

**London Borough of Havering**  
***ANNUAL MEETING OF***  
***THE COUNCIL***

**7.30pm WEDNESDAY, 21 MAY 2008**  
**AT HAVERING TOWN HALL**  
**MAIN ROAD, ROMFORD**

**Members of the Council of the London Borough of Havering are hereby summoned to attend the Annual Meeting of the Council at the time and place indicated for the transaction of the following business, including the consideration of the conferment on certain individuals of the office of Honorary Freeman**



**Chief Executive**

**For information about the meeting please contact:**  
**Ian Buckmaster (01708) 432431**  
*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 its meetings.**

**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**

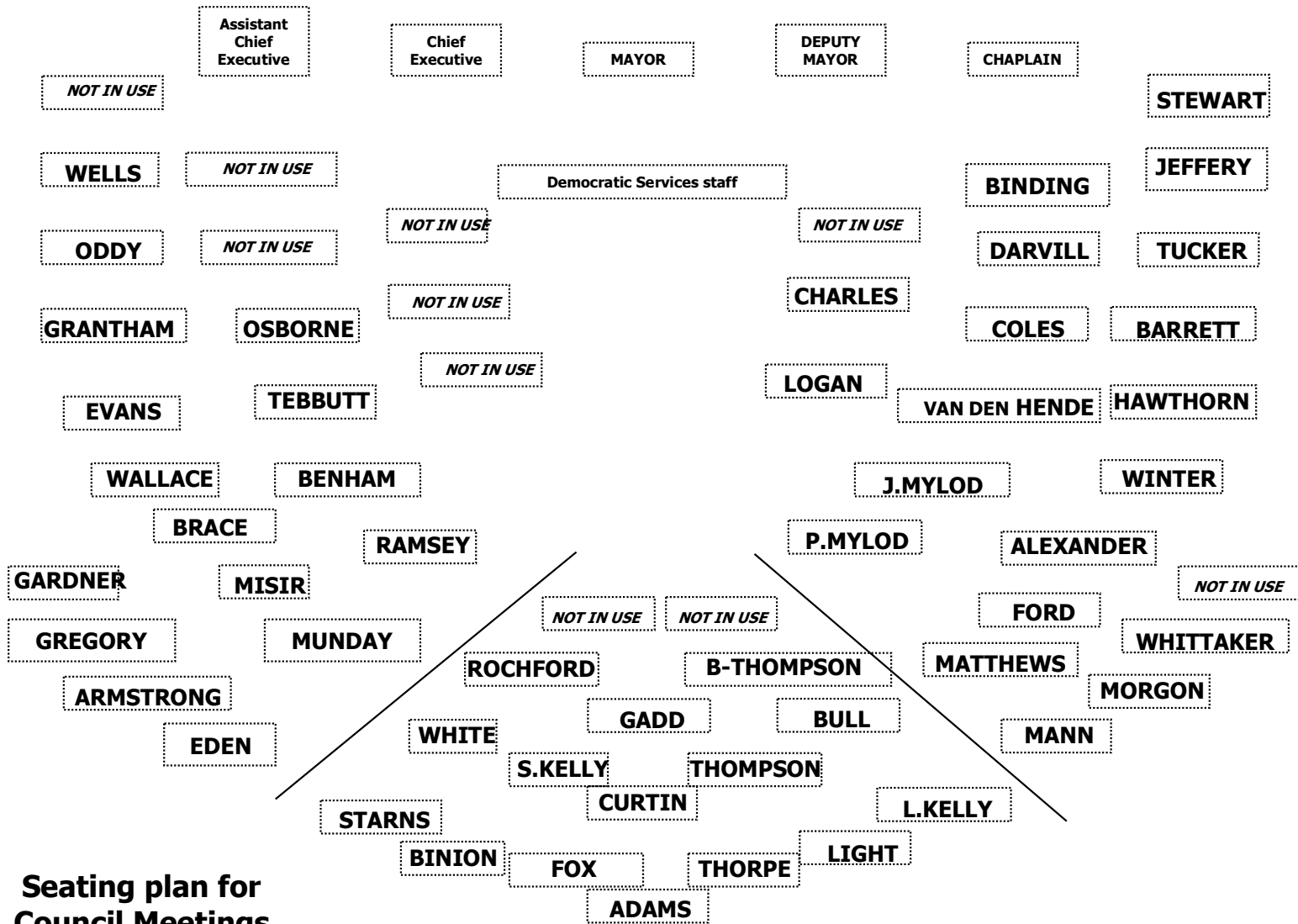
Although mobile phones, pagers and other such devices are an essential part of many people's lives, their use during a meeting of the Council can be disruptive and a nuisance. Everyone attending is asked therefore to ensure that any device is switched to silent operation or switched off completely.

### **3. CONDUCT AT THE MEETING**

**Although members of the public are welcome to attend meetings of the Council, 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 public areas of the Council Chamber 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.**

**PLEASE REMEMBER THAT THE MAYOR 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 Council Chamber.



**Seating plan for Council Meetings**

# INFORMATION FOR MEMBERS

## Commencement of Meeting

As an aid to Members, a single ring of the division bell will sound 5 minutes before the meeting is due to begin, followed by a double ring at 2 minutes before, at which time Members are asked please to take their seats for the commencement of the meeting.

## Control of microphones

Members are reminded that, at Council meetings, the microphones are controlled centrally under the direction of the Mayor. Consequently, Members do not need to press the **MIC ON** button in order to speak, nor to turn off the microphone when they have finished.

The Mayor would find it helpful, however if Members would press the **MIC ON** button in the following instances:

- to indicate that they wish to speak in the course of debate on any motion (including movers and seconders)
- to rise to a point of order, of information or in personal explanation

## Voting

When the Mayor calls a division, the division bell will sound briefly. In order to ensure that votes are recorded correctly, Members are asked to wait until the division bell has finished ringing before pressing the appropriate voting button.

Members are, of course, free to change their vote as they choose at any time until the Mayor directs that the votes be counted. Once a count has been called, however, no further change is possible. In the event that a Member's vote appears not to have been recorded, the clerks should be informed immediately, before the result is declared, so that account can be taken of the vote.

**Annual Council, 21 May 2008****AGENDA****1 PRAYERS**

Prayers will be said by the Reverend Bob Love of the Church of St John & St Matthew, South Hornchurch

**2 To receive apologies for absence (if any)****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 MAYORALTY**

(1) To elect the Mayor of the Borough for the Municipal Year 2008/09.

**Motion on behalf of the Administration**

**That Councillor John Clark be elected Mayor for the Municipal Year 2008/9.**

(2) To receive notice of the appointment of the Deputy Mayor of the Borough for the Municipal Year 2008/09.

*Note: separate guidance on the Ceremonial Procedure for the Election of the Mayor will be issued to Members before the meeting*

**5 MINUTES**

To approve as a true record the minutes of the meeting of the Council held on 19 March 2008, and to authorise the Mayor to sign them.

**6 ANY ANNOUNCEMENTS BY THE MAYOR OR BY THE CHIEF EXECUTIVE**

**Annual Council, 21 May 2008**

**7 TO ELECT THE LEADER OF THE COUNCIL**

**Motion on behalf of the Administration**

**That Councillor Michael White be elected to the office of Leader of the Council for the Municipal Year 2008/09.**

**8 TO ELECT THE DEPUTY LEADER OF THE COUNCIL**

**Motion on behalf of the Administration**

**That Councillor Steven Kelly be appointment Deputy Leader of the Council for the Municipal Year 2008/09.**

**9 TO ELECT THE MEMBERS OF THE CABINET**

**Motion on behalf of the Administration**

**That Councillors:**

**Steven Kelly  
Roger Ramsey  
Eric Munday  
Andrew Curtin  
Geoffrey Starns  
Barry Tebbutt  
Paul Rochford  
Michael Armstrong  
Peter Gardner**

**be elected to the Cabinet for the Municipal Year 2008/09.**

**10 AWARDS FOR EMINENT SERVICE TO THE BOROUGH**

To consider whether to confer on the following, being persons who have rendered eminent service to the borough, the Honorary Freedom of the Borough:

**Councillor Peter Gardner**, nominated by the Administration  
**Maisie Whitelock**, nominated by the Administration  
**Sunny Patel**, nominated by the Residents' Group

In order for the respective honours to be conferred, each nomination must be supported by not fewer than two thirds of the Members present and voting.

