



ANNUAL MEETING OF THE COUNCIL

7.30 pm Wednesday, 23 May 2018
At Council Chamber - Town Hall

Members of the Council of the London Borough of Havering are hereby summoned to attend the Annual 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
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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:-

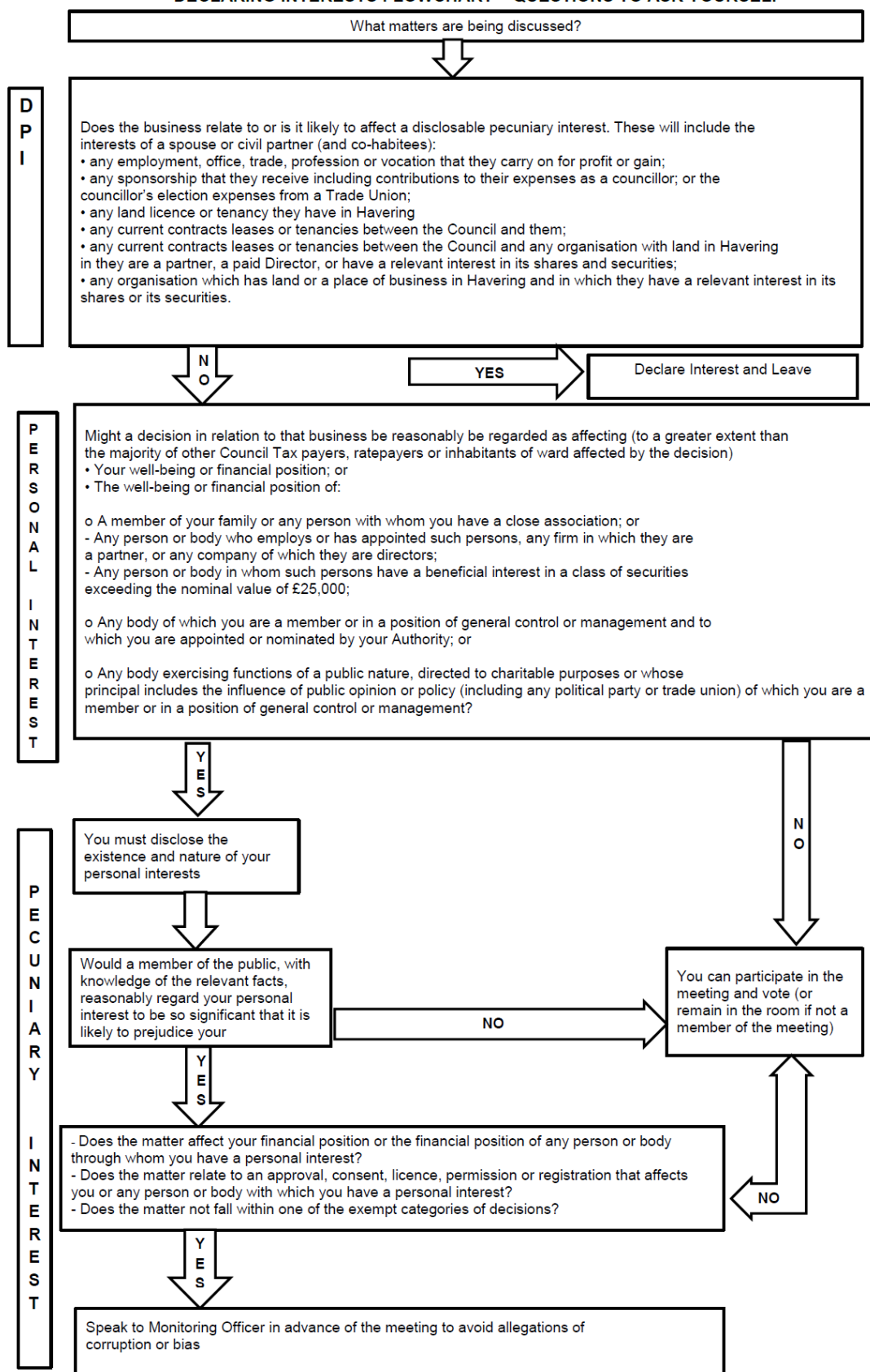
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing,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

4 ANNOUNCEMENTS BY OUTGOING MAYOR

5 MAYORALTY 2018/19

(a) To elect the Mayor of the Borough for the Municipal Year 2018/19

(b) To receive notice of the appointment of Deputy Mayor of the Borough for the Municipal Year 2018/19.

Motion on behalf of the Conservative Group

That Councillor Dilip Patel be elected to the office of Mayor for the municipal year 2018 – 2019.

6 MINUTES (Pages 1 - 66)

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

7 ANNOUNCEMENTS BY THE INCOMING MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE

8 APPOINTMENT OF THE LEADER OF THE COUNCIL 2018/2022

To consider motions concerning appointing the Leader of the Council for the four year period ending at the Annual Meeting of the Council following the borough elections in 2022.

Motion on behalf of the Conservative Group

That Councillor Damian White be elected to the office of Leader of the Council for the municipal years 2018 – 2022.

Motion on behalf of the Independent Residents' Group

That Councillor Jeffrey Tucker be elected to the office of Leader of the Council for the municipal years 2018 – 2022.

Motion on behalf of the Upminster & Cranham Residents' Associations Group

That Councillor Clarence Barrett be elected to the office of Leader of the Council for the municipal years 2018 – 2022.

9 APPOINTMENT OF THE COMMITTEES OF THE COUNCIL AND SCHEME OF DELEGATION (Pages 67 - 78)

To consider a report of the Chief Executive regarding appointment of the Committees of the Council and the Scheme of Delegation (attached).

Note: The deadline for receipt of amendments to reports is midnight, Monday 21 May.

10 APPOINTMENT OF THE CHAIRMAN AND VICE-CHAIRMEN OF COMMITTEES (Pages 79 - 92)

To consider motions concerning appointment of the Chairmen and Vice-Chairmen of Committees (attached).

11 APPOINTMENT OF THE MEMBER CHAMPIONS (Pages 93 - 96)

To consider motions regarding the appointment of the Member Champions (attached).

12 MEMBERS' ALLOWANCES SCHEME (Pages 97 - 116)

To consider a report of the Chief Executive on the Members' Allowances Scheme (attached).

NOTE: The deadline for receipt of amendments to reports published with the final agenda is midnight, Monday 21 May.

13 STATEMENT BY THE LEADER OF THE COUNCIL

To receive a statement by the Leader of the Council.



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

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

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

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

Apologies were received for the absence of Councillors John Mylod and John Wood.

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

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

The meeting closed with the singing of the National Anthem.

89 MINUTES (agenda item 3)

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

RESOLVED:

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

90 DISCLOSURE OF INTERESTS (agenda item 4)

There were no disclosures of interest.

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

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

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

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

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

92 PETITIONS (agenda item 6)

The following petitions were presented:

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

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

By Councillor Williamson against the overdevelopment of Havering.

