban District Council, Mr G.H. Rich

1st August The monthly meeting of the Romford and District Workers Association was held under the chairmanship of Councillor Stephen Philpott. It was decided at the meeting to hold all future meetings on the second Wednesday of each month at 7.30 pm in the Co-Operative room in South Street, Romford.

4th August Private Frederick John Charles Smith of the New Zealand Expeditionary Force married Miss Gertrude Jane Burrell, youngest daughter of Mr and Mrs Burrell of 28, Park Lane, Hornchurch in a ceremony held at St Andrew's Church conducted by Major the Reverend Mackenzie Gibson chaplain at the Convalescent Hospital in Hornchurch. Miss Burrell received a silver plated tea and coffee set from the employees of H.N. Brock's Blouse Factory in Romford where she was forewoman for the previous five years. She also received a case of cutlery from Mr and Mrs Brock.

Official Notice explaining the meanings of air raid warnings in Romford and the action to take in the event of an air raid

5th After a week of continuous, heavy rain, Romford suffered a heavy thunderstorm and "the roads were quickly converted into rivers and for a time the low lying parts of the town became impassable. The main thoroughfares of the town suffered most severely. High Street and South Street being inundated to a depth of several inches and the water ran into the bar of the White Hart Hotel. At Romford Common the water on the road was between one and two feet deep"

Page from August 1917 Home Front Havering online diary

Local Studies contributes to the Havering Libraries Social Media accounts and plans to develop this form of service engagement during 2018/2019.

ANNUAL REPORT FOR THE MEMBER CHAMPION FOR OVER 50's – 2017/18

The London Borough of Havering has the highest proportion of residents over the age of 65 in London estimated at 46,241 people, which is approximately 18.3 per cent of the total Havering population (252,783). It is vital that this age group stays as active and independent for as long as possible.

Social Isolation Project

Key to the positive outcome in the social isolation project was the development of the Community Navigator role. The Community Navigator (CN) provides information and advice to the clients, helping them overcome the barriers which had previously prevented them from independently accessing social networks. CN's are also able to provide practical support to attend social activities with clients, to increase their confidence and sustain the networks.

The Social Isolation project evidences the positive impact this type of support can have and as a result the decision was made to develop the approach in two further pieces of work which are running until March 2018;

Social Reablement Pilot – the Community Navigators are working alongside the new Reablement Service to provide support to client as part of their reablement service post discharge. The focus of this approach is to help clients regain confidence to maintain, or engage in new, social networks.

This has focused on providing clients with advice and information during their reablement period to enable them to make positive links with the community and reduce the risk of them becoming isolated after an episode of ill health.

Support Planning Pilot – the Community Navigators are working with Older Adults who have an eligible need under the Care Act for social inclusion. This approach focuses on using a Direct Payment and Personal Assistant to enable the Older Adult to go into the community to develop and sustain social network relevant to their interests. This has proven to be particularly effective as a joint working exercise with Social Worker and Occupational Therapist, who identify these clients in the daily practice. The CN are able to help the staff to develop person centred plans with the clients, using community resources.

Community Navigator in Adult Social Care Teams -

Evaluating the work of the Social Isolation projects over the last two years and considering the practice approach being taken in Adult Social Care, relating to the Care Act and a person centred approach; the decision has been made to make the Community Navigator a permanent role with the Adult Social Care.

This is a very positive step toward supporting clients to take strengths based approach. Staff will work with clients to support them to meet their needs using a full range of resources including providing information and advice, community assets, networks of support, voluntary sector, self-purchase and provision of service.

Community Navigators have a key role in enabling staff to support clients in this role, with a focus of learning and sharing knowledge about the local community with the Adult Social Care staff group.

‘School for Scammers’

Mayor’s Office for Policing and Crime (MOPAC) funding was used once again to create and deliver a bespoke interactive performance programme for community groups, to raise awareness of fraudulent activities that might affect them. In consultation with the Safer Neighbourhood Board, School for Scammers - a humorous and thought-provoking one-hour Forum Theatre and multi-media programme for adult audiences.

The programme opens with a performance of the School for Scammers short play to ice-break the session. After the initial scripted scenario is played out, the audience participates in a Forum Theatre workshop to decide which direction the characters should take, leading to the outcome of the drama.

This is followed by a specially devised quiz session using the Qwizdom™ interactive learning system (where appropriate) to assess how much information about the issues the audience has understood and absorbed. These sessions are very popular and regarded by the audience as very worthwhile.

