

GOVERNANCE COMMITTEE

AGENDA

7.30pm	Tuesday 21 March 2006	Havering Town Hall Main Road, Romford
---------------	----------------------------------	--

Members 9: Quorum 3

COUNCILLORS:

Conservative Group (4)

Frederick Thompson
(Chairman)
Michael White (Vice-
Chairman)
Eric Munday
Roger Ramsey

Residents' Group (3)

Ivor Cameron
Barbara Reith
Louise Sinclair

Labour Group (2)

Ray Harris
Wilf Mills

**For information about the meeting please contact:
Ian Buckmaster (01708) 432431
e-mail ian.buckmaster@haverling.gov.uk**



NOTES ABOUT THE MEETING

1. HEALTH AND SAFETY

The Council is committed to protecting the health and safety of everyone who attends meetings of its Committees.

At the beginning of the meeting, there will be an announcement about what you should do if there is an emergency during its course. **For your own safety and that of others at the meeting, please comply with any instructions given to you about evacuation of the building, or any other safety related matters.**

2. MOBILE COMMUNICATIONS DEVICES

Although mobile phones, pagers and other such devices are an essential part of many people's lives, their use during a meeting can be disruptive and a nuisance. Everyone attending is asked therefore to ensure that any device is switched to silent operation or switched off completely.

3. CONDUCT AT THE MEETING

Although members of the public are welcome to attend meetings of the Committee, they have no right to speak at them. Seating for the public is, however, limited and the Council cannot guarantee that everyone who wants to be present in the meeting room can be accommodated. When it is known in advance that there is likely to be particular public interest in an item the Council will endeavour to provide an overspill room in which, by use of television links, members of the public will be able to see and hear most of the proceedings.

The Chairman of the meeting has discretion, however, to invite members of the public to ask questions or to respond to points raised by Members. Those who wish to do that may find it helpful to advise the Committee Officer before the meeting so that the Chairman is aware that someone wishes to ask a question.

PLEASE REMEMBER THAT THE CHAIRMAN MAY REQUIRE ANYONE WHO ACTS IN A DISRUPTIVE MANNER TO LEAVE THE MEETING AND THAT THE MEETING MAY BE ADJOURNED IF NECESSARY WHILE THAT IS ARRANGED.

If you need to leave the meeting before its end, please remember that others present have the right to listen to the proceedings without disruption. Please leave quietly and do not engage others in conversation until you have left the meeting room.

AGENDA ITEMS**1 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS
(if any) - receive.**3 DECLARATION OF INTERESTS**

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

4 MINUTES

To approve as a correct record the minutes of the meeting of the Committee held on 20 September 2005, and to authorise the Chairman to sign them.

5 GOVERNANCE (APPEALS) SUB COMMITTEE

To receive the minutes of the Sub-Committee meetings held 6 February and 2 March 2006

(note: the exempt appendices are available only to Members of the Committee)

6 REVIEW OF POLLING DISTRICTS AND POLLING PLACES**7 AREA COMMITTEE REVIEW**

Governance Committee, 21 March 2006

8 AMENDMENTS TO THE CONSTITUTION

9 URGENT BUSINESS

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

Stephen Evans
Chief Executive

**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Havering Town Hall
1 February 2006 (7.30pm – 9pm)**

Present:

COUNCILLORS:

Conservative Group Frederick Thompson (in the Chair), +Steven Kelly, Eric Munday and Roger Ramsey

Residents' Group Ivor Cameron, +Gillian Ford and Barbara Reith

Labour Group Ray Harris and Wilf Mills

+ Substitute Members: Councillors Gillian Ford (for Louise Sinclair) and Steven Kelly (for Michael White)

Apologies were received for the absence of Councillors Louise Sinclair and Michael White

All decisions were taken with no vote against

Except as noted in minute 34, no Member declared an interest in any of the business before the meeting

The Chairman reminded Members of the action to be taken in an emergency

30 MINUTES

The Minutes of the meeting of the Committee held on 15 November 2005 were approved as a correct record and signed by the Chairman. It was agreed that the words "Council business" would be added before the word "need" in paragraphs 4 (line 2) and 5 (line 5) of Appendix 3 to the minutes – Eligibility and Use Criteria of members council-issued mobile phones

31 GOVERNANCE (APPEALS) SUB COMMITTEE

The Minutes of the meeting of the Sub-Committee held on 28 November 2005 were noted.

32 AWARDS FOR EMINENT SERVICE TO THE BOROUGH

The Local Government Act 1972 empowered the Council to recognise "eminent service" to the borough by conferring the honorary freedom of the borough, or (in the case of former Members) the office of Honorary Alderman.

It was also open to the Council to present non-statutory certificates in recognition of long service, irrespective of its eminence.

The report submitted invited consideration of a policy for the conferment of such awards.

In agreeing that the Council should have formal means to consider conferring such awards, Members felt that each nomination should be treated in its merits and that there would be no need, therefore, for specific definitions of the service to the borough that could be so recognised.

RESOLVED:

That the Council be **RECOMMENDED:**

- 1 That consideration be given annually (other than in the year of the Local Elections) as to whether the Council ought to confer the Honorary Freedom of the Borough on any person.
- 2 That, in the year of the Local Elections, consideration be given as to whether any former Member of the Council should be admitted as an Honorary Alderman.
- 3 That the practice of awarding non-statutory certificates of service to Members and former Members be reinstated and that their award be considered following the Local Elections.
- 4 That, if the those recommendations are adopted, the amendments to the Constitution set out in Appendix 1 to these minutes be approved in order to give effect to them.

33 APPOINTMENT OF INDEPENDENT MEMBERS TO STANDARDS COMMITTEE

The Local Government Act 2000 required the Council to appoint a Standards Committee, at least 25% of the membership of which must be Independent Members. The four-year term of office of the existing Independent Members of that Committee would expire at the Annual Meeting in May and therefore the process of re-appointing them, or appointing new Independent Members in their place, needed to be put in hand.

Governance Committee, 1 February 2006

This report outlined the requirements of the Act and sought agreement to the proposed procedure for making the appointments.

The Committee noted that a number of applications for appointment had been received and that a process of elimination would be needed to obtain a reasonable number of applicants for interview. Proposals were submitted for an interview process that would produce a shortlist of candidates for interview and approval by the Committee prior to a recommendation being put to the Council.

The Committee also noted the desirability of there being an arrangement to secure the prompt appointment of a replacement, should an Independent Member cease to be able to undertake the duties of that role. In addition to the proposal in the report submitted, Members at the meeting made various suggestions as to how such arrangements could conveniently be made. It was agreed that a further report be submitted to the next meeting on the options that might be available for this.

RESOLVED:

- 1 That the procedure outlined in the report for appointing Independent Members to serve on the Standards Committee for a four year term commencing at the Annual Meeting of the Council in May 2006, be approved.
- 2 That the general arrangements proposed in section 4.1 of the report for selecting applicants be approved.
- 3 That an ad hoc Sub-Committee be established, comprising the three Group Leaders (or their nominees) to short list and interview prospective Independent Members, and to nominate to the Committee those to be recommended for appointment.

34 APPOINTMENTS TO OTHER ORGANISATIONS, 2005/06 - further report

Councillor Frederick Thompson declared a personal interest, in that his wife (Councillor Wendy Brice-Thompson) was one of the nominees for appointment to the Adoption Panel.

Consideration was invited of the appointment of a Council representative governor of the Havering College of Further and Higher Education to fill the vacancy caused by the death of former Councillor Valerie Evans, for a term of office expiring in 2008. The Residents' Group did not wish to make a nomination and, accordingly, one had been submitted by the Conservative Group.

The Committee was also advised that, following a recent change in legislation, the Adoption Panel required to be re-appointed.

RESOLVED:

1. That Kevin Gregory be nominated for appointment as a governor of Havering College for the remainder of the term of office expiring in 2008.
2. That the current members of the Adoption Panel, including the Chair and Vice-Chair, be re-appointed for the purposes of the Adoption Agencies Regulations 2005.

35 CORPORATE GOVERNANCE ARRANGEMENTS IN HAVERING

The latest six monthly progress report on the Council's governance arrangements was submitted, including a proposed, revised Local Code of Corporate Governance. Members made suggestions as to additional points to be incorporated in the Code.

The Committee noted the actions taken and views expressed in the course of consultation with the public on the Code and associated information, and that the information in the submitted report would be used to develop the 2005/06 Statement of Internal Control.

RESOLVED:

- 1 That the Council confirm that the expectations set out in the assessment are in place within Havering.
- 2 That the Council confirm its commitment to promoting good Corporate Governance.
- 3 That the new Code of Governance be agreed, subject to modification as appropriate in the light of Members' comments at the meeting.

36 APPOINTMENT OF SCHOOL GOVERNORS – Council employee for appointment

Councillor Gillian Ford informed the Committee that she was a member of the panel by which the recommendation now being considered had been made.

The Committee noted that the panel established to make recommendations as to the appointment of school governors by the Council as LEA had recently met. The name of a prospective governor identified by the panel who was an employee of the Council was now submitted for approval.

RESOLVED:

Mrs Doreen Hitchings be appointed to the governing body of Whybridge Junior School.

37 AMENDMENTS TO THE CONSTITUTION - Monitoring Officer's alterations

The Constitution provided that this Committee must be notified at the first reasonable opportunity of any amendment made by the Monitoring Officer in exercise of her delegated power. The Committee now noted the amendments made by her and published in Notifications 18, 21, 22 and 23 (as set out in Appendix 2 to these minutes).

Arising from the amendments set out in Notification 18, the Committee requested submission to its next meeting of a further report as to the composition of the Appeals Panel referred to, in order to avoid potential conflicts of interest for the Members appointed to it.

38 REVISION OF CONTRACT PROCEDURE RULES

The Council's Contract Procedure Rules (CPR) had not been substantially revised since the initial drafting of the Constitution in 2002. The opportunity had been taken to incorporate comments from users of the current CPR and substantially re-order them into a more logical and accessible format, as well as detailed rewording. The new CPRs incorporate provisions for new and developing forms of procurement, and alterations in the various financial limits both to balance the cost of procurement with the value of the goods or services being procured and to accord with recently revised European procurement financial limits. Some changes in responsibilities were also proposed.

RESOLVED:

To **RECOMMEND** to Council that:

- 1 The revised Contract Procedure Rules, as appended to the report now submitted, be adopted
- 2 Part 3, section 2.2, paragraph 10 of the Constitution be amended to read:
"To approve staff commencing a tendering process for all contracts between £144,000 and £5,000,000"
- 3 Part 3, Section 2.2, paragraph 12 of the Constitution be amended by deleting "£154,000" in line 3 and substituting it with "£144,000"
- 4 Part 3, Section 3.3.4, paragraph 1 of the Constitution be amended by deleting "£154,000" in line 1 and substituting it with "£144,000"

Governance Committee, 1 February 2006

- 5 Part 3, Section 3.3.4, paragraph 2 of the Constitution be amended by deleting “£154,000” in line 1 and substituting it with “£144,000”
- 6 Part 3, Section 3.3.4, paragraph 3 of the Constitution be amended by deleting “£50,000” in sub-paragraph (ii) and substituting it with “£100,000”
- 7 Part 3, Section 3.4.4, paragraph 1 of the Constitution be amended by deleting “£154,000” in line 1 and substituting it with “£144,000”
- 8 Part 3, Section 3.4.4, paragraph 2 of the Constitution be amended by deleting “£154,000” in line 1 and substituting it with “£144,000”
- 9 Part 3, Section 3.4.4, paragraph 3 of the Constitution be amended by deleting “£50,000” in sub-paragraph (ii) and substituting it with “£100,000”

AWARDS FOR EMINENT SERVICE TO THE BOROUGH**Amendments to the Council Procedure Rules: Part 4 of the Constitution**

Note: CPR refers to Council Procedure Rule

CPR 1 Annual Meeting of the Council:

Insert new para. (viii) and renumber subsequent paras accordingly

- (viii) other than in a year when there is an ordinary election of Councillors, consider whether to confer on any person of distinction or who has rendered eminent service to the borough the Honorary Freedom of the Borough

CPR 2 Ordinary Meetings:

Insert new para. (iv) and renumber subsequent paras accordingly

- (iv) at the first ordinary meeting following the Annual Meeting in a year when there is an ordinary election of Councillors, consider whether to confer on any former Member who has rendered eminent service to the Council the office of Honorary Alderman, and to present to any other Member a certificate of service.

Insert new CPR and renumber subsequent CPRs accordingly

25. CONFERMENT OF AWARDS FOR EMINENT SERVICE

25.1 Other than in a year in which there is an ordinary election of Councillors, Council shall consider at the Annual Meeting whether to confer on any person the Honorary Freedom of the borough, in recognition of their distinction or eminent services to the borough.

25.2 In a year in which there is an ordinary election of Councillors, Council shall consider at first ordinary meeting following the Annual Meeting

- (a) whether to upon any former Councillor the office of Honorary Alderman, in

Governance Committee, 1 February 2006

- recognition of their eminent services to the Council; or
 - (b) the presentation to any Member or former Member of a certificate in recognition of service to the Council.

- 25.3 Notwithstanding rules 25.1 and 25.2, the Council may by motion consider conferring Honorary Freedom or the office of Honorary Alderman on a qualifying person, or presenting a certificate to an Member, where in the circumstances it is inappropriate to await the next Annual Meeting or that following it, as the case may be.

- 25.4 A motion to confer the Honorary Freedom or the office of Honorary Alderman shall set out the details of the “eminent service”, or the reason for “distinction” for which the award is to be conferred, and shall be passed if two thirds of those present and voting at the meeting vote in favour.

Notification No. 18 **Date 16th September 2005****Notification of amendments to the constitution****Amendments made by the Monitoring Officer**

Part 2, Article 15.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution:

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
Part 2 Article 8.01	23	Amend the functions of Governance Committee as follows: Add new bullet point after bullet point number 2 <ul style="list-style-type: none"> • <u>To determine any appeal against dismissal or final stage grievance lodged by "Havering Grade" staff.</u> 	Legal Requirement & Clarification
Part 3 Section 1.2	52	Amend the functions of the Governance Committee as follows: Staff disciplinary, capability, dismissal and grievance procedures Add a new bullet point under the above amended heading <ul style="list-style-type: none"> • <u>Where necessary to establish a panel to consider and determine any appeal against dismissal or final stage grievance lodged by "Havering Grade" staff.</u> 	Legal Requirement & Clarification
Part 3 Section 1.2	50	Under Adjudication and review delete Council Staff To consider disciplinary, capability and grievance matters relating to all staff below deputy chief officer.	Organisational Change

Notification No. 21 Date 25th November 2005
Notification of amendments to the constitution

Amendments made by the Monitoring Officer

Part 2, Article 15.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution:

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
Part 3 Sections 3.8.6	127	Add to delegated powers of Head of Business System 4. To develop and implement the Council's programme and project management strategy and capability.	Organisational change
Part 3 Section 7	160	Add additional sections 33, 34 & 59 and Part VIII Section 150 to the Environmental Protection Act	Organisational change
Part 3 Section 7	162	Add Town & Country Planning Act 1990 Section 215 – 219 Powers to deal with land adversely affecting amenity of the neighbourhood	Organisational change
Part 3 Section 7 Appendix F	166	Delete Head of Housing and Health and Environmental Health from the heading and first paragraph	Organisational change
Part 3 Section 3.7.2 Paragraph 8	106	Delete Part IX of the Town & Country Planning Act 1992 and insert Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004)	Legislation Change

Notification No. 22 Date 9th December 2005
Notification of amendments to the constitution

Amendments made by the Monitoring Officer

Part 2, Article 15.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution:

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
Part 3 Section 2 Paragraph 2.2.29	72	Delete	Correction of error
Part 3 Section 2 Paragraph 2.2.23	72	Add <u>or acquisition</u> after "disposal"	Omission

Notification No. 23 Date 13th December 2005
Notification of amendments to the constitution

Amendments made by the Monitoring Officer

Part 2, Article 15.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution:

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
Part 3, Section 7	Page 162	Insert Private Security Industry Act 2001 in enactments to be enforced	Legal Requirement
Part 3, Section 3 paragraph 3.7.5.23	Page 121	Add to the end of paragraph 23 "in consultation with the Assistant Chief Executive Legal & Democratic Services"	Omission
Part 3 Section 3 Paragraph 3.9.2.9	Page 129	Insert after "statutory notices" the words "approvals and licences"	Omission

**MINUTES OF A MEETING OF THE
GOVERNANCE (APPEALS) SUB COMMITTEE
Havering Town Hall, Romford
6 February 2006 (2pm – 3.15pm)**

Present:

COUNCILLORS:

Conservative Group Eric Munday (in the Chair) and Roger Ramsey

Residents' Group Ivor Cameron

Labour Group Wilf Mills

No Member declared an interest in any of the business before the meeting.