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

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

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

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

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

Deemed motion on behalf of the Administration

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

Amendment by the Independent Residents' Group

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

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

Amendment by the Residents' Group

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

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

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

RESOLVED:

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

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

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

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

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

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

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

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

The pay policy set out:

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

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

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

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

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

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

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

	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)

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

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

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

Motion on behalf of the Independent Residents' Group

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

Amendment by the Conservative Group

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

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

RESOLVED:

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

99 **CHAFFORD SPORTS COMPLEX (agenda item 12 B)**

Motion on behalf of the Independent Residents' Group

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

Amendment by the Conservative Group

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

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

RESOLVED:

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

100 **USE OF PLASTICS (agenda item 12C)**

Motion on behalf of the Residents' Group

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

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

Amendment by the Independent Residents' Group

Replace the first sentence with the following sentence.

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

Amendment by the Conservative Group

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

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

RESOLVED:

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

101 **COUNCIL PROCEDURE RULES (agenda item 12D)**

Motion on behalf of the Labour Group

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

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

Amendment by the Independent Residents' Group

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

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

RESOLVED:

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

102 **VOTING RECORD**

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

Mayor

Leader's speech to Full Council – 21 March 2018

Madam Mayor,

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

Estate regeneration announcement

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

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

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

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

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

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

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

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

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

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

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

Sapphire Ice and Leisure and Central Park Leisure Centre

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

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

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

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

London Plan

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

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

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

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

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

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

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

Fair funding

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

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

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

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

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

Restoration Project for the Windmill and the Visitor Centre

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

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

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

Schools

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

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

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

Thanks to the Retiring Members

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

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

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

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

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London Borough of Havering

Pay Policy Statement 2018/19

Appendix 2

1. Introduction

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

8. Remuneration of Chief Officers

9. Chief Executive

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

G18

1. £167,217
 2. £168,768
 3. £170,319
 4. £171,870
 5. £173,421
-
12. The values of the spinal points are increased in accordance with the Joint Negotiating Committee for Chief Executives of Local Authorities with effect from 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

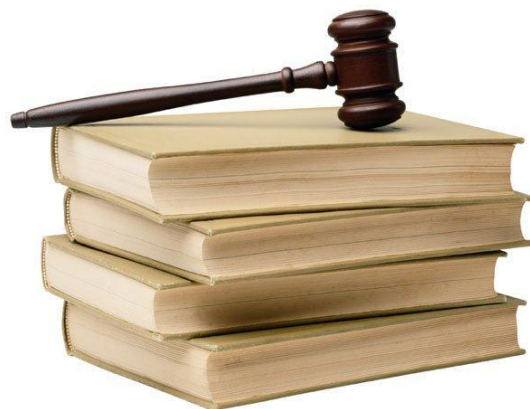
Returning Officer fees are set by the Greater London Returning Officer. The fees are funded by the Greater London Authority. Fees for Deputy Returning Officer roles are paid by the Returning Officer from a budget allocated for clerical assistance (and/or by allocation of some of the Returning Officer 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>

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

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

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> <p>Leave employment to care for dependent</p> <p>Dependents need for constant supervision</p> <p>No recourse to alternative care</p> <p>Suffering severe hardship</p> <p>Opportunity for employment severely limited</p> <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



Appendix 3

FULL COUNCIL, Wednesday 21 March 2018

MEMBERS' QUESTIONS

Solar Park Proposals

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

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

Answer

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

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

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

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

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

Applications for Places in Junior Schools

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

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

Answer

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

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

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

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

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

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

Tri-Borough Police Project

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

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

Answer

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

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

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

Parking Areas on the Briar Road Estate

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

From Councillor Keith Darvill

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

Answer

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

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

CCTV Camera Charges

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

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

Answer

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

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

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

Homeless Reduction Act 2017

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

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

Answer

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

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

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

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

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

Flag Flying Policy

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

From Councillor David Durant

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

Answer

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

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

Out of Hours Service

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

From Councillor Stephanie Nunn

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

Answer

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

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

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

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

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

Global Legal Identifier

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

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

Answer

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

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

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

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

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

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

"Everyone Active" Scheme

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

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

Answer

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

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

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

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

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

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

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

Charging Points for Electric Cars in Havering

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

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

Answer

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

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

Council, 21 March 2018

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

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

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

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

Viability Statement on Affordable Housing

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

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

Answer

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

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

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

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

Hazardous Waste

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

From Councillor Reg Whitney

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

Answer

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

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

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

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

Housing Development in the Borough

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

From Councillor Barbara Matthews

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

Answer

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

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

Council, 21 March 2018

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

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

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

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

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

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

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

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

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

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

Answer

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

Council, 21 March 2018

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

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

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

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

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VOTING RECORD

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

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ANNUAL COUNCIL, 23 MAY 2018

SUBJECT: ESTABLISHING THE COMMITTEES OF THE COUNCIL AND CONFIRMING THE SCHEME OF DELEGATION

In accordance with the Constitution Annual Council, among other things, appoints its Committees.

This report deals with the appointment and sizes of Committees, the co-opted members and observers etc. and recommends such appointments consistent with previous decisions of the Council.

Council is also required under s.100(G)(2) of the Local Government Act 1972 to agree that part of the Scheme of Delegation which it is for the full Council to agree.

Council is recommended to confirm the delegations to officers in respect of those powers reserved to full Council by the Functions and Responsibilities Regulations 2000.

The delegations are set out in the Council's Constitution, most notably, in Part 2, the Articles, and the relevant provisions of Part 3 of the Council's Constitution (Responsibility for Functions).

There are two proposed changes to the list of committees.

Following a report approved by the Council's Governance Committee in March 2018, it is proposed that the Regulatory Services Committee be replaced with the Strategic Planning and Planning Committees.

The Rainham and South Hornchurch Working Party is to be replaced with the Joint Venture Working Party. The Council has entered into a number of joint vehicle arrangements with external providers which will deliver housing regeneration projects throughout the borough. The revised Working Party reflects the strategic emphasis on borough-wide housing regeneration.

There are no other changes proposed to the make up of committees.

RECOMMENDATIONS

- (1) That, so far as necessary to enable any changes proposed and agreed during this meeting to be carried in to effect, Council Procedure Rule 20.2 (proposals to amend the Constitution to be referred to Governance Committee without discussion) be suspended.
- (2) That, subject to the Council's consideration of any motion or amendment to this report relating to changes in the Committee structure, the Committees listed in Appendix 1 be appointed for the 2018/19 Municipal Year and that:
 - (a) As required by statute, two voting co-optees representing the Church of England and the Roman Catholic Church and three parent governor co-optees selected in accordance with the appropriate Regulations, be appointed to the Children & Learning Services Overview and Scrutiny Sub-Committee.
 - (b) The other non-elected member "appointments" and invitations to attend shown in the Appendix (and particularly its annexes) be confirmed.
- (3) Those Committees be appointed with:
 - (a) the membership sizes and
 - (b) the political balanceindicated in Appendix 2
- (4) That the delegation of non-executive functions (as defined by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (amended) to officers be agreed as set out in the Council's Constitution.
- (5) To agree that all officers with delegated powers have power to further delegate those powers to other officers under s.101 of the Local Government Act 1972 or as provided for by any other legislation and may agree a scheme of delegation to officers for their service areas.