This fourth tour of School for Scammers, is being set up at present as funding was late being received from MOPAC this year. One performance is in the diary and it will be delivered to all the Ward Panel Chairs on 9th April; another four performances are being planned. Primarily the focus will be those aged 60+ who could be especially vulnerable. The total number of performances and participants to date is shown in the table below:

Date	Group	Audience	Participants
22 nd January 2016	Elm Park Community Association: Over 50s coffee morning	Ladies aged 50+	20
25 th January 2106	Mardyke Community Association/Centre	Mixed Aged 65+	13
11 th February 2016	Salvation Army: Friendship Group	Mixed Aged 60+	145
17 th February 2016 PM	Romford Synagogue, Luncheon Club	Mixed Age 50+	35
17 th February 2016 EVE	Hornchurch Bowls Club: Hornchurch Harmonies Women's Institute	Ladies Mixed ages	40
21 st April 2016	Yew Tree Resource Centre: Havering Self Directed Support User Group (SDS)	Mixed Aged 50+	10
26 th April 2016 PM	Emerson Park Community Hall: Hindu Cultural Society of Havering	Mixed Elders	35
26 th April EVE	HOPWA House: 3H Club	Mixed adults with learning difficulties	40
8 th December 2016	Garrick House, Sheltered Housing, Hornchurch, RM12	Mixed Aged 65+	25

10 th January 2017	Thomas Sims Court Sheltered Housing, Hornchurch RM12	Mixed Age 70+	15
11 th January 2017	Ardleigh House, Community Association, Hornchurch RM11	Mixed Age 60+	82
12 th January 2017	Holsworthy House Sheltered Accommodation, Harold Hill, RM3	Mixed Age 65+	11
18 th January 2017	St Peter's Church, Good Companions Luncheon Group, Harold Wood RM3	Mixed Age 60+	58
Total 13 Performances			529

Visbuzz

The Visbuzz project concluded in January 2018. Visbuzz is a video calling tablet provided to Older Adults living in the community. This project was carried out across 5 London boroughs and was part funded by London Councils.

London Councils are evaluating the data across the five boroughs and we are awaiting the report and learning from this project.

We have supported our 35 users in Havering throughout their use of the tablets; overall the feedback was positive although there were technical issues with the system which impacted on the effectiveness for the user. As part of the conclusion of the project we supported clients with information and advice on other video calling systems.

Free Swimming for Over 50's

The scheme is still flourishing and user statistics for all swimming pools across the Borough showed that there were a total of 7,540 free swim visits between April 2017 and December 2017. There were 4,954 free swims at Hornchurch Sports Centre; 1,568 at Central Park Leisure Centre and 1,018 at Chafford Sports Complex. There were 166 free swims undertaken by residents over 80 years of age.

The free swimming scheme has been extended into the recently opened Sapphire Ice and Leisure facility, Romford.

Havering Community Safety Nuisance Call Blocking Project

63 trueCall units have been installed free of charge in the homes of vulnerable residents across the Borough. This has resulted in 16,799 nuisance calls being blocked. It is widely acknowledged that being a victim of crime has a direct impact upon physical and mental well-being and although an exact figure cannot be put on the savings in social care and other costs to the public purse, it is estimated that to date the project has delivered savings of £ 44,984.

Havering Over 50's Forum

I have attended meetings of the Havering Over 50's Forum regularly over the past year, whenever Mayoral duties have permitted, and the Forum continues to be well supported and an important means of communication and information sharing.

The Havering Over 50's Forum regularly invites speakers to attend meetings. There is a wide and varied programme and this year, speakers included representatives from Healthwatch, The Queen's Theatre, Crossrail, Havering Adult College and Pinney Talfourds Solicitors. Council officers who attended the Forum included staff from "Smarter Travel" encouraging more people to cycle in Havering and the Historic Buildings and Landscape Officer who spoke about the restoration of Langtons Gardens.

Recently, there has been a change to the procedure for registering deaths in Havering. It was felt that the juxtaposition of births and marriages, with the registration of deaths was sometimes incongruous and did not always afford the most sensitive experience for the public. For this reason, a decision was taken to move the registration of deaths to the South Essex Crematorium in Corbets Tey and a significant refurbishment programme has taken place to improve the facilities. This has caused some concern amongst Forum members. The Manager of the Registration and Bereavement Services will attend a future meeting to explain these changes.