The Head of Exchequer Services, the Head of HR Policy and Advisory Services, the Principal Solicitor (Corporate) and the Democratic Services Manager were also present

8. MINUTES

Subject to the amendment of 'Principal Solicitor (Corporate)' to read 'Legal Manager (Corporate)', in the list of those present the minutes of the meeting of the Sub-Committee on 28 November 2005 were agreed as a correct record and signed by the Chairman.

9. PROCEDURE FOR HEARING APPEALS – future appeals

The Sub-Committee noted the procedure included with the agenda.

10. EXCLUSION OF THE PUBLIC

On the proposal of the Chairman it was **RESOLVED** that the public should now be excluded from the remainder of the meeting on the grounds that it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during those items there would be disclosure to them of exempt information within the meaning of paragraph 1 of Schedule 12A to the Local Government Act 1972.

11. APPEAL AGAINST DECISION OF PENSIONS PANEL - OFFICER C

The Sub-committee heard Officer C's case against a decision of the Pension Panel in respect of added years.

The Sub-Committee, considered the following

1. Contents of the Statement for the Pensions Panel, submitted by the Appellant, dated November 2005 and the Supplementary Statement for the Pensions Panel dated 29 November 2005;
2. Contents of the Exempt report of the Chief Executive, appearing as Item 6 in the documents before the Sub-Committee;
3. Factors which the Pensions Panel took into account in arriving at its decision, against which the appeal had been lodged;
4. Letter, dated 30 November 2005 from the Assistant Chief Executive (Human Resources) to the Appellant;
5. Questions put to the Assistant Chief Executives, Legal and Democratic Services and Human Resources by the Appellant;
6. Answers given by the Assistant Chief Executives, referred to in 5 above, to the Appellant's questions;
7. Additional information, presented orally to the Sub-Committee by the Appellant;
8. Information provided to the Sub-Committee by the Head of Exchequer Services on how much additional pension the Appellant would receive for each additional year, if granted.

The Sub-Committee considered the appellant's written and oral representations and those of the Panel by the Assistant Chief Executive, Legal & Democratic Services, Christine Dooley and the Assistant Chief Executive, Human Resources, David Ede.

The Sub-Committee determined their decision on the basis of the following factors:

1. the Appellant's age, experience and ability
2. the number of years of continuous local government employment which the Appellant had

Governance (Appeals) Sub-Committee, 6 February 2006

3. the nature of the Appellant's redundancy. On this, the Sub-Committee was clear that it was not enquiring into the circumstances of the redundancy but looking only at the fact that the Appellant had been made compulsorily redundant;
4. the value of the Appellant's pension and pension lump sum; and
5. the likelihood of the Appellant securing other employment.

On 1. and 5. The Sub-Committee took the view that, at aged 52, and with his level of ability, the Appellant could go on to generate further earnings, whether by obtaining an interim or a permanent position.

On 2. The Appellant had 24 years continuous local government service, three of those years with Havering Council. The Sub-Committee took the view that this factor did not, by itself, point in favour of a decision to award 'added years'.

On 3. and 4. It was accepted that the Appellant had been made compulsorily redundant. The Sub-Committee, however, took note of the fact that in every form of employment there is a risk of redundancy. The Sub-Committee took the view that the Appellant had received full and proper compensation for his redundancy and noted the value of the appellant's pension and lump sum.

Having taken account of the information outlined and the factors set out above, the Sub-Committee **RESOLVED** on a majority vote, in exercise of its discretion, not to award 'added' years and, consequently, not to depart from the decision which had been arrived at by the Pension Panel.

(Note – this was agreed by three votes to one, Councillors Munday, Ramsey and Cameron voting in favour, Councillor Mills against.)

**MINUTES OF A MEETING OF THE
GOVERNANCE (APPEALS) SUB COMMITTEE
Havering Town Hall, Romford
2 March 2006 (2.15pm – 4.50pm)**

Present:

COUNCILLORS:

Conservative Group Eric Munday (in the Chair) and Roger Ramsey

Residents' Group Ivor Cameron

Labour Group Wilf Mills

No Member declared an interest in any of the business before the meeting.

The Head of Exchequer Services, the Head of HR Policy and Advisory Services, the Principal Solicitor (Corporate) and the Democratic Services Manager were also present

13. MINUTES

The minutes of the meeting of the Sub-Committee on 6 February 2006 were agreed as a correct record and signed by the Chairman.

14. PROCEDURE FOR HEARING APPEALS

The Sub-Committee noted the procedure included with the agenda.

15. EXCLUSION OF THE PUBLIC

On the proposal of the Chairman it was **RESOLVED** that the public should now be excluded from the remainder of the meeting on the grounds that it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during those items there would be disclosure to them of exempt information within the meaning of paragraph 1 of Schedule 12A to the Local Government Act 1972.

16. APPEAL AGAINST DECISION OF PENSIONS PANEL - OFFICER D

The Sub-committee heard Officer D's case against a decision of the Pension Panel in respect of added years.

The Sub-Committee, considered the following

1. Contents of the Statement to the Appeals Sub-Committee, submitted by the Appellant, dated November 2005 and additional information, presented orally to the Sub-Committee by the Appellant;
2. Contents of the Exempt report of the Chief Executive, appearing as Item 6 in the documents before the Sub-Committee;
3. Factors which the Pensions Panel took into account in arriving at its decision, against which the appeal had been lodged; and
4. Questions put to the Assistant Chief Executives, Legal and Democratic Services and Human Resources by the Appellant and answers given by the Assistant Chief Executives to the Appellant's questions;

The Sub-Committee determined their decision on the basis of the following factors:

1. the Appellant's age, experience and ability
2. the number of years of continuous local government employment which the Appellant had
3. the nature of the Appellant's redundancy. On this, the Sub-Committee was clear that the Appellant had been made compulsorily redundant; and
4. the value of the Appellant's pension and pension lump sum; and

On 1. The Sub-Committee took the view that, at aged 53, and with his level of ability, the Appellant could go on to generate further earnings, whether by obtaining an interim or a permanent position.

On 2. The Appellant had 32 years continuous local government service, 15½ of those years with Havering Council. The Sub-Committee took the view that this factor did not, by itself, point in favour of a decision to award 'added years'.

On 3 and 4. It was accepted that the Appellant had been made compulsorily redundant and took the Appellant's point that he would need to continue to work to achieve his previously-

Governance (Appeals) Sub-Committee, 2 March 2006

expected level of pension. The Sub-Committee, however, took note of the fact that in every form of employment there is a risk of redundancy. The Sub-Committee took the view that the Appellant had received full and proper compensation for his redundancy and noted the value of the Appellant's pension and lump sum.

Having taken account of the information outlined and the factors set out above, the Sub-Committee **RESOLVED** unanimously, in exercise of its discretion, not to award 'added' years and, consequently, not to depart from the decision which had been arrived at by the Pension Panel.

Governance (Appeals) Sub-Committee, 2 March 2006



MEETING	DATE	ITEM
GOVERNANCE COMMITTEE	21 MARCH 2006	6

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: REVIEW OF POLLING DISTRICTS AND POLLING PLACES

ALL WARDS

SUMMARY

At the meeting on 20 September 2005 the Committee resolved that a review of polling districts and polling places be undertaken. The Election Services Manager (ESM) was asked to formulate a set of preliminary proposals as a basis for discussion to be put to Members and wider consultation with the public and interested groups. The outcome was to be reported to this Committee for further decision, before the proposals were put to full Council for approval.

Attached as an appendix are, in respect of each polling district, details of the proposals formulated by the ESM, the outcome of the consultation, and recommendations.

RECOMMENDATION

- (1) That the recommendation in respect of each Ward be adopted and put before Council.
- (2) That, in due course, an accessibility review of polling places be undertaken.

REPORT DETAIL**1. Introduction**

1.1 Following the decision of the Committee in September proposals were prepared and –

- Consultation was carried out with elected representatives, Area Committees and other stakeholders. At Area Committee meeting attendees were invited to comment and encouraged to comment in writing too.
- Copies of the proposals were deposited in libraries and at the Town Hall for public inspection.
- A formal public notice was published in the Romford Recorder while free local publicity was given in the press and radio.
- Several copies of the proposals were given to the Havering Association of People with Disabilities (HAD) for distribution and a paragraph was included in the Association's newsletter, which has a distribution of 400 copies.
- The Council's Access Officer, was consulted.

1.2 It is intended that changes agreed as part of this review would take effect in December 2006 which is the next statutory publication date for the new Register of Electors.

2. Outcome of Consultation

2.1 Attached as an Appendix, with the wards set out alphabetically, are in respect of each ward, the original proposals, the outcome of the consultation and the recommendation. The Committee's recommendations will be considered by Council on 29 March 2006.

2.2 Eight written responses were received and these are reflected in the comments shown in the appendix. Comments were also made at the Area committees and these too are reflected at the appropriate places in the report.

2.3 For the most part the original proposals are recommended for adoption. However, in one case, Romford Town, a suggestion emerging from the consultation is recommended for adoption. In another the proposed cessation of using a venue (Wennington Hall, Rainham & Wennington Ward) has generated a good deal of response and the Committee is asked to consider whether the proposal should go ahead.

Governance Committee, 21 March 2006**3. Other matters raised**

- 3.1 The Council's Access Officer responded that as a service provider the Electoral Services must take all reasonable measures to ensure that disabled voters can vote at their polling station should they wish to do so. Also the Service is obliged to actively promote disability equality and, to this end, he recommended that following this review a further review of the accessibility of all polling stations is carried out, with the formulation of an action plan to remove or minimise barriers of access to voting, if alternative polling stations cannot be found. He also suggested that the results of that review be made available to potential voters who may find it more difficult to vote because of polling place difficulties. It is intended to adopt this suggestion.
- 3.2 James Brokenshire M.P. asked in his response for the ability for local residents to make further representations before a final decision is made, however no provision has been made for a further round of consultation in the timetable approved by the Committee in September. Once this report is published, however, local residents might make further comments or approach one of their local Members.
- 3.3 At the North Romford Area Committee meeting, a suggestion was made that there might well be circumstances where a mobile polling station might be the best solution to venue difficulties. The provision of such a unit was also suggested by a written representation in respect of the Harold Wood Ward.
- 3.4 In many ways this might appear a good solution to venue difficulties. However, the disadvantages associated with mobile units that are currently available are -
- They have poorer access for the disabled than the vast majority of fixed premises
 - They need to be located next to toilet facilities and a source of power (which seriously inhibits the places they can be located)
 - Their security (once hired they have to be looked after outside hours of use)
 - Their cost. The hire of a unit for a day could be as much as £5,000
- Overall it is considered that mobile units do not, at present, offer a viable alternative to imperfect fixed premises
- 3.5 At a couple of Area Committee meetings the ESM was asked about several polling related issues associated with registration, poll cards etc. These matters, however, fall outside the scope of this review: the

Governance Committee, 21 March 2006

matters were dealt with as they arose and no further action is proposed here.

4. Financial Implications and risks:

If the recommendations are adopted there will be savings of approximately £2,000 on the cost of a full election. In addition to the changes recommended in this report. if the original proposal to cease using Wennington Hall is agreed there will be an additional saving of £700 per full election.

5. Legal Implications and risks:

An election cannot be questioned because of any non-compliance or informality with regard to the designation of polling districts or polling places.

It is the duty of a London Borough Council to divide every parliamentary constituency into polling districts and in designating polling districts every part of a parliamentary constituency must be within a polling district and all electors must agree 'such reasonable facilities' for voting as are practicable.

The Borough may designate different polling districts for the election of its Councillors. Any polling district designated for a local electoral area must be wholly within the electoral area for which it is designated.

A polling place is also a geographical area and is also designated by the Council. It may be a particular building, a street or even the whole polling district. In designating polling places the Council must have regard to the convenience of the electors in voting and in particular to ensure that the polling place is accessible for disabled voters.

A polling station is the physical location at which polling takes place. It is the Returning Officer's decision to decide on polling stations within the designated polling place under various legislative provisions and to allot the electors to the polling stations in such manner as he thinks convenient.

This is obviously important generally but more specifically there are times when polling stations are unavailable for a variety of reasons and at that time urgent action is required in order to establish an alternative polling station to enable an election to proceed.

Governance Committee, 21 March 2006

6. Human Resources Implications and risks: None

7. Equalities and Social Inclusion implications:

The suggestions of the Access Officer will be pursued.

Staff Contact: Sandra Cottle
Designation: Election Service Manager
Telephone No: 01708 432446
E-mail address: sandra.cottle@haverling.gov.uk

**Stephen Evans
Chief Executive**

Background Paper List

Letters and e-mails of representation.

Ward - Brooklands**Parliamentary Constituency****Area Committee – Central****Polling Districts and Polling Places and Proposals on which consultation was undertaken**

This Ward currently comprises the existing polling districts of BL1 (731 electors); BL2 (1552); BL3 (1904) BL4 (1912) BL5 (1070) and BL6 (2594)

The current polling places used are:-

BL1 - St Johns Hall, Pretoria Road
 BL2 - Mawney School, Mawney Road
 BL3 - Sports Pavilion Cottons Park, Cottons Road
 BL4 - Crowlands School, London Road
 BL5 - Romford/Gidea Park Rugby Club, Crow Lane
 BL6 - Rush Green Gospel Hall, Birbeck Road

The following proposals are recommended :-

Polling Districts

- To retain the existing polling districts BL1 and BL5.
- To redraw the boundary of BL3 to incorporate part of Jubilee Avenue, Recreation Avenue, Richards Avenue, Cromer, Norfolk, Kensington and Knighton Roads, Sheringham Avenue etc., into polling district BL4 and rename it BL3.
- To amalgamate the remainder of polling district BL3 and BL2 into one polling district BL2.
- To rename polling district BL6, making it BL4.

Polling Places

- To make no changes to the polling places currently used except for electors in BL3 who will be split between Mawneys and Crowlands Schools, and to no longer use the Sports Pavilion in Cottons Park, which has vulnerable access especially at night.

Governance Committee, 21 March 2006**Access**

- Staff are not aware of any other access issues.

Outcome of the consultation

There were no comments on the proposals.

RECOMMENDATION

That Council be recommended that the following proposals be adopted

–

- (1) In respect of Polling Districts –**
 - (a) To retain the existing polling districts BL1 and BL5.**
 - (b) To redraw the boundary of BL3 to incorporate part of Jubilee Avenue, Recreation Avenue, Richards Avenue, Cromer, Norfolk, Kensington and Knighton Roads, Sheringham Avenue etc., into polling district BL4 and rename it BL3.**
 - (c) To amalgamate the remainder of polling district BL3 and BL2 into one polling district, BL2.**
 - (d) To rename polling district BL6, making it BL4.**
- (2) To make no changes to the polling place venues used, except for electors in BL3 who will be split between Mawneys and Crowlands Schools and no longer use the Sports Pavilion in Cottons Park.**

Ward - Cranham**Parliamentary Constituency Upminster****Area Committee – Upminster, Cranham & Emerson Park****Polling Districts and Polling Places and Proposals on which consultation was undertaken**

This Ward currently comprises the existing polling districts of CM1 (1583 electors); CM2 (2007); CM3 (2324) CM4 (1232) CM5 (1798) and CM6 (910).

The current polling places used are:-

- CM1 - St Luke's Church Hall, Front Lane
- CM2 - Front Lane Community Hall, Front Lane
- CM3 - Cranham Church, Severn Drive
- CM4 - Cranham Community Centre, Marlborough Gardens
- CM5 - Methodist Church Hall, Hall Lane
- CM6 - Methodist Church Hall, Hall Lane

The following proposals are recommended: -

Polling Districts

- To retain the existing polling districts CM1, CM2, CM3 and CM4.
- To amalgamate polling districts CM5 and CM6 into one polling district CM5.

Polling Stations

- To make no changes to the polling stations currently used.
- The polling stations for CM1 and CM2 are just outside the boundaries of the respective polling districts but staff are unaware of any other suitable premises within the polling districts that could be used.