**Annual Council, 21 May 2008**
**TO APPOINT COMMITTEES, CHAIRMEN AND  
VICE-CHAIRMEN, AND TO CONSIDER  
ASSOCIATED ISSUES**
**11 STANDARDS COMMITTEE: EFFECTS OF THE STANDARDS COMMITTEE  
(ENGLAND) REGULATIONS 2008**

To consider the report of the Governance Committee

**12 TO APPOINT THE COMMITTEES OF THE COUNCIL, ETC**

To consider the report of the Chief Executive

**13 CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES, ETC**
**13A Motion on behalf of the Administration**

**That the following Chairmen and Vice-Chairmen be appointed:**

<b>Committee</b>	<b>Chairman Councillor</b>	<b>Vice-Chairman Councillor</b>
Adjudication & Review (2 Vice-Chairmen)	Kevin Gregory	1 Lynden Thorpe 2 Mark Gadd
Appointments	Dennis Bull	Eric Munday
Audit	David Grantham	Frederick Thompson
Governance	Frederick Thompson	Steven Kelly
Pensions	Melvin Wallace	Roger Ramsey
Licensing (3 Vice-Chairmen)	Georgina Galpin	1 Lynden Thorpe 2 Peter Gardner 3 Melvin Wallace
Regulatory Services	Roger Evans	Barry Tebbutt

**Annual Council, 21 May 2008**

Adult Services Overview and Scrutiny	Jeff Brace	
Corporate Overview and Scrutiny	Robby Misir	
Children's Overview and Scrutiny	Wendy Brice-Thompson	
Culture and Regeneration Overview and Scrutiny	Robert Benham	
Environment Overview and Scrutiny	Sandra Binion	Gary Adams
Housing Overview and Scrutiny	Barry Oddy	
Crime and Disorder	Lesley Kelly	
Health Overview and Scrutiny	Ted Eden	

**13B Amendment on behalf of the the Residents' Group**

**That the following Vice-Chairmen be appointed:**

<b>Committee</b>	<b>Councillor</b>
Adjudication & Review (1 (of 2) Vice-Chairmen)	June Alexander
Licensing (1 (of 3) Vice-Chairmen)	Linda Van den Hende
Adult Services Overview and Scrutiny	Pat Mylod
Corporate Overview and Scrutiny	Ray Morgon
Children's Overview and Scrutiny	Gillian Ford
Culture and Regeneration Overview and Scrutiny	Linda Hawthorn
Environment Overview and Scrutiny	Andy Mann
Housing Overview and Scrutiny	June Alexander
Crime and Disorder	Linda Van den Hende
Health Overview and Scrutiny	Barbara Matthews



**Annual Council, 21 May 2008****14 MEMBER CHAMPIONS****14A Motion on behalf of the Administration**

- 1 That the Champion for Younger Persons be appointed as the Champion for the new Diploma Scheme, in accordance with the recommendation of the Children's Overview and Scrutiny Committee and endorsed by the Cabinet.
- 2 That the following be appointed Champions as indicated
- |                              |                   |
|------------------------------|-------------------|
| for Diversity                | Councillor Misir  |
| for Elderly Persons          | Councillor Light  |
| for the Historic Environment | Councillor Curtin |
| for Younger Persons          | Councillor Adams  |

**14B Motion on behalf of the Residents' Group**

That the following be appointed Champions as indicated

for Diversity	Councillor Linda Van den Hende
for Elderly Persons	Councillor Patricia Mylod
for the Historic Environment	Councillor Linda Hawthorn
for Younger Persons	Councillor Andy Mann

**15 APPOINTMENT OF STATUTORY LEAD MEMBER FOR CHILDREN'S SERVICES**

To consider the report of the Governance Committee

**16 TO RECEIVE A STATEMENT BY THE LEADER OF THE COUNCIL**

**Annual Council, 21 May 2008**



**MINUTES OF A MEETING OF THE COUNCIL OF THE  
LONDON BOROUGH OF HAVERING  
Havering Town Hall, Romford  
19 March 2008 (7.30pm – 8.30pm)**

**Present:** The Mayor (Councillor Georgina Galpin) in the Chair

Councillors Gary Adams, June Alexander, Michael Armstrong, Clarence Barrett, Robert Benham, Tom Binding, Sandra Binion, Jeff Brace, Wendy Brice-Thompson, Dennis Bull, John Clark, Jonathan Coles, Andrew Curtin, Keith Darvill, Ted Eden, Roger Evans, Gillian Ford, Chris Fox, Mark Gadd, Peter Gardner, David Grantham, Kevin Gregory, Linda Hawthorn, Coral Jeffery, Lesley Kelly, Steven Kelly, Pam Light, Barbara Matthews, Robby Misir, Ray Morgon, Eric Munday, John Mylod, Pat Mylod, Barry Oddy, Fred Osborne, Roger Ramsey, Paul Rochford, Geoff Starns, Barry Tebbutt, Frederick Thompson, Lynden Thorpe, Jeffrey Tucker, Linda Van den Hende, Melvyn Wallace, Keith Wells, Michael White, and Mike Winter

Approximately 50 guests, members of public and press also attended.

Apologies were received for the absence of Councillors David Charles, Len Long, Andrew Mann, Mark Stewart and Steve Whittaker.

The Reverend Barry Hobson, of St Andrews Church, Hornchurch, opened the meeting with prayers.

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

The meeting closed with the singing of the National Anthem.

**81 MAYOR'S STATEMENT: ALLEGED DEER POACHING IN HAROLD HILL**

For the benefit of those members of the public in attendance specifically regarding concerns about deer poaching in Dagnam Park, the Mayor stated that, although there would be no discussion of the issue at this meeting, a petition on the matter would be handed to her early in the meeting (see minute 85 following). Information sheets for the public, giving advice on how they could provide information on the issue to the Council, were obtainable from staff on request.

82 **MINUTES (Agenda Item 3)**

It was **RESOLVED**:

**That minutes of the Meeting of the Council held on 27 February 2008 be signed as a true record.**

83 **DECLARATIONS OF INTEREST (Agenda Item 4)**

Councillors Gary Adams, June Alexander, Michael Armstrong, Clarence Barrett, Robert Benham, Tom Binding, Sandra Binion, Jeff Brace, Wendy Brice-Thompson, Dennis Bull, John Clark, Jonathan Coles, Andrew Curtin, Keith Darvill, Ted Eden, Roger Evans, Gillian Ford, Chris Fox, Mark Gadd, Georgina Galpin, Peter Gardner, David Grantham, Kevin Gregory, Linda Hawthorn, Coral Jeffery, Lesley Kelly, Steven Kelly, Pam Light, Barbara Matthews, Robby Misir, Ray Morgon, Eric Munday, John Mylod, Pat Mylod, Barry Oddy, Fred Osborne, Roger Ramsey, Paul Rochford, Geoff Starns, Barry Tebbutt, Frederick Thompson, Lynden Thorpe, Jeffrey Tucker, Linda Van den Hende, Melvyn Wallace, Keith Wells, Michael White, and Mike Winter each declared a personal interest as the recipient of a Members' Allowance and, where appropriate, of a Special Responsibility Allowance (SRA), as referred to in the Chief Executive's Report on Members' Allowances (and the Residents' Group amendment thereto) (agenda items 9/9A; minute 88).

84 **ANNOUNCEMENTS BY THE MAYOR (Agenda Item 5)**

The Mayor's Announcements are attached as **Appendix 1 to these minutes**.

85 **PETITIONS (Agenda Item 6)**

Under paragraph 24 of the Council Procedure Rules, a petition was presented to the Mayor.

Councillor Keith Wells presented a petition of 2,702 signatures regarding the illegal killing of deer on Council-owned land, and the health and safety of the public using the land.

It was noted that the petition would be passed to the appropriate Head of Service for attention or report to members.

At the conclusion of the presentation of this petition, as a number of members of the public left the Council Chamber, a few of them behaved in a

disruptive manner. The Mayor suspended the meeting briefly while those in question withdrew.

**86 PROCEDURAL MOTION**

A procedural motion was proposed by the Leader of the Council, and seconded:

That the reports at agenda items 7 (Amendments to the Constitution), 8 (Dates of Council meetings) and 9 (Members' Allowances), and the motion at agenda item 11 (Post Office closures), be each dealt with by vote only.

The procedural motion was carried by 44 votes to 4 (see voting division 1) and it was –

**RESOLVED:**

**That the reports at agenda items 7 (Amendments to the Constitution), 8 (Dates of Council meetings) and 9 (Members' Allowances), and the motion at agenda item 11 (Post Office closures), be each dealt with by vote only.**

**87 AMENDMENTS TO THE CONSTITUTION (Agenda item 7)**

Pursuant to the procedural motion recorded at minute 85, the report of the Governance Committee was considered without debate and was agreed by 47 votes to 0 (see voting division 2), and it was –

**RESOLVED:**

- 1 That the Constitution be amended so as to provide for the delegation to the Head of Technical Services, in consultation with the Chairman of the relevant Area Committee, to determine:**
  - 1. Schemes for the removal of grass verges in favour of footway parking.**
  - 2. Requests for 'At any Time' waiting restrictions at junctions and bends for a distance of up to 15 metres.**
  - 3. Requests for advisory white road marking such as 'Keep Clear' markings and 'T' bar markings.**

4. Requests for changes to all types of parking restrictions in relation to accommodating new vehicle crossover applications.
  5. Changes to all types of parking restrictions in relation to temporary and permanent accesses to new developments.
  6. Dispensations from charging for traffic orders required for special events.
- 2 That the revised Financial Procedure Rules set out in Appendix A to the report be adopted; and that the consequential amendments set out in Appendix B be agreed.