There were also opportunities to socialise and the Forum enjoyed trips to Folkestone and the Freemasons Hall and over sixty people attended the Christmas Lunch at Tarantino's in Hornchurch.

Library Activities

Libraries deliver a number of activities and initiatives for the over 50's,

- Library officers visit various community groups and attend the Havering Over 50's Forum to raise awareness of what's going on in the borough and encourage library use.
- The Housebound service offers a book stock delivery to those residents who cannot access a static library due to being housebound.
- The "Young At Heart" social groups are held in five libraries across the Borough and offer over 50's residents an opportunity to meet , chat and listen to guest speakers whilst having a cup of tea.
- "In Stitches" and "Knit & Natter" Groups comprise mainly female and over 50 residents, although men are welcome! These groups are held in the 10 libraries across the borough and give residents the chance to socialise and make new friends with shared interests. The older members of the group have commented that their confidence has been boosted as they share their knowledge and skills with younger members. In addition, twice a year " Big In Stitches Days" are held where all of the group across the borough come together to display their crafts and share skills.
- Arm Chair Exercise Classes are held once a week in Harold Wood Library. The classes provide exercise routines for those less able to take up more physical programmes.
- "Techy Buddies" is a group of volunteers in libraries cross the borough offering IT support to residents. The type of support on offer can range from drop in sessions, to appointments , to short courses. They are either weekly or monthly. Residents are offered support by accessing the library PCs or by bringing along their own device e.g. Laptop, tablet, Smart phone.

The Tuesday Group (formerly LGBT Group for the Over 50's)

The group is still running with a good attendance, monthly newsletters for members, and new people referred each month. Now called The Tuesday Group, a website was created with all the latest information: <http://romfordtuesday.simplesite.com/>

It is hoped that the U3A speaker will be giving a talk in April or May, and the plan is to invite other speakers to talk to the group on alternate months.

Inter- Generational Project

The Group started meeting in January 2017 and by January 2018, had met a total of seven times. The number of participants had increased to thirty six and both groups acknowledged that they had learnt a lot from one another.

The meeting had taken the form of debates, with topics chosen and chaired by young people. Most recently, the group had debated Free Speech and Brexit. Both the younger and older participants feel it is a positive project and has increased inter-generational understanding.

Silver Sundays

I have attended several of the “Silver Sundays” meetings co-ordinated by Age UK with refreshments amply provided by Tesco. NatWest in Romford make their facilities available and on average, between fifteen and twenty five people meet for entertainment, quizzes and other social activities. The main aim of the group is to tackle isolation and provide older people with the opportunity to socialise and meet new people in a safe environment.

A group for older men, “Diamond Geezers” visited the Parlour earlier this year and it has been an important aspect of my role as Mayor to foster relations with these social groups and attend as many of their functions as possible to raise their profile and demonstrate interest and the importance that the groups play in our community.

Councillor Linda Van den Hende

ANNUAL REPORT FOR THE MEMBER CHAMPION FOR THE VOLUNTARY SECTOR COMPACT 2017/18

Funding

The following external funding was successfully secured for the following organisations through the Community Development Team:

Awards for All: Donation collection for homeless marketing tools & van hire	£9,662.00	S.M.I.L.E.	October 17
Veolia North Thames Trust – Stage Refurbishment	£39,020.00	TweedwayHall Community Associtaion	October 17
Veolia North Thames Trust - Outside Play Equipment	£3000.00	The Rainham ROYALS Centre	January 18

Community clean ups

From 1st April 2017 to 28th February 39 community clean ups have taken place utilising 270 volunteers. These include monthly scheduled clean ups by Friends of Parks Groups:

- Raphaels & Lodge Farm Parks undertake 2 litter picks per month
- Bedfords Park undertake 1 litter pick and Park tidy up per month.
- Hornchurch Country Park & Ingrebourne Valley group undertake a monthly clean up or pond clean.

The Secret Garden (Garden for the Blind) Harrow Lodge Park group have undertaken 3 clean ups. These have been initiated by the Havering Volunteer Centre and their partner Network Rail, as part of their employer supported volunteer scheme.

Elm Park Town Centre and Emerson Park Community Association

Harwood Avenue Neighbourhood Watch Group have undertaken 3 alleyway clean ups. This group have initiated social activity events to engage with residents of Harwood Avenue & Oak Glen and combat anti social behaviour, reduce crime and social isolation.



