

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

**7.30pm WEDNESDAY, 24 MAY 2006
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



Chief Executive

**For information about the meeting please contact:
Ian Buckmaster (01708) 432431
*ian.buckmaster@havering.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

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leave quietly and do not engage others in conversation until you have left the Council Chamber.

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.

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AGENDA

1 PRAYERS

Prayers will be said by Pastor Solomon Odeleye

2 To receive apologies for absence (if any)

3 MAYORALTY

(1) To elect the Mayor of the Borough for the Municipal Year 2006/07

Motion on behalf of the Administration

That Councillor Wendy Brice-Thompson be elected Mayor for the Municipal Year 2006/07

(2) To receive notice of the appointment of the Deputy Mayor of the Borough for the Municipal Year 2006/07

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

4 MINUTES

To approve as a true record the minutes of the meeting of the Council held on 29 March 2006, and to authorise the Mayor to sign them

5 ANNOUNCEMENTS BY THE MAYOR OR BY THE CHIEF EXECUTIVE

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6 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 2006/07

7 TO ELECT THE DEPUTY LEADER OF THE COUNCIL

Motion on behalf of the Administration

That Councillor Steven Kelly be appointed Deputy Leader of the Council for the Municipal Year 2006/07

8 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 2006/07

9 TO APPOINT COMMITTEES, CHAIRMEN AND VICE-CHAIRMEN, AND TO CONSIDER ASSOCIATED ISSUES

To consider a report of the Chief Executive

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10 APPOINTMENT OF INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE

To consider reports of the Governance Committee and of the Chief Executive

11 APPOINTMENT OR REVISION OF RESPONSIBILITIES OF CERTAIN OVERVIEW & SCRUTINY COMMITTEES

To consider a report of the Chief Executive

12 COMMITTEE SIZES AND POLITICAL BALANCE

To consider a report of the Chief Executive

13 ELECTION OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES

Motion on behalf of the Administration

That the following Chairmen and Vice-Chairmen be appointed –

Committee	Chairman <i>Councillor</i>	Vice-Chairman <i>Councillor</i>
Adjudication & Review (2 Vice-Chairmen)	Robert Benham	(2) Pam Light Ted Eden
Appointments	Dennis Bull	Eric Munday
Audit	David Grantham	Frederick Thompson
Governance	Frederick Thompson	Kevin Gregory
Pensions	Melvin Wallace	Roger Ramsey
Licensing (3 Vice-Chairmen)	Edward Cahill	(3) Georgina Galpin David Charles Melvin Wallace

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Regulatory Services	Roger Evans	Eric Munday
Adult Services Overview & Scrutiny	Jeff Brace	
Corporate Overview & Scrutiny	Robby Misir	
Children's Overview & Scrutiny	Lesley Kelly	
Culture & Regeneration Overview & Scrutiny	Mark Gadd	David Charles
Environment Overview & Scrutiny	Sandra Binion	Gary Adams
Housing Overview & Scrutiny	Barry Oddy	
Crime and Disorder	John Clark	
Health Overview & Scrutiny	Ted Eden	

14 ELECTION OF MEMBER CHAMPIONS**14A Motion on behalf of the Administration**

That the following be appointed Champions as indicated

for Diversity	Councillor Christine Fox
for Elderly Persons	Councillor David Charles
for Younger Persons	Councillor Gary Adams

14B Motion on behalf of the Administration

That no appointment be made to the role of Champion for the Historic Environment

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- 15 **TO RECEIVE A STATEMENT BY THE LEADER OF THE COUNCIL**
16 **COUNCIL PROCEDURE RULES: ANNUAL MEETING OF COUNCIL IN THE YEAR OF LOCAL ELECTIONS – SUBMISSION OF MOTIONS, REPORTS AND AMENDMENTS**

To consider a report of the Governance Committee

- 17 **MEMBERS' ALLOWANCES SCHEME, 2006/07**

To consider a report of the Chief Executive (to follow when available)

Notes:

- 1 One or more Supplementary Agendas will be published subsequently to this Agenda
- 2 The deadline for receipt of any amendments to the reports and motions published with this agenda is midnight, Monday 22 May 2006; an amendment to the report at item 17 may be moved at any time before the close of debate upon it
- 3 The seating plan for Members in the Council Chamber will follow



**MINUTES OF THE MEETING OF THE COUNCIL OF
THE LONDON BOROUGH OF HAVERING
Havering Town Hall, Romford
29 March 2006 (7.30 p.m. – 11.15p.m.)**

Present: The Mayor (Councillor John Mylod) in the Chair.

Councillors June Alexander, Mike Armstrong, Jeffrey Brace, Wendy Brice-Thompson, Malvin Brown, Edward Cahill, Eileen Cameron, Ivor Cameron, Graham Carr, Yve Cornell, Andrew Curtin, Keith Darvill, Jan Davis, Tony Ellis, Gillian Ford, Georgina Galpin, Peter Gardner, Jean Gower, Ray Harris, Bill Harrison, Linda Hawthorn, Steven Kelly, Len Long, Andrew Mann, Nigel Meyer, Wilf Mills, Raymond Morgon, Eric Munday, Pat Mylod, Chris Oliver, Barry Oddy, Denis O'Flynn, Graham Price, Roger Ramsey, Natasha Ratty, Barbara Reith, Paul Rochford (part of meeting), Louise Sinclair, Alex Smith, Martin Smith, Geoffrey Starns, Jeff Stafford, Alby Tebbutt, Barry Tebbutt, Frederick Thompson, Jeffrey Tucker, Owen Ware, Harry Webb, Joseph Webster, Michael White, Reg Whitney and Daryl Williams

An apology for absence was received from Councillor Mike Winter

Six guests, 20 members of public and representatives of the press also attended.

Reverend Hugh Dibbens 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.

72 MINUTES (Agenda Item 3)

It was **RESOLVED** –

That the minutes of the meeting of the Council held on 1 March 2006 be signed as a true record.

73 DECLARATIONS OF INTEREST (Agenda Item 4) – none
(see minute 84)

74 MAYOR'S ANNOUNCEMENTS (Agenda Item 5)

The Mayor's announcements are set out at **Appendix 1 to these minutes.**

75 RETIRING MEMBERS (Agenda Item 16)

The Mayor announced that this would be the last ordinary meeting of the Council before the Borough elections. Everyone knew that there were several members who had announced their retirement and an intention not to stand again. There were several others too who, for whatever reason, would not return to the Chamber as councillors.

On behalf of the residents of Havering the Mayor placed on record at this stage thanks to them for their contributions to the life and work of the Council and the community.

He further announced that it was intended to invite all current members who did not return to the Chamber to the first ordinary meeting of the new Council when members could express their thanks properly.

In the circumstances Council **AGREED** the Labour Group motion (agenda item 17) without a vote and it was

RESOLVED:

This Council notes that there are several senior and long-serving members of the Council who will not be seeking re-election in the forthcoming Council elections. In particular it is noted that this is the last Council meeting of the Deputy Leaders of both the Labour and Residents' groups. This Council notes with gratitude the many years of loyal and valuable service contributed by the several members who will be retiring and offers the best wishes of this Council for a long and healthy retirement.