Staff Contact: Andy Beesley, Head of Democratic Services

andrew.beesley@oneSource.co.uk

Background Papers List

None

APPENDIX 1

APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES

Name of Committee	Notes
Adjudication and Review Committee	<i>See annex 1</i>
Appointments Committee	
Audit Committee	
Governance Committee	
Highways Advisory Committee	
Licensing Committee	
Pensions Committee	<i>See annex 2</i>
Strategic Planning Committee	
Planning Committee	
Overview and Scrutiny Board	
Children & Learning Overview and Scrutiny Sub-Committee	<i>See annex 3</i>
Crime and Disorder Sub-Committee	
Environment Overview and Scrutiny Sub-Committee	
Health Overview and Scrutiny Sub-Committee	
Individuals Overview and Scrutiny Sub-Committee	
Towns & Communities Overview and Scrutiny Sub-Committee	
Joint Venture Working Party	
Health & Wellbeing Board	

Annex 1

Adjudication and Review Committee

The major part of the work of this Committee is carried out through Hearings Panels. The composition of Hearings Panels varies according to the nature of the issue adjudicated – as indicated in the following table:

Type of hearing	Membership of Panel
Corporate complaints	Three Members and a non-voting independent person
Children Act complaints	Two Members and an independent person as chairman, with voting rights
Community Care Act complaints	Two Members and an independent person as chairman, with voting rights
Housing tenancy appeals	Three Members

The independent persons used for such hearings are taken from a pool of such people appointed on behalf the Adjudication & Review Committee, managed by Legal & Governance Services, who have received training appropriate to that role.

Annex 2

Pensions Committee

The Pensions Committee is responsible for the management of the Council's Pension Fund investment portfolio.

In addition to the Members of the Committee, there is a non-voting co-opted member representing the organisations that have scheduled or admitted status within the Council's pension scheme (public and private sector bodies, some of whose employees are members of the pension scheme, mainly because they are former employees whose employment has transferred to another organisation).

Although not strictly Members of the Committee, in accordance with the Constitution, two representatives of the staff are appointed by the unions to attend and contribute to meetings of the Committee. These appointees have no voting rights but are entitled to participate in the discussion of exempt or confidential material.

Children and Learning Overview & Scrutiny Sub-Committee

The law requires that the Council co-opt to this Overview & Scrutiny Sub-Committee one representative of each of the Anglican and Roman Catholic Churches, and three members representing governors of schools in the three sectors of education, primary, secondary and special. All co-opted Members have the same rights as elected Members, including the right to vote, may attend when issues relating to Education are being discussed and have the right to participate in such discussions.

It should be noted that this statutory requirement applies to any Overview & Scrutiny Committee that scrutinises education matters.

In addition, the Council's Constitution provides for three non-voting representatives of local teacher unions and professional associations to attend meetings of the Committee and participate in the discussion of matters relating to education.

APPENDIX 2

POLITICAL BALANCE PRINCIPLES

The Council has a duty to make only such decisions as give effect, **so far as reasonably practicable**, to certain principles set out in the relevant legislation. The relevant principles are, in order of priority:

1. Not all of the seats on any Committee may be allocated to only one Group (note - the Cabinet is not a Committee).
2. The majority of seats on each Committee must be allocated to the Group having a majority of Members of the Council.
3. The total share of all the seats available for all Committees allocated to each political Group and to Members not in a Group must be proportionate to that Group's/Members' share of the total Council membership.
4. So far as can be done without conflicting with the other principles, the total number of seats on each Committee allocated to a political Group or to Members not in a Group must be proportionate to that Group's/those Members' share of total Council membership.

In practice, Committees are balanced against the overall total of Committee places and then, so far as that overall total allows, each Committee is balanced on its own. With the distribution of seats on the Council that results from the election, it is inevitable (a) Groups/Members will not all be able to be represented on every Committee and (b) that one Group's representation on some Committees will be at the expense of another's.

The minimum number of councillors in a group for it to exist is two.

The Council may make arrangements different from those prescribed **provided that no Member of the Council votes against** those different arrangements.

To make such a decision each member of the Council must at least be sent an agenda indicating that the approval of alternative arrangements is to be considered. The agenda for this Annual Council meeting meets this requirement. To accommodate this requirement this report should be treated as giving due notice so that there is no impediment to such a proposal being made.

Annual Council, 23 May 2018

Once the allocation of seats to Groups in accordance with the statutory procedure is undertaken, the Council is under a duty to make appointments to the Committee so as to give effect to the wishes expressed by that Group about who is to be appointed to their allocated seats.

The “wishes of the Group” may be communicated to the Proper Officer and will be implemented forthwith. Changes may be effected at any time by notice to the Proper Officer and will be notified to all Members in the next available edition of the weekly Calendar Brief.

It should be noted that the Constitution provides that the Chairmen and Vice-Chairmen of Committees are appointed by Council and any change in membership affecting a Chairman or Vice-Chairman will therefore require consideration by Council.

RECOMMENDED SEAT ALLOCATION

Having regard to the principles of political balance and of seat allocation referred to in Appendix 1, the following allocation of seats is recommended on the basis that, taking all factors into account, it shows a “reasonably practicable” allocation of seats and is therefore the default position.

		CONS	RES	UPM & CM	IRG	LAB	N HAV
Governance	11	5	2	1	1	1	1
Licensing	11	5	2	1	1	1	1
Planning	8	4	1	1	1	1	0
Strategic Planning	8	4	1	1	1	1	0
Highways Advisory	8	4	1	1	1	0	1
Adjudication	8	4	1	1	1	1	0
Pensions	7	3	1	1	1	0	1
Audit	6	3	1	1	0	0	1
Joint Venture WP	8	4	1	1	1	1	0
Children's	9	4	2	1	1	1	0
Crime & Disorder	6	4	0	1	0	1	0
Towns & Communities	9	4	2	1	1	1	0
Environment	6	3	1	0	1	1	0
Health	6	3	1	0	1	0	1
Individuals	7	3	1	1	1	1	0
Board	16	8	2	2	2	1	1
Total seats allocated	134	65	20	15	15	12	7

- Committee seats are allocated, and each Committee is balanced, as “reasonably practicably” as possible

PRINCIPLES FOR ALLOCATION OF SEATS ON COMMITTEES

The principles of seat allocation follow the requirements of the political balance principles, using a formula that takes account of the respective sizes of the Groups and the number of seats on Committees available for distribution among the Groups.

Basic allocation of seats

The seat entitlements of the Groups are agreed by a formula using the percentage of the membership of the Council represented by each Group (or Member(s) not in a Group), operating through a sequence of stages as follows:

First, the percentage of each Group's membership of the Council (and of any Members not within a Group) is calculated to two decimal places.

Next, that percentage is applied to the number of seats available on each Committee to agree each Group's potential entitlement to seats on that Committee. Where the resulting figure is not a whole number, generally it is rounded to the nearest whole number following the mathematical convention that numbers below .5 are rounded down, and those .5 or more are rounded up.