Harwood Alleyway Before



After

and



Harwood Avenue Alleyway at the back of Ardleigh Green Shops

During March Havering Council are promoting the Great British Spring Clean Up event and encouraging residents to take part across the Borough.

Havering Volunteer Centre

Over 2000 individuals are currently registered with the Havering Volunteer Centre, with 500 volunteers in long term volunteer placements. The Havering Volunteer Centre is the only London Volunteer Centre that offers a bespoke brokerage and

referral service, this involves each individual looking to volunteer is interviewed by a volunteer broker and matched to the correct volunteering role for both the individual and the organisation/group. A follow up referral service is in place to ensure that the volunteer, organisation/group is happy with the match. If this is not the case the volunteer will refer back to the Volunteer Centre and look to be placed elsewhere.

On 6th November at the Team London Awards at City Hall Mary O'Driscoll, lead volunteer broker at Havering Volunteer Centre won an award for 'Outstanding Contribution to a Volunteer Centre' from thousands of entries in this category.

Volunteers Week - Volunteers Recognition Event

On 9th June 2017 as part of Volunteers Week, Havering Volunteer Centre hosted a Volunteer Celebration and Recognition event on The Green, Hornchurch (next to the Queen's Theatre). 650 volunteers from a range of volunteering involving organisations received a certificate and were provided with a free cream tea and thank you gift.



Other events that took place during Volunteers Week were:

1st June Thank You Coffee Morning for HVC Volunteer Staff

6th June Open House in partnership with Greater London Volunteering at HVC

7th June HVC hosted a stall in Romford Market Place promoting volunteering

New Years Day Mayors Parade

Havering Volunteer Centre, Havering College, Tesco, The Habbit Factory students and the Violet Streak Performers took part in the Mayors New Years Day Parade. Supporting the Mayor to create a 'Greatest Show on Earth' float and entertainment procession.

On Saturday 21st October 2017 the BME Forum hosted a Community Cultural Event at the Salvation Army Centre, Romford, as part of Black History Month. The event hosted a range of music, stalls, information and entertainment from a range of cultures.



Members of the BME Forum with Andrew Rosindell MP , the Mayor and Cllr Persuad

Local Charities Day

Local Charities Day 15th December was held at Havering Volunteer Centre. There were 15 organisations in attendance, including the Metropolitan Police, hosting stalls throughout the day providing information and advice. Residents were able to speak to voluntary organisations about their services and a number of residents were recruited into volunteer roles.

Silver Sunday Events

As part of Older Persons Day, Age UK, Havering Volunteer Centre, Tesco (Roneo Corner), Havering Over 50s Forum, Nat West Bank (Romford) and the Community Development Team worked in partnership to deliver 2 events on: Sunday 8th October at Tesco Roneo Corner Community Room and on Sunday 15th October at NatWest Bank, Romford. Residents over 60yrs. especially those that had been identified as isolated were invited to come along to these free events and were provided with a light buffet lunch, refreshments, music, dancing and games.

Due to the over subscription and success of both of these events NatWest Bank (Romford) hosted a further Silver Sunday event on Sunday 10th December.

Havering Compact Steering Group held elections in 2017 and expanded the number of voluntary and community sector representatives to four, with Havering MIND joining the operational group. The group has sustained partnerships and continues to work with statutory partners including London Fire Brigade, Clinical Commissioning Group, MET Police and London Borough of Havering to produce a joint partnership framework and communications plan. Some key highlights during 2017 include;

- A coordinated cold weather message which resulted in those in need accessing voluntary services for the first time.
- London Borough of Havering Equality and Diversity Training sessions opened up to Havering voluntary and community groups.
- Locality Design Group invited the voluntary sector to nominate additional representatives to shape the pilot model.
- Discussions to merge the Clinical Commissioning Group Voluntary and Community Sector Forum with the Havering Compact Forum
- A free Funding Fayre event for Havering charities and community groups.

Quarterly Compact Forum meetings continue to grow in attendance numbers and to reach a wider cross section of voluntary and community organisations. The Forum provides a platform to engage, open up dialogue and participation with the wider voluntary and community sector. As well as enabling the steering group to hear directly from local charities. Conversations are underway with the Clinical Commissioning Group to explore the merger of their voluntary and community sector forum with the Compact Forum to better coordinate avoid duplication, improve efficiency and consistency.