Access

- Front Lane Community Hall, Front Lane has a lift which must be in working order for wheelchair access.

Governance Committee, 21 March 2006

- The small estate located in CM6 has no direct vehicular access to the Methodist Church Hall. There is a footpath but it has been in poor repair and is vulnerable at night. This was part of the area that previously used Whittaker Hall, in Woodhall Crescent, prior to the Ward boundary changes, but this hall is now used for polling in Emerson Park Ward. No alternative premises can be found at the present time.

Outcome of the consultation

There were no comments on the proposals.

RECOMMENDATION

That Council be recommended that the following proposals be adopted

–

- (1) To retain the existing polling districts CM1, CM2, CM3 and CM4.**
- (2) To amalgamate polling districts CM5 and CM6 into one polling district CM5.**
- (3) To make no changes in the polling station venues currently used.**

Ward - Elm Park

Parliamentary Constituency Hornchurch

Area Committee – South Havering

Polling Districts and Polling Places and Proposals on which consultation was undertaken

This Ward currently comprises the existing polling districts of EL1 (1913 electors); EL2 (2523); EL3 (1049) EL4 (1806) and EL5 (2126).

The current polling places used are:-

EL1 - Scargill Infants School, Mungo Park Road
EL2 - R.J.Mitchell School, Tangmere Crescent
EL3 - Scargill Junior School, Mungo Park Road
EL4 - Elm Park Hall, Eyhurst Avenue
EL5 - Baptist Church Hall, Rosewood Avenue

The following proposals are recommended:-

Polling Districts

- To amalgamate polling districts EL1 and EL3 renaming the new polling district EL1.
- To make no changes to the other polling districts except for renaming EL5 making it EL3.

Polling Places

- To make no changes to the polling places currently used for EL2, EL4 and EL5 (to be renamed EL3).
- The headteacher of Scargill Junior School, has requested that instead of using Scargill Junior and Infant Schools, that polling be amalgamated at the Junior School and used as the polling place for EL1. This would also be less confusing to the electors.

Access

- Staff are not aware of any access issues

Governance Committee, 21 March 2006

Outcome of the consultation

There were no comments on the proposals.

RECOMMENDATION

That Council be recommended that the following proposals be adopted

–

- (1) To amalgamate polling districts EL1 and EL3, renaming the new polling district EL1.**
- (2) To make no changes to the other polling districts except for renaming EL5 as EL3.**
- (3) To make no changes to the polling places currently used for EL2, EL4 and EL5 (to be renamed EL3) except to amalgamate polling for EL1 so that instead of using Scargill Junior and Infant Schools, the Junior School be used as the polling place.**

Governance Committee, 21 March 2006

Ward - Emerson Park

Parliamentary Constituencies Upminster and Romford

Area Committee – Upminster, Cranham & Emerson Park

Polling Districts and Polling Places and Proposals on which consultation was undertaken

This Ward currently comprises the existing polling districts of EM1 (861 electors); EM2 (1368); EM3 (895) EM4 (2696) EM5 (1110) and EM6 (2207).

The current polling places used are:-

EM1 – Harold Wood Primary School, Recreation Avenue
EM2 – Gidea Park Church, Manor Avenue
EM3 – Gidea Park Church, Manor Avenue
EM4 – Nelmes Hall, Burntwood Avenue
EM5 – Whittaker Hall, Woodhall Crescent
EM6* – Nelmes School, Wingletye Lane

*EM1 to EM5 is in the Upminster Parliamentary Constituency, EM6 is in the Romford Parliamentary Constituency and so has to remain a separate polling district until the parliamentary boundaries become coterminous.

The following proposals are recommended :-

Polling Districts

- To retain the existing polling districts EM1, EM4 and EM5.
- To amalgamate polling districts EM2 and EM3 into one polling district EM2.
- To rename polling district EM6 to EM3.

Polling Stations

- To make no changes to the polling stations currently used.
- Gidea Park Church is outside the Ward boundary, but an alternative suitable venue cannot currently be found.

Governance Committee, 21 March 2006**Access**

- Staff are not aware of any access issues.

Outcome of the consultation

At the meeting of the Upminster, Cranham and Emerson Park Area Committee on 15 December, Councillor Roger Ramsey raised a point, which he also supported by letter, that the polling station for polling districts EM2 and EM3 Gidea Park Church, Manor Avenue, which is just outside the polling district, is quite a distance from residents on the eastern edge of the eastern polling district, EM3. He suggested using Emerson Park Community Hall, Slewins Lane instead.

However, that hall is already used as a polling station for polling district SQ8 (due to be renamed SQ5) in Squirrels Heath Ward. It is not recommended that electors for different wards use the same polling places as this is impractical for many reasons including the fact that ballot papers could be placed in the wrong ballot boxes.

The Election Services Manager has looked for an alternative polling place for SQ8 (SQ5). Unfortunately there is nowhere else suitable available. She has also been unable to find any alternative venues within polling districts EM2 and EM3.

It is, therefore, recommended that the original proposals be agreed.

RECOMMENDATION

That Council be recommended that the following proposals be adopted -

- (1) In respect of Polling Districts**
 - (a) To retain the existing polling districts EM1, EM4 and EM5.**
 - (b) To amalgamate polling districts EM2 and EM3 into one polling district.**
 - (c) To rename polling district EM6 as EM3.**
- (2) To make no changes to the polling station venues currently used.**

Governance Committee, 21 March 2006**Ward - Gooshays****Parliamentary Constituency Upminster****Area Committee – Harold Hill and Harold Wood****Polling Districts and Polling Places and Proposals on which consultation was undertaken**

This Ward currently comprises the existing polling districts of GS1 (1250 electors); GS2 (910); GS3 (1138) GS4 (122) GS5 (232) GS6 (2002) GS7 (1528) GS8 (1145) and GS9 (1284).

The current polling places used are:-

GS1 – Harold Hill Library, Hilldene Avenue
 GS2 – Old Peoples Home, Chippenham Gardens
 GS3 – Broadford School, Faringdon Avenue
 GS4 – Brookside School, Dagnam Park Road
 GS5 – Holy Redeemer Church, Petersfield Avenue
 GS6 – Holy Redeemer Church, Petersfield Avenue
 GS7 – Pyrgo Priory School, Settle Road
 GS8 – Pyrgo Priory School, Settle Road
 GS9 – Brookside School, Dagnam Park Road

The following proposals are recommended :-

Polling Districts

- To retain the existing polling districts GS1, GS2 and GS3.
- To amalgamate polling districts GS4, GS8 and GS9 into one polling district GS4.
- To amalgamate polling districts GS5 and GS6 into one polling district GS5.
- To rename polling district GS7 to GS6.

Polling Places/Stations

- To make no changes to the polling places/stations currently used, except the electors from GS4 (was GS8) will use Brookside School instead of Pyrgo Priory School.

Governance Committee, 21 March 2006

Access

- Staff are not aware of any access issues.

Outcome of the consultation

There were no comments on the proposals.

RECOMMENDATION

That Council be recommended that the following proposals be adopted

–

- (1) In respect of Polling Districts –**
 - (a) To retain the existing polling districts GS1, GS2 and GS3.**
 - (b) To amalgamate polling districts GS4, GS8 and GS9 into one polling district GS4.**
 - (c) To amalgamate polling districts GS5 and GS6 into one polling district GS5.**
 - (d) To rename polling district GS as GS6.**
- (2) To make no changes to the polling places currently used, except the electors from GS4 (was GS8) use Brookside School instead of Pyrgo Priory School.**

Governance Committee, 21 March 2006

Ward - Hacton

Parliamentary Constituency Hornchurch

Area Committee - Hornchurch

Polling Districts and Polling Places and Proposals on which consultation was undertaken

This Ward currently comprises the existing polling districts of HN1 (960 electors); HN2 (1387); HN3 (1786) HN4 (3111) and HN5 (2483).

The current polling places used are:-

HN1 – St Georges Hall, Kenilworth Gardens
HN2 – St Matthews Hall, Chelmsford Drive
HN3 – Hacton School, Chepstow Avenue
HN4 – Suttons School, Suttons Lane
HN5 – Ayloff School, South End Road

The following proposals are recommended :-

Polling Districts

- To make no changes to the existing polling districts.

Polling Stations

- To make no changes to any polling stations in this Ward.

Access

Staff are not aware of any access issues.

Outcome of the consultation

There were no comments on the proposals so far as they related to Hacton Ward itself.

RECOMMENDATION

That Council be recommended that no changes be made to existing polling districts or places.

Governance Committee, 21 March 2006

Ward - Harold Wood

Parliamentary Constituency Upminster

Area Committee – Harold Hill and Harold Wood

Polling Districts and Polling Places and Proposals on which consultation was undertaken

This Ward currently comprises the existing polling districts of HW1 (2308 electors); HW2 (1037) HW3 (2469) HW4 (2719) and HW5 (1240)

The current polling places used are:-

HW1 – Mead Infants School, Amersham Road

HW2 – Baptist Church Hall, Ingreway

HW3 – Ingrebourne Centre, Gubbins Lane

HW4 – Methodist Church Hall, The Drive

HW5 – Harold Court School, Church Road

The following proposals are recommended :-

Polling Districts

- To make no changes to the existing polling districts.

Polling Places/Stations

- To make no changes to any polling places/stations in this Ward.

Access

- The wheelchair access at the Methodist Church Hall is at the rear of the building.

Outcome of the consultation

Councillor Steven Kelly wrote supporting the proposals for no change to the polling districts or polling places in Harold Wood Ward.

An email from Mr Coles, on behalf of the Liberal Democrats, states that it is a long distance from the western end of polling districts HW1 and HW4 to the electors' respective polling places (in particular the increased number of voters at the Arterial Road end of HW4 who have a mile-long journey via the

Governance Committee, 21 March 2006

A12 to get to their polling place) and he suggests using a mobile station in Tesco's car park. Mobile units are not recommended (see paragraphs 3.3 to 3.5 of the main report).

However no change has been proposed to these polling places which have been used for a long time and in respect of which there have been no complaints from the electors at past elections. While it is unfortunate that the polling places in these two polling districts are not more central, it is not feasible to offer electors a choice of more than one location to vote, as it would not be possible to stop them from voting at each polling station.

It is, therefore, proposed that the original proposals be agreed.

RECOMMENDATION

That Council be recommended that no changes be made to existing polling districts or places.

Governance Committee, 21 March 2006

Ward - Havering Park

Parliamentary Constituency Romford

Area Committee – North Romford

Polling Districts and Polling Places and Proposals on which consultation was undertaken

This Ward currently comprises the existing polling districts of HP1 (2077 electors); HP2 (1948); HP3 (964) HP4 (1180) HP5 (1094) HP6 (545) HP7 (886) HP8 (475) and HP9 (27).

The current polling places used are –

- HP1 – Forest Lodge Activity Centre, Lodge Lane
- HP2 – Clockhouse School, Clockhouse Lane
- HP3 – Chase Cross Neighbourhood Centre, Hillrise Road
- HP4 – St James Church Hall, Chase Cross Road
- HP5 – St James Church Hall, Chase Cross Road
- HP6 – North Romford Community Centre, Clockhouse Lane
- HP7 – Chase Cross Neighbourhood Centre, Hillrise Road
- HP8 – Dame Tipping School, North Road
- HP9* - Dame Tipping School, North Road

*HP1 to HP8 is in the Romford Parliamentary Constituency, HP9 is in the Upminster Parliamentary Constituency and so has to remain a separate polling district until the parliamentary boundaries become coterminous.

The following proposals are recommended -

Polling Districts

- To retain the existing polling districts HP1 and HP2.
- To amalgamate polling districts HP3 and HP7 into one polling district HP3.
- To amalgamate polling districts HP4 and HP5 into one polling district HP4.
- To rename polling district HP6 as HP5.
- To rename polling district HP8 as HP6.

Governance Committee, 21 March 2006

- To rename polling district HP9 as HP7 to be automatically incorporated into polling district HP6 when the parliamentary boundaries become coterminous at the next parliamentary general election.

Polling Places

- No change to any polling place in this Ward is proposed.

Access

- There are access issues at the Forest Lodge Activity Centre. However the site is being redeveloped and the Hall presumably is then expected to have suitable access.
- There is also a problem with access for wider wheelchairs at Dame Tipping School but there is no alternative suitable place.

Notes

Forest Lodge Activity Centre is being rebuilt and interim arrangements may have to be made until completion.

Outcome of the consultation

At the meeting of the North Romford Area Committee on 29 November, the appropriateness of combining polling districts HP3 and 7 was questioned, as the polling place Chase Cross Neighbourhood Centre was located on a hill.

Prior to the Ward changes a residential property was used for polling for part of the area. However, the flooring of the house had to be protected by a druggett, which represented a severe trip hazard, and, therefore, for safety reasons alone it is not appropriate for this house, or indeed houses generally, to be used. Additionally, houses rarely provide good access for the disabled. There are no other alternative suitable venues within the locality.

At the meeting the use of a mobile unit was also suggested as worthy of consideration. The use of such units is not recommended at the present time (see paragraph 3.3 to 3.5 of the main report)

Governance Committee, 21 March 2006

It is therefore recommended that the original proposals be agreed.

RECOMMENDATION

That Council be recommended that the following proposals be adopted.

- (1) In respect of Polling Districts –**
 - (a) To retain the existing polling districts HP1 and HP2.**
 - (b) To amalgamate polling districts HP3 and HP7 into one polling district, HP3, and polling districts HP4 and HP5 into one polling district, HP4.**
 - (c) To rename polling district HP6 as HP5, and HP8 as HP6.**
 - (d) To rename polling district HP9 as HP7 to be automatically incorporated into polling district HP6 when the Parliamentary boundaries become coterminous at the next Parliamentary election.**
- (2) To make no changes in any polling place currently used.**

Governance Committee, 21 March 2006**Ward - Heaton****Parliamentary Constituency Upminster****Area Committee – Harold Hill and Harold Wood****Polling Districts and Polling Places and Proposals on which consultation was undertaken**

This Ward currently comprises the existing polling districts of HT1 (1311 electors); HT2 (1043) HT3 (1728) HT4 (1808) HT5 (693) HT6 (648) HT7 (611) and HT8 (850).

The current polling places used are:-

HT1 – Ingrebourne School, Ashbourne Road
 HT2 – St Ursulas School, Straight Road
 HT3 – Hilldene School, Grange Road
 HT4 – Betty Strathern Centre, Myrtle Road
 HT5 – Betty Whiting Centre, Briar Road
 HT6 – Betty Whiting Centre, Briar Road
 HT7 – United Reformed Church, Chaucer Road
 HT8 – United Reformed Church, Chaucer Road

The following proposals are recommended :-

Polling Districts

- To retain the existing polling districts HT1 and HT4.
- To redraw the boundary of HT3 incorporating Grange Road, Hale End and Archway into polling district HT2.
- To amalgamate the remainder of polling district HT3 with polling districts HT7 and HT8 into one polling district HT3.
- To amalgamate polling districts HT5 and HT6 into one polling district HT5

Polling Places/Stations

- The only change to the polling places/stations currently used is that Hilldene School will no longer be required. The electors who previously used this polling place will be divided between St Ursulas School and the United Reformed Church.

Governance Committee, 21 March 2006**Access**

- Staff are not aware of any access issues.

Outcome of the consultation

There were no comments on the proposals.

RECOMMENDATION

That Council be recommended that the following proposals be adopted.

- (1) In respect of Polling Districts –**
 - (a) To retain the existing polling districts HT1 and HT4.**
 - (b) To redraw the boundary of HT2 and HT3 to incorporate Grange Road, Hale End and Archway into polling district HT2.**
 - (c) To amalgamate the remainder of polling district HT3 with polling districts HT7 and HT8 into one polling district, HT3.**
 - (d) To amalgamate polling districts HT5 and HT6 into one polling district, HT5.**
- (2) As Hildene School will no longer be required, the electors who previously used this polling place be divided between St Ursula's School and the United Reformed Church.**

Governance Committee, 21 March 2006**Ward - Hylands****Parliamentary Constituency Hornchurch****Area Committee - Hornchurch****Polling Districts and Polling Places and Proposals on which consultation was undertaken**

This Ward currently comprises the existing polling districts of HY1 (1028 electors); HY2 (1036) HY3 (1363) HY4 (1546) HY5 (2283) HY6 (973) and HY7 (1420).