88 **DATES OF COUNCIL MEETINGS, 2008/09 AND BEYOND (Agenda item 8)**

Pursuant to the procedural motion recorded at minute 85, the report of the Governance Committee was considered without debate and was agreed by 48 votes to 0 (see voting division 3), and it was –

**RESOLVED:**

**That the Council fixes the date of its meetings for the Municipal Year 2008/09 and, on a provisional basis, the balance of 2009, as follows:**

**2008**

- 23 July
- 22 October
- 10 December

**2009**

- 4 February
- 25 February (Council tax Setting)
- 25 March
- 20 May (Annual Meeting)
- 22 July (provisional)
- 21 October (provisional)
- 9 December (provisional)

89 **MEMBERS' ALLOWANCES (Agenda item 9)**

*All Members present had declared an interest in this matter as recipients of Members' Allowances.*

Pursuant to the procedural motion recorded at minute 85, the report of the Chief Executive was considered without debate.

The Residents' Group amendment (agenda item 9A) was **LOST** by 15 votes to 33 (see voting division 4); the recommendations of the report were **AGREED** by 45 votes to 0 (see voting division 5); and it was –

**RESOLVED:**

- 1 **That the Members' Allowances scheme becomes effective from 1<sup>st</sup> April 2008, and the existing scheme be revoked with effect from the same date.**
- 2 **That the total number of Special Responsibility Allowances may exceed the recommended 50% and, in the event of exceeding the 50% level, Council endorse the justification set out in the report.**

**Note:** The Members' Allowances Scheme as approved by this minute and incorporating the additional Special Responsibility Allowance agreed by minute 91 following is set out in **Appendix 2 to these minutes**.

90 **MEMBERS' QUESTIONS – questions (and supplementary questions) answered (Agenda Item 10)**

Ten questions were listed to be asked under the Council Procedure Rules. The questions and answers are set out in **Appendix 3 to these minutes**. In the absence of Councillor Andrew Mann, the Leader of the Opposition on his behalf asked the questions listed in his name.

During the answering of questions, the proceedings were interrupted by a member of the public. The Mayor, in exercise of her powers under Council Procedure Rule 20.1, and after due warning, required the person in question to leave the meeting room which he then did. Members asked that the person be formally warned in writing of the possible consequences should he behave in a similar way in future.

91 **HAVERING'S POST OFFICE NETWORK: PROPOSED CLOSURES  
(Agenda Item 11)**

Pursuant to the procedural motion recorded at minute 85, the Residents' Group motion that:

This Council considers that the network of post offices in Havering provides vital services to the community, particularly the elderly, and opposes in the strongest possible terms the proposal to close five post offices across the borough.

was considered without debate and was agreed by 48 votes to 0 (see voting division 6) and it was –

**RESOLVED that:**

**This Council considers that the network of post offices in Havering provides vital services to the community, particularly the elderly, and opposes in the strongest possible terms the proposal to close five post offices across the borough.**

92 **SPECIAL RESPONSIBILITY ALLOWANCE: LEADER OF THE  
PRINCIPAL MINORITY OPPOSITION GROUP**

*A query was raised on the need for Councillor Jeffrey Tucker to declare a personal interest in this matter. It was duly noted that Councillor Tucker had already made such a declaration (see minute 83 above)*

Pursuant to Council Procedure Rule 11.2 and in exercise of her powers under Section 100B(4) of the Local Government Act 1972, the Mayor accepted the following as an emergency motion.

It was proposed by the Leader of the Council and seconded by the Leader of the Principal Minority Opposition Group:

That the Leader of the Principal Minority Opposition Group receive a Special Responsibility Allowance of £6,390 with effect from the date of this meeting.

The motion was considered without debate and was agreed by 20 votes to 0 (see voting division 7), and it was –

**RESOLVED:**

**That the Leader of the Principal Minority Opposition Group receive a Special Responsibility Allowance of £6,390 with effect from the date of this meeting.**



**Note:** The Members' Allowances Scheme as approved by this minute and incorporating the additional Special Responsibility Allowance agreed by minute 91 following is set out in **Appendix 2 to these minutes**.

**Note: the voting divisions are attached as Appendix 4 to these minutes.**

## **MAYOR'S ANNOUNCEMENTS**

March is a very busy time for the Council with the setting of the council tax. And as usual this has been a smooth process, performed efficiently and effectively. I would like to thank everyone involved.

I am also pleased to announce that the Council's Housing Service has been awarded four stars under the Audit Commission's new Comprehensive Performance Assessment.

The service was assessed as being accessible and effective. It now takes only two days to be registered on the housing list. And 95% of homeless people submitting a housing application can expect a decision within 33 days, which is far higher than the national average. Well done to colleagues in the Housing team.

I recently visited Gaynes School to help judge the 'Gaynes Factor' talent competition. There was a fantastic turnout, with over 300 young people and parents attending the event.

I presented the winner of the competition, Abbie Snelling, with the Shooting Star trophy. I was impressed by the high level of talent from all of the students. It is always great to see the quality of the acts that take part in competitions involving our young people.

I also went along to James Oglethorpe Primary School to find out more about the work of School Councils. Six School Councils, composed of students that were elected representatives of their school, attended the event.

The event was a way of exchanging student views on best practice at the various schools. It was very impressive to see such a positive and mature approach from the young people towards solving problems and improving school life for their fellow students in Havering.

I also opened the Council celebrations of International Women's Day at the Town Hall. The event paid homage to the achievements of local women and their contribution to the community.

I joined the celebrations with distinguished guests Asad Ahmed, from BBC London, Chief Executive Cheryl Coppell and Stephanie Miller, Chief Executive of Homes in Havering. It was great to see such widespread support and interest for a subject which affects millions of women everyday.

The opening of Sainsbury's at Hildene shopping centre in Harold Hill was a great success and very well attended. I'm sure the store will be warmly received by local people and ties in very well with the Council's regeneration plans for Harold Hill

I was delighted to take part in 'The Best of the Best', Havering's first Book Awards. A number of both primary and secondary schools took part, with eight winners being chosen from over 100 entrants. I presented the winners with their awards and was pleased to see such enthusiasm towards an important subject like reading.

I attended St. Alban's Catholic Primary School as they performed the play 'Easter Passion'. This was a play that told the Easter story with a modern twist. It was great to see

pupils having fun, and expressing their talents whilst still conveying the message of Easter so clearly.

I'm delighted to say that I was on cue when I unveiled a statue, commissioned by the Council, to commemorate the opening of the new affordable housing complex at Eldon Court, Romford. Called simply 'Queue', it is a representation of Romford's past, present and future.

It depicts a bus queue: a man holding a snooker cue represents Romford's nationally renowned snooker club; another is holding a bowling ball as the site is formerly a bowling green. A woman carrying shopping bags refers to the current use of the site, and right at the front, a lady leads a child - signifying the future of Romford.

The statue endorses all that we know. That Romford, and indeed all of Havering, has a past to celebrate, a present to be proud of and a future we can all look forward to.

**Appendix 2  
(Minutes 88 and 91)**

**MEMBERS' ALLOWANCES SCHEME**

With effect from 1 April 2008:

**Basic Allowance:**

An allowance of £9,964 is payable to all Councillors. This will be increased for inflation for 2008/09, in line with the annual Local Government Pay Settlement of the Joint Negotiating Committee for Chief Officers of Local Authorities, or its replacement, in accordance with the scheme, once the level of increase is agreed.

**Special Responsibility Allowances (SRAs):**

In addition to the above, SRAs are payable (in monthly instalments) to the following postholders:

Position	Special Responsibility Allowance £
<b>Area Committee Chairmen</b>	<b>4,260</b>
<b>Appointments, Governance, Investment, Adjudication and Audit Chairmen</b>	<b>7,650</b>
<b>Overview &amp; Scrutiny Chairmen</b>	<b>14,418</b>
<b>Leader of Principal Opposition</b>	<b>18,000</b>
<b>Deputy Leader of Principal Opposition</b>	<b>3,825</b>
<b>Leader of Principal Minority Opposition</b>	<b>6,390</b>
<b>Leader of Minority Opposition</b>	<b>2,227</b>
<b>Licensing and Regulatory Services Chairmen</b>	<b>20,430</b>
<b>Cabinet Members</b>	<b>32,705</b>
<b>Deputy Leader of the Administration</b>	<b>35,705</b>
<b>Leader</b>	<b>51,191</b>

**Note:**

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

**MEMBERS' QUESTIONS AND ANSWERS**

- 1 **Removal of street trees**  
**To the Cabinet Member for StreetCare (Councillor Barry Tebbutt)**  
By Councillor Clarence Barrett

How many street trees have been removed in each of the last three years?