The Funding Fayre took place in September with forty Havering charities and community groups attending the event where they were able to meet external funders on a one to one basis, obtain information and advice and pre book onto workshop sessions. As the event was a success and feedback from both attendees and grant funders was positive the Havering Compact plan to run similar annual events.

The Compact is beneficial to both sectors, and is helping to establish a framework for good partnership working. A free monthly e-newsletter, this is a two way vehicle to exchange information, training opportunities, events, detail information on collaborative working, and good news stories and case studies. The number of subscribers stands at 1951 and continues to increase.

Active Living e-newsletter

The Active Living email update continues to be produced on a monthly basis and provides information on events, activities, groups and clubs, services, volunteering

opportunities offered to residents aged 50+ and organisations who provide services to cater for this particular section of the community.

Havering organisations are welcome to promote their service or event at no charge. The e-newsletter has a readership of 6034 and continues to increase.

Voluntary and Community Website Section

Since January 2017, the Voluntary and Community Section (VCS) of the website has seen 4772 visitors, 3258 of which are unique visitors. The most popular section of the VCS website is the volunteering section, with 1800 visitors in 5 months.

The second most popular page is the Grants and External Funding section, which has seen a 72% increase compared with the previous 6 months, which is likely as a result of the new funding insight updates that are posted weekly.

Available Grant Funding

Since November 2017, a weekly update is posted on havering.gov.uk of new and open grant funding opportunities. There are currently over 100 available grants for organisations in Havering. Whilst the criteria for these grants are often specific, organisations known to us who may benefit from an open grant are informed of opportunities as they become available.

Health Check

This Health Check is based on data received from a survey sent out to the VCS database in 2017. The database consisted of a number of charities and community groups of varying size and charitable status. Overall, the data collected for 2017 was double compared to last year. A contributing factor to this increase was due to systematic email reminders being sent out on a regular basis to encourage participation and complete the survey.

A detailed action plan has been produced for the community development team by using the data collected from the surveys and is being actioned. Please see appendix 1 for detailed results.

London Community Foundation

Through an intervention by Councillor Persaud we were able to access £25k for projects from the London Community Foundation. This was to support 14 -25 with skills and employment training. The money was donated by a mystery benefactor.

Oldchurch Park Estate

Again as part of an intervention by Councillor Persaud, the estate has seen a big reduction in anti-social behaviour. A community day was arranged in early September, funded by Swan Housing which was a big success with over 300 people from the estate attending. The Council Youth Bus now visits the estate on a weekly

basis and this has been a big success and well supported by the young people on the estate.

Libraries

Libraries coordinate the recruitment and training of volunteers. Currently, we have 400 active volunteers who help in a number of roles including Reading Buddies, IT support, Local Studies support, craft clubs, knitting groups, reading groups and the housebound service. In addition, we have seasonal volunteers to help with Summer Reading Scheme and other activities. Support from volunteers is highly valued with 8,984 hours worked over a twelve month period. The Library Service hosts an annual "Thank You" event to acknowledge the contribution and commitment of all its volunteers as well as starting to arrange events for the volunteers to socialise together.

Libraries are also in partnership with several visiting services i.e. Tapestry, Arthritis Care, Citizens Advice Bureau, Job Net, local support groups all of which offer support and advice to residents.

Events

I have attended a number of functions during the period covered by this report, including an event to support Havering Mind, a Carers' Trust coffee morning and a Christmas celebration with the volunteers at the Citizens Advice



Supporting Havering Mind and a "Friends of Cotton Park" event



Carers trust coffee morning with Sheila Keeling - Add Up, Sharon Hinds - Family information Group, Chris Gillbanks- Sycamores Trust UK ,Kathy Verges - Carers Trust and Vanessa Bennett - Havering Mind.



Weekend event with the Deputy Mayor and Volunteers from the Army Cadets



Christmas Event at Citizens' Advice Bureau Office

In closing, I would like to place on record my thanks to all who volunteer in the Borough and support us.

Councillor Viddy Persaud

ANNUAL REPORT FOR THE MEMBER CHAMPION FOR YOUNG PEOPLE 2017/18

Youth Council/Youth Parliament 2017/2018

Since June 2017 Youth Council and Youth Parliament attended Conventions in London organised with the British Youth Council (BYC) for “Make Your Mark Campaign 2017/18”.