The current polling places used are:-

HY1 – Dukes Hall, Maygreen Crescent
 HY2 – Dukes Hall, Maygreen Crescent
 HY3 – St Marys School, Hornchurch Road
 HY4 – Albany School, Broadstone Road
 HY5 – Wykeham School, Rainsford Way
 HY6 – Towers School, Windsor Road
 HY7 – Towers School, Windsor Road

The following proposals are recommended :-

Polling Districts

- To retain the existing polling districts HY3, HY4 and HY5.
- To amalgamate polling districts HY1 and HY2 into one polling district HY1.
- To amalgamate polling districts HY6 and HY7 into one polling district HY2.

Polling Stations

- To make no changes to any polling stations in this Ward.

Access

- Staff are not aware of any access issues.

Outcome of consultation

At the meeting of the Hornchurch Area Committee on 1 December, the point was raised that the proposed merger of polling districts HY1 and HY2 would mean that electors to the east of the current polling district HY2 would have a

Governance Committee, 21 March 2006

long distance to travel to their polling place. This proposal rationalises the current situation (ie electors in HY1 and HY2 already vote at this polling place) and no complaints have been received from any electors at past elections. While it is unfortunate that the polling place in this amalgamated polling district is not more central, there is no alternative suitable venue available.

Another issue raised at this meeting was that prior to the Ward boundary changes some electors in St Andrews Ward voted at St Georges Hall, Kenilworth Gardens. This venue is now well within Hacton Ward and is used as the polling station for HN1. It was suggested that electors from St Andrews Ward could also vote at St Georges Hall. This is, however, impracticable for many reason including the fact that ballot papers could be placed in the wrong ballot boxes.

It is, therefore, recommended that the original proposals be agreed.

RECOMMENDATION

That Council be recommended that the following proposals be adopted –

- (1) To retain the existing polling districts HY3, HY4 and HY5.**
- (2) To amalgamate polling districts HY1 and HY2 into one polling district, HY1.**
- (3) To amalgamate polling districts HY6 and HY7 into one polling district, HY2.**
- (4) To make no changes to any polling place venues currently used.**

Governance Committee, 21 March 2006

Ward - Mawneys

Parliamentary Constituency Romford

Area Committee – North Romford

Polling Districts and Polling Places and Proposals on which consultation was undertaken

This Ward currently comprises the existing polling districts of MN1 (1278 electors) MN2 (1695) MN3 (994) MN4 (1836) MN5 (2310) and MN6 (1320).

The current polling places used are -

- MN1 – Ascension Church Hall, Collier Row Road
- MN2 – St Patrick’s School, Lowshoe Lane
- MN3 – Havering Road Church, Moray Way
- MN4 – Good Shepherd Church Hall, Redriff Road
- MN5 – Scout Hall, Abbots Close
- MN6 – Crownfield School, White Hart Lane

The following proposals are recommended -

Polling Districts

- To retain the existing polling districts.

Polling Places

- No changes to any polling places in this Ward are proposed.

Access

- Access to the Scout Hall is not ideal, however the Electoral Services Manager is not aware of any alternative venue within the polling district.

Outcome of the consultation

There were no comments on the proposals

RECOMMENDATION

That Council be recommended that no changes be made to existing polling districts or places.

Governance Committee, 21 March 2006

Ward - Pettits

Parliamentary Constituency Romford

Area Committee – North Romford

Polling Districts and Polling Places and Proposals on which consultation was undertaken

This Ward currently comprises polling districts of PT1 (1512 electors) PT2 (2157) PT3 (2206) PT4 (2204) PT5 (1187) and PT6 (903).

The current polling places used are –

- PT1 – Tweed Way Social Hall, Tweed Way
- PT2 – Rise Park School, Annan Way
- PT3 – Parklands School, Havering Road
- PT4 – Marshalls Park School, Pettits Lane
- PT5 – St Michael's Church Hall, Main Road
- PT6 – Marshalls Park School, Pettits Lane

The following proposals are recommended –

Polling Districts

- To retain the existing polling districts PT1, PT2, PT3 and PT5.
- To amalgamate polling districts PT4 and PT6 into one polling district PT4

Polling Places

- No changes to any polling places in this Ward are proposed.

Access

- Tweed Way Social Hall has a ramp at the rear of the building.
- A ramp is due to be installed at St Michael's Church Hall.

Outcome of the consultation

There were no comments on the proposals.

Governance Committee, 21 March 2006

RECOMMENDATION

That Council be recommended that the following proposals be adopted

–

- (a) To retain the existing polling districts PT1, PT2, PT3 and PT5.**
- (b) To amalgamate polling districts PT4 and PT6 into one polling district PT4.**
- (c) To make no changes in the polling places currently used.**

Governance Committee, 21 March 2006

Ward – Rainham & Wennington

Parliamentary Constituency Upminster

Area Committee – South Havering

Polling Districts and Polling Places and Proposals on which consultation was undertaken

This Ward currently comprises the existing polling districts of RW1 (2256 electors) RW2 (171) RW3 (1745) RW4 (2988) and RW5 (1874).

The current polling places used are:-

RW1 – Parsonage School, Farm Road
 RW2 – Wennington Village Hall, Wennington Road
 RW3 – Brady School, Wennington Road
 RW4 – Rainham Village School, Upminster Road South
 RW5 – Parsonage School, Farm Road

The following proposals are recommended :-

Polling Districts

- To retain the existing polling districts RW1 and RW4.
- To amalgamate polling districts RW2 and RW3 into one polling district RW2.
- To rename polling district RW5 to RW4. (**Note** – this ought to have read RW3)

Polling Places

- Wennington Village Hall does not have suitable disabled access and the entrance has a double step which is not suitable for a temporary ramp. Staff have spoken to the keyholder who is aware of this problem but the PCC have no proposals at present to provide a disabled access.

RW2 (the polling district that uses this polling place) is extremely small about a tenth of the size of the average polling district, currently 171 electors. And although Wennington has a distinct community identity, divergent to the remainder of Rainham, it is questionable whether this is sufficient reason for retaining this as a separate polling district, especially

Governance Committee, 21 March 2006

as the alternative polling place Brady School is only about 300 yards outside the present polling district boundary.

- RW1 currently uses Parsonage School as its polling place, although this is just outside the polling district boundary no suitable alternative venue can be found at the present time. However, staff wish to retain this a separate polling district as it is quite large and if suitable premises became available they could be used without the delay of having to republish the register, which would be required if this was to be amalgamated with another polling district.
- To make no changes to the polling places for RW3, RW4 and RW5

Access

- Staff are not aware of any other access issues.

Outcome of the consultation

At the meeting of the South Havering Area Committee on 6 December it was suggested that the proposed cessation of the use of Wennington Village Hall for polling should be reconsidered. This was also requested in letters received from Mr Poole on behalf of the Rainham & Wennington Residents Association; Mrs Hurdle on behalf of the Wennington Village Association; Mrs Wiegold and James Brokenshire MP.

While none disputed the extremely low electorate or lack of disabled access at the Hall, they asked that other factors such as the high turnout in the area –

- Wennington has a distinct community, divergent from neighbouring Rainham and retaining a polling place within the village is an important part of recognising the individuality of this community and promoting social interaction of the community
- The polling station has a very high turn out and closing the polling place would be a retrograde step
- Campaigners fought to retain the polling place and it would be wrong to close the stop using the place so soon after a parliamentary election
- The journey for most electors in the village to Brady School (where the amalgamated polling district voters would vote in person) is rather more than the 300 yards quoted in the consultation documentation; the pathway is narrow and partially unlit which will deter those with mobility difficulties or others with fears for their personal safety
- The bus stop for those using public transport to get to Brady School is not well-placed for this purpose.

Governance Committee, 21 March 2006

- Many of the electors using the Hall are aged and might well be discouraged from voting in person if the travelling was thought to be too difficult

The MP's letter also refers to the mention, in the consultation, of the lack of disabled facilities in the Village, three of whom vote by post. I am also told that there are plans to provide a disabled lavatory and ramp at the village hall. These are currently at the formative stage and suggestions are being put forward to the Wennington PCC (Parochial Church Council).

There are several factors for and against the continued use of this venue. The Committee is asked to formulate to a recommendation to Council on this proposal.

In other respects it is recommended that the original proposals be agreed.

RECOMMENDATION

- (1) That it be decided whether to recommend the Council the amalgamation of RW2 and RW3 (as RW2) and Wennington Hall be no longer used as a polling place, or that RW2 and RW3 be retained.**
- (2) That Council be recommended that the following proposals be adopted –**
 - (a) To retain the existing polling districts RW1, RW4 and RW5 (with RW5 being renamed RW3 should the current RW3 be amalgamated with RW2).**
 - (b) To make no changes in the other polling place venues currently used.**

Governance Committee, 21 March 2006**Ward - Romford Town****Parliamentary Constituency Romford****Area Committee - Central****Polling Districts and Polling Places and Proposals on which consultation was undertaken**

This Ward currently comprises the existing polling districts of RT1 (1317 electors); RT2 (1567) RT3 (1280) RT4 (688) RT5 (2236) RT6 (1584) and RT7 (1892).

The current polling places used are:-

RT1 – Central Library, Main Road
 RT2 – Manor School, Shaftesbury Road
 RT3 – Salem Church, London Road
 RT4 – RAFA House, 18, Carlton Road
 RT5 – Gidea Park School, Lodge Avenue
 RT6 – Manor School, Shaftesbury Road
 RT7* – Edwin Lambert School, Malvern Road

*RT1 to RT6 is in the Romford Constituency, RT7 is in the Hornchurch Constituency and so has to remain a separate polling district until the parliamentary boundaries become coterminous.

The following proposals are recommended :-

Polling Districts

- To retain the existing polling districts RT1 and RT3.
- To amalgamate polling district RT6 with RT2 into one polling district RT2.
- To amalgamate polling districts RT4 and RT5 into one polling district RT4.
- To rename polling district RT7 to RT5.

Polling Places

- To make no changes to the polling places currently used for RT1 and for the new polling district RT5.
- To use Manor School as the polling place for the newly formed polling district of RT2.

Governance Committee, 21 March 2006

- Salem Church does not have adequate disabled access and therefore to use St Andrews Church Hall, St Andrews Road as polling place for RT3.
- To use Gidea Park School as the polling place for the newly formed polling district of RT4.
- RAFA House 18, Carlton Road, would no longer be required for polling and it should be noted that complaints were received at the last election concerning the smell of cigarette smoke at this venue.

Access

- Staff are not aware of any other access issues.

Outcome of the consultation

An alternative proposal was received in respect of the Romford Town Ward from Mr Wilkes on behalf of the Romford Residents Association. He suggested that all of polling district RT3 east of Waterloo Road be incorporated into polling district RT1 as residents would find access easier to get to Central Library to vote.

This suggestion has been carefully examined and is considered worthy of adoption. The recommendation is framed to include this with the proposal to put before Council.

It is, in other respects, recommended that the original proposals be agreed.

RECOMMENDATION

That Council be recommended that the following proposals be adopted –

- (1) In respect of polling Districts**
 - (a) To amend RT1 and RT3 by incorporating all of RT3 east of Waterloo Road into RT1.**
 - (b) To amalgamate polling districts RT6 with RT2 into one polling district, RT2, and RT4 and RT5 into one polling district, RT4, and to rename polling district RT7 to RT5.**
- (2) In respect of Polling Places –**
 - (a) To make no changes to the polling places venues currently used for RT1 and for the new polling district RT5.**

Governance Committee, 21 March 2006

- (b) To use Manor School as the polling place for the newly formed polling district of RT2.**
- (c) As Salem Church does not have adequate disabled access, to use St Andrews Church Hall, St Andrews Road as polling place for RT3.**
- (d) To use Gidea Park School as the polling place for the newly formed polling district of RT4.**

Governance Committee, 21 March 2006

Ward - St Andrews

Parliamentary Constituency Hornchurch

Area Committee - Hornchurch

Polling Districts and Polling Places and Proposals on which consultation was undertaken

This Ward currently comprises the existing polling districts of ST1 (1016 electors) ST2 (2861) ST3 (1527) ST4 (1359) ST5 (1219) and ST6 (2170).

The current polling places used are:-

ST1 – Fairkytes Art Centre, Billet Lane
 ST2 – Langtons School, Westland Avenue
 ST3 – Robert Beard Youth Centre, Inskip Drive
 ST4 – The Herons, Abbs Cross Gardens
 ST5 – Benhurst School, Benhurst Avenue
 ST6 – Benhurst School, Benhurst Avenue

The following proposals are recommended :-

Polling Districts

- To retain the existing polling districts ST1 and ST2.
- To redraw the boundary between ST2 and ST3 moving part of Westland Avenue and Allenby Drive from ST2 to ST3.
- To amalgamate polling districts ST5 and ST6 into one polling district – ST5.

Polling Stations

To make no changes to the polling places currently used.

Access

- There is a step at the entrance to the Herons, which needs assessing to see if a temporary ramp would be suitable. As far as staff are aware there is no alternative venue within the polling district that could be used.

Governance Committee, 21 March 2006**Note**

- There were several complaints from electors at the last election as prior to the Ward changes some of the electors in ST5 used to vote at St Georges Hall, Kenilworth Gardens, which is now in Hacton Ward and is used as a polling station for that Ward.

Outcome of the consultation

James Brokenshire MP raised concern about electors from polling district ST5 having to cross Abbs Cross Lane to get to Benhurst School and to avoid this could they vote at St Georges Hall. This was highlighted in the case for residents of one side of Suttons Lane who had to undertake this walk while those immediately the other side of the road had a more straight forward journey to St George's Hall.

The MPs letter continues

"If you look at the map for the St Andrews Ward, you will see that the boundary between the ST5 and ST6 polling districts is Abbs Cross Lane which is a wide and fast road with one single crossing point. As such, this acts as a natural barrier and the communities on either side of the road have a distinctive character in their own right. If anywhere, the natural polling place for the ST5 Polling District would be St George's Church in the Hacton Ward. St George's serves the HN1 polling district (the smallest polling district in Hacton) and is extremely close to the HN1/ST5 boundary. I would have to say that, without knowledge of any capacity constraint issues, this would be the obvious place for the ST5 polling station if you were starting with a blank piece of paper. I would therefore ask that you consider this as an alternative option to the "no change" recommendation contained within the report."

St George's Hall is now well within Hacton Ward and is used as the polling station for HN1.

It is, impracticable for voters from more than one ward to use the same polling place, not least because of the risk of ballot papers being placed in the wrong ballot boxes.

The only suitable venue within polling district ST5, Abbs Cross School, was approached to see whether they could accommodate a polling station, but they could not. In any event, as Abbs Cross School is a large secondary school it may be inappropriate to direct closure of the school for polling. No other suitable alternative venue is currently available.

It is, therefore recommended that the original proposals be agreed.

Governance Committee, 21 March 2006

RECOMMENDATION

That Council be recommended that the following proposals be adopted

–

- (1) In respect of Polling Districts –**
 - (a) To retain the existing polling districts ST1 and ST2**
 - (b) To redraw the boundary between ST2 and ST3 moving part of Westland Avenue and Allenby Drive from ST2 to ST3.**
 - (c) To amalgamate polling districts ST5 and ST6 into one polling district, ST5.**
- (2) To make no changes to the polling place venues currently used.**

Governance Committee, 21 March 2006

Ward - Squirrels Heath

Parliamentary Constituency

Area Committee Central

Polling Districts and Polling Places and Proposals on which consultation was undertaken

This Ward currently comprises the existing polling districts of SQ1 (2611 electors) SQ2 (874) SQ3 (1747) SQ4 (470) SQ5 (968) SQ6 (985) SQ7 (1351) and SQ8 (647).

The current polling places used are:-

SQ1 – Royal Liberty School, Upper Brentwood Road
SQ2 – Catholic Church Hall, Brentwood Road
SQ3 – Squirrels Heath School, Salisbury Road
SQ4 – Royal Liberty School, Upper Brentwood Road
SQ5 – Royal Liberty School, Upper Brentwood Road
SQ6 – Ardleigh Green School, Ardleigh Green Road
SQ7 – Baptist Church, Ardleigh Green Road
SQ8 – Emerson Park Community Hall, Slewins Lane

The following proposals are recommended :-

Polling Districts

- To retain the existing polling districts SQ3 and SQ6.
- To amalgamate polling districts SQ1 SQ4 and SQ5 into one polling district SQ1.
- To redraw the boundary of SQ1 along the railway line and incorporate Durham Avenue, Elvet Avenue, part of Squirrels Heath Lane and part of Brentwood Road in polling district SQ2.
- To rename polling district SQ7 to SQ4, and SQ8 to SQ5.