Answer

In the last 3 years we have removed 1,278 trees of which 640 were dead, dying or diseased, 289 were high risk, 79 were vandalised or hit by vehicles, 218 were removed because falling fruit causes problems and the remainder were ad-hoc removals.

In the same period 1,288 trees were planted.

- 2 **Fly tipping - enforcement**  
**To the Cabinet Member for StreetCare (Councillor Barry Tebbutt)**  
By Councillor Clarence Barrett

In each of the last three years, what is?

- a) Number of fly tips reported
- b) Number and value of fixed penalty notices issued
- c) Collection rate of fixed penalty notices issued
- d) Number of related prosecutions

Answer

The StreetCare Enforcement team was established in August 2005. During the formative process and whilst policies were being developed, the primary response was to provide educational campaigns, guidance and written warnings.

In April 2006 Cabinet formally agreed the StreetCare Enforcement Policy, Which follows the general principles of Advice, Warning, Enforcement. In some circumstances the policy permits escalation to a more significant response earlier in the process. The Better Havering Campaign formed the backbone of advice and guidance, when added to increased enforcement action, this resulted in a reduction in fly-tips in 2006-07 when compared with the preceding year. DEFRA recognised the improved performance by awarding Havering a Best Value performance indicator grading of Very Effective for BVPI 199d.

I have the figures for each of the last three years here, and will provided Councillor Barrett with a copy at the end of this meeting.

3 **Brookway playsite – fencing repair**  
**To the Cabinet Member for Environmental & Technical Services (Councillor Paul Rochford)**

By Councillor Jeffrey Tucker

In order to prevent an accident, could this Council please assist by re-erecting the fencing between Brookway Playsite and the road, without any further delay?

Answer

In response to receipt of this question, officers from the Parks and Open Spaces Service, in conjunction with a Health and Safety Officer, immediately undertook a Risk Assessment of the site, in order to ensure that those using the park were in no immediate danger. The assessment states the risk of accident is low.

In order to improve the appearance of the site and tidy up the damaged chainlink fencing, measurements were obtained to replace the chainlink fence with a bowtop railing. We estimate these works to cost approximately £3,500 and this will be added to a list of schemes that are being placed in the capital programme of parks improvement works for 2008/09.

4 **Minority Opposition Groups - size**  
**To the Leader of the Council (Councillor Michael White)**

By Councillor Jeffrey Tucker

In the draft agenda of the Council Meeting of 19th March 2008, page 2 states 'Group Leaders of minority opposition parties are only paid when they have a political group of six or more members' - is that correct?

Answer

The draft report circulated to Group Leaders had a typographical error on it which has since been corrected.

5 **Minority Opposition Groups – references in Members' Allowances Scheme**  
**To the Leader of the Council (Councillor Michael White)**

By Councillor Jeffrey Tucker

In the draft agenda of the Council Meeting dated 19th March, 2008, there is no mention of the leader of the principal minority opposition. Is that correct?

Answer

If the Member is referring to the Members' Allowances Scheme report, this covers the existing scheme which does not provide for a Special Responsibility Allowance (SRA) for the Leader of the Principal Minority Opposition.

6 **Members' Allowances: London Scheme**  
**To the Leader of the Council (Councillor Michael White)**  
By Councillor Jeffrey Tucker

Did this Council adopt the London Allowance scheme in full on 21st March 2007, when the Leader stated that we will be all in or all out? Is that still the case and are there any exceptions?

Answer

Can I take it from what the Councillor has said that he now supports the London Scheme?

7 **CCTV car: issuing of parking tickets**  
**To the Cabinet Member for StreetCare (Councillor Barry Tebbutt)**  
By Councillor Andrew Mann

Can you tell me the amount of parking tickets the Council's CCTV Smart Car has issued since it started operating last year?

Answer

The car started operating 8<sup>th</sup> June 2007. Since then 21,289 Penalty Charge Notices or PCNs have been issued.

To put these figures in context, the total number of PCNs issued by the Parking Service (by CCTV car and parking attendants on foot) from 1/4/07 to mid February 2008 was 44,150 – this total is 1.3% higher than the equivalent period in 2003/4. Hence while the CCTV car is a more efficient means of carrying out parking enforcement, it largely substitutes for PCNs previously issued by parking attendants on foot.

8 **CCTV car: issuing of parking tickets around schools**  
**To the Cabinet Member for StreetCare (Councillor Barry Tebbutt)**  
By Councillor Andrew Mann

Can you tell me how many tickets the CCTV Car has issued to vehicles parked around schools, with a breakdown of the top twenty across the Borough.

Answer

The database in Parking Services records the road in which each PCN is issued, but does not distinguish whether a ticket is issued in conjunction with enforcement around schools during the 'school run' period, or general enforcement at other times. However, records maintained by the parking attendants indicate that a total of 586 PCN's have been issued, the top 20 schools being as follows

Ardleigh Green	58
St. Edwards	50
St. Ursulas	35
Brady	25
Rainham Primary	18
Branfill	17

Brooklands	17
Crowlands	15
Chaffords	14
Gaynes	13
Dame Tipping	12
Mawney	11
St. Marys	10
St. Patricks	9
Nelmes	7
Engayne	7
Parklands	7
Whybridge	7
Harold Wood	7
Hilldene	7

These figures are given only as a general guide as a number of schools have more than one entrance on different roads.

The enforcement role around schools is intended to operate largely as a deterrent and when it started parents were given advance warning by letters issued via the schools of the forthcoming patrolling by the CCTV car.

9 **School uniform grants: Bower Park School**  
**To the Cabinet Member for Children’s Services (Councillor Geoff Starns)**  
 By Councillor Andrew Mann

How many uniform grants were issued to pupils of Bower Park school in the following years ?

- 04/05
- 05/06
- 06/07
- 07/08 (to date)

Also, how many grants were issued in total across the Borough in the above years (to date in 07/08).

**Answer**

The information requested is as follows

	Borough Total	Bower Park
2004/05	922	85
2005/06	910	80
2006/07	893	100
2007/08	10	0

10 **Large Coach Fleet: cessation of provision**  
**To the Cabinet Member for Sustainable Communities & Health (Councillor Steven Kelly)**  
 By Councillor Barbara Matthews

Can you please explain the reasons why you have decided to cease provision of the Large Coach Fleet.



Answer

The basic problem is one of economics. Four of the seven large coaches are in need of replacement due to high maintenance costs and the inability to meet the London Emission Zone Standards that come into force in June 2008. The remaining three coaches will not meet the emission standards for 2012 and will need to be replaced. All of these vehicles are in excess of 10 years old, the retention of three vehicles which do meet the emission standards would not generate sufficient revenue to justify their retention, and would make an operational loss.

The cost of a low specification replacement coach, to replace the four that do not meet the emission zone standard, suitable for school swimming and educational visits would be £160,000 each. Second hand vehicles with engines that would meet the emission standards for 2012 and beyond are in short supply as commercial operators rush to secure them for their own operations.

There is also the problem that very nearly half of the large coach work is ad-hoc which is taking trips to the continent, trips across the country, various other trips, and the basic vehicles of £160,000 each would be inadequate and uneconomical.

Passenger Transport Service will give advice to schools on the procurement of large coach trips from commercial suppliers, and also have provided details of other local authorities who could be able to assist in the provision of transport for school swimming.

There is no question of us stopping or reducing the number of special educational needs coach traffic, or social services day care or other services.