BYC Conventions are the only national events for youth councillors and youth representatives across the UK. These one day events held in the summer across the UK are designed to inspire and support young people to change their world, whether that's making a positive change within their local communities, taking part in a national campaign or tackling a global issue.

In July 2018 both Havering MYP's attended Hope University in Liverpool to debate the issues affecting young people. The issues are voted on to decide the top 10 which comprise the Make Your Mark Ballot.

Make Your Mark is a UK-wide ballot which gives young people aged 11-18 the chance to decide what Members of Youth Parliament should debate and vote on in the House of Commons.

Most Havering secondary schools and Youth Centres participated. In 2017 Havering achieved just under 6,000 votes.

HAVERING TOP 5

- Curriculum for Life
- Job experience/hubs
- Transport
- Mental Health
- Protect LGBT+ Community.

Havering Members of Parliament attended the House of Commons in November to debate the top 5 issues in the UK.

UK Top 5 2017

- Curriculum for life
- Votes for 16
- Transport
- Protect LGBT+ Community
- Job experience

Young people over the UK voted the Top 2 campaigns: Votes for 16 and Curriculum for Life

Youth Council/ Parliament Members met with:

- Prevent and Hate Crime Coordinator – discussed how to report hate crime and how some discrimination is sometimes disguised as ‘banter’ by all generations.
- Substance misuse worker from Wize-Up to raise awareness of what is happening in Havering, referral and support available.
- From the above visits workshops were arranged:
- Holocaust awareness workshop 31st Jan 2018 (Holocaust Memorial Day 27th Jan)
- Workshop with substance misuse worker 15th February 2018 to raise awareness of different categories of drugs and effects. It also covered some first aid in the case finding someone unconscious at a party for example.

They also held 2 Intergenerational Debates over the last 6 months at the Town Hall - Young people organised the second debate, choosing the topics of Brexit and Free Speech. MYP Eddie O’Sullivan was chair, MYP Victor Sarpong gave opening speech on Free Speech and Daisy Robins (Youth Council Member) gave opening speech on Brexit.

Youth Parliament Elections:

Present MYP’s are ending their term the end of February 2018, so applications for new applicants launched in October 2018.

- November deadline for applications for Members of Youth Parliament – workshops for manifesto/interviews in December and public speaking in January where Councillor Donald attended to share his skills and knowledge. The Candidates had their Manifesto speeches were filmed so young people could see and decide who to vote for. Present MYP’s and Daisy Robins (Youth Council Member) were part of the workshops and a great support for candidates.
- January – Feb 2018 campaigning started – candidates travelled to several secondary schools to deliver manifesto speeches to campaign for votes. Results will be announced on 28th Feb where Cllr Donald and the Mayor will attend with candidates, their families and schools. Voting is closed and ballots are being counted, but so far 9,800 votes have been cast. This year also saw the first online voting for those young people who may attend school out of borough, are home schooled, or schools were not taking part in the elections. Also this year more girls than boys applied for MYP and 6 girls were shortlisted to be candidates.



MYP Candidates left to right – Daisy Stuart-Evans, Katherine Wilson-Smith, Sila Urgulu, Emily Elkin, Emily Thompson and Victoria Porter.

Ongoing Project

- Several Youth Council Members and Seun Oshinaike (CEO Cypher App and Co-Founder of Brighter Steppings) are working together on projects... They are learning and working alongside a digital clinician, chatbot programmer and a coach. The project is support for young people and encouraging boys to talk about mental health.
- Lucy (Youth Council Member) and Seun spoke at MindTech 2017 Mental Health Technology Symposium, organised by MindTech and National Institute for Health Research, the venue was at Royal College of Physicians London on the 7th December 2017. This was talking about the work with Cypher and Alma (the artificial intelligence chatbot).



Achievements of Havering's MYP's:

- MYP Eddie O'Sullivan has been elected PG to represent London at the British Youth Council for 2018/19. A PG is Procedures Group and they help organise

the residential weekends, conventions and meetings, they also visit other boroughs across London.

- MYP Victor Sarpong elected debated lead for London at House of Commons in 2016. His speech summed up Curriculum for Life Debate.
- This is great achievement for both MYP's.

Libraries

- Libraries offer dedicated stock for young people to support reading for leisure and general non-fiction book including a selection of study guides.