76 LEADER OF THE COUNCIL'S ANNOUNCEMENTS (Agenda Item 5)

The Leader of the Council made a statement on the Council's achievements over the last four years.

77 PETITIONS (Agenda Item 6)

Under paragraph 22 of the Council Procedure Rules Councillor Wilf Mills presented a petition from residents of Brooklands Ward regarding a gate constraining access and egress crossing a bridge that spanned the River Rom at Brooklands Approach.

Under paragraph 22 of the Council Procedure Rules Councillor Jeff Stafford presented a petition about the Council's plans for dog clubs currently using Gooshays Hall, Harold Hill.

It was noted that the petitions would be passed on to the appropriate Heads of Service for attention or report to Members.

78 REVISION OF CONTRACT PROCEDURE RULES (Agenda Item 7A)

Council considered a report of the Governance Committee from the meeting held on 1st February 2006.

The recommendations in the report were **AGREED** without going to a vote and it was

RESOLVED

- (1) The revised Contract Procedure Rules, as appended to the report submitted to the Committee, 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"**
- (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”

79 AWARDS FOR EMINENT SERVICE TO THE BOROUGH (Agenda Item 7B)

The Mayor indicated that the report was submitted with his agreement as an urgent matter pursuant to Section 100B(4) of the Local Government Act 1972 as the report could not have been issued before the meeting of the Committee, which had been held the previous week.

Council considered a report of the Governance Committee from the meetings held on 1 February and 21 March 2006.

The recommendations in the report were **AGREED** without going to a vote and it was

RESOLVED

- (1) That consideration be given annually 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 in accordance with (1) to (3) above the amendments to the Constitution set out in Appendix 2 these minutes be approved in order to give effect to them.

(Note: Agenda Item 7C was deferred for consideration at the end of agenda item 7E to enable the wording of a proposed amendment to be made available to members)

80 REVIEW OF POLLING DISTRICTS AND PLACES (Agenda Item 7D)

The Mayor indicated that the report was submitted with his agreement as an urgent matter pursuant to Section 100B(4) of the Local Government Act 1972 as the report could not have been issued before the meeting of the Committee, which had been held the previous week.

Council considered a report of the Governance Committee from the meeting held on 21 March 2006.

The recommendations in the report were **AGREED** without going to a vote and it was

RESOLVED

That the changes proposed for each Ward shown as recommended in Appendix 3 to these minutes be agreed.

81 AREA COMMITTEE REVIEW (Agenda Item 7E)

The Mayor indicated that the report was submitted with his agreement as an urgent matter pursuant to Section 100B(4) of the Local Government Act 1972 as the report could not have been issued before the meeting of the Committee, which had been held the previous week.

Council considered a report of the Governance Committee from the meeting held on 21 March 2006. The report recommended that,

Having regard to the comments made at the recent area committee meetings the new area committee structure be reviewed after it has been in operation for a year.

The Labour Group tabled an amendment to replace all the words with the following –

That the recommendation of the Governance Committee is not adopted and that the matter is referred back to the Governance Committee for reconsideration.

After debate the amendment was **LOST** by 40 votes to 12 (see division 1). The original recommendation was **AGREED** and it was

RESOLVED

That having regard to the comments made at the recent area committee meetings the new area committee structure be reviewed after it has been in operation for a year.

82 AMENDMENTS TO THE CONSTITUTION (Agenda Item 7C)

The Mayor indicated that the report was submitted with his agreement as an urgent matter pursuant to Section 100B(4) of the Local Government Act 1972 as the report could not have been issued before the meeting of the Committee, which had been held the previous week.

Council considered a report of the Governance Committee from the meeting held on 21 March 2006. The report recommended that changes to the Constitution set out in the report covering 20 proposals be approved.

The Residents' Group proposed an amendment from the floor –

Add the following words at the beginning of the recommendation –

With the exception of the amendments concerning the overview and scrutiny proposals regarding the number of topic groups (Proposal 18) and the length of time over which they operate (Proposal 19) being referred back to the Governance Committee,

The amendment was **CARRIED** by 40 votes to 1 (see Division 1). The recommendation, as amended, was **AGREED** without a further vote and it was

RESOLVED

That with the exception of the amendments concerning the overview and scrutiny proposals regarding the number of topic groups (Proposal 18) and the length of time over which they operate (Proposal 19) being referred back to the Governance Committee, the proposed amendments to the Constitution set out in the report and listed as Appendix 4 to these minutes be approved.

83 DATES OF COUNCIL MEETINGS (Agenda Item 8)

Council had before them a report of the Chief Executive proposing dates for meetings for the next Municipal Year and, on a provisional basis, the basis of 2007.

The recommendation was adopted without going to the vote and it was –

RESOLVED

That Council meetings be held on the following dates:

2006

19 July
18 October
6 December

2007

7 February
28 February (Council Tax Setting)
21 March
23 May (Annual Meeting)
25 July (provisional)
17 October (provisional)
5 December (provisional)

84 MEMBERS' ALLOWANCES SCHEME 2006/07 (Agenda Item 9)

All Members present declared an interest under paragraph 8 of the Members' Code of Conduct set out in Part 5 of the Constitution in that they had a financial interest in this item.

Council had before them a report of the Chief Executive which recommended

1. That the Council agree the existing Scheme set out in the Constitution as the new scheme effective for the year commencing from 1 April 2006 and, if agreed, that the Council revoke the existing Scheme.
2. That the Council considers any amendments to the Scheme at its meeting in May.
3. That the Monitoring Officer be authorised to amend the date of the scheme to commence from 1 April 2006 in accordance with this recommendation.

The Labour Group tabled an amendment to recommendations 1 and 2 as follows –

Amend Recommendation 1 to read:

“That the Council agrees a Members’ Allowances scheme with effect from 1st April 2006 on the same basis as currently save that there should be a reduction in the overall cost of members’ allowances. To this end it agrees that there should be a reduction in the top Special Responsibility Allowances as follows

	Current	Proposed	Plus Basic Allowance
Leader of the Council	£39,150*	£25,000*	33,990*
Deputy Leader of the Council	£25,110	£18,000	26,990
Cabinet Member	£25,110	£15,000	23,990

*Note that in addition to the above-mentioned allowance the post-holder currently receives a further circa £11,500 allowance from the Thames Gateway Urban Development Corporation.

If agreed, the Council revoke the current scheme

Amend Recommendation 2 to read:

That the Council reviews all other Special Responsibility Allowances at its meeting in May to establish whether some responsibilities could be rationalised as well as ensuring that all SRAs, as well as those for leading administration posts, are treated equitably.

After debate the amendment was **LOST** by 38 votes to 12 (see division 3). The original recommendation was **AGREED** and it was –

RESOLVED

- 1. That the Council agree the existing Scheme set out in the Constitution as the new scheme effective for the year commencing from 1 April 2006 and, if agreed, that the Council revoke the existing Scheme.**
- 2. That the Council considers any amendments to the Scheme at its meeting in May.**

3. That the Monitoring Officer be authorised to amend the date of the scheme to commence from 1 April 2006 in accordance with this recommendation.