## VOTING RECORD

<i>DIVISION NUMBER:</i>	1	2	3	4	5	6	7
<b>The Mayor [Cllr. Georgina Galpin]</b>	✓	✓	✓	✗	✓	✓	✓
<b>The Deputy Mayor [Cllr. John Clark]</b>	✓	✓	✓	✗	✓	✓	✓
<b><u>CONSERVATIVE GROUP</u></b>							
Cllr. Michael White	✓	A	✓	✗	✓	✓	✓
Cllr. Gary Adams	✓	✓	✓	✗	✓	✓	✓
Cllr. Mike Armstrong	✓	✓	✓	✗	✓	✓	O
Cllr. Robert Benham	✓	✓	✓	✗	✓	✓	O
Cllr. Sandra Binion	✓	✓	✓	✗	✓	✓	O
Cllr. Jeff Brace	✓	✓	✓	✗	✓	✓	✓
Cllr. Wendy Brice-Thompson	✓	✓	✓	✗	✓	✓	✓
Cllr. Dennis Bull	✓	✓	✓	✗	✓	✓	✓
Cllr. Andrew Curtin	✓	✓	✓	✗	✓	✓	✓
Cllr. Ted Eden	✓	✓	✓	✗	✓	✓	O
Cllr. Roger Evans	✓	✓	✓	✗	✓	✓	O
Cllr. Christine Fox	✓	✓	✓	✗	✓	✓	O
Cllr. Mark Gadd	✓	✓	✓	✗	✓	✓	✓
Cllr. Peter Gardner	✓	✓	✓	✗	✓	✓	O
Cllr. David Grantham	✓	✓	✓	✗	✓	✓	✓
Cllr. Kevin Gregory	✓	✓	✓	✗	✓	✓	O
Cllr. Lesley Kelly	✓	✓	✓	✗	✓	✓	O
Cllr. Steven Kelly	✓	✓	✓	✗	✓	✓	✓
Cllr. Pam Light	✓	✓	✓	✗	✓	✓	O
Cllr. Robby Misir	✓	✓	✓	✗	✓	✓	O
Cllr. Eric Munday	✓	✓	✓	✗	✓	✓	O
Cllr. Barry Oddy	✓	✓	✓	✗	✓	✓	O
Cllr. Frederick Osborne	✓	✓	✓	✗	✓	✓	O
Cllr. Roger Ramsey	✓	✓	✓	✗	✓	✓	✓
Cllr. Paul Rochford	✓	✓	✓	✗	✓	✓	✓
Cllr. Geoffrey Starns	✓	✓	✓	✗	✓	✓	O
Cllr. Barry Tebbutt	✓	✓	✓	✗	✓	✓	O
Cllr. Frederick Thompson	✓	✓	✓	✗	✓	✓	✓
Cllr. Lynden Thorpe	✓	✓	✓	✗	✓	✓	✓
Cllr. Melvin Wallace	✓	✓	✓	✗	✓	✓	O
Cllr. Keith Wells	✓	✓	✓	✗	✓	✓	O
<b><u>RESIDENTS' GROUP</u></b>							
Cllr. Barbara Matthews	✓	✓	✓	✓	✓	✓	O
Cllr. June Alexander	✓	✓	✓	✓	✓	✓	O
Cllr. Clarence Barrett	✓	✓	✓	✓	✓	✓	O
Cllr. Gillian Ford	✓	✓	✓	✓	✓	✓	O
Cllr. Linda Hawthorn	✓	✓	✓	✓	✓	✓	O
Cllr. Len Long	A	A	A	A	A	A	A
Cllr. Andrew Mann	A	A	A	A	A	A	A
Cllr. Raymond Morgon	✓	✓	✓	✓	✓	✓	O
Cllr. John Mylod	✓	✓	✓	✓	✓	✓	O
Cllr. Patricia Mylod	✓	✓	✓	✓	✓	✓	O
Cllr. Steve Whittaker	A	A	A	A	A	A	A
Cllr. Mike Winter	✓	✓	✓	✓	✓	✓	O
Cllr. Linda van den Hende	✓	✓	✓	✓	✓	✓	O
<b><u>RAINHAM &amp; WENNINGTON INDEPENDENT RESIDENTS' GROUP</u></b>							
Cllr. Jeffery Tucker	✓	✓	✓	✓	✓	✓	✓
Cllr. Coral Jeffrey	✗	✓	✓	✓	✓	✓	✓
Cllr. Mark Stewart	A	A	A	A	A	A	A
<b><u>LABOUR GROUP</u></b>							
Cllr. Keith Darvill	✗	✓	✓	✓	O	✓	✓
Cllr. Tom Binding	✗	✓	✓	✓	O	✓	✓
<b><u>Liberal Democrat Member</u></b>							
Cllr. Jonathan Coles	✗	✓	✓	✓	O	✓	✓
<b><u>Independent Member</u></b>							
Cllr. David Charles	A	A	A	A	A	A	A
<b>TOTALS</b>							
<b>YES</b>	44	47	48	15	45	48	20
<b>NO</b>	4	0	0	33	0	0	0
<b>ABSTAIN/NO VOTE</b>	0	0	0	0	3	0	28
<b>DECLARATION OF INTEREST/NO VOTE</b>	0	0	0	0	0	0	0
<b>ABSENT FROM MEETING</b>	5	6	5	5	5	5	5
<b>VACANCY</b>	1	1	1	1	1	1	1
	54	54	54	54	54	54	54

IN FAVOUR ✓                      AGAINST ✗  
NOT VOTING O                      ABSENT A  
INTEREST DECLARED ID



# GOVERNANCE COMMITTEE

# 11

7 MAY 2008

## REPORT TO COUNCIL

### STANDARDS COMMITTEE: EFFECTS OF THE STANDARDS COMMITTEE (ENGLAND) REGULATIONS 2008

The Standards Committee (England) Regulations 2008 were laid before Parliament on 17 April and came into force on 8 May. These long-awaited Regulations change the approach to handling allegations that a member or co-opted member (or former member or co-optee) has failed to comply with the Members' Code of Conduct: complaints will now go direct to the Standards Committee rather than to the Standards Board for England, and most will be dealt with at local level.

The Regulations hold no particular surprises: the Standards Committee must continue to consist of at least 25% independent members and no more than one Cabinet member. The Standards Committee must, however, establish separate Sub-Committees, each chaired by an Independent Member, to undertake

- the initial assessment of the allegation (the so called "initial sift")
- a review of an initial sift decision to take no further action when requested by any party to the complaint

Standards Committees may hear complaints that have been investigated, or establish Sub-Committees to do that, but either **must** be chaired by an Independent Member.

At least three members (including at least one elected member of the Council and one Independent Member, in the chair) must be present at any meeting of the Committee or of a Sub-Committee but any Member who sat on a Sub-Committee doing an initial sift cannot sit on a subsequent Sub-Committee reviewing the outcome of that initial sift. It is, however, permissible for any of the Members/Independent Member who sat on either the initial sift or any review to sit on the actual hearing.

The Committee considered a report (which had also been considered by the Standards Committee, whose recommendations were taken into account by the Committee). Guidance from the Standards Board and officers' advice was that consideration ought to be given to increasing the Independent Members by one and the Councillor Members by three. This would maintain the

requisite 25% membership of Independent Members, to give a “pool” of nine Councillors and three Independents from which to draw two members and one Independent to deal with the initial sift and two different members and one different Independent Member to deal with any review of an initial sift decision. It would provide a greater pool of Members (one further Independent and three further Councillors) from which to draw any hearings Sub-Committee and/or to provide a safety net should any Members or Independent Member not be available for a particular meeting.

There will be an inescapable obligation to ensure that any initial sift is undertaken within 20 days of receipt of a complaint. Information on performance indicators must also be reported to the Standards Board on time taken on decision making etc. The expectation is that this will be done on a quarterly basis.

The Committee **accepted** the Monitoring Officer's view that, if the number of Independent Members were not increased by one, then the Council could be in a vulnerable position since Independent Members cannot be appointed without a lengthy recruitment process by Council. If one of the current Independent Members were to resign or be unavailable for a period of time then the Council would not meet its performance indicators and would be acting contrary to any Guidance as it would not be possible to deal with any complaints within the timescales. It was **noted** that the Standards Board now had intervention powers which it would exercise if it considered that the Council or Standards Committee were failing in their duties.

Although the Council is currently compliant with the Regulations there is no leeway to cope with any additional meetings of the Standards Committee or the need for different Independent and Councillor Members for Sub-Committees dealing with the initial sift and any subsequent review. There is a serious risk of non-compliance should either of the two current Independent Members not be available within what are now short timescales. This will mean that the Council is at risk of not complying with the Guidance and/or of failing the performance indicators, which among other things would inevitably impact adversely on the Council's CPA score.

The Standards Committee had proposed that the new arrangements be reviewed after six months' operation, with which this Committee **concurred**. This Committee also **agreed** to consider further the basis for setting the terms of office of Independent Members. The Committee considered a number of recommendations of the Standards Committee, **adopted** them and now **RECOMMENDS as follows:**

**That, having regard to the likelihood that the workload of the Standards Committee will be greatly increased in consequence of the recent changes in legislation:**

- 1 The number of Independent Members of the Standards Committee be increased to three**

- 2 The number of Councillor Members of the Standards Committee be increased to nine (5:2:1:1)**
- 3 Separate Sub-Committees of the Standards Committee be established to assess, review and hear complaints, each comprising an Independent Member as Chairman (as required by law) and two Councillors selected without regard to political balance considerations, such Sub-Committees to be appointed as need arises and in accordance with current working practices**
- 4 The Assistant Chief Executive, Legal & Democratic Services, be authorised to amend the Constitution as necessary to give effect to these recommendations**

The appointment of Independent Members of the Standards Committee is a matter for the Council to decide, and it is anticipated that a further report on these issues will be presented at the next meeting.