- Libraries offer study space in all the 10 libraries across the borough. There is access available to online resources such as e-books, Audio books, dictionaries, art and music resources, driving test theory, encyclopaedias and study help, along with a plethora of Newspapers and magazines.

- Homework Help supported by volunteers is available on Thursdays 5-6 pm at Harold Hill Library (term time only).

- Reading Buddies sessions are held in 8 libraries across the borough, volunteers listen to children or young people who need help with their reading.

- Chess clubs for young people with dedicated chess club tutors are being introduced into libraries. Rainham Library now holds a weekly session on Wednesday 4.30pm-6 pm. There are plans to launch a chess club in Hornchurch in the near future.

- Elm Park Library hosts a maths tuition class for GCSE Year 10 and 11 students on Saturdays (charges apply). The class provides a neutral environment and helps students improve their skill and understanding in mathematics.

- Weekly National Careers service sessions are held at Romford library, to support young people with CV writing and career guidance.

Havering Music School

Havering Music School provides weekly instrumental and vocal tuition to 2,350 students aged between 5 and 18 years old.

Pupils taught in weekly Whole-Class Ensemble Tuition sessions number around 800 and weekly rehearsing instrumental ensembles number 63. There are 4 choris that rehearse weekly.

Instrumental and vocal lessons are provided in 62 schools and at the Music Centre on every weekday except Thursdays and on Saturday mornings.

In 2016/17 academic year, Havering Music School reached just over 15,000 children and young people in Havering at least once, working with about 3,200 on a weekly basis.

The Music School has active partnerships with:

- London Symphony Orchestra – numerous projects throughout the year including work in special schools and high-profile concerts. In September 2017, five Havering Music School students joined with students from seven other boroughs at the Barbican Centre with LSO players under Sir Simon Rattle.
- London Chamber Orchestra – Music Junction project November to May, includes 12 Havering Music School students, year 7 pupils from Drapers' Academy, young people from Havering Indigo Young Carers and pupils from four other local authorities across southern England.
- Wigmore Hall Learning Trust – Partner Schools programme, engaged 1/3 of all primary schools in Havering in 2016/17 academic. All pupils and staff at the host school Harold Court Primary took part in creative music projects with Wigmore Hall musicians.
- Embassy of the Republic of Indonesia – over 800 children participated in Oct/Nov 2017 gamelan workshops for schools and a second project starts in March 2018. Anklung project (bamboo instruments) are planned for the summer term 2018.
- Corps of Army Music – three workshops during 2017/18
- Thurrock and Barking & Dagenham Music Services and Thames Reach Youth Orchestra hold three courses per year, each involving about 35 students from the three boroughs.
- The Wallace Collection Brass Ensemble and Royal Academy of Music – Discovering Brass project with St Mary's Catholic Primary School - 36 students in years 4-6
- Conductive Music CIC – music technology projects with 153 disadvantaged pupils in primary and secondary schools
- Sound Resonance Ltd – music therapy and therapy-informed special needs music groups in Corbets Tey School and Hylands Primary School
- Havering College (Ardleigh Green) – GCSE Music course for pupils unable to study for the qualification in their schools
- We have also developed a consortium approach to minority A Level subjects by the local sixth form providers, in response to concerns at the loss of A Level Music courses in all but the two Catholic Secondary Schools in the Borough.

Councillor Alex Donald

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REPORT OF THE CHIEF EXECUTIVE

Council, 21 March 2018

PAY POLICY STATEMENT 2018/19

The Localism Act 2011 requires the Council to prepare a pay policy statement by the 31 March each year before it comes into force. The pay policy statement must be approved by a full meeting of the Council and published on the Council's website.

The Council's pay policy statement must set out:

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

Under the Localism Act 2011, Chief Officers in Havering are defined as those remunerated on the following grades:

- G18 (Chief Executive)
- G16/G17 (Director/Chief Operating Officer)
- G15 (Director/Assistant Director/Head of Service)
- G14/G13 (Director/Assistant Director/Head of Service)

The Council's draft Pay Policy Statement 2018/19 is appended.

The Chief Executive RECOMMENDS to Council that the Pay Policy Statement, 2018/19 be approved.