85 OVERVIEW AND SCRUTINY COMMITTEES' ANNUAL REPORTS (Agenda Item 10)

Council received the annual reports of the six Overview and Scrutiny Committees for 2005/06 presented by the Committees' Chairmen. The receipt of each of the reports was **AGREED** without going to the vote and it was **RESOLVED** –

- 1 That the annual report of the Adult Services and Health Overview and Scrutiny Committee be agreed.
- 2 That the annual report of the Children's Services Overview and Scrutiny Committee be agreed.
- 3 That the annual report of the Corporate Overview and Scrutiny Committee be agreed.
- 4 That the annual report of the Culture and Regeneration Overview and Scrutiny Committee be agreed.
- 5 That the annual report of the Environment Overview and Scrutiny Committee be agreed.
- 6 That the annual report of the Housing Overview and Scrutiny Committee be agreed.

86 MEMBER CHAMPIONS: ANNUAL REPORTS (Agenda Item 11)

The Council received a report of the Chief Executive which recommended that the Council received reports of the four Champions appointed by the Council. The recommendation in the Chief Executive's Report was **AGREED** without going to the vote and it was **RESOLVED** -

- 1 That the Council receive the report of the Diversity Champion.
- 2 That the Council receive the report of the Elderly Person's Champion.

- 3 That the Council receive the report of the Historic Environment Champion.
- 4 That the Council receive the report of the Younger Person's Champion.

87 MEMBERS' QUESTIONS (Agenda Item 12)

Eight questions were listed to be asked under the Council procedure rules. The questions and answers are set out in **Appendix 5 to these minutes**.

88 MOTIONS NOT DEALT WITH BEFORE 10.30pm– Constitution Part 4, Section 5, Paragraph 9.2.

At 10.35pm, at the conclusion of agenda item 12, the remaining business, seven motions, was deemed moved and seconded and the vote was taken in the normal way without speeches.

89 RIGHT OF MEMBERS TO DETERMINE COUNCIL POLICY (Agenda Item 13)

Motion on behalf of the Labour Group

This Council notes with regret the difficult position in which the Mayor was placed at the last Council meeting, where he was given advice to exclude a motion submitted jointly in the names of the Labour and Residents' groups relating to elderly care homes. This Council does not accept that the rights of members to debate an issue of real concern to an important section of our community should be fettered by advice that this "may" give rise to further Judicial Review applications.

Council acknowledges that the Cabinet, when they made the decision to privatise and close the remaining elderly care homes in the borough in July 2005 were advised at their meeting that this decision would be subject to Judicial Review. They were not advised that this prevented them making a decision. The fact that a motion seeking to address some of the concerns which gave rise to Judicial Review is removed from the Council agenda suggests either that the original decision was unsound or that political decisions are being made on behalf of the Council as to what is and is not acceptable for debate at Council meetings in the light of the views of the administration.

Accordingly this Council agrees that an appropriate motion should be debated at this meeting.

Amendment by the Administration (Agenda Item 13A)

Amend to read:

This Council notes the difficult position in which the Mayor was placed at the last Council meeting, and agrees with the legal advice given to him by the Monitoring Officer to exclude a motion.

The amendment was **CARRIED** by 21 votes to 20 (see division 4). The motion, as amended was **AGREED** without a vote and it was –

RESOLVED

This Council notes the difficult position in which the Mayor was placed at the last Council meeting, and agrees with the legal advice given to him by the Monitoring Officer to exclude a motion.

90 ELDERLY CARE HOMES (Agenda Item 14)

Motion on behalf of the Labour Group

This Council notes with concern that the recent successful application for Judicial Review once again casts doubt on the future direction of provision of elderly care homes in Havering. It further notes that this development arises from the decision of the Administration to close homes and transfer remaining homes to the private sector.

Council regrets the fact that after nearly four years and much delay, the administration chose to move away from their commitment to keep existing homes open and they should recognise the total antipathy of all concerned to privatisation of care homes and the vulnerable people living in them.

This Council therefore calls upon the Administration to reconsider its decision to sell off and close all our homes and to find a solution within a framework of partnership with other public service providers, wherein the Council can retain an influence in future home provision. In doing so the Council would expect regard to be had to the report to Cabinet which showed that for the Council to fund the building of new homes would cost £10 millions, with an expected capital receipt of £12 millions and that does not include any financial contribution which may be attracted from other partners.

In order to facilitate as far as possible a solution acceptable to all interested parties a monitoring group is established, including

representatives of all political groups, the residents and relatives of our care homes and the action group against home closures, to oversee the possible options that achieve this objective.

Amendment by the Administration (Agenda Item 14A)

Amend to read:

This Council notes the positive effect of the current policy of the Council, which provided a way forward after years of inactivity and aims to provide excellent facilities for our elderly people.

The amendment was **CARRIED** by 28 votes to 22 (see division 5). The motion, as amended was **AGREED** without a vote and it was –

RESOLVED

This Council notes the positive effect of the current policy of the Council, which provided a way forward after years of inactivity and aims to provide excellent facilities for our elderly people.

91 RESPECT CAMPAIGN (Agenda Item 15)

Motion on behalf of the Labour Group

This Council welcomes the government's £50,000 additional funding for a Respect Campaign in Romford. It notes the actions being taken by the Community Safety Partnership during January to March to give effect to the campaign. The Council recognises that this is a matter for the whole community and agrees to utilise the opportunity which this initiative brings to launch a borough wide Respect campaign involving the whole Council and the wider community.

Amendment by the Administration (Agenda Item 15A)

Amend to read:

This Council welcomes the Borough wide respect campaign launch by the Leader last year and the Government £50,000 grant to fund the expansion to Romford Town Centre. It notes the good work undertaken by the Community Safety Partnership, Police and other Partners.

The amendment was **CARRIED** by 27 votes to 16 (see division 6). The motion, as amended was **AGREED** without a vote and it was –

RESOLVED

This Council welcomes the Borough wide respect campaign launch by the Leader last year and the Government £50,000 grant to fund the expansion to Romford Town Centre. It notes the good work undertaken by the Community Safety Partnership, Police and other Partners.

92 STANDARDS COMMITTEE (Agenda Item 16)**Motion on behalf of the Labour Group**

This Council believes that it is important that the Standards Committee of the Council is seen to be impartial and not open to accusations of political bias. It therefore agrees that the independent membership of the Committee should be strengthened and should represent a majority of the voting membership of the Committee.

The motion was **LOST** by 31 votes to 19 (see division 7).

93 PUBLICITY TO IMPROVE BENEFITS' TAKE UP (Agenda Item 18)**Motion on behalf of the Residents' Group**

As there are residents throughout the Borough that are unaware that they are eligible for benefits and/or reduced Council Tax rates, this Council will actively promote through all channels available, including the Living Magazine, the Website, Housing Staff, Home Carers etc, the contact details of where individuals can seek help and advice.

Amendment by the Administration (Agenda Item 18A)

After the word "will" and before the word "actively" **insert** the words "continue to" and at the end of the motion **delete** the full stop **and add** the following "and will step up still further its successful Benefits Take Up Campaign."