Polling Places

- To make no changes to the polling places currently used.

Governance Committee, 21 March 2006**Access**

- Staff are not aware of any access issues.

Outcome of the consultation

At the meeting of the Upminster, Cranham and Emerson Park Area Committee on 15 December Councillor Roger Ramsey raised a matter regarding the Emerson Park Ward and suggested using Emerson Park Community Hall, Slewins Lane for polling districts EM2 and EM3.

However this venue is already used as a polling station for polling district SQ8 (to be renamed SQ5). It is not recommended that electors for different wards use the same polling places as this is impractical for many reasons including the fact that ballot papers could be placed in the wrong ballot boxes. The Election Services Manager has not been able to find any alternative suitable venues for SQ8 (SQ5).

It is, therefore, recommended that the original proposals for this ward be agreed.

RECOMMENDATION

That Council be recommended that the following proposals be adopted

–

- (1) In respect of Polling Districts –**
 - (a) To retain the existing policy districts SQ3 and SQ6.**
 - (b) To amalgamate polling districts SQ1, SQ4 and SQ5 into one polling district, SQ1.**
 - (c) To redraw the boundary of SQ1 along the railway line and incorporate Durham Avenue, Elvet Avenue, part of Squirrels Heath Lane and part of Brentwood Road in polling district SQ2.**
 - (d) To rename polling district SQ7 to SQ4, and SQ8 to SQ5.**
- (2) To make no changes to the polling place venues currently used.**

Governance Committee, 21 March 2006

Ward - South Hornchurch

Parliamentary Constituency Hornchurch

Area Committee – South Havering

Polling Districts and Polling Places and Proposals on which consultation was undertaken

This Ward currently comprises the existing polling districts of SX1 (1394 electors) SX2 (1443) SX3 (1315) SX4 (1456) SX5 (2503) and SX6 (1793).

The current polling places used are:-

SX1 – St Johns Church Hall, South End Road

SX2 – La Sallette School, Rainham Road

SX3 – Brittons School, Ford Lane

SX4 – Whybridge School, Blacksmiths Lane

SX5 – South Hornchurch Airfield Community Association, Nelson Road

SX6 – Newtons School, Lowen Road

The following proposals are recommended :-

Polling Districts

- To retain the existing polling districts SX1, SX2 and SX5.
- To amalgamate polling districts SX3 and SX4 into one polling district – SX3.
- To rename polling district SX6 to SX4.

Polling Places

- To make no changes to the polling places currently used, except to no longer use Brittons School.

Access

- Staff are not aware of any access issues, except the lighting outside Whybridge School is poor after dark.

Governance Committee, 21 March 2006**Outcome of the consultation**

At the meeting of the South Havering Area Committee on the 6 December it was requested that Brittons School continue to be used for polling or a different venue be found for electors in the current SX3 electoral district. The ESM explained that at the meeting the accommodation previously used which did not interfere with the running of the school was no longer available, as it had been converted into offices. Brittons School is a large secondary school which it might be felt inappropriate to direct closure for polling and the proposed alternative venue Whybridge School, Blacksmiths Lane, the proposed venue for the amalgamated SX3 and SX4 polling districts, was considered to be very nearby.

It is, therefore, recommended that the original proposals be agreed.

RECOMMENDATION

That Council be recommended that the following proposals be adopted.

- (1) In respect of Polling Districts –**
 - (a) To retain the existing polling districts SX1, SX2 and SX5.**
 - (b) To amalgamate polling districts SX3 and SX4 into one polling district, SX3.**
 - (c) To rename polling district SX6 as SX4.**
- (2) To make no changes to the polling place venues currently used, except to no longer use Brittons School.**

Governance Committee, 21 March 2006**Ward - Upminster****Parliamentary Constituencies Upminster and Hornchurch****Area Committee – Upminster, Cranham and Emerson Park****Polling Districts and Polling Places and Proposals on which consultation was undertaken**

This Ward currently comprises the existing polling districts of UP1 (1479 electors) UP2 (218) UP3 (974) UP4 (2105) UP5 (1132) UP6 (1370) UP7 (2294) UP8 (581) and UP9 (27).

The current polling places used are:-

UP1 – James Oglethorpe School, Ashvale Gardens
 UP2 – Corbets Tey School, Harwood Hall Lane
 UP3 – St Josephs School, St Marys Lane
 UP4 – Upminster School, St Marys Lane
 UP5 – Baptist Church Hall, Springfield Gardens
 UP6 – Branfil School, Cedar Avenue
 UP7 – Gaynes School, Brackendale Gardens
 UP8 – Corbets Tey School, Harwood Hall Lane
 UP9* – Corbets Tey School, Harwood Hall Lane

*UP1 to UP8 is in the Upminster Parliamentary Constituency, UP9 is in the Hornchurch Parliamentary Constituency and so has to remain a separate polling district until the parliamentary boundaries become coterminous.

The following proposals are recommended :-

Polling Districts

- To retain the existing polling districts UP1 and UP6.
- To alter the boundary of UP5 to take in part of UP4 comprising, Beech Avenue, Elm Avenue and parts of Gaynes Park Road, Southview Drive and Corbets Tey Road.
- To amalgamate polling districts UP3 and the remainder of polling district UP4, to be called UP3.
- To rename polling district UP7 to UP4.

Governance Committee, 21 March 2006

- To rename polling district UP9 as UP7 to be automatically incorporated into polling district UP2 when the parliamentary boundaries become coterminous at the next parliamentary general election.

Polling Stations

- To make no changes to the existing polling stations except that the use of St Josephs School, St Marys Lane will no longer be required.

Access - Staff are not aware of any access issues.

Additional Note

Some copies of the consultation omitted to list the proposed amalgamation of Polling Districts UP2 and UP8. This proposal would have no material effect on the electors as their Polling Place, Corbets Tey School, Harwood Hall Lane, would remain the same.

Outcome of the consultation

There were no comments on the proposals.

RECOMMENDATION

That Council be recommended that the following proposals be adopted
–

- (1) **In respect of Polling Districts –**
 - (a) **To retain the existing polling districts UP1 and UP6.**
 - (b) **To amalgamate polling districts UP2 and UP8, to be called UP2.**
 - (c) **To alter the boundary of UP5 to take in part of UP4 comprising Beech Avenue, Elm Avenue and parts of Gaynes Park Road, Southview Drive and Corbets Tey Road.**
 - (d) **To amalgamate polling districts UP3 and the remainder of polling district UP4, to be called UP3.**
 - (e) **To rename polling district UP7 to UP4.**
 - (f) **To rename polling district UP9 as UP7 to be automatically incorporated into polling district UP2 when the parliamentary boundaries become coterminous at the next Parliamentary election.**
- (2) **To make no changes to the existing polling place venues currently used except that the use of St Josephs School, St Mary's Lane will no longer be required.**



MEETING	DATE	ITEM
GOVERNANCE COMMITTEE	21 MARCH 2006	7

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: AREA COMMITTEE REVIEW

SUMMARY

At Council on 7 December 2006 Council agreed to amend the Area Committee structure. At the request of the Leader of the Council the decision was reported to each Area Committee over the January cycle.

This report sets out the outcome of the Area Committee meetings. The Committee is invited to decide what further action, if any it wishes to take.

RECOMMENDATION

That the Committee determine whether it wishes to make any recommendation to Council in this matter.

REPORT DETAIL

1. Introduction

- 1.1 At the meeting on 7 December 2006 Council had before them a recommendation of the Governance Committee meeting of 15 November 2005 making proposals in respect of the review of the Council's area committee arrangements. Following debate the proposals were agreed. The full text of the decision is attached as appendix A. In accordance with the decision the Monitoring Officer has put the changes to the Constitution in place.
- 1.2 Subsequent to the decision, at the request of the Leader of the Council, the Area Committees were informed of the decision. Each Committee received a note of the decision with the agenda papers and the decision was presented by the Leader of the Council or a Cabinet Member present to report on the draft budget.

2. Comments of the Area Committees

- 2.1 At each meeting comments were made by both members of the public and Members of the Committee. On some occasions views were formulated as formal views of the Committee, and on others simply noted as comments not necessarily reflecting the views of the Committee.
- 2.2 Set out below are extracts from the minutes of the committees.

Central 25 January

"Members of the Committee noted comments by the public, including –

- That this review undermined the local authority system by devolving power to area committees.
- That to engage the community, more meetings were required not a reduction.
- That the size of attendance of the public at Area Committee meetings was not relevant, as attendance was determined by agenda issues.
- That discussion at the Area Committee was a good opportunity for local people to make known their views.
- A request for further information as to how the bids for funding will be awarded.

Governance Committee, 21 March 2006

At the conclusion of the discussion the Committee noted the proposals.”

Harold Hill and Harold Wood 17 January

“Members of the Committee noted comments by the public, including –

- That it was wrong and arbitrary to split Harold Wood from Harold Hill and Heaton. Residents expressed disappointment that there would only be four meetings a year and thought this inadequate.

Committee Members [also] commented on the proposals as follows –

- That cross-boundary issues would increase and this would mean more referrals of traffic matters to Regulatory Services.

At the conclusion of the item the Committee noted the proposals.”

North Romford 19 January

“Members of the Committee noted comments from the public, including the fact that some people were worried that people might have to travel further than they did now to attend meetings.

A member of the public asked that the Chair of the meeting, Cllr Mann ask other Area Committees, that on average how many people attended their meetings regularly, Cllr Mann agreed to respond to the resident in writing.

At the conclusion of the item the Committee **noted** the proposals and **encouraged** residents to write to Members regarding their views on this issue.”

Upminster, Cranham and Emerson Park 26 January

“Members of the Committee noted comments by the public, including –

Regarding the voluntary groups, if any of them would attend the twice yearly Conferences. It was explained that this was not yet known as it was still being looked at, but like Area Committees it would not be a party political forum.

A Committee Member commented that over the years, Civic meetings were eroded but was now being revived under another heading.

At the conclusion of the item the Committee **noted** the proposals.”

Hornchurch 24 January

“Members of the Committee noted comments by the public, including –

- Reducing the size of the Area Committee’s would not work and would simply cost more to operate as there would be a greater number of them
- Given the mismanagement of the present format of Area Committees, members of the public were not convinced that the new format would perform any better, and viewed the changes as a waste of time and money

Committee Members also commented on the proposals and **RESOLVED** that a letter be sent to the Leader of the Council which highlighted the following concerns –

- The number of Area Committee’s should remain at six, not nine.

The resolution was agreed by 2 votes to nil with one abstention.”

South Havering 31 January

“A Member raised various concerns about the changes proposed arguing that the full picture had not been given. There was no provision for developing area action plans; there was no support staffing for the area committees, that the budget would be small, and that what was needed was ways to develop and tap into funding streams to enhance local communities. Some support was given at the meeting about funding from the National Lottery that did not appear to be distributed fairly.

The Area Committee **NOTED** the report about the proposed changes”

3. Legal Implications and risks:

Should the Committee wish to take further action on the restructuring following the comments of the area committees it would be necessary to recommend Council to consider further changes to the Constitution.

4. Financial Implications

There may be financial implications arising if there are further changes to the constitution and these would be included in the appropriate reports.

5. Social Inclusion or equalities implications

Governance Committee, 21 March 2006

It is known that the Government is keen on promoting significant levels of local involvement and intends to issue a White Paper in late Spring. This might impact on the way local authorities deal with local involvement issues. Officers will report to Members on this in due course.

6. There are no **human resources implications** additional to those in the original report.

Staff Contact: Philip Heady
Designation: Democratic Services Manager
Telephone No: 01708 432433
E-mail address: philip.heady@havering.gov.uk

STEPHEN EVANS
Chief Executive

Background Papers List

None.

54 AREA COMMITTEE REVIEW – proposals

RESOLVED

That the Constitution be amended, with effect from the Borough elections in 2006, so as:

- (a) To replace the current six area committees with nine area committees each covering two wards, as set out in the following table:

Name	Wards
North Romford	Havering Park and Mawneys
Harold Hill	Heaton and Gooshays
Romford	Brooklands and Romford Town
Gidea Park	Pettits and Squirrels Heath
Emerson Park and Harold Wood	Harold Wood and Emerson Park
Upminster	Upminster and Cranham
Hornchurch	Hylands and St Andrews
Elm Park and Hacton	Elm Park and Hacton
South Hornchurch and Rainham	Rainham & Wennington and South Hornchurch

- (b) To empower the area committees to undertake the following responsibilities:

- To consider local issues, consult with local people, and make recommendations to the Council or Cabinet;
- To be responsible for local highway management decisions, subject to certain limitations within the policies and practices set by the Regulatory Services Committee; and
- To be responsible for any budgets allocated to them

and that these responsibilities be exercised in accordance with the principles of the Rules and Conventions for Area Committees (set out in Appendix 2 to these minutes)

- (c) To delegate to Area Committees decision making powers incorporating:
- local highway management matters
 - local environmental improvement budgets – expenditure on capital projects, for the well being of the local community, of any budget that Council may make available for this purpose
- (d) That the future process for approving highway schemes be that:
1. Where only one Area is concerned, the Area Committee shall receive a report on initial design of scheme and
 - a. approve it in principle for public consultation or, if changes are required to the scheme before it goes to consultation, delegate approval of them to the Head of Strategic Planning and Technical Services in consultation with the Chairman of the Area Committee; and
 - b. delegate approval of the final scheme in the light of the results of the public consultation to the Head of Strategic Planning and Technical Services in consultation with the Chairman of the Area Committee.
 2. Where a scheme is set within more than one Area:
 - a. the views of the relevant Area Committees shall be sought on the initial design for public consultation;
 - b. the Head of Strategic Planning and Technical Services in consultation with the Chairman of the Regulatory Services Committee and in the light of the views of the Area Committees may approve the scheme for public consultation; and
 - c. the Head of Strategic Planning and Technical Services shall approve the final scheme in the light of results of the consultation and in consultation with the Chairman of the Regulatory Services Committee and the Chairmen of the relevant Area Committees.

- (e) That the Monitoring Officer be authorised to make the detailed changes to the Constitution required to give effect to these decisions.



MEETING	DATE	ITEM
GOVERNANCE COMMITTEE	21 MARCH 2006	8

SUPPLEMENTARY

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: AMENDMENTS TO THE CONSTITUTION

SUMMARY

The provisions of the Council's Constitution are kept under constant review to ensure that it remains "fit for purpose" and meets both statutory and practical requirements. As the current Council reaches the end of its term, a number of changes are now being suggested in the light of experience in order to improve the mechanisms of the Council's decision making processes and other issues governed by the Constitution.

For ease of reference and consideration, the format of this report is slightly different from the usual. A series of "proposals" follows, with recommended constitutional amendments intended to give effect to them. Most stand alone, although a few are identified as being inter-linked. These proposals are listed in the order that the issues they relate to appear in the Constitution.

RECOMMENDATION

For consideration as to the recommendations (if any) to be made to Council as to the proposals for amendment of the constitution referred to in this report.

Implications and risks

There are no identified **direct financial, legal, Human Resources or equalities implications and risks** associated with these proposed changes, all of which are intended to smooth the flow of business through the Council's decision-making processes.

STEPHEN EVANS
Chief Executive

Staff Contact: Christine Dooley
Assistant Chief Executive Legal & Democratic Services

Telephone: 01708 432442

Email: christine.dooley@havering.gov.uk

INDEX TO PROPOSALS

Proposal	Subject
1	Appointment of Members to certain committees
2	Attendance and speaking at Cabinet meetings
3	Rights of Reply in debate at meetings of the Council
4	Consideration by Council of reports
5	Annual Reports of Committees and Member Champions
6	Avoiding conflict of interest: members appointed to the board of Havering Homes
7	Awards for eminent service to the borough – minor adjustment
8	Committee meetings: time and duration
9	Council meetings: time and duration
10	Ex-gratia Payments
11	Decision making processes
12	Schedule of Council meetings
13	Member Champions
14	Decisions by individual Cabinet members
15	Treasury Management
16	Areas of responsibility of Overview and Scrutiny Committees
17	Appointment of Area Committee Chairman and Vice-Chairman
18	Schedule of meetings

Appointment of Members to certain committees

Relevant Part(s) of the Constitution:	Part 4: Committee Procedure Rules
---------------------------------------	--

Details of proposal:

As a general principle, Groups and Group Leaders are free (within the rules of political balance) to alter their memberships of all bodies other than Council itself, Cabinet and Area Committees, as they wish. Various changes during the term of the Council are inevitable and may impact on this, of course, and it is accepted that changes of circumstances inevitably affect the Groups' membership arrangements.