In some cases, a Group may be entitled to a seat even though, rounded down, its potential entitlement appears nil, as there is a specific number of seats available on each Committee and no other Group may have more seats on any Committee than its entitlement.

Once the size of the Groups are known, a table will be drawn up which will show the basic allocation on the basis of these principles to Committee sizes ranging from 3 Members to 15. This table will follow in the revised report.

Finally, fine adjustment is required to ensure that, so far as reasonably practicable, the seats allocated reflect the overall proportion of Council membership held by each Group and the numerical strength of its entitlement to seats on particular Committees. For that purpose, at this stage the seat allocation of particular Committees will be adjusted from the ideally-balanced number reached in earlier stages of the process.

Specific allocations

For the allocation of seats on specific Committees, several permutations are possible. Although the Council's Constitution does specify particular numbers of seats to each Committee, it is expressed as being "or such other number as the Council may agree", so there is discretion as to Committee sizes.

Once the number of seats available on each Committee has been agreed, the allocation of seats to the individual Groups would then need to be adjusted between the Groups to achieve, so far as possible and practicable, an allocation that gives each Group its proportionate share of seats overall while ensuring that each

Committee is proportionately balanced. In practice, it will be impossible to achieve both aims without enlarging Committee memberships to an unworkable size, so a degree of compromise is required.

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Annual Council, 23 May 2018, Agenda Item 10, Nominations of Committee Chairmen and Vice-Chairmen

Motion on behalf of the Conservative Group

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication and Review (2 Vice-Chairmen)	Maggie Themistocli	1. Tim Ryan 2. Ray Best
Audit		Matt Sutton
Governance	Michael White	Robert Benham
Highways Advisory		Ciaran White
Licensing (3 Vice-Chairmen)	Philippa Crowder	1. Bob Perry 2. Christine Vickery 3. Christine Smith
Pensions	John Crowder	Melvin Wallace
Planning	Robby Misir	Carol Smith
Strategic Planning	Melvin Wallace	
Joint Venture Working Party	Michael Deon Burton	
Overview and Scrutiny Board		
Children and Learning Overview and Scrutiny Sub-Committee	Judith Holt	
Crime & Disorder Sub-Committee	Bob Perry	
Environment Overview and Scrutiny Sub-Committee	John Mylod	
Health Overview and Scrutiny Sub-Committee	Nisha Patel	
Individuals Overview and Scrutiny Sub-Committee	Ray Best	

Towns and Communities Overview and Scrutiny Sub-Committee		
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Sub-Committee of the Governance Committee:

Appointments	Damian White	Robert Benham
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Motion on behalf of the North Havering Residents Group

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication and Review (2 Vice-Chairmen)		1. 2.
Audit	Martin Goode	
Governance		
Highways Advisory	Brian Eagling	
Licensing (3 Vice-Chairmen)		1. 2. 3.
Pensions		
Planning		
Strategic Planning		
Joint Venture Working Party		
Overview and Scrutiny Board	Darren Wise	
Children and Learning Overview and Scrutiny Sub-Committee		
Crime & Disorder Sub-Committee		
Environment Overview and Scrutiny Sub-Committee		

Health Overview and Scrutiny Sub-Committee		
Individuals Overview and Scrutiny Sub-Committee		
Towns and Communities Overview and Scrutiny Sub-Committee		

Sub-Committee of the Governance Committee:

Appointments		
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Motion on behalf of the Independent Residents' Group

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication and Review (2 Vice-Chairmen)		1. 2.
Audit		
Governance		
Highways Advisory		
Licensing (3 Vice-Chairmen)		1. 2. 3.
Pensions		
Planning		
Strategic Planning		
Joint Venture Working Party	David Durant	
Overview and Scrutiny Board		
Children and Learning Overview and Scrutiny Sub-Committee		

Crime & Disorder Sub-Committee		
Environment Overview and Scrutiny Sub-Committee		
Health Overview and Scrutiny Sub-Committee		
Individuals Overview and Scrutiny Sub-Committee		
Towns and Communities Overview and Scrutiny Sub-Committee		

Sub-Committee of the Governance Committee:

Appointments		
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Motion on behalf of the Residents' Group

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication and Review (2 Vice-Chairmen)		1. 2.
Audit		
Governance		
Highways Advisory	Barry Mugglestone	
Licensing (3 Vice-Chairmen)		1. 2. 3.
Pensions	Stephanie Nunn	
Planning		
Strategic Planning	Reg Whitney	
Joint Venture Working Party		

Overview and Scrutiny Board		
Children and Learning Overview and Scrutiny Sub-Committee		
Crime & Disorder Sub-Committee		
Environment Overview and Scrutiny Sub-Committee		
Health Overview and Scrutiny Sub-Committee	Nic Dodin	
Individuals Overview and Scrutiny Sub-Committee		
Towns and Communities Overview and Scrutiny Sub-Committee		

Sub-Committee of the Governance Committee:

Appointments	Ray Morgon	
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Motion on behalf of the Labour Group

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication and Review (2 Vice-Chairmen)		1. 2.
Audit		
Governance		
Highways Advisory		
Licensing (3 Vice-Chairmen)		1. 2. 3.
Pensions		

Planning		
Strategic Planning		Keith Darvill
Joint Venture Working Party		Paul McGeary
Overview and Scrutiny Board		Keith Darvill
Children and Learning Overview and Scrutiny Sub-Committee		
Crime & Disorder Sub-Committee		
Environment Overview and Scrutiny Sub-Committee		
Health Overview and Scrutiny Sub-Committee		
Individuals Overview and Scrutiny Sub-Committee		
Towns and Communities Overview and Scrutiny Sub-Committee	Keith Darvill	

Sub-Committee of the Governance Committee:

Appointments		
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Motion on behalf of the Upminster & Cranham Residents' Associations Group

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication and Review (2 Vice-Chairmen)		1. 2.
Audit	Clarence Barrett	Clarence Barrett (unless elected as Chairman)
Governance		Ron Ower

Highways Advisory		Chris Wilkins
Licensing (3 Vice-Chairmen)		1. 2. John Tyler 3.
Pensions		Ron Ower
Planning		
Strategic Planning		Linda Hawthorn
Joint Venture Working Party		
Overview and Scrutiny Board		Gillian Ford
Children and Learning Overview and Scrutiny Sub-Committee	Gillian Ford	Gillian Ford (unless elected as Chairman)
Crime & Disorder Sub- Committee		John Tyler
Environment Overview and Scrutiny Sub- Committee		Clarence Barrett (unless elected as Leader of the Council)
Health Overview and Scrutiny Sub- Committee		Gillian Ford
Individuals Overview and Scrutiny Sub- Committee		Linda Hawthorn
Towns and Communities Overview and Scrutiny Sub- Committee	Linda Hawthorn	Chris Wilkins

Sub-Committee of the Governance Committee:

Appointments		Gillian Ford
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ANNUAL COUNCIL 23 May 2018

EXPLANATORY NOTE

APPOINTMENT OF THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES

For ease of reference, the tables that follow indicate the nominations that are unopposed, and those upon which votes will be required.