The Residents Group indicated that it accepted the amendment. The motion, as amended, thus became the substantive proposal and was **AGREED** without a vote. It was

RESOLVED

As there are residents throughout the Borough that are unaware that they are eligible for benefits and/or reduced Council Tax rates, this Council will continue to actively promote through all channels available, including the Living

Magazine, the Website, Housing Staff, Home Carers etc, the contact details of where individuals can seek help and advice and will step up still further its successful Benefits Take Up Campaign.

94 NEW AREA COMMITTEES: ST ANDREWS AND HACTON WARDS, HORNCHURCH (Agenda Item 19)

Motion on behalf of the Residents' Group

Council noted that in accordance with Council Procedure Rule 15.1, this motion had been signed by the following, comprising at least 25 per cent of the Council's Membership:

Councillors Barbara Reith, Ivor Cameron, Eileen Cameron, Patricia Mylod, Len Long, Nigel Meyer, Linda Hawthorn, Gillian Ford, June Alexander, Owen Ware, Malvin Brown, Louise Sinclair, Mike Winter, Chris Oliver, Ray Morgon, Martin Smith and Alex Smith.

This Council recognises the historical and well established community ties between St Andrews and Hacton Wards, who make up the centre of Hornchurch, and therefore agrees:

- 1 That the decision of Council of 7 December 2005 to establish nine new Area Committees shall be rescinded insofar as it relates to the Area Committees covering the Elm Park, Hacton, Hylands and St Andrews Wards;
- 2 That a Hornchurch Area Committee be established instead, comprising the St Andrews and Hacton Wards, as unanimously agreed at the Area Meeting held on 24 January 2006; and
- 3 That in consequence, an Elm Park and Hylands Area Committee be established, comprising the Elm Park and Hylands Wards.

The motion was **AGREED** without a vote and it was -

RESOLVED

This Council recognises the historical and well established community ties between St Andrews and Hacton Wards, who make up the centre of Hornchurch, and therefore agrees:

- 1 **That the decision of Council of 7 December 2005 to establish nine new Area Committees shall be rescinded insofar as it relates to the Area Committees covering the Elm Park, Hacton, Hylands and St Andrews Wards;**

- 2 That a Hornchurch Area Committee be established instead, comprising the St Andrews and Hacton Wards, as unanimously agreed at the Area Meeting held on 24 January 2006; and
- 3 That in consequence, an Elm Park and Hylands Area Committee be established, comprising the Elm Park and Hylands Wards.

95 PROPOSED ARTIFICIAL TURF PITCH AT BRITTONS PARK – CONSULTING THE PUBLIC (Agenda Item 20)

Motion on behalf of the Residents' Group

This Council will temporarily delay a decision on siting an ATP at Brittons Park pending a speedy but full public consultation exercise with residents' neighbouring the park, similar to that carried out in Hornchurch when Harrow Lodge Park was being considered.

Amendment by the Administration (Agenda Item 20A)

Add new paragraph:

This consultation will be on the understanding that the borough's draft Sports Strategy identifies the need for two additional Artificial Turf pitches, such as that referred to in the motion, by 2016. It will also be in the context of the Council being committed to excellent borough-wide community sport provision, because we recognise that this is valuable and enjoyable in its own right, but also because it is important to the future of Havering in terms of our economy, educational attainment, public health, community safety and community cohesion.

The amendment was **CARRIED** by 32 votes to 7 (see division 7). The motion, as amended, was **AGREED** without a vote and it was –

RESOLVED

This Council will temporarily delay a decision on siting an ATP at Brittons Park pending a speedy but full public consultation exercise with residents neighbouring the park, similar to that carried out in Hornchurch when Harrow Lodge Park was being considered.

This consultation will be on the understanding that the borough's draft Sports Strategy identifies the need for two additional Artificial Turf pitches, such as that referred to in the motion, by 2016. It will also be in the context of the

Council being committed to excellent borough-wide community sport provision, because we recognise that this is valuable and enjoyable in its own right, but also because it is important to the future of Havering in terms of our economy, educational attainment, public health, community safety and community cohesion.

Note – the record of the voting is shown as **Appendix 6 to these minutes**.

APPENDIX 1 (See minute 74)

MAYOR'S ANNOUNCEMENTS

There are a number of announcements I am pleased to be making tonight, all of them good news that reflect well on Havering.

This has been an extremely busy time for the borough with the setting of the council tax and the subsequent billing, which has been handled in a most efficient and effective way.

However, we have continued to host successful events and celebrate triumphs, including the unique honour of having a train named after the borough. When railway operator 'one', in partnership with the council, held a train naming ceremony in honour of Havering's 40th Anniversary celebrations, making us the first London borough it has honoured in this way.

Recognition should also go to our Community Regeneration Team for organising the very successful first Black Asian and Minority Ethnic Network Forum.

We also celebrated the annual Jack Petchey Foundation Achievement Schools Awards. It was a very proud and moving moment to see 120 of the borough's finest young people rewarded and applauded for their successes in this way. The winners each received a medallion, a framed certificate and £300 for their school.

It wasn't just our students that attracted the honours. Havering's Head of School Improvement, Shirley Ditchburn, and head teachers Kath Keeper, of Scargill Infant, Andy Kelly, of Branfil Infant and Judith Puttick, of Brookside Infant received 'the Basic Skills Agency's Quality Mark' for literacy and numeracy teaching, at a reception hosted by Her Royal Highness, The Princess Royal at Buckingham Palace.

Congratulations also go to three of our schools - Marshalls Park, Royal Liberty and Redden Court. They have all been successful in their bids for specialist status, and have attracted hundreds of thousands of pounds in investment.

I would also like to congratulate the members of the Education Services Management Team, who were commended in the management team award in the prestigious annual Local Government Chronicle national awards.

The Financial Services department also attracted recognition and respect for its good work when it received a Best Practice Award. The department was presented with the Chartered Institute of Public Finance and Accountancy Best Practice Accreditation for its finance graduate trainee scheme. Best practice is the level that all organisations aim for and is achieved only by the best employers.

It was wonderful news to hear that Havering's Youth Offending Team are top in the country for performance.

The Youth Offending Team was graded five stars with the highest rating of all 156 teams in the performance league tables, published by the Youth Justice Board.

My congratulations go to the team, led by the Youth Offending Team manager, David Stonehouse, on such an outstanding performance. I would also like to add my sincere good wishes to David for a fulfilling and happy retirement.

The council's website has also reached a high position having been placed in the UK's top twenty of best developed local authority sites (out of 543) in a recent report by the Society of Information Technology Management.

Staff in the council's CCTV control room have been commended for their vigilance and invaluable evidence on a vicious attack that nearly resulted in a murder.

The two members of staff received a special citation from Borough Commander Chief Superintendent Sultan Taylor for their actions at a ceremony attended by Air Commodore Brian Batt, DL.

Finally, may I ask you to join with me in congratulating Mark Smith who has been commended for saving the life of his neighbour, following a bonfire accident.

Mark, who works at the South Essex Crematorium, doused the flames that covered his neighbour and alerted the emergency services.

I was very proud indeed to present Mark, who is profoundly deaf – with a specially engraved tankard. His selfless actions helped to save someone's life and merits the admiration and appreciation of us all.