The recommended increase in the number of Councillor Members is dependent upon the appointment of an additional Independent Member, and cannot be effected until then.

**Council, 21 May 2008**



## ANNUAL COUNCIL

21 MAY 2008

# 12

### REPORT OF THE CHIEF EXECUTIVE

#### **SUBJECT: TO APPOINT THE COMMITTEES OF THE COUNCIL, ETC**

- 1 In accordance with the Constitution, the Council appoints its Committees at the Annual Meeting.
- 2 This report deals with the appointment and sizes of Committees (other than the Standards Committee, about which there is a separate report of the Governance Committee), the co-opted members and observers etc and recommends such appointments consistent with decisions taken by Council in 2006 and 2007, except as noted in Appendix 2.
- 3 There are no additional financial implications or risks arising from this report. Any allowances payable to Members resulting from the proposed appointments will be in accordance with the Members' Allowances scheme and will be contained within the relevant budgetary provision.
- 4 There are no legal, human resources or equalities and social inclusion implications or risks attached to this report.

### **RECOMMENDATIONS**

That:

- (1) The Committees listed in Appendix 1 be appointed for the 2008/09 Municipal Year.
- (2) Those Committees be appointed with:
  - (a) the membership sizes and
  - (b) the political balanceindicated in Appendix 2 and its annexes (including the note to the table in annex B).

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- (3) Two voting co-optees representing the Church of England and the Roman Catholic interests and three parent governor co-optees selected in accordance with the appropriate Regulations, be appointed to the Children's Services Overview and Scrutiny Committee.
- (4) The other non-elected member "appointments" and invitations to attend shown in the Appendix be confirmed.

Staff Contact: Ian Buckmaster  
Designation: Manager of Committee and Overview & Scrutiny Support  
Telephone No: 01708 432431  
E-mail address: [ian.buckmaster@havering.gov.uk](mailto:ian.buckmaster@havering.gov.uk)

**Cheryl Coppel  
Chief Executive**

**Background Papers List**

None



**APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES**

Adjudication and Review Committee	<i>See annex 1</i>
Appointments Committee	
Audit Committee	
Governance Committee	
Licensing Committee	
Pensions Committee	<i>See annex 2</i>
Regulatory Services Committee	
Standards Committee	<i>The Chairman and Vice-Chairman must both be Independent Members. See the note to annex B of Appendix 2</i>
Adult Services Health Overview and Scrutiny Committee	
Children's Services Overview and Scrutiny Committee	<i>See annex 3</i>
Corporate Overview and Scrutiny Committee	
Crime & Disorder Committee	
Culture and Regeneration Overview & Scrutiny Committee	
Environment Overview and Scrutiny Committee	
Health Overview and Scrutiny Committee	
Housing Overview and Scrutiny Committee	
Elm Park and Hylands Area Committee	(Ward members only)
Emerson Park and Harold Wood Area Committee	(Ward members only)
Gidea Park Area Committee	(Ward members only)
Harold Hill Area Committee	(Ward members only)

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Hornchurch Area Committee	(Ward members only)
North Romford Area Committee	(Ward members only)
Romford Area Committee	(Ward members only)
South Hornchurch and Rainham Area Committee	(Ward members only)
Upminster Area Committee	(Ward members only)

Annex 1

**Adjudication and Review Committee**

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

<b>Type of hearing</b>	<b>Membership of Panel</b>
Corporate complaints procedure (including housing tenants' complaints)	Three Members and a non-voting independent person
Children Act complaints	Three independent persons (one as chairman) with voting rights ( <i>to accord with legal requirements, elected Members may no longer serve on this type of Panel</i> )
Adult Care complaints	Two independent persons (one as chairman) with voting rights and one Member ( <i>to accord with legal requirements, no more than one elected Member may serve on this type of Panel</i> )
Housing tenancy appeals	Three Members

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

**Pensions Committee**

- 2.1 The Pensions Committee is responsible for the management of the Council's Pension Fund investment portfolio.
- 2.2 Although not strictly Members of the Committee, in accordance with the Constitution, two representatives of the staff are appointed by the unions to attend and contribute to meetings of the Committee. These appointees have no voting rights but are present during the discussion of any exempt business.

**Children's Services Overview & Scrutiny Committee**

- 3.1 The law requires that the Council co-opt to this Overview & Scrutiny Committee one representative of each of the Anglican and Roman Catholic Churches, with voting rights, to attend when issues relating to Education are being discussed. In practice, they are also able to contribute to other discussions.
- 3.2 In addition, the Council's Constitution provides for the co-option of three non-voting members representing governors of schools in the three sectors of education, primary, secondary and special. Again, they may attend when issues relating to Education are being discussed.
- 3.3 Finally, there are three non-voting members representing local teacher unions and professional associations, nominated by those organisations.

## POLITICAL BALANCE

- 1.1 **Annex A** sets out in detail the principles of political balance that the law requires the Council to conform to, and discusses the application of those rules to the current political make-up of the Council.
- 1.2 In broad terms, each Group of members is entitled to take seats on Committees in proportion to the total number of Members that belong to it. There is discretion as to the size of Committees and thus the total number of places available for allocation, although for reasons of practicality – not least ensuring that sufficient Members are available from each Group to cover its meeting obligations – the total number of seats (assuming that the number of Committees does not change) is always likely to be in the range 108-120 with individual Committee sizes varying from 6 to a maximum of 15.
- 1.3 Within the overall number of seats available, some adjustment is needed to ensure, so far as practicable, that each Group has its due share of seats and that the allocation of seats between the Groups on each Committee reflects their respective proportions of the Council's membership.
- 2.1 ***There is no perfect answer.***
- 2.2 The first step is to agree the sizes of the individual Committees; the allocation of seats to each Group then follows the formula referred to in Annex A; then finally, adjustments are required to the outcome to ensure that, overall, each Group receives its appropriate share of the total number of seats to be allocated.
- 2.3 The Council is free to agree different arrangements from those prescribed by law, so long as no Member votes against them. Should any such “different arrangements” be voted against, however, then a “default” position would need to be applied: in the absence of agreement otherwise, that would ordinarily mean that the sizes of Committee specified in the Constitution would have to be applied and adjustments made within that to secure the best approximation to the proportion to which each Group is entitled.

### **Making the necessary adjustments**

- 3.1 In determining where adjustments should be made to achieve the overall balance, it is necessary to consider whether there are any particular Committees on which it is more important for all Groups to be represented than others. Although highly desirable, it is clearly impossible for each Group to be represented on all Committees (all else aside, meeting commitments for individual Members would then

be difficult, if not impossible, to fulfil). Compromise is therefore essential.

- 3.2 Under current arrangements, the Rainham & Wennington Independent Residents and Labour Groups have their greatest entitlement to seats on the Adjudication & Review, Governance, Licensing, Regulatory Services and Standards Committees, which are the Committees regulating the Council's business or dealing most with the community and which have tended to have larger memberships than other Committees.
- 3.3 The proposed allocation of seats in **Annex B** has been prepared accordingly. It should be noted that the Annex assumes that Council will agree the proposals in the separate report of the Governance Committee on revising the size of the Standards Committee.
- 3.4 ***Annex B is considered to represent the default position.***

#### **Area Committees**

- 4.1 The Area Committees are not politically balanced because they are constituted under the special rules for Area Committees, with membership confined to Members in each particular Area.

## **POLITICAL BALANCE PRINCIPLES**

- 1.1 Counsel has advised that, in allocating seats on Committees to the Groups, the Council has a duty to make only such decisions as give effect, **so far as reasonably practicable**, to certain principles set out in the relevant legislation. As the current situation at Havering is that one Group (the Conservative Group) has an overall majority but there are several Groups and three Members who are not in any Group, the relevant principles are, in order of priority:
1. Not all of the seats on any Committee may be allocated to only one Group (note - the Cabinet is not a Committee).
  2. The majority of seats on each Committee must be allocated to the Group having a majority of Members of the Council.
  3. The total share of all the seats available for all of the Council main Committees allocated to each political Group must be proportionate to that Group's share of the total Council membership.
  4. So far as can be done without conflicting with the other principles, the total number of seats on each Committee allocated to a political Group must be proportionate to that Group's share of total Council membership.
- 1.2 Moreover, in determining entitlements to seats, members who are not in a Group are disregarded, as they are not entitled to a seat on any Committee; but the proportions on which entitlements are calculated must relate to the total number of Councillors.
- 1.3 **In practice, Committees are balanced against the overall total of Committee places and then, so far as that overall total allows, each Committee is balanced on its own.** With the distribution of seats on the Council that results from the election, it is inevitable (a) that the smaller Groups will not be able to be represented on every Committee, (b) that one Group's representation on some Committees will be at the expense of another's and (c) that, with calculations made as accurately as possible, one or more Groups may have actual seat numbers that differ from their entitlements.
- 2.1 The Council may make arrangements different from those prescribed **provided that no Member of the Council votes against** those different arrangements.