Table 1: Unopposed nominations

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication and Review (2 Vice-Chairmen)	Maggie Themistocli	1. Tim Ryan 2. Ray Best
Audit	Position contested – see table 2.	Position contested – see table 2.
Governance	Michael White	Position contested – see table 2.
Highways Advisory	Position contested – see table 2.	Position contested – see table 2.
Licensing (3 Vice-Chairmen)	Philippa Crowder	1. Bob Perry 2. Position contested – see table 2. 3. Christine Smith
Pensions	Position contested – see table 2.	Position contested – see table 2.
Planning	Robby Misir	Carol Smith
Strategic Planning	Position contested – see table 2.	Position contested – see table 2.

Joint Venture Working Party	Position contested – see table 2.	Paul McGeary
Overview and Scrutiny Board	Darren Wise	Position contested – see table 2.
Children and Learning Overview and Scrutiny Sub-Committee	Position contested - see table 2.	Gillian Ford (unless elected as Chairman)
Crime & Disorder Sub-Committee	Bob Perry	John Tyler
Environment Overview and Scrutiny Sub-Committee	John Mylod	Clarence Barrett (unless elected as Leader of the Council)
Health Overview and Scrutiny Sub-Committee	Nisha Patel	Gillian Ford
Individuals Overview and Scrutiny Sub-Committee	Ray Best	Linda Hawthorn
Towns and Communities Overview and Scrutiny Sub-Committee	Position contested – see table 2.	Chris Wilkins

Sub-Committee of the Governance Committee:

Appointments	Position contested – see table 2	Position contested – see table 2.
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Table 2: Opposed nominations where there are two nominees

A. Chairman of Audit Committee

North Havering Residents Group nominee Councillor	Upminster & Cranham Residents' Associations Group nominee Councillor
Martin Goode	Clarence Barrett

B. Vice-Chairman of Audit Committee

Conservative Group nominee Councillor	Upminster & Cranham Residents' Associations Group nominee Councillor
Matt Sutton	Clarence Barrett (unless elected as Chairman).

C. Vice-Chairman of Governance Committee

Conservative Group nominee Councillor	Upminster & Cranham Residents' Associations Group nominee Councillor
Robert Benham	Ron Ower

D. Chairman of Highways Advisory Committee

North Havering Residents Group nominee Councillor	Residents' Group nominee Councillor
Brian Eagling	Barry Mugglestone

E. Vice-Chairman Chairman of Highways Advisory Committee

Conservative Group nominee Councillor	Upminster & Cranham Residents' Associations nominee Councillor
Ciaran White	Chris Wilkins

F. Vice-Chairman of Licensing Committee

Conservative Group nominee Councillor	Upminster & Cranham Residents' Associations Group nominee Councillor
Christine Vickery	John Tyler

G. Chairman of Pensions Committee

Conservative Group nominee Councillor	Residents' Group nominee Councillor
John Crowder	Stephanie Nunn

H. Vice-Chairman of Pensions Committee

Conservative Group nominee Councillor	Upminster & Cranham Residents' Associations Group nominee Councillor
Melvin Wallace	Ron Ower

I. Chairman of Strategic Planning Committee

Conservative Group nominee Councillor	Residents' Group nominee Councillor
Melvin Wallace	Reg Whitney

J. Vice-Chairman of Strategic Planning Committee

Labour Group nominee Councillor	Residents' Group nominee Councillor
Keith Darvill	Reg Whitney

K. Chairman of Joint Venture Working Party

Conservative Group nominee Councillor	Independent Residents' Group nominee Councillor
Michael Deon Burton	David Durant

L. Vice-Chairman of Overview and Scrutiny Board

Labour Group nominee Councillor	Upminster & Cranham Residents' Associations Group nominee Councillor
Keith Darvill	Gillian Ford

M. Chairman of Children and Learning Overview and Scrutiny Sub-Committee

Conservative Group nominee Councillor	Upminster & Cranham residents' Associations Residents' Group nominee Councillor
Judith Holt	Gillian Ford

N. Chairman of Health Overview and Scrutiny Sub-Committee

Conservative Group nominee Councillor	Residents' Group nominee Councillor
Nisha Patel	Nic Dodin

P. Chairman of Towns and Communities Overview and Scrutiny Sub-Committee

Labour Group nominee Councillor	Upminster & Cranham Residents' Association Group nominee Councillor
Keith Darvill	Linda Hawthorn

Q. Chairman of Appointments Sub-Committee

Conservative Group nominee Councillor	Residents' Group nominee Councillor
Damian White	Ray Morgon

R. Vice-Chairman of Appointments Sub-Committee

Conservative Group nominee Councillor	Upminster & Cranham Residents' Group nominee Councillor
Robert Benham	Gillian Ford

Annual Council, 23 May 2018, Agenda Item 11, Nomination of Member Champions

Motion on behalf of the Conservative Group

That the following be appointed Champions as indicated:

For the Armed Forces – Tim Ryan

For Equality and Diversity –

For the Historic Environment – Judith Holt

For the Over 50's – Christine Smith

For the Voluntary Sector Compact – Christine Vickery

For Young People – Ciaran White

Motion on behalf of the Labour Group

That the following be appointed Champions as indicated:

For the Armed Forces – Denis O'Flynn

For Equality and Diversity – Tele Lawal

For the Historic Environment –

For the Over 50's –

For the Voluntary Sector Compact –

For Young People –

Motion on behalf of the Upminster & Cranham Residents' Associations Group

That the following be appointed Champions as indicated:

For the Armed Forces –

For Equality and Diversity – Chris Wilkins

For the Historic Environment – Linda Hawthorn

For the Over 50's –

For the Voluntary Sector Compact –

For Young People –

ANNUAL COUNCIL

23 May 2018

EXPLANATORY NOTE

APPOINTMENT OF THE MEMBER CHAMPIONS

For ease of reference, the table that follows indicates the unopposed nominations for all Member Champion positions.

Table 1: Unopposed nominations

Member Champion	Nominee - Councillor
For the Armed Forces	Position contested – see table 2.
For Equality & Diversity	Position contested – see table 2.
For the Historic Environment	Position contested – see table 2.
For the Over 50's	Christine Smith
For the Voluntary Sector Compact	Christine Vickery
For Young People	Ciaran White

Table 2: Opposed nominations where there are two nominees

A. Member Champion for the Armed Forces

Conservative Group nominee Councillor	Labour Group nominee Councillor
Tim Ryan	Denis O'Flynn

B. Member Champion for Equality & Diversity

Labour Group nominee Councillor	Upminster & Cranham Residents' Associations Group nominee Councillor
Tele Lawal	Chris Wilkins

C. Member Champion for the Historic Environment

Conservative Group nominee Councillor	Upminster & Cranham Residents' Group nominee Councillor
Judith Holt	Linda Hawthorn

COUNCIL, 23 MAY 2018

REPORT OF THE CHIEF EXECUTIVE

MEMBER ALLOWANCES SCHEME– PROPOSED REVISION

The Local Authorities (Members' Allowances) (England) Regulations 2003 provide that a Local Authority shall make a scheme in accordance with these Regulations in respect of each year. Regulation 10 provides that such a scheme shall be made before the beginning of each year commencing on 1st April. Such a scheme may be amended during the year, but only revoked and replaced with a new scheme with effect from the beginning of a year.