**Appendix 2
(See Minute 70)**

AWARDS FOR EMINENT SERVICE TO THE BOROUGH

Amendments to the Council Procedure Rules (CPR): Part 4 of the Constitution

CPR 1 Annual Meeting of the Council:

Insert new paragraph (viii) and renumber subsequent paragraphs 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 paragraph (iv) and renumber subsequent paragraphs 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
 - (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 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 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.
- 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 a 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.

**Appendix 3
(See Minute 80)**

REVIEW OF POLLING DISTRICTS AND POLLING PLACES

Brooklands

Current polling places

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

RECOMMENDATION

- (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.**

Cranham

Current polling places

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

RECOMMENDATION

- (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.**

Elm Park

Current polling places

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

RECOMMENDATION

- (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.

Emerson Park

Current polling places

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 until the parliamentary boundaries become coterminous.

RECOMMENDATION

- (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.

Gooshays

Current polling places

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

RECOMMENDATION

(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 GS7 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.

Hacton

Current polling places

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

RECOMMENDATION

Harold Wood

Current polling places

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

RECOMMENDATION

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

Havering Park

Current polling places

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, and HP9 is in the Upminster Parliamentary Constituency, until the parliamentary boundaries become coterminous.

RECOMMENDATION

(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.

Heaton

Current polling places

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

RECOMMENDATION

(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 Hilldene 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.

Ward - Hylands

Current polling places

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

RECOMMENDATION

- (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.

Mawneys

Current polling places

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

RECOMMENDATION

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

Pettits

Current polling places

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

RECOMMENDATION

- (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.**

Rainham & Wennington

current polling places

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

RECOMMENDATION

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

Ward - Romford Town

current polling places

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, and RT7 in the Hornchurch Constituency, until the parliamentary boundaries become coterminous.

RECOMMENDATION

- (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.
 - (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.

Ward - St Andrews

current polling places

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

RECOMMENDATION

- (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.

Squirrels Heath

Current polling places

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

RECOMMENDATION

- (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.**

South Hornchurch

Current polling places

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

RECOMMENDATION

- (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.**

Upminster

Current polling places

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, and UP9 is in the Hornchurch Parliamentary Constituency, until the parliamentary boundaries become coterminous.

RECOMMENDATION

- (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.**

**Appendix 4
(See Minute 82)**

AMENDMENTS TO THE CONSTITUTION

Proposal	Subject	Summary of proposal
1	Appointment of Members to certain committees	To ensure continuity of membership of certain key Council Committees
2	Attendance and speaking at Cabinet meetings	To improve conduct of Cabinet business
3	Rights of Reply in debate at meetings of the Council	To clarify speaking rights at the conclusion of debates in Council
4	Consideration by Council of reports	To clarify the rule on debate of reports at Council
5	Annual Reports of Committees and Member Champions	To clarify the process for considering certain Annual Reports
6	Avoiding conflict of interest: members appointed to the board of Havering Homes	To avoid possible conflict of interest between membership of the Housing Overview & Scrutiny Committee and the board of Havering Homes
7	Committee meetings: time and duration	To add flexibility to the arrangements for convening and conducting Committee meetings
8	Council meetings: time and duration	To add flexibility to the arrangements for convening and conducting Council meetings
9	Ex-gratia Payments	To make better provision for paying compensation in minor cases
10	Decision making processes	To clarify the basis for decision-making processes and to improve the call-in arrangements
11	Schedule of Council meetings	To clarify the process for setting Council meetings
12	Agreeing Community Safety Partnership strategies	To clarify the individual Cabinet Member's decision-making power
13	Treasury Management	To transfer responsibility for Treasury Management to the Cabinet
14	Areas of responsibility of Overview and Scrutiny Committees	To clarify responsibility for overview and scrutiny of certain functions
15	Appointment of Area Committee Chairman and Vice-Chairman	To clarify the process for appointing Chairmen and Vice-Chairmen of Area Committees
16	Schedule of meetings	To codify the arrangements for setting the schedule of Committee meetings
17	Committee meeting procedure rules: suspension	To make specific provision for suspension of Rules by Committees
20	Overview and Scrutiny: Topic Groups – terms of reference	To clarify the Committees responsible for O & S of particular services

**APPENDIX 5
(See minute 87)****Questions and Replies****1 COUNCIL TAX: SUPPORT GRANT FORMULA**

To the Cabinet Member for Resources (Councillor Roger Ramsey)
By Councillor Jeffrey Tucker

Given the ongoing controversy over the Council Tax, could the Council please explain the formulas, and why Havering receives so much less in Government Grant than neighbouring boroughs.

Answer

The Local Government Financial Settlement allocates grant to local authorities in support of the services they provide. For Havering, around 65% of its funding comes from the settlement, with the remaining 35% coming from the Council Tax payer.

The Government's contribution is based on a formula for each service area: Childrens' Services; Adult Social Services; Highways; Environmental, Protective and Cultural Services; and Capital.

The general structure for each service block is:

- Basic amount per head of population;
- Top-ups to reflect additional needs due to deprivation factors; and
- Adjustments for regional price variations.

The deprivation top-ups are used to allocate resources between authorities in accordance with the relative needs of their population. The Office of the Deputy Prime Minister carries out a statistical analysis using statistics from nationally available indicators, with a view to identifying the indicators which in their view produces the best correlation between the available data and authorities' relative needs.

The deprivation indicators that have been used in the formula to determine the 2006-07 grant settlement are as follows:

- People on Income Support / Income based Job Seekers Allowance
- Unemployment Benefit Related claimants
- Longterm unemployed or never worked
- People aged 18-64 in routine or semi-routine occupations

- Children without good health
- Older People receiving Attendance Allowance
- People aged 18-64 receiving Disability Living Allowance
- Incapacity Benefit and Severe Disablement Allowance

- Older People in rented accommodation
- Older People living in one person households
- Households with no family

- Children in black ethnic groups
- Residents born outside the British Isles/EU, Canada/USA, Australia and New Zealand

For grant settlement purposes, we are perceived as being relatively affluent, resulting in a lower level of grant than our neighbours:

- we have a lower proportion of our population on state benefits than our neighbours;
- we have a lower percentage of children not in good health;
- a lower proportion of our residents are from black ethnic groups, (i.e. Black Caribbean, Black African and other black, not Asian);
- we have a lower number of older people in rented accommodation or living alone, or receiving Attendance Allowance; and
- although we have a larger elderly population, the proportion of these aged over 90 is lower than in neighbouring boroughs, and the indicator for those aged over 90 generates more grant.

2 CHALLENGING RACISM AND XENOPHOBIA

To the Cabinet Member for Adult Services (Councillor Steven Kelly)

By Councillor Jeff Stafford

Will the Cabinet Member tell this Council what importance he has placed on positively challenging all forms of intolerance including racism and xenophobia?

Answer

I have the Cabinet lead responsibility to ensure that all our policies, procedures, and services are inclusive and accessible to all communities who live, learn and work in Havering.

There is no place in Havering for Racism or Xenophobia. All of our policies have been Equality Impact Assessed to ensure that we are not indirectly or directly discriminating against any individual or groups. Where any adverse impact has been found the policy or procedure will be reviewed, and, if required, re-written.

We have robust procedures in place in order that individuals can report Racism and Xenophobia, and have recently launched the "Tell Us Campaign" in partnership with Victim Support.