## Annual Council, 21 May 2008

- 2.2 To make such a decision each member of the Council must at least be sent an agenda indicating that the approval of alternative arrangements is to be considered. The agenda for this Annual Council meeting meets this requirement. To accommodate this requirement this report should be treated as giving due notice so that there is no impediment to such a proposal being made.
- 3.1 Once the allocation of seats to Groups in accordance with the statutory procedure is undertaken, the Council is under a duty to make appointments to each Committee so as to give effect to the wishes expressed by that Group about who is to be appointed to their allocated seats.
- 3.2 The “wishes of the Group” may be communicated to the Chief Executive (or the Democratic Services Manager [DSM] on her behalf) by notice in writing by the Group Leader (or on his/her behalf by a recognised deputy) and will be implemented forthwith. Changes may be effected at any time by notice to the Chief Executive (or DSM) and will be notified to all Members in the next available edition of the weekly Calendar Brief.
- 3.3 It should be noted that the Chairmen and Vice-Chairmen of Committees (other than the Area Committees, which make their own appointments) are appointed by Council and any change in membership affecting a Chairman or Vice-Chairman will therefore require consideration by Council, and be dealt with by formal motion.

## **PRINCIPLES FOR ALLOCATION OF SEATS ON COMMITTEES**

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

### **Basic allocation of seats**

- 5.1 The Regulations specify that the minimum size of a Group is two Members. As seats are allocated on the basis of Groups, Members who do not belong to a Group do not have a right to be allocated any Committee seat.
- 5.2 Of the 54 current Members of the Council, **33** (61.11% of the total) are Members of the Conservative Group, **13** (24.07%) of the Residents' Group, **3** (5.56%) of the Rainham & Wennington Independent Residents Independent Group and **2** (3.70%) of the Labour Group. There are three Members not in a Group (also 5.56% of the total).

5.3 The seat entitlements of the Groups are determined by a formula using the above percentages, operating through a sequence of stages as follows:

- **First**, the percentage of each Group's membership of the Council is calculated to two decimal places.
- **Next**, that percentage is applied to the number of seats available on each Committee to determine each Group's potential entitlement to seats on that Committee. Where the resulting figure is not a whole number, it is rounded to the nearest whole number following the mathematical convention that numbers below 0.5 are rounded down, and those 0.5 or more are rounded up.

In some cases, a Group may be entitled to a seat even though, rounded down, its potential entitlement appears nil (i.e. less than 0.5), as there is a specific number of seats available on each Committee and no Group may have more seats on any Committee than its entitlement.

The table below shows the basic allocation on the basis of these principles to Committee sizes ranging from 3 Members to 15:

**Table**

	<b>CONSERVATIVE</b>		<b>RESIDENTS</b>		<b>RAINHAM &amp; WENNINGTON IND. RESIDENTS</b>		<b>LABOUR</b>	
	<b>33</b>		<b>13</b>		<b>3</b>		<b>2</b>	
	<b>64.15%</b>		<b>22.64%</b>		<b>5.66%</b>		<b>3.77%</b>	
<b>Size of body</b>	<b>Entitlement</b>	<b>Allocation</b>	<b>Entitlement</b>	<b>Allocation</b>	<b>Entitlement</b>	<b>Allocation</b>	<b>Entitlement</b>	<b>Allocation</b>
<b>3</b>	1.83	<b>2</b>	0.72	<b>1</b>	0.17	<b>0</b>	0.11	<b>0</b>
<b>4</b>	2.44	<b>3</b>	0.96	<b>1</b>	0.22	<b>0</b>	0.15	<b>0</b>
<b>5</b>	3.06	<b>3</b>	1.20	<b>1</b>	0.28	<b>1</b>	0.19	<b>0</b>
<b>6</b>	3.67	<b>4</b>	1.44	<b>1</b>	0.33	<b>1</b>	0.22	<b>0</b>
<b>7</b>	4.28	<b>4</b>	1.69	<b>2</b>	0.39	<b>1</b>	0.26	<b>0</b>
<b>8</b>	4.89	<b>5</b>	1.93	<b>2</b>	0.44	<b>1</b>	0.30	<b>0</b>
<b>9</b>	5.50	<b>6</b>	2.17	<b>2</b>	0.50	<b>1</b>	0.33	<b>0</b>
<b>10</b>	6.11	<b>6</b>	2.41	<b>2</b>	0.56	<b>1</b>	0.37	<b>1</b>
<b>11</b>	6.72	<b>7</b>	2.65	<b>3</b>	0.61	<b>1</b>	0.41	<b>0</b>
<b>12</b>	7.33	<b>8</b>	2.89	<b>3</b>	0.67	<b>1</b>	0.44	<b>0</b>
<b>13</b>	7.94	<b>8</b>	3.13	<b>3</b>	0.72	<b>1</b>	0.48	<b>1</b>
<b>14</b>	8.56	<b>9</b>	3.37	<b>3</b>	0.78	<b>1</b>	0.52	<b>1</b>
<b>15</b>	9.17	<b>10</b>	3.61	<b>3</b>	0.83	<b>1</b>	0.56	<b>1</b>



Those figures are then applied to the total number of seats available on each Committee, the seats being allocated in order, highest entitlement first, until all seats have been allocated.

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

### **Specific allocations**

- 6.1 For the allocation of seats on specific Committees, several permutations are possible. Although the Council's Constitution does specify particular numbers of seats to each Committee, it is expressed as being "or such other number as the Council may agree", so there is discretion as to Committee sizes.
- 6.2 Once the number of seats available on each Committee has been determined, the allocation of seats to the individual Groups would then need to be adjusted between the Groups to achieve, so far as possible and practicable, an allocation that gives each Group its proportionate share of seats overall while ensuring that each Committee is proportionately balanced. In practice, it will be impossible to achieve both aims without enlarging Committee memberships to an unworkable size, so a degree of compromise is required.

**RECOMMENDED SEAT ALLOCATION**

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

<b>COMMITTEE and size</b>		<b>CONSERVATIVE</b>		<b>RESIDENTS</b>		<b>RAINHAM &amp; WENNINGTON IND. RESIDENTS</b>		<b>LABOUR</b>	
		<i>Entitlements</i>							
		<i>%age</i>	<i>Rounded</i>	<i>%age</i>	<i>Rounded</i>	<i>%age</i>	<i>Rounded</i>	<i>%age</i>	<i>Rounded</i>
Governance	<b>10</b>	6.11	<b>6</b>	2.41	<b>2</b>	0.56	<b>1</b>	0.37	<b>1</b>
Licensing	<b>10</b>	6.11	<b>6</b>	2.41	<b>2</b>	0.56	<b>1</b>	0.37	<b>1</b>
Regulatory Services	<b>10</b>	6.11	<b>6</b>	2.41	<b>2</b>	0.56	<b>1</b>	0.37	<b>1</b>
Adjudication & Review	<b>9</b>	5.50	<b>6</b>	2.17	<b>2</b>	0.50	<b>1</b>	0.33	<b>0</b>
Standards Ø	<b>9</b>	5.50	<b>5</b>	2.17	<b>2</b>	0.50	<b>1</b>	0.33	<b>1</b>
Audit	<b>8</b>	4.89	<b>5</b>	1.93	<b>2</b>	0.44	<b>1</b>	0.22	<b>0</b>
Appointments	<b>6</b>	3.67	<b>4</b>	1.44	<b>2</b>	0.33	<b>0</b>	0.22	<b>0</b>
Pensions	<b>6</b>	3.67	<b>4</b>	1.44	<b>2</b>	0.33	<b>0</b>	0.22	<b>0</b>
Adult Services OSC	<b>6</b>	3.67	<b>4</b>	1.44	<b>2</b>	0.33	<b>0</b>	0.22	<b>0</b>
Children's OSC	<b>6</b>	3.67	<b>4</b>	1.44	<b>2</b>	0.33	<b>0</b>	0.22	<b>0</b>
Corporate OSC	<b>6</b>	3.67	<b>4</b>	1.44	<b>2</b>	0.33	<b>0</b>	0.22	<b>0</b>
Culture &c OSC	<b>6</b>	3.67	<b>4</b>	1.44	<b>2</b>	0.33	<b>0</b>	0.22	<b>0</b>
Environment OSC	<b>6</b>	3.67	<b>4</b>	1.44	<b>2</b>	0.33	<b>0</b>	0.22	<b>0</b>
Health OSC	<b>6</b>	3.67	<b>4</b>	1.44	<b>2</b>	0.33	<b>0</b>	0.22	<b>0</b>
Housing OSC	<b>6</b>	3.67	<b>4</b>	1.44	<b>2</b>	0.33	<b>0</b>	0.22	<b>0</b>
Crime & Disorder	<b>6</b>	3.67	<b>4</b>	1.44	<b>2</b>	0.33	<b>0</b>	0.22	<b>0</b>
<b>Actual seats allocated</b>	<b>116</b>		<b>74</b>		<b>32</b>		<b>6</b>		<b>4</b>
<b>Overall proportional entitlement</b>	<i>%age</i>	61.11%	<b>71</b>	24.07%	<b>28</b>	5.56%	<b>6</b>	3.70%	<b>4</b>
Number of seats differing from entitlement			<b>3</b>		<b>4</b>		<b>0</b>		<b>0</b>

**Ø Note: Standards Committee -**

- 1 This Committee is not politically balanced.
- 2 The allocation shown above for Standards Committee assumes adoption of the recommendations of the Governance Committee referred to in the separate report about membership of that Committee. Until new Members are appointed, the membership will continue to be 6 and the seat allocation, 3:1:1:1.