Members approved the 2018/19 Member Allowances Scheme at Full Council in February 2018

Revisions to the Allowances Scheme

As a consequence of the proposed changes to the Council's Planning regime, revised arrangements are proposed for the award of special responsibility allowances to the Strategic Planning and Planning Committees.

As detailed elsewhere on the Council agenda it is proposed that the Rainham & South Hornchurch Party be replaced by the Joint Venture Working Party. The special responsibility allowance afforded to the revised working party is to remain unchanged.

It is also proposed to amend the special responsibility allowance levels for the Leaders of the Principal Opposition and Minority Opposition Groups. The changes are to reflect the diverse political make up of the Council and the accompanying workload expected to be placed upon those Group Leaders.

The proposed revisions to the Member Allowances Scheme do not affect the budgetary position. Any savings arising from the proposals will be reinvested into support services.

The revised list of members' allowances, if agreed, would be as follows:

Category of Allowance	Amount Per Member £	Previously agreed Scheme
<u>Basic Allowance</u>	10,208	10, 208
Special Responsibility Allowances:		
Leader of the Council	45,048	45,048
Deputy Leader of the Administration	31,420	31,420
Cabinet Members	28,780	28,780
Leader of Principal Opposition	7,650	14,418

Leader of Minority Opposition Groups	2,000	4,000
Mayor	12,000	12,000
Deputy Mayor	4,000	4,000
Overview and Scrutiny Board Chairman	14,418	14,418
Overview and Scrutiny Sub-Committee Chairmen	7,650	7,650
Strategic Planning, Planning and Licensing Committee Chairmen	14,418	14,418
Strategic Planning Committee Vice Chairman	7650	n/a
Planning Committee Vice-Chairman	2,000	2,000
Licensing Committee Vice Chairmen	+117	+117
Audit, Pensions, Highways and Governance Committees Chairmen	7,650	7,650
Adjudication & Review Committee Chairman	2,000	2,000
JV Working Party Chairman	7,650	7,650

+ per meeting chaired

Note:

In accordance with paragraph 4(c) of the Members' Allowance scheme, when a Councillor would otherwise be entitled to more than one special responsibility allowance, then the entitlement shall be to only one, that being the one attracting the higher rate

Under Regulation 19 of the 2003 Regulations, before an authority amends a scheme, it shall have regard to the recommendations made in relation to it by an independent remuneration panel.

The Council uses the London Council's Independent Review Panel in this regard and that panel has published a report, *"The Remuneration of Councillors in London 2018"*, in January 2018. This report discusses the role of councillors and sets out recommended allowance levels. This includes special responsibility allowances.

Special Responsibility Allowances (SRAs) are presented in 5 bands determined by the types of role a Member may have. The allowance levels for each band are shown in a range and as a percentage of the remuneration package for a Council Leader. This gives flexibility and takes into account the different level of complexity similar roles may have between Councils.

Due regard should be given to the Independent Review Panel report (attached as Appendix B) in determining the proposed scheme and comparisons between the proposed SRA levels and the recommendations of the Independent Panel.

Recommendation:

That the changes to the Member Allowances Scheme be implemented in the manner set out above.

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 Mayor and Deputy

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

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

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

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

12 **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.

13Note

- (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
Leader of Principal Opposition	7,650
Leader of Minority Opposition Groups	2,000
Mayor	12,000
Deputy Mayor	4,000
Overview and Scrutiny Board Chairman	14,418
Overview and Scrutiny Sub-Committee Chairmen	7,650
Strategic Planning, Planning and Licensing Committee Chairmen	14,418
Strategic Planning Committee Vice Chairman	7,650
Planning 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
JV 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.

The Remuneration of Councillors in London 2018

Report of the Independent Panel



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Introduction

The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London boroughs. Such a panel ('the Panel') was established and reported in 2001, 2003, 2006, 2010 and 2014. It now comprises Sir Rodney Brooke CBE DL (Chair), Steve Bundred and Anne Watts CBE.

The Regulations require a review of the scheme every four years as a minimum. The current Panel has therefore completed a review of remuneration for councillors in London. We present our findings and recommendations in this report.

As a preparation for our work, we invited all London boroughs to give their views on the operation of the existing scheme. We are grateful for the feedback, which confirms that the existing London scheme of members' allowances is still fit for purpose. We make recommendations accordingly (**recommendations throughout the report are in bold type**). However, where issues have arisen from the comments we received, we have addressed them in this report.

The role of elected members

In our previous reports we reflected on the importance of the role of elected members. We repeat at Appendix B the job profile for councillors which we originally included in our 2010 report. The feedback we have received is that it continues to be appropriate.

The Local Governance Research Unit, based at Leicester Business School, recently launched a Councillor Commission as an independent review of the role and work of the councillor. The Commission's report points out that councillors oversee million-pound budgets, balancing complex financial pressures at a time of severe cutbacks in local authority spending, making decisions which will affect their areas for decades to come. In London each Borough Council is responsible for services crucial to its residents. Each has a revenue budget of up to £1.4bn as well as a substantial capital programme. The scale of their turnover and other financial activities are in many instances comparable with those of large publicly quoted companies.

Councillors are faced with unenviable choices. Demand for local authority services continues to grow. In particular, there is rapid growth in the number of old people with a corresponding increase in demand for social care. London itself faces acute housing problems. Councillors have an increased responsibility for health. Thus the strain on and competition for resources increase the demands made on elected members. The responsibilities and accountabilities are made clear after a tragedy like the Grenfell Tower fire.

The evidence we received confirms that the workload and responsibilities of councillors continue to increase and that their role has become more complex, and not only in the areas of social care, housing and health. There has been growth in the number of sub-regional meetings, partnerships and joint bodies (such as Boards for Health & Wellbeing and Safer Neighbourhoods) which require the commitment and time of leaders, cabinet members and front-line councillors. Partnership engagement makes great demands on councillors. There has been a marked increase in informal meetings, such as working groups, forums and community gatherings as well as formal meetings like local authority companies. The expectations of the public continue to rise.

While valuable to democracy, the use of social media adds to the pressure on councillors by increasing demands from their constituents in several different ways. Communication with councillors is not only easier but immediate. The public expects a speedy response, so that it is now more difficult for councillors in employment to deal with concerns as quickly as voters expect. Not only do social media make it easier for their constituents to get hold of councillors, but they also enable an isolated concern to become an organised campaign.

Recruitment of councillors

We received evidence that it is increasingly difficult to recruit people of quality who are prepared to stand for office as councillors. Though the low level of allowances was mentioned as a reason for this, a major disincentive is the time commitment required of a councillor. That time commitment (as well as finance) can make it difficult to combine the role with a job and a family life. As one councillor commented to the Leicester Business School Commission, 'Serving on outside bodies means that I am working every day of the week, weekends too'. As was pointed out in responses we received, the problem is exacerbated in London, where councillors are on the whole younger than in other parts of the country and often in employment. They also face substantially higher costs of living.