The revised Race Equality Scheme will be going out shortly for consultation with all statutory and voluntary partners, including Black & Minority Ethnic communities, groups and organisations. The Scheme is the key strategy aimed at determining how the Council might address new challenges facing the promotion of Race Equality over the next 3 years and, in particular, how we might ensure that our services reach all communities and we become an exemplary employer.

3 **ROUNABOUT ARTWORK**

To the Cabinet Member for Regeneration and Planning (Councillor Eric Munday)
By Councillor Jeff Stafford

What is the significance of the artwork on the roundabout opposite CEME as you leave the A13 into Link Road in South Hornchurch(A1311)? What do the numbers refer to?

Answer

The artwork is part of a grant funded project approved by Cabinet in December 2003, which included the installation of 4 sculptures on both the Ferry Lane and Link Road A13 roundabouts. The artwork is intended to create interest in the area and provide visual markers next to vacant investment sites, the tall lit towers contrasting with the predominantly flat landscape. The numbers on the roundabout next to CEME display the power generated by the neighbouring wind turbine.

VOTING RECORD

DIVISION NUMBER:	1	2	3	4	5	6	7	8
The Mayor (Cllr. John Mylod)	x	✓	x	x	✓	✓	✓	✓
The Deputy Mayor (Cllr. Denis O'Flynn)	✓	✓	✓	x	x	x	✓	0
CONSERVATIVE GROUP								
Cllr. Michael White	x	✓	x	✓	✓	✓	x	✓
Cllr. Mike Armstrong	x	✓	x	✓	✓	✓	x	✓
Cllr. Jeff Brace	x	✓	x	✓	✓	✓	x	✓
Cllr. Wendy Brice-Thompson	x	✓	x	✓	✓	✓	x	✓
Cllr. Eddy Cahill	x	✓	x	✓	✓	✓	x	✓
Cllr. Andrew Curtin	x	✓	x	✓	✓	✓	x	✓
Cllr. Georgina Galpin	x	✓	x	✓	✓	✓	x	✓
Cllr. Peter Gardner	x	✓	x	✓	✓	✓	x	✓
Cllr. Steven Kelly	x	✓	x	✓	✓	✓	x	✓
Cllr. Eric Munday	x	✓	x	✓	✓	✓	x	✓
Cllr. Barry Oddy	x	✓	x	✓	✓	✓	x	✓
Cllr. Roger Ramsey	x	✓	x	✓	✓	✓	x	✓
Cllr. Natasha Ratty	x	✓	x	✓	✓	✓	x	✓
Cllr. Paul Rochford	x	0	x	✓	✓	✓	x	✓
Cllr. Geoffrey Starns	x	✓	x	✓	✓	✓	x	✓
Cllr. Alby Tebbutt	x	✓	x	✓	✓	✓	x	✓
Cllr. Barry Tebbutt	x	✓	x	✓	✓	✓	x	✓
Cllr. Frederick Thompson	x	✓	x	✓	✓	✓	x	✓
Cllr. Joe Webster	x	✓	x	✓	✓	✓	x	✓
Cllr. Daryl Williams	x	✓	x	✓	✓	✓	x	✓
RESIDENTS' GROUP								
Cllr. Barbara Reith	x	x	x	x	x	✓	x	✓
Cllr. June Alexander	x	✓	x	0	x	✓	x	✓
Cllr. Malvin Brown	x	0	x	x	x	x	x	0
Cllr. Eileen Cameron	x	✓	x	x	x	✓	x	✓
Cllr. Ivor Cameron	x	✓	x	x	x	✓	x	✓
Cllr. Gillian Ford	x	✓	x	0	x	x	x	✓
Cllr. Linda Hawthorn	x	✓	x	0	x	0	x	✓
Cllr. Len Long	x	✓	x	0	✓	0	0	✓
Cllr. Nigel Meyer	✓	✓	✓	x	x	x	✓	0
Cllr. Raymond Morgan	x	0	x	0	✓	0	✓	x
Cllr. Patricia Mylod	x	✓	0	✓	0	x	x	✓
Cllr. Chris Oliver	x	✓	0	x	x	0	0	0
Cllr. Louise Sinclair	x	✓	x	0	✓	✓	x	✓
Cllr. Owen Ware	x	✓	x	x	x	✓	x	✓
Cllr. Reg Whitney	x	✓	x	x	x	x	x	✓
Cllr. Mike Winter	A	A	A	A	A	A	A	A
LABOUR GROUP								
Cllr. Ray Harris	✓	✓	✓	x	x	x	✓	0
Cllr. Graham Carr	✓	✓	✓	x	x	x	✓	0
Cllr. Yve Cornell	✓	✓	✓	x	0	x	✓	0
Cllr. Keith Darvill	✓	✓	✓	x	x	x	✓	0
Cllr. Jan Davis	✓	✓	✓	x	x	x	✓	0
Cllr. Tony Ellis	✓	✓	✓	x	x	x	✓	0
Cllr. Bill Harrison	✓	✓	✓	x	x	x	✓	0
Cllr. Wif Mills	✓	✓	✓	x	x	x	✓	0
Cllr. Jeff Stafford	✓	✓	✓	x	x	x	✓	0
Cllr. Harry Webb	✓	✓	✓	x	x	x	✓	0
Independent Members								
Cllr. Jean Gower	x	✓	x	0	✓	0	✓	x
Cllr. Andrew Mann	x	0	x	0	✓	0	✓	x
Cllr. Graham Price	x	✓	x	0	✓	0	✓	x
Cllr. Alex Smith	x	✓	x	0	x	0	✓	x
Cllr. Martin Smith	x	✓	x	0	✓	0	✓	x
Cllr. Jeffrey Tucker	0	0	0	0	0	0	0	x
TOTALS								
YES	12	47	12	21	28	27	19	32
NO	40	1	38	20	22	16	31	7
ABSTAIN/NO VOTE	1	5	3	12	3	10	3	14
DECLARATION OF INTEREST/NO VOTE	0	0	0	0	0	0	0	0
ABSENT FROM MEETING	1	1	1	1	1	1	1	1
	54	54	54	54	54	54	54	54

IN FAVOUR ✓

AGAINST X

NOT VOTING 0

ABSENT A

INTEREST DECLARED ID



ANNUAL COUNCIL

9

24 MAY 2006

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: TO APPOINT THE COMMITTEES OF THE COUNCIL, ETC

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

This report does not deal with the size of Committees (this is dealt with in a separate report) but deals with the appointment of the Committees themselves, the co-opted members and observers etc and recommends such appointments consistent with decisions taken at Council last year. There are also separate reports on the appointment of the Standards Committee and its independent membership, and on changes to the Overview & Scrutiny Committee structure.

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.

There are no legal, human resources or equalities and social inclusion implications or risks attached to this report.

RECOMMENDATION

That, subject to consideration of the issues referred to in the reports at agenda items 10, 11 and 12 following and to the decisions thereon:

- (1) The Committees listed in the Appendix be appointed for the 2006/07 Municipal Year.
- (2) 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 Education Overview and Scrutiny Committee.
- (3) The other non-elected member "appointments" and invitations to attend shown in the Appendix be confirmed.