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London Borough of Havering

Pay Policy Statement 2018/19

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 1st 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 1st 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

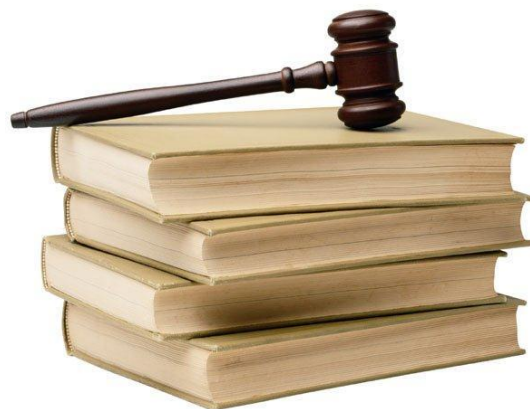
Returning Officer fees are set by the Greater London Returning Officer. The fees are funded by the Greater London Authority. Fees for Deputy Returning Officer roles are paid by the Returning Officer from a budget allocated for clerical assistance (and/or by allocation of some of the Returning Officer 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 2nd 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 each April.</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>

<p>9(3)</p>	<p>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>	<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>
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<p>16(2)(e) and 16(4)(d)</p>	<p>Whether and how much and in what circumstances to contribute to a shared cost APC/SCAPC</p>	<p>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.</p>
<p>17(1)</p>	<p>Establishment of a Shared Cost AVC (SCAVC) facility</p>	<p>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.</p>

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"> • Who is allowed to take flexible retirement and is not protected by the 85 year rule • 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* 	<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"> 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.

		<ul style="list-style-type: none"> 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. <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"> Leave employment to care for dependent Dependents need for constant supervision No recourse to alternative care Suffering severe hardship Opportunity for employment severely limited <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

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

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

Educational Improvement Professionals

Spine Point	Salary	Spine Point	Salary
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

Spine Point	Salary
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

Spine Point	Salary
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

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

Assistant Educational Psychologists

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

Young People's Community Service Managers

Spine Point	Salary	Spine Point	Salary
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 1st 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

	2016	2017
Outer	£1979	£1,999

SLEEPING IN DUTY ALLOWANCE

	2016	2017
Sleeping in Allowance	£34.34	£34.68
Disturbance Element	£19.19	£19.38

4. School Teachers Pay & Conditions

Unqualified Teachers

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

Main Pay Scale

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

Upper Pay Scale

Spin Point	Salary
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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

COUNCIL, 21 MARCH 2018

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: DATES OF COUNCIL MEETINGS, 2018/19

In accordance with the Constitution, meetings of the Council are fixed by the Council itself.

It has been the practice that dates for the whole of the Municipal Year are agreed each municipal year with dates for the balance of the following calendar year being agreed on a provisional basis for the purposes of the Council Diary.

It is proposed that the pattern of meetings for the coming year continues to follow past practice, which would mean dates of the Council would be as follows (all Wednesdays) –

2018

- 23 May (Annual Meeting following elections on 3 May)
- 11 July
- 12 September
- 21 November

2019

- 23 January
- 20 February (Council tax Setting)
- 20 March
- 15 May (Annual Meeting)
- 10 July (provisional)
- 18 September (provisional)
- 20 November (provisional)

These dates are subject to any change that may subsequently be agreed.

The meetings shall begin at the time agreed by the Council or by the Mayor, or at 7.30pm if no other time is agreed.

Dates of Cabinet and Committee meetings will be notified in due course.

There are no identified, direct **financial, legal, Human Resources or equalities implications and risks** associated with selection of these dates.

RECOMMENDATIONS

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

Staff Contact:

Designation

Email:

Andy Beesley

Head of Democratic Services

andrew.beesley@onesource.co.uk

**Andrew Blake Herbert
Chief Executive**

Background paper List

There are no background papers.



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?

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?

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?

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).

Council, 21 March 2018

CCTV Camera Charges

- 5) **To the Cabinet Member for Environment and Community Safety (Councillor Osman Dervish)**
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?

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?

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?

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?

Global Legal Identifier

- 9) **To the Leader of the Council, (Councillor Roger Ramsey)**
From Councillor Lawrence Webb

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

“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?

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?

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?

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?

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?

Council, 21 March 2018

Parking Ticket Appeals

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?



COUNCIL, 21 March 2018

MOTIONS

A GREATER LONDON AUTHORITY

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.

B CHAFFORD SPORTS COMPLEX

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.

Council, 21 March 2018

C USE OF PLASTICS

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.

D COUNCIL PROCEDURE RULES

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.

Council, 21 March 2018

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'.

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