- 1.2 The permutations are not perfect but follow, as nearly as practicable, the considerations and principles discussed earlier:
- All Groups are represented on the Governance, Licensing, Regulatory Services and Standards Committees
  - The three largest Groups are represented on the Audit and Adjudication & Review Committees
  - The “seats differing from entitlement” are a consequence of the proportionality calculations discussed in this appendix
  - Committee seats are allocated, and each Committee is balanced, as “reasonably practicably” as possible
  - Because of its special nature, with representation of all Groups highly desirable, the Standards Committee is not politically balanced

**Annual Council, 21 May 2008**



## GOVERNANCE COMMITTEE

7 MAY 2008

# 15

### REPORT TO COUNCIL

#### APPOINTMENT OF STATUTORY LEAD MEMBER FOR CHILDREN'S SERVICES

Section 19 of the Children Act 2004, which requires local authorities to designate one of the number as "Lead Member for Children's Services", was brought into effect on 21 March 2008. The Council is, accordingly, now obliged to make such an appointment. This is the first meeting since the legislation was brought into force at which the making of an appointment can be considered.

The scope of the duties of the Lead Member as set out in the Act effectively mirrors the portfolio of responsibilities attached to the Cabinet post of Member for Children's Services, albeit that the portfolio is described using different terminology.

The Governance Committee accordingly considers that the Cabinet Member for Children's Services should also be designated as the statutory Lead Member. The designation would be by post rather than by person, so that, should the post holder change, the designation would automatically apply to the incoming Cabinet Member.

That the Committee **RECOMMEND** to Council:

- 1 That the Cabinet Member for Children's Services be designated as statutory Lead Member for Children's Services.
- 2 That the Assistant Chief Executive, Legal & Democratic Services, be authorised to make all necessary consequential adjustments to the Constitution.

**Council, 21 May 2008**



# COUNCIL

21 May 2008

## FIRST SUPPLEMENTARY AGENDA

### SEATING PLAN

A revised seating plan, mainly consequent on changes within the Residents' Group, is set out overleaf.

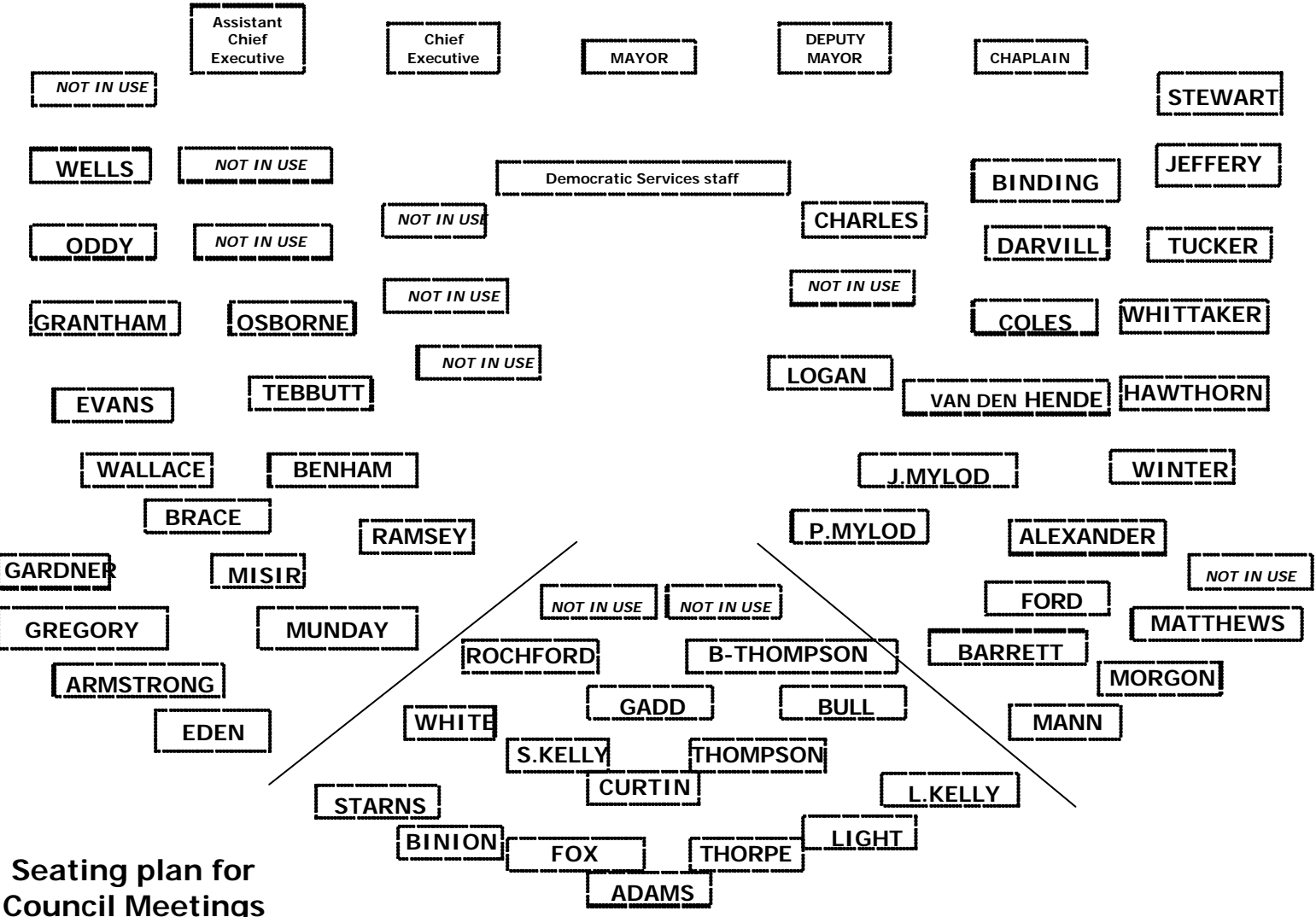
### AGENDA BUSINESS

#### 13 CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES, ETC

##### 13B Amendment on behalf of the Residents' Group

The Leader of the Opposition has clarified that his Group intends the following:

Committee	Councillor
Adjudication & Review (1 (of 2) Vice-Chairmen)	June Alexander (in place of Councillor Lynden Thorpe)
Licensing (1 (of 3) Vice-Chairmen)	Linda Van den Hende (in place of Councillor Lynden Thorpe)



**Seating plan for Council Meetings**





# COUNCIL

## 21 May 2008

### SECOND SUPPLEMENTARY AGENDA

For ease of reference, Members are advised that the following proposed appointments of Vice-Chairman and Member Champion are contested:

#### 13 CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES, ETC

Committee	Administration nominees Councillor	Residents' Group nominees Councillor
Adjudication & Review (2 Vice-Chairmen)	1 Lynden Thorpe 2 Mark Gadd	June Alexander (in place of Councillor Lynden Thorpe)
Licensing (3 Vice-Chairmen)	1 Lynden Thorpe 2 Peter Gardner 3 Melvin Wallace	Linda Van den Hende (in place of Councillor Lynden Thorpe)
Environment Overview and Scrutiny	Gary Adams	Andy Mann

#### 14 MEMBER CHAMPIONS

Champion for:	Administration nominees Councillor	Residents' Group nominees Councillor
Diversity	Misir	Linda Van den Hende
Elderly Persons	Light	Patricia Mylod
Historic Environment	Curtin	Linda Hawthorn
Younger Persons	Adams	Andy Mann

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# COUNCIL

**21 May 2008**

**THIRD  
SUPPLEMENTARY  
AGENDA**

## ***CORRECTION***

**10 AWARDS FOR EMINENT SERVICE TO THE BOROUGH**

The name of the Residents' Group nominee should read **Sunny Jasraj**, and not as printed in the agenda

## ***THE NATIONAL ANTHEM***

At the conclusion of the meeting, the Mayor will invite Members, Guests and all others present to join in singing the National Anthem. On this occasion, just the first verse will be sung.