Annual Council, 24 May 2006

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STEPHEN EVANS
Chief Executive

Background Papers List

None

APPENDIX

APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES

Adjudication and Review Committee	<i>See annex 1</i>
Appointments Committee	
Audit	
Governance	
Pensions Committee	<i>See annex 2</i>
Licensing Committee	
Regulatory Services Committee	
Adult Services and Health Overview and Scrutiny Committee	<i>But see agenda item 11</i>
Children's Services Overview and Scrutiny Committee	<i>See annex 3</i>
Corporate Overview and Scrutiny Committee	
Culture and Regeneration Overview & Scrutiny Committee	
Environment 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)
Hornchurch Area Committee	(Ward members only)
North Romford Area Committee	(Ward members only)
Romford Area Committee	(Ward members only)

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South Hornchurch and Rainham Area (Ward members only)
Committee

Upminster Area Committee (Ward members only)

Adjudication and Review Committee

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

Type of hearing	Membership of Panel
Corporate complaint procedure (including housing complaints tenants')	Three Members and a non-voting independent person
Children Act complaints	Two Members and an independent person as chairman, with voting rights
Community Care Act complaints	Two Members and an independent person as chairman, with voting rights
Housing tenancy appeals	Three Members

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

Pensions Committee

The Pensions Committee (formerly known as the Investment Committee) is responsible for the management of the Council's Pension Fund investment portfolio.

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.

Children's Services Overview & Scrutiny Committee

The law requires that the Council co-opt to this Overview & Scrutiny Committee one representative of each of the Anglican and Roman Catholic

Annual Council, 24 May 2006

Churches, with voting rights, to attend when issues relating to Education are being discussed.

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.

Finally, there are three non-voting members representing local teacher unions and professional associations.



GOVERNANCE COMMITTEE

10

26 APRIL 2006

REPORT TO COUNCIL

APPOINTMENT OF INDEPENDENT MEMBERS OF STANDARDS COMMITTEE

The Committee approved in February arrangements for recruiting and appointing Independent Members of the Standards Committee for the term 2006-2010. An ad hoc Sub-Committee was set up for the purpose and met (Councillors Steven Kelly [substituting for the Leader of the Council], Ray Harris and Barbara Reith) on 19 April to short list the candidates for interview and on 24 April to interview them.

In the course of preparing the short list the ad hoc Sub-Committee had discussed also the number of Independent Members to be appointed and their terms of office. The Sub-Committee had concluded that it would be in the Council's best interests, given the statutory and other requirements and anticipated increasing workload for the Standards Committee, to increase the number of Independent Members and to refine the arrangements for their terms of office. It was also agreed that there was need now to arrange for individual complaints to be considered by a Hearings Sub-Committee rather than by the full Standards Committee (a matter for decision in due course by that Committee).

The Governance Committee endorsed the recommendations of its Sub-Committee and accordingly **RECOMMENDS** to the Council:

- 1 That, in order to ensure that the Standards Committee can comply at all times with the statutory requirements as to the number of Independent Persons, the number of Independent Members of that Committee be increased to four.
- 2 That (assuming that that recommendation is accepted) the following persons be nominated for appointment as Independent Members of the Standards Committee:

Debra Collard

Jack Knowles

Jennifer Spearman

Tracey Moran

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- 3 That **Debra Collard** and **Jennifer Spearman** be appointed for a term of two years ending at the Annual Meeting of the Council in 2008 and that **Jack Knowles** and **Tracey Moran** be appointed for a term of four years ending at the Annual Meeting of the Council in 2010.
- 4 That these and all future appointments of Independent Members be made on an over-lapping basis, so that at the Annual Meeting in 2008 and every fourth year thereafter two appointments will be made, and the other two appointments will be made at the Annual Meeting in 2010 and every fourth year thereafter, any casual vacancy arising being filled for the remainder of the relevant term.
- 5 That **Jennifer Spearman** be re-appointed as Chairman and **Debra Collard** re-appointed as Vice-Chairman of the Standards Committee, both for the duration of the terms to which they are now appointed.



ANNUAL COUNCIL

10

24 MAY 2006

COLLATERAL REPORT OF THE CHIEF EXECUTIVE

SUBJECT: APPOINTMENT OF INDEPENDENT MEMBERS OF STANDARDS COMMITTEE

This report supplements that of the Governance Committee concerning the arrangements for appointing Independent Members of the Standards Committee.

The Local Government Act 2000 requires that the Council appoint a Standards Committee, 25% of the membership of which must be independent of the Council (ie, neither member nor employee). The Governance Committee report outlines the process by which the persons nominated for appointment were selected.

The purpose of this report is to draw to Members' attention some collateral issues that should be borne in mind when the Governance Committee's recommendations are being considered.

Recommendation 1 – that the number of Independent Members be increased

As noted above, the law requires that 25% of the membership of the Standards Committee be independent. Under the arrangements that were effective for the Council between 2002 and 2006, that requirement was met but with no margin for dealing with vacancies in the independent element (there was a membership of 8; 6 Councillors and 2 Independent Members). Had a vacancy occurred, the Council would have found difficulty in continuing with any hearing that might have been in train as there are statutory requirements about the recruitment of Independent Members that require some time to comply with. There is also a requirement that a matter must be heard within three months of a report of an investigation becoming available.

The Governance Committee have agreed that, in order to avoid any question arising about maintaining the minimum of Independent Members, their number be increased to 4. Should any vacancy then arise, the Standards Committee can continue while a replacement Independent Member is recruited.

Recommendation 2 – nominees

The nominees were selected from an initial field of some 38 expressions of interest obtained following public advertisement as required by law.

Following an initial assessment by the Monitoring Officer and a member of her staff, the ad hoc Sub-Committee of the Governance Committee interviewed five applicants and the two existing Independent Members (both of whom were eligible for re-appointment). Following interview, the Sub-Committee nominated the two existing appointees (Ms Spearman and Ms Collard) for re-appointment, and two new people (Mr Knowles and Ms Moran) for appointment.

Recommendations 3 and 4 – terms of appointment

The Committee recommends that the terms of office of the Independent Members should overlap so that there are always two more experienced Independent Members to complement the two who are less experienced. The existing Independent Members are recommended to serve until 2006, when a fresh recruitment exercise will take place, and the two new Members until 2010. There will be recruitment exercises in 2010 and every two years thereafter.

Recommendation 5 – Chairman and Vice-Chairman

The Committee recommend re-appointment of the existing Chairman and Vice-Chairmen to those offices. This reflects their existing experience/expertise, and will give the new appointees time to prepare to succeed them in 2008.

There are no legal, human resources or equalities and social inclusion implications or risks attached to this report. No additional financial implications or risks arise; any allowances payable to Independent Members resulting from the proposed appointments will be contained within the relevant budgetary provision.

RECOMMENDATION

That the report be noted

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STEPHEN EVANS
Chief Executive

Background Papers List: None



ANNUAL COUNCIL

24 MAY 2006

11

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: APPOINTMENT OR REVISION OF RESPONSIBILITIES OF CERTAIN OVERVIEW & SCRUTINY COMMITTEES

SUMMARY

Since its commencement in 2002, the amount of scrutiny work undertaken in connection with Health Services activity by the Adult Services and Health Overview & Scrutiny Committee has increased markedly. Accordingly, Council is now invited to approve the establishment of a new overview and scrutiny committee dealing solely with Health issues. The current Adult Services and Health OSC would continue, renamed, dealing solely with scrutiny of Adult Services.