Though the time commitment may be the main disincentive to service as a councillor, it is important that, as far as reasonably possible, financial loss does not prevent people from becoming councillors. Allowances are not shown by polls to be something which influences councillors to take on the role, though they are instrumental in making it possible for some people to do so. Allowances should be set at a level that enables people to undertake the role of councillor, while not acting as an incentive to do so. If it is important that there are no financial incentives to being a councillor, it is equally important that there should not be a financial disincentive. It is clearly desirable that service as a councillor is not confined to those with independent means.

Since our last report the Government has removed the possibility of councillors joining the local government pension scheme. We believe that access to the pension scheme can be an important factor in making service as a councillor financially possible for a wider range of people. It is particularly significant for those who, like elected mayors, leaders and portfolio holders, give most or all of their time to service in local government and lose the opportunity to contribute to a pension scheme elsewhere. Loss of access to a pension scheme imposes a further financial penalty on councillors.

We do not repeat the arguments for appropriate remuneration for councillors which we have set out in our previous reports. We believe them to be self-evident. But we do repeat our belief in the importance of local democracy and the role of councillors within it.

The current financial and political climate

Because of the current financial climate, the local government pay settlement in recent years has been severely limited. Since our last report there have been three awards of 1%. Acutely sensitive to the current financial austerity, some boroughs have frozen members' allowances and failed to apply the pay awards to them. Indeed some boroughs have even reduced members' allowances.

Our recent reports have made no recommendations for increasing the levels of members' allowances other than continuing provision for annual adjustments in accordance with the annual local government pay settlement. As the Government-appointed Councillors' Commission pointed out in their 2007 report, the recommendations of the London Panel has led to some convergence of members' allowances across London. Indeed, the Councillors' Commission recommended a similar system for the country as a whole. Following our recommendations, there is now considerable congruity in the basic allowance made by London boroughs.

However, most London boroughs have not adopted our recommendations in their entirety and there remain substantial differences in the amount of special responsibility allowances. We fully recognise that now is not the time to contemplate a general increase in councillors' allowances. Nevertheless we hope that in the longer term the financial situation will permit further convergence of members' allowances around our recommendations.

Level of Basic Allowance

In our last report we recommended that there should be a Basic Allowance paid to every councillor of £10,703. Updated for the local government staff pay awards since then, the figure is now £11,045. Given the loss of pension rights; growth in the volume and complexity of the work of councillors; and the limited increase in the Basic Allowance since our last report, we believe that there is a strong case for considering a larger increase. The basic allowance is now less than the allowances paid by many similar authorities outside London. In Wales, for example, the government-

appointed commission sets the basic allowance at £13,400 for members of local authorities with populations which are generally substantially lower than those of London boroughs.

However we reluctantly accept that, in the current financial climate, it would be inappropriate to recommend a general increase in members' allowances (beyond the annual updating). Pegging an annual increase to staff pay awards will ensure that councillors can receive annual increases which are in line with those received by staff. **We therefore recommend that the Basic Allowance be set at £11,045.** We believe that it remains sensible to frame recommendations which are common across London.

Special Responsibility Allowances

Given the extent of the responsibilities of leaders of London boroughs, the Panel's first report in 2001 recommended that their remuneration should equate to that of a Member of Parliament. [Our recommendations for other special responsibility allowances are related to that recommended for leaders.]

Since then the increase in the remuneration of Members of Parliament has substantially exceeded the annual local government pay increase to which we tied the special responsibility allowance for the leader of a London borough. At the time of our last report an MP received a salary of £67,060 while our recommendation for a borough leader (increases having been restricted to the local government staff pay increases) was for total remuneration of £65,472, a difference of £1,588. Updated for the local government pay awards, our recommendation for the current total remuneration of a London borough leader would be £68,130. Meanwhile the salary of MPs has increased to £76,011, a difference of £7,881. Moreover MPs continue to be entitled to a pension as well as to sundry other benefits (such as termination payments) which are not available to leaders.

In our current consultation we enquired whether the remuneration of an MP remains a sound comparator to fix the remuneration of a borough leader. In general the responses agreed that the comparator was appropriate and, if anything, that the Leaders of London boroughs warranted a higher remuneration than an MP, because they had greater financial responsibility and legal burdens, and especially given the differential pension arrangements. Indeed one respondent authority suggested that the direct responsibilities of a Leader should command the salary of a Junior Minister.

We sympathise with the responses. Certainly the way in which MPs' remuneration has outpaced that of leaders would prompt a review of the Leaders' allowances had the Panel not had regard to the current stringent economic circumstances. For the same reasons which prompt us to peg the Basic Allowance, **we recommend that the special responsibility allowance for a Leader should be in accordance with our former recommendation, plus the subsequent local government staff pay awards, ie £57,085. We recommend the maintenance of its relation to other special responsibility allowances, as set out in the Appendix to this report.** Nevertheless we hope that parity of the remuneration of the Borough leaders with the remuneration of Members of Parliament will be restored when the economic situation eases and that the other Special Responsibility Allowances will then be adjusted accordingly.

Interpretation of the Scheme

The responses from the boroughs generally indicated no problems with interpretation of our recommendations, though many had adopted lower figures, especially for special responsibility allowances. We continue to believe that the scheme we propose is sufficiently flexible to accommodate the varying political management arrangements of different London boroughs. Specifically, we were asked for guidance on what percentage of councillors should receive a special responsibility allowance. **We reiterate our view that no more than 50% of councillors should receive a special responsibility allowance. We also continue to believe that no member should receive more than one special responsibility allowance though we accept that there might exceptionally be special circumstances where allocation of more than one Special Responsibility Allowance might be justified, eg where members undertake a number of different time-consuming roles such as sitting on licensing hearings.**

We were asked to give more detailed guidance on the roles allocated to different bands and whether these could be tied to the time commitment required of a role, expressed as a percentage of the time commitment of the Leader. However, we believe that the percentages we identify should be tied not only to time commitment but also to levels of responsibility.

Training and Support

The responsibilities of councillors are substantial, extensive and complex. We have mentioned the Grenfell Tower tragedy as a chilling instance of those responsibilities. **We believe that every borough should have an ongoing programme of member training and development and that members should be expected to participate. We believe that members should be provided with logistical and clerical support to help them deal with their workload.**

Barriers to being a councillor

It is important that obstacles to becoming a councillor should be removed wherever possible. Child care costs can be a significant deterrent to service as a councillor. **We repeat our strong view that in appropriate cases when they undertake their council duties, councillors should be entitled to claim an allowance for care of dependents. The dependents' carers' allowance should be set at the London living wage but (on presentation of proof of expense) payment should be made at a higher rate when specialist nursing skills are required.**

We also repeat our belief that members' allowances schemes should allow the continuance of Special Responsibility Allowances in the case of sickness, maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies).

Travel and Subsistence allowances

We continue to believe that the Basic Allowance should cover basic out-of-pocket expenses incurred by councillors, including intra-borough travel costs and expenses. The members' allowances scheme should, however, provide for special circumstances, such as travel after late meetings or travel by councillors with disabilities. The scheme should enable councillors to claim travel expenses when their duties take them out of their home borough, including a bicycle allowance.