There are certain Committees, however, where it is desirable for Groups to make few, if any, changes to their representation. These Committees carry out specialist functions for which Members receive additional training in order to undertake their duties. Continuity, experience and/or special knowledge are useful, if not essential, to the effective working of these Committees.

In the case of the **Audit Committee** and **Investment Committee**, it is highly desirable for the memberships to remain unchanged for the whole four years of the Council's term and Council agreed that as a principle, on the recommendation of this Committee, in July 2004 (and that certain nominated substitutes should be appointed).

In the case of the following Committees, it is desirable for the membership to be unchanged for at least two years:

Adjudication and Review
Licensing
Regulatory Services

Groups and Group Leaders should therefore be asked to strive to avoid making changes to their representation on those Committees for as long as possible.

Amendments proposed:

In Rules for Specific Meetings, Add:

5 Membership of certain committees

In the interests of business continuity, Groups and Group Leaders shall strive to avoid making changes to their representation of the Committees indicated below for as long as possible and shall accordingly seek to ensure that their members remain on the particular committee for the period indicated:

Governance Committee. 21 March 2006

Committee	Period
Adjudication and Review	At least two years
Audit	Full four year term
Investment	Full four year term
Licensing	At least two years
Regulatory Services	At least two years

For the Audit, Investment and Standards Committees, Groups shall nominate members other than those appointed to the respective Committees to be “designated substitutes”, to attend a meeting in the event that an appointed member is unable to do so. “Designated substitutes” shall be offered the same training opportunities as appointed members.

This rule shall operate without prejudice to the ability of the Council and the Standards Committee to require changes in membership where to do so is appropriate for other reasons, or to comply with statutory requirements.

Attendance and speaking at Cabinet meetings

Relevant Part(s) of the Constitution:	Part 4: Executive Procedure Rules
---------------------------------------	--

Details of proposal:

The Rules currently provide that Cabinet members attend and speak at Cabinet meetings as of right, and that other members may attend and speak with the consent of the Chairman. An informal rule agreed sometime ago provides that, generally, the Leaders of Groups not in the Cabinet (or their nominees - generally, the Group spokesperson for the particular service) will be invited to speak but other members will not normally do so.

It is proposed that the arrangement (which appears to have worked well) be formalised. At the same time, other amendments are suggested to improve the way Cabinet meetings work; they provide for:

- Overview and scrutiny Committee Chairmen to introduce reports by their Committees, rather than the relevant Cabinet member; and
- The Chairman to allow members of the public to address the Cabinet where to do so is desirable.

Amendments proposed:

Amend to read:

2 How are meetings of the Cabinet conducted?

.....

(b) Who may attend and speak?

All members of the Council may attend meetings of the Cabinet.

Without prejudice to the powers of the person presiding at the meeting to control debate as chairman, the following rights of address apply:

- Members of the Cabinet are entitled to speak at any meeting on any matter.
- The Chairman (or a member nominated for the purpose by the Chairman) of an Overview & Scrutiny Committee which is reporting to the Cabinet on any matter within its purview is entitled to introduce a relevant report and to speak to it for five minutes (or such longer time as the person presiding may allow) [see also (c) below]¹
- Any Group Leader who is not a member of the Cabinet (or a member nominated by him) may speak on any item before the Cabinet.

¹ In this report as **Proposal 8: Overview and Scrutiny: Topic Groups – reports to Cabinet**

Governance Committee. 21 March 2006

- Any other member may speak only with the consent of the person presiding.

For the avoidance of doubt and in the interests of orderly debate, the person presiding has discretion to limit the amount of time, and the number of times, that any member may speak on a particular item.

The person presiding at the meeting has discretion to permit one or more members of the public to address the Cabinet on a matter before it provided he is satisfied that to do so will assist the Cabinet in coming to a decision on that matter. In giving such permission, the Chairman may attach such conditions as he thinks fit.

.....

Rights of Reply in debate at meetings of the Council

Relevant Part(s) of the Constitution:	Part 4: Council Procedure Rules
---------------------------------------	--

Details of proposal:

Confusion sometimes arises over the rights of reply afforded to Group Leaders at the conclusion of debates in full meetings of Council. Current rules provide for automatic rights of reply by the Leader of the Council and the Leader of the Opposition, and for a right of reply by the Leader of the Group proposing the motion if not the Leader of the Council or the Opposition.

There is, however, no explicit provision for a right of reply by the Leader of any other Group proposing an amendment to a motion. It is suggested that it would be helpful for such a right to be provided for.

It is also considered that it would be helpful to make explicit that the rights also arise where the debate is on a report of Cabinet, a Committee or an officer.

Amendments proposed:

13.12 Rights of reply

At the close of each debate upon a motion or report, or after a motion "That the question be put" has been carried, rights of reply may be exercised in the following order:

- (i) the Leader of the Group by which any motion, recommendation or amendment was proposed (if not the Leader of the Council or the Leader of the Opposition)
- (ii) the Leader of the Opposition
- (iii) the Leader of the Council.

In each case, the appropriate Leader may nominate another member to reply on his behalf.

Consideration by Council of reports

Relevant Part(s) of the Constitution:	Part 4: Council Procedure Rules
---------------------------------------	--

Details of proposal:

The Rules do not make explicit provision for the way in which reports are dealt with by Council.

The Constitution provides, in various places, for Council to consider reports of the Cabinet, Committees and certain officers. Reports are rarely the subject of debate at Council and usually “nodded through”. The rules of debate do not, however, set out what should happen if members wish to debate the recommendations of a report. This proposal aims to address that.

It is suggested that the Council Procedure Rules should refer explicitly to the consideration and debating of reports to which amendments are proposed. There would be no significant change from present customary practice in doing so but, procedurally, the way forward would be clearer.

In essence, the suggested procedure is that the any report to which an amendment is proposed be deemed to be subject to a motion “that the report be adopted and its recommendations carried into effect”, to be moved and seconded in the usual way, with debate proceeding to vote in the usual way.

Amendments proposed:

In paragraph 11, add new 11.5:

11.5 Reports to Council

Reports of Cabinet, Committees or officers to Council to which an amendment is proposed shall be deemed subject to a motion “that the report be adopted and its recommendations carried into effect”, which shall be moved and seconded by members of the Administration or the relevant committee chairman and vice-chairman. In these Rules, “motion” includes a deemed motion in respect of a report.

Annual Reports of Committees and Member Champions

Relevant Part(s) of the Constitution:

Part 4: Council Procedure Rules

Details of proposal:

There are requirements for Annual Reports to be submitted to Council by the Overview and Scrutiny Committees, the Audit and Investment Committees and Member Champions. Some are provided for in the Council's Constitution, others by external regulation, directive or good practice advice.

Generally, the practice is for such Annual Reports to be submitted at the July meeting of Council – the first ordinary meeting following the end of the preceding municipal year (submission to the Annual Meeting would generally be impractical, given that a municipal year does not end until the Meeting begins).

In election year, however, this would be nonsensical as the report would be to a new Council in respect of work in which Members have no 'interest', while conceivably, Chairmen could be missing. It is suggested that the relevant paragraph in the Council Procedure Rules, which currently refers only to Annual Reports of the Overview & Scrutiny Committees be amended so that (a) in election year the report is submitted to the final ordinary meeting of the year, and (b) the approach refers to all Committee/Member Annual Reports that need to be submitted.

Amendments proposed:

Insert the underlined words:

2. Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

.....

- (xiii) at the first ordinary meeting in the Municipal Year the Council will receive reports for the previous year from the Chairmen of the Overview and Scrutiny Committees, the Audit Committee and the Investment Committee and from the Champions except in the year where there are Borough Elections when the reports will be submitted to the last ordinary meeting before those elections.

Avoiding conflict of interest: members appointed to the board of Havering Homes

Relevant Part(s) of the Constitution:	Overview and Scrutiny Committee Rules
---------------------------------------	--

Details of proposal:

A conflict of interest is likely to arise if members appointed to the board of Havering Homes are also appointed to the overview and scrutiny committee that is responsible for reviewing the Council's Housing Services. The board will be responsible for management of the Council's housing properties and land under delegated executive powers; the overview and scrutiny committee will be tasked with reviewing the effectiveness of those arrangements as part of its overall concern for the delivery of good-quality housing services.

It is therefore proposed that, to avoid doubt, the Rules should provide explicitly that a member cannot serve simultaneously on both bodies.

Amendments proposed:

20 **Restrictions on appointment to Housing Overview & Scrutiny Committee**

No member who has been appointed by the Council to the board of the [ALMO] shall be appointed to the overview & scrutiny committee responsible for scrutiny of the Council's housing management functions.

Awards for eminent service to the borough – minor adjustment

Relevant Part(s) of the Constitution:	Part 4: Council procedure rules
---------------------------------------	--

Details of proposal:

At its last meeting, the Committee agreed to propose to mechanisms for the regular consideration of conferment of the awards of Honorary Freeman or Honorary Alderman for eminent service to the borough.

As drafted, the mechanisms provide for the Council to consider the award of Honorary Alderman in the year when the municipal elections are held and the award of Honorary Freeman in the three other years of the Council's four-year term.

On reflection, the Committee may consider that it would be preferable for Council to consider conferring Honorary Freeman awards every year. Accordingly, a slight re-wording of the constitutional changes agreed at the last meeting is now suggested to achieve this.

Amendments proposed:

CPR 2 Ordinary Meetings:

Insert revised new para. (iv) and renumber subsequent paras accordingly

- (iv) at the first ordinary meeting following the Annual Meeting in a year when there is an ordinary election of Councillors, to consider whether to confer
 - (a) on any person of distinction or who has rendered eminent service to the borough the Honorary Freedom of the Borough
 - (b) on any former Member who has rendered eminent service to the Council the office of Honorary Alderman, and to present to any other Member a certificate of service.

Insert revised paragraph in new CPR

25. CONFERMENT OF AWARDS FOR EMINENT SERVICE

25.2 In a year in which there is an ordinary election of Councillors, Council shall consider at the first ordinary meeting following the Annual Meeting

- (a) whether to confer upon on any person of distinction or who has rendered eminent service to the borough the Honorary Freedom of the Borough
- (b) whether to confer upon any former Councillor the office of Honorary Alderman, in recognition of their eminent services to the Council; or
- (c) the presentation to any Member or former Member of a certificate in recognition of service to the Council.

Committee meetings: time and duration

Relevant Part(s) of the Constitution:	Part 4: Committee Procedure Rules
---------------------------------------	--

Details of proposal:

Currently, the Committee Procedure Rules provide that (other than in special circumstances), meetings of Committees shall commence at 7.30pm and end at 10pm.

It is proposed to amend the Rules to give greater flexibility over the starting time in particular, and in consequence the finishing time. The quality of debate and decision making is likely to be adversely affected the longer a meeting lasts: and decisions taken at the later stages of an over-long meeting on issues such as planning applications could successfully be challenged under Human Rights and other legislation.

The amendments suggest that the normal duration of a meeting be 2½ hours, but for “day time” meetings there would be a standard finishing time of 5pm: the Committee is invited to consider whether those proposed timings are acceptable or what should be specified in their place.

Proposal 19 provides for Rules to be suspended.

Amendments proposed:

Amend to read:

1 Ordinary meetings of committees

- (a) An ordinary meeting of each committee shall begin at 7.30pm (or such other time as the Chairman may agree shall be specified in the agenda) on the date, and at the place, specified for that meeting in the schedule of meetings published annually.
- (b) The Chairman of a committee may, following consultation with its members, agree to a variation of the date, time or place of meeting or its cancellation, as appropriate.

9 Conclusion of meetings

- (a) All meetings shall finish when [two and a half hours] (including any time spent in adjournment) have elapsed from their beginning unless the meeting takes place during normal office hours, in which case the meeting shall finish no later than [5]pm.

Governance Committee. 21 March 2006

- (b) If it is necessary to adjourn and reconvene in order to complete the business of the meeting, such adjournment shall be to a date, time and place to be fixed by the committee in question, or failing that, by the Chairman.

- (c) As soon as [two and a half hours] (including any time spent in adjournment) have elapsed from the beginning of a meeting (or the meeting takes place during normal office hours and the time reaches [5]pm), unless a procedural motion has been passed to suspend this rule and to extend the time of the meeting, the business of the meeting will continue only until the end of the discussion then in progress. At that point the Chairman will call for a vote immediately on any items remaining and votes will then be taken in the usual way on those items without further discussion

Council meetings: time and duration

Relevant Part(s) of the Constitution:	Part 4: Council Procedure Rules
---------------------------------------	--

Details of proposal:

Currently, the Council Procedure Rules provide that (other than in special circumstances), meetings of Council shall commence at 7.30pm and end at 10.30pm (or as soon as practicable thereafter).

It is proposed to amend the Rules to give greater flexibility over the starting time in particular, and in consequence the finishing time. Members will be conscious that the quality of debate and decision making is likely to be adversely affected the longer a meeting lasts: it is indeed conceivable that decisions taken at the later stages of an over-long meeting could successfully be challenged under Human Rights and other legislation.

The amendments proposed would ensure that meetings would terminate after a set period (or for meetings in normal working hours, at the accepted end of them). The Committee is invited to consider whether those proposed timings are acceptable or what should be specified in their place.

Amendments proposed:

5. TIME AND PLACE OF MEETINGS

Meetings of the Council will be held at the Town Hall (or such other place that may be determined either by the Council generally or by the Mayor for a particular meeting) and begin at 7.30pm unless an earlier time is agreed in advance by the Council, or by the Mayor, and the change is notified in the summons.

9.1 Conclusion of meeting

- (i) Once [two and a half hours] have elapsed from the beginning of the meeting (including any time spent in adjournment), if the Mayor believes that an item could not properly be considered in the time remaining available, then notwithstanding rules 11 and 13.4, the Mayor may direct that an item be not taken, or may modify the length of speeches and general debate in respect of any item. In the case of an item already being debated, the Mayor may modify the length of speeches or restrict the number of speakers
- (ii) Unless a procedural motion has been passed to suspend this rule and to extend the time of the meeting, once [three] hours have elapsed from the beginning of the meeting, the business of the meeting will continue only until the end of the debate then in progress. At that point the Mayor will call for a

Governance Committee. 21 March 2006

vote immediately on any items remaining and votes will then be taken in the usual way on those items without further discussion.

- (iii) in the event of an adjournment of any meeting of the Council being necessary such an adjournment shall be to a date to be fixed by the Council, and in the event of no date being fixed then on a date to be fixed by the Mayor. For the purposes of rules (i) and (ii) above, any reconvened meeting shall be treated as a new meeting.

Ex-gratia Payments

Relevant Part(s) of the Constitution:	Part 3: Responsibility for functions
---------------------------------------	---

Details of proposal:

This Committee considered this matter in November 2005 and at that time were minded to approve an extension of ex-gratia payments and for payments to cover all matters rather than those restricted in Part 3 Section 7 Appendix B i.e. loss of personal property and ex-gratia payments to housing tenants for breakdown, floods and improvements to vacated property. This will tie in with the delegation to staff to settle ex-gratia payments up to £3,000 which is not limited to certain areas. There is also a discrepancy between the figures; £3,000 in the staff delegation and £3,070 in Appendix B as the latter has inflation applied to it.

Amendments proposed:

The current limit is £3,000 but in the November report, its increase to £5,000 was proposed. Members did not reach a definitive decision on the point. For the purpose of this report, an increase to £5,000 has been assumed but it is open to the Committee to fix a different figure should that be felt desirable.

In section 3, paragraph 3.3.3, sub-paragraph 5

Amend “£3000” to “the limit specified in Appendix B for such payments”

In section 3, Appendix B

Amend entry for ex-gratia payment read:

Expenditure	Limit
Ex gratia payments where action taken by or on behalf of the council in the exercise of their functions amounts to, or may amount to, maladministration, to a person who has been, or may have been, adversely affected by that action (s92 of Local Government Act 2000).	£5,000 (in consultation with the Group Director Finance & Commercial and Assistant Chief Executive Legal and Democratic Services)

Decision making processes

Relevant Part(s) of the Constitution:	Part 2: Articles of the Constitution Part 4: Overview & Scrutiny Committee Procedure Rules
---------------------------------------	---

Details of proposal:

Confusion some times arises over the respective roles of the Council, the Cabinet and the Overview and Scrutiny Committees. To assist obviate some of the confusions that can arise, it is suggested that a statement of the general principle of Council's decision-making process would be helpful.