Allowances for Mayor or Civic Head

Many councils include the allowances for the mayor (or civic head) and deputy in their members' allowance scheme. However these allowances do serve a rather different purpose from the 'ordinary' members' allowances, since they are intended to enable the civic heads to perform a ceremonial role. There are separate statutory provisions (ss 3 and 5 of the Local Government Act 1972) for such allowances and councils may find it convenient to use those provisions rather than to include the allowances in the members' allowance scheme.

Update for inflation

We continue to recommend that for a period of four years the allowances we recommend should be updated annually in accordance with the headline figure in the annual local government pay settlement.

We have been asked whether it is necessary for the annual updating to be formally authorised by the council each year. The Regulations do seem to make this obligatory.

Sir Rodney Brooke CBE DL

Steve Bundred

Anne Watts CBE

London, January 2018

Appendix A

Basic allowance £11,045

Special responsibilities – beyond the basic allowance

The case for special allowances

The reasons for payment of additional special responsibility allowances should be clearly set out in local allowances schemes. Special allowances should come into play only in positions where there are significant differences in the time requirements and levels of responsibility from those generally expected of a councillor.

Calculation of special allowances

The proposed amounts for each band are a percentage of the figure suggested for a council leader depending upon levels of responsibility of the roles undertaken and are explained below. We believe that the SRA, which the previous panel recommended for the leader of a London council (updated), continues to be appropriate.

Categories of special allowances

The regulations specify the following categories of responsibility for which special responsibility allowances may be paid:

- Members of the executive where the authority is operating executive arrangements
- Acting as leader or deputy leader of a political group within the authority
- Presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee
- Representing the authority at meetings of, or arranged by, any other body
- Membership of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods
- Acting as spokesperson of a political group on a committee or sub-committee of the authority
- Membership of an adoption panel
- Membership of a licensing or regulatory committee
- Such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned above, whether or not that activity is specified in the scheme.

Local discretion

It is for the councils locally to decide how to allocate their councillors between the different bands, having regard to our recommendations and how to set the specific remuneration within the band. They must have regard to our recommendations. We believe these should have the merits of being easy to apply, easy to adapt, easy to explain and understand, and easy to administer.

BAND ONE

The posts we envisage falling within band one include:

- Vice chair of a service, regulatory or scrutiny committee
- Chair of sub-committee
- Leader of second or smaller opposition group
- Service spokesperson for first opposition group
- Group secretary (or equivalent) of majority group
- First opposition group whip (in respect of council business)
- Vice chair of council business
- Chairs, vice chairs, area committees and forums or community leaders
- Cabinet assistant
- Leadership of a strategic major topic
- Acting as a member of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods
- Acting as a member of an adoption panel where membership requires attendance with exceptional frequency or for exceptionally long periods
- Leadership of a specific major project.

Remuneration

We propose that band one special responsibility allowances should be on a sliding scale of between 20 – 30 per cent of the remuneration package for a council leader.

This would be made up as follows:

Basic allowance: £11,045

Band One allowance: £2,582 to £9,397

Total: £13,627 to £20,442

BAND TWO

The types of office we contemplate being within band two are:

- Lead member in scrutiny arrangements, such as chair of a scrutiny panel
- Representative on key outside body
- Chair of major regulatory committee e.g. planning
- Chair of council business (civic mayor)
- Leader of principal opposition group
- Majority party chief whip (in respect of council business).

Remuneration:

We propose that band two allowances should be on a sliding scale between 40 – 60 per cent, pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance £11,045

Band two allowances: £16,207 to £29,797

Total: £27,252 to £40,842

BAND THREE

We see this band as appropriate to the following posts:

- Cabinet member
- Chair of the Health and Wellbeing Board
- Chair of the main overview or scrutiny committee
- Deputy leader of the council

Remuneration:

We propose that band three allowances should be between 70 – 80 per cent pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance: £11,045

Band three allowance: £36,917 to £43,460

Total: £47,962 to £54,505

BAND FOUR

Leader of cabinet

This is a full-time job, involving a high level of responsibility and includes the exercise of executive responsibilities. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service.

Remuneration:

We propose that the remuneration package for a council leader under band four of our scheme should be £68,130.

This is made up as follows:

Basic allowance: £11,045

Band four allowance: £57,085.

Total: £68,130

BAND FIVE

Directly elected mayor

A directly elected mayor has a full-time job with a high level of responsibility and exercises executive responsibilities over a fixed electoral cycle. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service. However we believe this post remains different to that of the strong leader with cabinet model. The directly elected mayor is directly elected by the electorate as a whole. The strong leader holds office at the pleasure of the council and can be removed by the council. We believe that the distinction is paramount and this should be reflected in the salary level.

Remuneration:

We propose that a directly elected mayor should receive a remuneration package of 25 per cent higher than that recommended for a council leader and that it should be a salary set at **£85,162**.

Appendix B

On behalf of the community – a job profile for councillors

Purposes:

1. To participate constructively in the good governance of the area.
2. To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery.
3. To represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations.
4. To champion the causes which best relate to the interests and sustainability of the community and campaign for the improvement of the quality of life of the community in terms of equity, economy and environment.
5. To represent the council on an outside body, such as a charitable trust or neighbourhood association.

Key Tasks:

1. To fulfil the statutory and local determined requirements of an elected member of a local authority and the authority itself, including compliance with all relevant codes of conduct, and participation in those decisions and activities reserved to the full council (for example, setting budgets, overall priorities, strategy).
2. To participate effectively as a member of any committee or panel to which the councillor is appointed, including related responsibilities for the services falling within the committee's (or panel's) terms of reference, human resource issues, staff appointments, fees and charges, and liaison with other public bodies to promote better understanding and partnership working.
3. To participate in the activities of an outside body to which the councillor is appointed, providing two-way communication between the organisations. Also, for the same purpose, to develop and maintain a working knowledge of the authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's role and functions.
4. To participate in the scrutiny or performance review of the services of the authority, including where the authority so decides, the scrutiny of policies and budget, and their effectiveness in achieving the strategic objectives of the authority.
5. To participate, as appointed, in the area and in service-based consultative processes with the community and with other organisations.
6. To represent the authority to the community, and the community to the authority, through the various forums available.
7. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties, and constraints, and to develop good working relationships with relevant officers of the authority.
8. To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity.
9. To contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area.
10. To participate in the activities of any political group of which the councillor is a member.
11. To undertake necessary training and development programmes as agreed by the authority.
12. To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.

Appendix C

The independent panel members

Sir Rodney Brooke CBE DL had a long career in local government, including as chief executive of West Yorkshire County Council, Westminster City Council and the Association of Metropolitan Authorities. He was knighted in 2007 for his contribution to public service.

Steve Bundred was chairman of Monitor, chief executive of the Audit Commission and chief executive of the London Borough of Camden.

Anne Watts CBE has an extensive career in equality and diversity and governance that spans the private, voluntary and public sectors with organisations including the Open University, the University of Surrey, the Commission for Equality and Human Rights and Business in the Community. She chaired the Appointments Commission.