If agreed, the statement would be incorporated in Part 2 of the Constitution, the Articles of the Constitution, as Article 13.09 (with the existing article of that number re-numbered to 13.10). Some consequential amendments of the Overview & Scrutiny Procedure Rules would also be required.

See also Proposal 14 following.

Amendments proposed:

In Part 2: add new Article

13.09 General principle of the decision-making process

- 1.1 The general principle of the Council's decision making process is that decisions will be taken at the lowest practicable level, having regard to operational requirements, the democratic process and the relevant provisions of law.
- 1.2 "Executive decisions" are those that are required to be taken by the Cabinet or in accordance with delegations agreed by the Cabinet to Area Committee, to individual members of the Cabinet or to specific officers.
- 1.3 Decisions that are not executive decisions shall be taken by the Council, or by a Committee to which Council has delegated power to act on its behalf, or by specific officers to whom powers have been delegated. In reaching such decisions, officers to whom powers have been delegated may consult the Chairman of the relevant Committee where to do so is expedient, and shall do so where an earlier decision so requires.
- 1.4 An individual or body to whom power to make a decision has been delegated may decline to make that decision and refer it for decision by the relevant Committee, by Cabinet or by Council instead.

2 Executive decision-making processes

- 2.1 Executive decisions that are key decisions (see Article 13, paras 13.03(6)) may be taken only if due notice has been given of them in the Forward Plan, unless the procedure for taking decisions without due notice has been followed.
- 2.2 Key decisions may be taken by Cabinet, by individual members of Cabinet or Chairmen of area committees or by officers acting in accordance with powers delegated generally or for specific purposes.
- 2.3 Executive decisions that are not key decisions may be taken by officers as well as by Cabinet, individual Cabinet members or area committee chairmen, in accordance with powers delegated generally or for specific purposes.
- 2.4 A list of all executive decisions (whether or not key decisions) taken by member and of key decisions taken by officers in the preceding week will normally be published in the weekly Calendar Brief issued on Fridays, but where circumstances so require a supplementary Calendar Brief may be issued at any time.

3 Call-in

- 3.1 A key decision may be called in by written requisition signed by two members of the Council who are not also members of the Cabinet, or by one such member and one co-opted member of an overview & scrutiny committee. Where two members sign, they must be from different Groups (which in this context includes, as if they were a Group, any independent member(s)).
- 3.2 A requisition must state the grounds upon which it is based.
- 3.3 A requisition must be received by the Chief Executive not later than three working days following the publication in Calendar Brief of the requisitioned decision. The deadline for requisitions shall be stated in Calendar Brief.
- 3.4 The two signatories may designate the requisition as a “holding requisition”, the effect of which shall be to extend the period of deadline from three working days to eight working days, to enable the two signatories to meet the relevant Cabinet member, to discuss with him their concerns and to seek a mutually satisfactory resolution. Time shall be of the essence in such cases.
- 3.5 No key decision shall be acted upon until either the deadline for submission of a requisition has passed without one being submitted, or any requisition submitted has been disposed of.

- 3.6 A holding requisition shall expire at the deadline unless, following discussion with the relevant Cabinet member, both signatories confirm that it is to be referred to the overview & scrutiny committee. It shall then be dealt with in accordance with the following paragraphs.
- 3.7 A requisition submitted in accordance with this section shall be referred to the relevant overview & scrutiny committee(s) for consideration. Such referral shall be made as soon as reasonably practicable so that, if the requisition is upheld, the matter may be referred to the Cabinet no later than its second meeting following the making of the original decision, or to the Council at its next ordinary meeting.
- 3.8 An overview & scrutiny committee may:
- Refuse to uphold the requisition;
 - If the decision has been made by an individual Cabinet member, uphold the requisition and refer the matter to the Cabinet, with or without recommendations as to action to be taken;
 - If the decision has been made by Cabinet, uphold the requisition and refer the matter back to Cabinet for further consideration, with or without recommendations as to action to be taken; or
 - If the decision has been made by Cabinet and has implications for the Council's policy framework or financial framework, uphold the requisition and report upon the matter to the Council, with or without recommendations as to action to be taken
- 3.9 For the avoidance of doubt, an overview & scrutiny committee considering a requisition may
- adjourn its meeting if further information is needed to enable proper consideration of it (but not so as to prevent its referral to the Cabinet no later than the second meeting following the making of the original decision or to the next ordinary meeting of the Council)
 - uphold a requisition in part
- 3.10 A requisition is "disposed of" when
- it is withdrawn
 - an overview & scrutiny committee has refused to uphold it;
 - Cabinet has considered the overview & scrutiny committee's reference and determined what, if any, action to take;
 - the Council has considered the overview & scrutiny committee's report and determined what, if any, action to take; or
 - in the case of a holding requisition, eight working days have passed from the publication of the decision and the requisition has not been confirmed.
- 3.11 Either of the two signatories of a requisition, or the Leader of a Group to which one of them belongs on the signatory's behalf, may withdraw the requisition at any time prior to the overview & scrutiny committee reaching a decision on it.

- 3.12 Once a matter has been called-in, it shall not be liable to further call-in once the requisition has been disposed of, unless Cabinet reaches a substantially different decision upon that matter.
- 4 Action where a key decision has not been shown on the Forward Plan**
- 4.1 A key decision that has not been shown on the Forward Plan shall be made only in exceptional circumstances.
- 4.2 Such a key decision shall be made only if the Chairman of the relevant overview & scrutiny committee signifies in writing that he is satisfied on the report of the member or officer responsible for making the decision that
- it was reasonable in all the circumstances for notice of need for the decision not to appear in the Forward Plan
 - there is urgency for the decision to be made that justifies its being dealt with immediately rather than awaiting processing in the normal way
 - there are no grounds for supposing that the decision would be likely to be called in if processed in the normal way
- 4.3 Where the Chairman so signifies, the decision may be made forthwith and implemented without delay, and shall not be liable to be called in under the procedure provided for in section 3.

In Overview and Scrutiny Committee Procedure Rules

Delete existing paragraph 16 and insert:

16 Call-in (“requisition”) procedure

- (a) All decisions of Cabinet and individual Cabinet members, and all key decisions taken by staff or area committees, will be notified weekly to all members, and non-Executive members shall be entitled to requisition that decision. Notification will be by the weekly Calendar Brief (or supplementary Calendar Brief) to all members, indicating the latest date for submission of a requisition.
- (b) If the Chief Executive is notified of a requisition of a decision shown on that notification within three working days of the deemed receipt of a decision, then (subject to (g) following) that decision shall not be acted upon but shall be submitted to the next overview and scrutiny committee meeting, or one convened for the purpose, for determination.
- (c) At that meeting, the overview and scrutiny committee may resolve to initiate either of the specific call-in procedures set out in rule 5 of the Policy

Framework Procedure Rules or in rule 8 of the Budget Framework Procedure Rules.

- (d) Any requisition submitted under (b) above must be in writing and must be signed by:
 - (i) at least two non-Executive members representing more than one group,
or
 - (ii) at least one co-opted member and one non-Executive member.Additionally, the requisition must give the grounds for the requisition.
- (e) Following the consideration of the matter by members if the requisition submitted under (b) above is upheld, the matter shall be referred to either
 - (i) The Council where the committee considers the matter is contrary or not wholly in accordance with the policy or budgetary framework, or otherwise
 - (ii) The Cabinet
- (f) A requisition under (b) above shall be determined at the committee meeting by simple majority.
- (g) The members may indicate at the time of submitting any requisition that it is “holding” requisition, to permit informal discussion with the Cabinet member as to the merits of the decision. Time shall be of the essence when dealing with “holding” requisitions. A “holding requisition” shall be treated as withdrawn if, eight working days having passed from the publication of the decision, both members have not confirmed by notice in writing to the Chief Executive that the requisition should be subject to the full requisition procedure provided for in the preceding paragraphs.
- (h) Any requisition may be withdrawn at any time prior to it being disposed of.
- (i) For the avoidance of doubt, “notice given in writing” for the purpose of this Rule includes notice given by fax or by email from an address or number recognised as associated with the member sending it, and shall be regarded as validly signed by both members if either an identical fax or email is received from both of them or one clearly associates him or herself with a submission by the other,

Schedule of Council meetings

Relevant Part(s) of the Constitution:	Part 4: Council Procedure Rules
---------------------------------------	--

Details of proposal:

Council customarily agrees the schedule of its meetings for the coming municipal year (and provisionally until the end of the following calendar year) at the final meeting of each municipal year (usually held late March or early April). When the Council Procedure Rules were revised in late 2005, however, by inadvertence they provided that the scheduling should be done at the Annual Meeting.

Since the administrative processes relating to the scheduling of all meetings are geared to when the Council meets and to its schedule being fixed in March/April, the Committee is asked to recommend deletion of the requirement that this be done at the Annual Meeting.

Amendments proposed:

In the preamble to CPR 2, delete "at the Council's annual meeting" and insert "by the Council".

Member Champions

Relevant Part(s) of the Constitution:	Part 4: Council Procedure Rules Part 4: Executive Procedure Rules
---------------------------------------	--

Details of proposal:

The Council has appointed four Champions, three being established at the Annual Council meeting in 2004 and a fourth, the Champion for the Historic Environment, being established a little later following suggestions put forward by English Heritage. The Champions elected at the Annual Council meeting were one from each of the three groups while the fourth Champion came from the Administration and is now a member of the Cabinet.

The Administration now propose that the work of the Champions and the value of the role will be much enhanced if each of the Champions' roles were allocated to the relevant Cabinet member. The Leader is responsible for allocating portfolios and, at the same time, the allocation of a particular activity to a Cabinet member could take with it the role of the Champion.

It would be clear to the public and others who deal with the Cabinet member/Champion if this arrangement were to be enshrined within the Constitution.

Under paragraph 2 (c) of the Executive Procedure Rules which relates to the business to be conducted by a Cabinet meeting, sub paragraph (iv) says "consideration of any reports from overview and scrutiny committees or Champions". It is suggested that "or Champions" is deleted from here as the Champions will actually be members of the executive, i.e. Cabinet.

The Council Procedure Rules (Paragraph 1 (viii)) indicate that the Annual meeting will, among other things, "appoint three Champions, one for elderly persons, one for younger persons and one for diversity". This section has not been updated to deal with the appointment of the Champion for the Historic Environment, but as a matter of practise that appointment has been submitted to the most recent Annual meeting. It is proposed that this reference is deleted.

It is suggested, however, that the Executive Procedure Rules should include a new paragraph setting out the role of the Champions.

Amendments proposed:

A. Amend Executive Procedure Rules as follows:

2 How are meetings of the Cabinet conducted?

.....

(a) What business?

At each meeting of the Cabinet the following business will be conducted:

....

- (iv) consideration of any reports from overview and scrutiny committees ~~or Champions.~~

3. Champions

Insert

(b) The relevant Cabinet portfolio holder will act as Champion for

- Elderly Persons
- Young Persons
- Diversity
- Historic Environment

Their job description will be as set out by the Governance Committee from time to time.

(c) Each Champion, in relation to the issues within their purview:

- (i) shall be required to report annually to Council
- (ii) shall have the right to report to Council or to Cabinet at any time
- (iii) may be questioned at Council with regard to their role as Champion by any Member (in accordance with the provisions for Questions at Council.)

Note – each Champion will recognise that there is no dedicated resource within Services and, therefore, expectations of them should be reasonable.

(d) In reporting to Annual Council (paragraph 3(b)(i) above), to an ordinary Council meeting or the Cabinet (paragraph 3(b)(ii) above) the Cabinet Member when acting as a Champion shall recognise.

- (i) The power so to report should be used sparingly.
- (ii) The annual written report to Council will be an information report only and will ordinarily be no longer than if it were delivered orally in a speech of five minutes or less.

B. In Council Procedure Rules, delete words crossed out

2 ...

- (xiii) at the first ordinary meeting in the Municipal year the Council will receive reports for the previous year from the Overview and Scrutiny Committee Chairmen ~~and from the Champions~~

Decisions by individual Cabinet members

Relevant Part(s) of the Constitution:	Part 3: Executive functions
---------------------------------------	------------------------------------

Details of proposal:

In accordance with the principles suggested in Proposal 11, it is proposed that Cabinet Member decision making be extended and streamlined in order to assist the decision making process of the Executive and to ensure that only important matters and those which must under Regulations be approved by Cabinet, receive the attention of full Cabinet. Other matters can be delegated to Cabinet Members as this process appears to be working well.

Amendments proposed:

- 1.1 Individual Cabinet members will be empowered to agree all or any Overview & Scrutiny recommendations to Cabinet: only recommendations not agreed would need to be considered by Cabinet. Paragraph 2.2.8 will need amending accordingly and this is shown in the attached Section 2.2:
- 1.2 Current 2.2 paragraph 2
 - “2 Where there are implications for policies of the authority, to agree members of staff’s responses to consultation papers from:
 - the Government (including White and Green papers)
 - the Association of London Government, the Greater London Authority, the Local Government Association and all other bodies where those papers affect the services allocated.”to be amended so that all Consultation papers are included where there are policy implications.
- 1.3 Cabinet Member to approve all policies and strategies having no financial, legal and human resource implications. This is to ensure only the most important policies and strategies are placed before Cabinet.
- 1.4 Cabinet Member to approve all Havering Community Safety Partnership Strategies in view of the fact that these are partnership strategies signed off at the appropriate Partnership meetings.
- 1.5 Paragraph 21 ‘To agree minor and routine policy matters’ to be re-worded as ‘To agree minor or routine policy matters.’
- 1.6 It is suggested that paragraph 10 should be deleted
 - “10 To approve staff commencing a tendering process for all contracts above a total contract value of £500,000 except for:
 - works contracts in respect of the Council’s housing revenue account assets, where the individual Cabinet member is to approve commencement of a tendering process for only those contracts where

the total contract value is above £1,000,000 (the individual Cabinet member may approve commencement of a tendering process for lesser contract values where appropriate)”

and that staff delegation be increased to commence all tendering processes. Awards of Contract to be delegated to Cabinet Member from above £154,000 (the staff level) to under [£5,000,000]. Awards of contract above that level to go to Cabinet for a decision.

- 1.7 [Do we want to extend planning? – currently there is power to approve supplementary planning guidance and policies.]
- 1.8 Paragraph 23 – Increase the level of Cabinet Member approval in respect of ‘in principle’ property decisions to £1,000,000.
- 1.9 It is suggested that the following are deleted as there is no evidence they are used.
 - Paragraph 7
To consider the implications of best value reviews and reports from other public agencies and to decide a response, making recommendations to the Cabinet where appropriate.
This could come generally under the response to consultation heading
 - Paragraph 6 – agreeing the scope of best value reviews
 - Paragraph 11 – exception to CPR
 - Paragraph 14 – subject to there being a requirement on staff to consult their Cabinet Member(s) on their Service Plan.
 - Paragraph 15 – this is a matter for property services and will be covered by the property transactions
 - Paragraph 19 – If Cabinet direct that would be sufficient authority in itself

Functions of individual Cabinet members

Each individual Cabinet member has the following functions, within the portfolio allocated to him or her by the Leader. If a Cabinet member is unable to act, the Leader may act on his or her behalf, or may authorise another Cabinet member to do so. Matters delegated to individual Cabinet members under this section give them individual decision making powers. Where any paragraph refers to ‘in conjunction with’ or ‘in consultation with’ the decision remains that of the individual Cabinet member.

- 1 To monitor the budgets and the performance of the services allocated by the Leader.
- 2 Where there are implications for policies of the authority, to agree members of staff’s responses to consultation papers:

where those papers affect the services allocated.
- 3 To agree an appropriate response by members of staff to issues raised in petitions presented to the authority in respect of allocated services.
- 4 To determine priorities in conjunction with the relevant Group Director, Assistant Chief Executive and Head of Service (within the policy framework and budget).

Governance Committee. 21 March 2006

- 5 To make suggestions for future policy initiatives (within the policy framework and budget) and for amendments to the policy framework, for agreement by the Cabinet and Council.
- 6 To agree the final report and service improvement plan in respect of best value reviews.
- 7 To agree recommendations from the overview and scrutiny committees in respect of the allocated services, and to recommend to Cabinet any recommendations for referral back to Overview & Scrutiny Committees and/or for rejection.
- 8 To receive information reports to assist in the individual Cabinet member role.
- 9 To approve an exception to the Contracts Procedure Rules set out in Part 4 of this constitution, in accordance with rule 1(c) of those rules.
- 10 To award contracts, agree extensions of contract terms and awards/extensions of Consortia contracts of a value above £154,000 and less than £5,000,000 and contracts where external funding is guaranteed and there is no longer term financial commitment to the Council save that works contracts in respect of the Council's housing revenue account set out in 10 above can be awarded by Group Directors, Assistant Chief Executives and Heads of Service. *(Note: Investment Committee has powers to invite tenders and award contracts for investment matters within their terms of reference)*
- 11 To review customer satisfaction, results of consultation with stakeholders and the efficiency of service provision generally and to agree arrangements for continuous improvements to be made.
- 12 To promote effective relationships and partnerships between the authority and all other bodies and agencies affecting the community.
- 13 To consider reports on the exercise of virement, within the Budget Framework Procedure Rules set out in Part 4 of this constitution.
- 14 To consider reports on contract overspends and to report to Cabinet as necessary.
- 15 To agree the demolition of housing stock in appropriate cases
- 16 To agree minor or routine policy matters.
- 17 To approve all policies and strategies having no financial, legal or human resource implications
- 18 The Cabinet Member for Regeneration to approve supplementary planning guidance and policies.
- 19 The Cabinet Member for Resources to approve the 'in principle' decision of the Council disposing of an interest in property or land where the disposal or acquisition receipt is not considered likely to exceed £1,000,000.
- 20 The Cabinet Member for Resources to approve individual virements within a service above £250,000 up to and including £999,999.

Governance Committee. 21 March 2006

- 21 The Cabinet Member for Resources to approve virements within services where resources are available or where they are not but the virement is below the identified threshold.
- 22 The relevant Cabinet Member and Cabinet Member for Resources to approve all virements over £250,000 unless it is a permanent virement between services.
- 23 The Cabinet Member for Resources to approve all in year changes to both fees and charges.
- 24 The Cabinet Member for Resources to approve the write off of irrecoverable debts where the individual debt exceeds £25,000 or where the overall level of service debt exceeds a cumulative £250,000 or 1% of the annual service debt in any financial year whichever is the higher.
- 25 The Cabinet Member for Resources to determine allocations from the contingency.
- 26 The Cabinet Member Resources will consider and agree the setting up of any specific services earmarked reserves along with the arrangements for their use.
- 27 The Cabinet Member for Crime & Safety to authorise expenditure of the Cemeteries and Crematorium Improvement from Income Fund and the Cemeteries and Crematorium Improvement Donation Fund above the level delegated to the Head of Technical Services.
- 28 The Cabinet Member for Crime and Safety to approve all Community Safety Partnership Strategies arising under the Crime and Disorder Act or other related legislation.

Treasury Management

Relevant Part(s) of the Constitution:	Part 3: 1 – Functions delegated to general council committees Part 3: 2 – Executive functions
---------------------------------------	--

Details of proposal:

The treasury management powers can be exercised by either the executive or non-executive members and in the light of the fact that the function is linked to the Capital Programme proposals it seems in the light of experience more sensible for the powers to be held by Cabinet.

Amendments proposed:

In the table to section 1.2 , delete from the entry for Investment Committee:

Treasury management strategy

To consider the Council's treasury management strategy, making recommendations to full Council on its content and to subsequently monitor its effectiveness taking account of appropriate expert advice

In section 2.1, insert new paragraph 30 and renumber all subsequent paragraphs as appropriate:

Treasury management strategy

To consider the Council's treasury management strategy, making recommendations to full Council on its content and subsequently to monitor its effectiveness taking account of appropriate expert advice

Areas of responsibility of Overview and Scrutiny Committees

Relevant Part(s) of the Constitution:	Part 2: Articles of the Constitution
--	---

Details of proposal:

There have been few changes to the areas of responsibility of the Overview and Scrutiny Committees listed in Article 6 since the adoption of the new constitution in 2002. The areas of responsibility are fairly wide but, from time to time it may not be clear which particular Committee is responsible for the scrutiny of a particular area of activity.

Accordingly, based on experience so far, it is suggested that, for the avoidance of doubt, Diversity is listed under Corporate Overview and Scrutiny Committee; Adult Education be listed under Culture and Regeneration Overview and Scrutiny Committee; and Environmental Strategy and Planning & Building Control are both listed under Environment.

Amendments proposed:

In Article 6: Overview and Scrutiny Committees, para 6.01. Areas of Responsibility add, in column 3 headed 'Area of Responsibility'

Diversity alongside Corporate

Adult Education alongside Culture and Regeneration

Environmental Strategy alongside Environment

Planning & Building Control alongside Environment

Appointment of Area Committee Chairman and Vice-Chairman

Relevant Part(s) of the Constitution:	Part 4: Committee Procedure Rules
--	--

Details of proposal:

Paragraph 6(b) of these Rules provides that the election of the Chairmen and Vice-Chairmen of the area committees shall be by those committees and that they shall hold office until the first meeting of the area committee after the next annual meeting of the Council. The inference is that that first meeting elects the Chairman and Vice-Chairman for the next municipal year.

To date this has happened without constitutional difficulties. The situation could arise, however, where a committee fails to appoint to one or either of these positions. In those circumstances, the meeting would chose a member to preside for that meeting alone: strictly, however, as the Constitution allows this to happen at the "first" meeting, it could be argued that it cannot appoint the Chairman and Vice-Chairman at a "second" meeting.

The position of Chairman attracts a Special Responsibility Allowance (SRA) and the mechanisms for the post's appointment ought to be absolutely clear. As from the next Annual Meeting the area committees will only be meeting four times a year. If the first meeting of the municipal year fails to elect a Chairman and Vice Chairman, then, if the committee were to retain the ability to elect the positions, it will be another three months before the election could take place and local decision-making start operating properly.

As from the forthcoming Annual Council each area committee will comprise just six members. There is a possibility that, this being an even number, there is a greater risk of an area committee failing to elect a Chairman and Vice Chairman.

It is suggested therefore that in cases where a Chairman is not elected at the first meeting, the matter falls to Council either to appoint a Chairman (from within the area committee's membership) or to positively empower the area committee to make such an appointment at that committee's next meeting.

The position of Vice-Chairman does not attract an SRA. If an area committee cannot agree on the appointment of a Vice-Chairman, it is suggested that they be left to operate without one.

Amendments proposed:

Deletions and Additions as shown

- (b)(i) The Chairman ~~and Vice Chairman~~ of the area committees shall be elected by those committees and shall hold office until the first meeting of the area committee after the next annual meeting of the Council. If at its first

meeting an Area Committee does not make an appointment, Council shall be so notified at its next meeting and shall either

- (1) Make the appointment from among the Area Committee's membership, or
- (2) Empower the Area Committee to make the appointment at a second or subsequent meeting.

(ii) The ~~Chairman and~~ Vice-Chairman of the area committees shall be elected by those committees and shall hold office until the first meeting of the area committee after the next annual meeting of the Council.

Schedule of meetings

Relevant Part(s) of the Constitution:	Part 3: Responsibility for Functions Part 4: Committee Procedure Rules Executive Procedure Rules
---------------------------------------	---

Details of proposal:

Every year, a schedule of meetings for the coming municipal year is published. Based on the programme of meetings for full Council, the schedule sets out the dates for meetings of Cabinet and all Committees (other than those that meet infrequently, such as the Adjudication and Review Committee or that are arranged as and when needed, such as Licensing Sub-Committees).

The schedule attempts to match meeting commitments with members' availability, although there are inevitably factors that cannot be taken into account in advance that lead occasionally to clashes of commitments for some individuals.

The schedule has hitherto been compiled on the basis of "customary practice" but it is suggested that it would be useful now to specify the rules within which the schedule is compiled in order to ensure that there is no doubt about the basis on which it is drawn up.

Hitherto, it has been the practice for meetings generally to be confined to Tuesdays, Wednesdays and Thursdays, leaving Mondays free for Group Meetings and Fridays free, although occasional meetings have been held on either day. It is proposed from now on that, while Friday commitments will continue to be avoided, given the decrease in Group Meetings (other than those before Council or Cabinet meetings), Mondays should be included among the days when meetings are normally arranged. This will give much greater flexibility to avoid clashes of commitment (though they can never be entirely eliminated).

The following is a broad outline of the existing position:

Council meets seven times a year, at roughly eight week intervals (the exception being the Council Tax meeting, which has to be held in late February/early March to comply with legal requirements). The cycle starts with the Annual Council in May, and ends in late March/early April. There is a longer interval over the summer period, which means effectively that August is ignored in setting up the cycle; and the December meeting is held slightly less than eight weeks after the October meeting to avoid clashing with the Christmas/New Year period. By tradition, Council meets on Wednesdays.

Cabinet meets monthly, generally on the third Wednesday, except when that would clash with a Council meeting (Council takes precedence), normally in

August (when there is no programmed meeting) and in February when the meeting's timing depends on the meeting of Council at which the Council Tax is set.

The Area Committees meet quarterly, in July, October, January and April.

The Regulatory Services Committee meets every three weeks (except around the Christmas/New Year period when there is inevitably a different pattern of meetings).

The Audit, Governance, Investment and Standards Committees and the Overview & Scrutiny Committees all generally meet once during each period between Council meetings.

Council determines the programme of its meetings each March. The Manager of Committee and Overview & Scrutiny Support within Democratic Services then draws up the schedule of other meetings, in consultation with SMT, Cabinet Members, Group Leaders and the Chairmen of the various Committees.

It is proposed that the Executive Procedure Rules (EPR) be amended to provide explicitly for Cabinet to meet monthly, on the third Wednesday of the month, except

- when Council is due to meet that day (Cabinet shall then meet a week later)
- in December, when it shall meet in the second week of the month
- in February, when it shall meet two weeks before the meeting of Council at which the Council Tax will be set
- in August, when it shall not normally meet

It is also proposed that the Committee Procedure Rules (CPR) be amended to authorise the Manager of Committee and Overview & Scrutiny Support, in consultation with Cabinet Members, Group Leaders and the Chairmen of the various Committees to determine the schedule of Committee meetings within the parameters mentioned above.

Amendments proposed:

In Part 3:3 – paragraph 3.9.2 (Functions the responsibility of the Assistant Chief Executive, Legal & Democratic Services):

Add new subparagraph

- 29 In consultation with Cabinet Members, Group Leaders and the Chairmen of Committees, to determine the schedule of meetings for each municipal year (including dates, times and places of meeting), on the basis that, so far as possible and practicable:
- Area Committees shall meet quarterly, in July, October, January and April
 - The Regulatory Services Committee shall meet every three weeks (except around the Christmas/New Year period)
 - The Audit, Governance, Investment and Standards Committees and the Overview & Scrutiny Committees shall generally meet once during each period between ordinary Council meetings.

Governance Committee. 21 March 2006

In Part 4:4 – CPR 1 Ordinary meetings of Committees:

Add new subparagraph

- (c) The Manager of Committee and Overview & Scrutiny Support shall publish a schedule of meetings for each municipal year. Subject to the provisions of this Rule and of Rule 4 following, all meetings shall be convened in accordance with the schedule.

In Part 4:6 – EPR 1(f) Cabinet meetings – when and where:

Amend to read:

The Cabinet will meet at monthly, on the third Wednesday of the month, except

- when Council is due to meet that day (Cabinet shall then meet a week later)
- in December, when it shall meet in the second week of the month
- in February, when it shall meet two weeks before the meeting of Council at which the Council Tax will be set
- in August, when it shall not normally meet

The Leader may cancel a scheduled meeting where there is insufficient business, or require the Chief Executive to convene an additional meeting at any time.

The Cabinet shall meet at the Town Hall or another location to be agreed by the Leader.

Committee meeting procedure rules: suspension

Relevant Part(s) of the Constitution:	Part 4: Committee Procedure Rules
---------------------------------------	--

Details of proposal:

From time to time, it is useful to be able to suspend the operation of particular Committee Procedure Rules, especially that relating to the duration and closure of meetings.

The Council Procedure Rules contain a power to suspend and it is now proposed to rectify the omission by inserting a similar provision in the Committee Procedure Rules.

Amendments proposed:

Add new Rule:

11 Suspension of Rules

All of these Rules may be suspended for the duration of a meeting by motion without notice, except where a Rule is noted as not being capable of suspension.



MEETING	DATE	ITEM
GOVERNANCE COMMITTEE	21 MARCH 2006	8

SUPPLEMENTARY

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: AMENDMENTS TO THE CONSTITUTION

The Committee is invited to consider some further proposals for amendments to the Constitution.

20	Overview & Scrutiny: Topic Groups – number
21	Time limiting overview and scrutiny Topic Groups
22	Overview and Scrutiny: Topic Groups – terms of reference

Overview & Scrutiny: Topic Groups – number

Relevant Part(s) of the Constitution:	Part 4: Overview & Scrutiny Committee Procedure Rules
---------------------------------------	--

Details of proposal:

The volume of topic group activity is such that some services cannot do justice to the topic being examined. As a consequence some groups might not be as well informed as they should in formulating recommendations. Furthermore, some topic groups find their timetables slipping as they cannot make timely progress.

It is proposed therefore that each Overview & Scrutiny Committee be entitled to establish no more than two topic groups to run at any one time. With six committees this would mean no more than 12 topic groups running at any time. At present (as this report is being prepared) there are 23 topic groups, although several are barely active.

If the above were to be adopted a topic group covering two or more Overview and Scrutiny Committees would count as one and the Chairmen would need to agree in respect of which committee the topic group would be counted. The number could be exceeded should Council or Cabinet refer a matter to the Overview and Scrutiny Committee and that Committee decides to pursue the matter.

Amendments proposed:

Insert in paragraph 3

(b) Overview and Scrutiny Committees may

(vii) Establish Topic Groups

(C) Each committee can establish no more than two topic groups to operate at any one time: Any cross cutting topic group involving two or more committees counts as one topic group (and the relevant Chairmen are to agree which committee's number it counts towards). Any topic group established in consequence of a reference of a matter from Council or Cabinet does not count towards this maximum number.

Time limiting overview and scrutiny Topic Groups

Relevant Part(s) of the Constitution:	Part 4: Overview & Scrutiny Committee Procedure Rules
---------------------------------------	--

Details of proposal:

Members have expressed concern about the time some topic groups take to complete the tasks they set themselves and the open endedness of some of groups' activities.

While it has always been the practice to suggest to groups at their earliest meeting that they establish a timetable with an end date for their final report, this does not always happen and, when it does, events outside the control of the topic group and support staff can frustrate the initial timetable.

It is suggested that any topic group established by an Overview and Scrutiny Committee automatically finishes in twelve months time or some shorter period decided by the Overview and Scrutiny Committee. Any extension on that period would have to have the agreement of the relevant Overview and Scrutiny Committee. Once the period expires, members of the topic group would have no authority to act without the committee itself extending the time to a specified date.

Amendments proposed:

Insert in paragraph 3.

(b) Overview and Scrutiny Committees may

(vii) Establish Topic Groups

(A) Any topic group automatically ends twelve months from the date of its first meeting or some shorter period decided by the Committee which established it. Any extension on that period would have to have the agreement of that Committee. Once the period expires, Members of the topic group would have no authority to act without a renewal of that authority.

Overview and Scrutiny: Topic Groups – terms of reference

Relevant Part(s) of the Constitution:	Part 4: Overview & Scrutiny Committee Procedure Rules
---------------------------------------	--

Details of proposal:

It is suggested that topic groups report back immediately to the Overview and Scrutiny Committee after their first meeting with the wording of the group's terms of reference. This ought to assist in avoiding a gradual drift during the life of a topic group away from the purpose established by the Committee when the topic group was set up. The Overview and Scrutiny Committee could then be sure that the topic group was indeed focussing entirely on the issue for which it was established.

Amendments proposed:

Insert in paragraph 3

(b) Overview and Scrutiny Committees may

(vii) Establish Topic Groups

(B) The topic group must report back to the Overview and Scrutiny Committee which established it immediately after their first meeting with the group's detailed terms of reference for confirmation. The Committee is entitled to alter the terms of reference if it sees fit.