In addition, the Police and Justice Bill currently before Parliament will require the establishment of a Crime and Disorder Committee (as an OSC) to scrutinise crime and disorder activity. Council is invited to establish that Committee now, in anticipation of the enactment of the legislation.

RECOMMENDATIONS

1. In respect of Health and Adult Services, that the following amendments to Article 6, paragraph 6.01 of the Constitution be agreed:
 - (a) The words "and Health" be deleted from "Adult Services and Health Overview and Scrutiny Committee" and that a new "Health Overview and Scrutiny Committee" be added.
 - (b) The areas of responsibility for the Health Overview and Scrutiny Committee be as follows:
 - Health
 - Scrutiny of NHS bodies under the Council's health scrutiny function
 - (c) The references to Health matters be deleted from the areas of responsibility of the Adult Services Overview and Scrutiny Committee.

- (d) The first line of Article 6, paragraph 6.05 of the Constitution (Joint scrutiny of health service development proposals) to now read as follows:

“This article applies when either the Children’s Services Overview and Scrutiny Committee or the Health Overview and Scrutiny Committee are consulted....”

2. In respect of Crime and Disorder scrutiny, that the following be inserted after the reference to the Education OSC in Article 6, paragraph 6.01 of the Constitution:

- (a) In the first column “Crime and Disorder Committee” and in the second column “8 councillors or the number of councillors determined by Council from time to time”.

[Note: see also the Chief Executive’s Report at agenda item 11]

- (b) In the third column, the area of responsibility for this Committee be as follows:
- Exercise of the functions conferred on the Committee by [clause 14 and Schedule 6 of the Police and Justice Bill]

and that the Monitoring Officer be authorised to amend the legislative reference in the third column to reflect the content of the Bill when finally enacted.

REPORT DETAIL

- 1.1 This report invites consideration of issues concerning to the effective carrying out of the Council’s Overview and Scrutiny functions as they relate to activity carried out by other agencies: the NHS, Police and other crime and disorder partners.

Health scrutiny

- 2.1 Since first receiving the power of health scrutiny under the Local Authority (Overview & Scrutiny Committees Health Scrutiny Functions) Regulations 2002, the Council’s responsibilities in this area have been carried out by the Adult Services and Health Overview and Scrutiny Committee. The workload engendered by health scrutiny has, particularly in the last two years, increased dramatically and this had led to difficulties in undertaking fully effective scrutiny of both adult services and health issues. As such, an increasing amount of support was forthcoming from both Members (including the former Committee Chairman) and officers for the establishment of a dedicated Health Overview and Scrutiny Committee.
- 2.2 In scrutinising health service activity, the Overview and Scrutiny Committee has a remit external to the Council. Although some Council staff, especially in Adult Services, work closely with the health service and have some affinity to it, the Council has no

responsibility for the provision of personal health services. Thus, health scrutiny is a function quite distinct from the scrutiny of Council services.

2.3 Accordingly, it is clear that separation of the health scrutiny function from that of Adult Services would now be advantageous. A review of the Council's health scrutiny function undertaken by a consultant contracted via the IDeA Health Scrutiny Support Programme has, it is understood, concluded that such separation should proceed (the report will be presented to Members in due course).

2.4 It is suggested that the main responsibilities of the Health Overview and Scrutiny Committee would be as follows:

1 To take the lead on undertaking the Council's health scrutiny function, including any topic group reviews of health services.

2 To scrutinise the services of local health bodies, including but not limited to:

Barking, Havering & Redbridge Hospitals' NHS Trust
Havering Primary Care Trust
London Ambulance Service NHS Trust
London Strategic Health Authority
North East London Mental Health Trust
(or their successor bodies when established).

3 To respond to consultations on proposed variations in health service provision referred by any of the above organisations, or other relevant bodies.

4 To use the existing constitutional arrangements (Article 6, paragraph 6.05) in order to undertake or participate in joint scrutiny of health service proposals affecting more than one council area

5 To undertake scrutiny of any Council policies or initiatives that impact on the health of Havering's residents.

2.5 The above responsibilities would be undertaken jointly with the Children's OSC for any areas where children's health is likely to be significantly affected. The responsibility and functions of the current Adult Services and Health OSC in regards to the scrutiny of Adult Services would be retained in full by the (renamed) Adult Services OSC.

Crime and disorder scrutiny

3.1 The Police and Justice Bill currently before Parliament is expected to be enacted before the summer recess. Although it may still be amended in detail, the main provisions are expected to become law. Among them is a requirement for all local authorities to establish a "Crime and Disorder Committee" as an OSC. It should be noted that there is no discretion about this – the Crime and Disorder Committee is required to be a separate body and its functions cannot be merged with others.

3.2 The latest available version of the Bill states that the functions of the Committee are to be:

- (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities * of their crime and disorder functions;
- (b) to make reports or recommendations to the local authority with respect to the discharge of those functions.

* i.e. the authorities responsible for crime and disorder strategies in relation to the local authority's area

- 3.3 The legislation will also impose on the Committee, the Council and on Members individually a variety of duties in relation to crime and disorder issues. This will be the subject of a separate report in due course.
- 3.4 In the meantime, Council is invited to establish a Crime and Disorder Committee in anticipation of the legislation so that essential preliminary steps can be taken now and the Committee be in place when the legislation comes into effect.

Implications and risks

- 4.1 There are no direct legal, financial, equalities or environmental implications or risks attached to the proposed changes in the scrutiny arrangements for health and adult services as they merely redistribute existing functions in a more logical manner.
- 4.2 The creation of an additional Overview and Scrutiny Committee will mean the payment of an additional Special Responsibility Allowance, currently £11,070 per annum, to the Chairman of the committee. Expenditure on Special Responsibility Allowances will depend on the allocation of responsibilities to Members at any point in time with any expenditure over/under budget generally being managed as part of the overall budget. However, in this instance the wider financial implications and the legal, equalities and environmental implications of the risks attaching to the crime and disorder function cannot be assessed as ministerial guidance is awaited as to how it should be undertaken. A further report will be submitted when those implications and risks can be quantified. Undertaking of the function will be mandatory as a legal obligation.

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**STEPHEN EVANS
Chief Executive**

Background Papers: None.



ANNUAL COUNCIL

24 MAY 2006

12

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: COMMITTEES SIZES AND POLITICAL BALANCE

SUMMARY

In accordance with the Council Procedure Rules Paragraph 1(viii), this report deals with arrangements for Committees etc., for the new Municipal Year.

RECOMMENDATIONS

- 1 That the number of seats on each Committee appointed by Council be as shown in Appendix 2.
- 2 That Council notes the political balance of those Committees (in accordance with the principles detailed in Appendix 1), and allocates seats to Groups accordingly.
- 3 That Overview & Scrutiny Committees be empowered, when establishing a Topic Group, to invite any Member (other than those who are Cabinet Members) to participate in that Topic Group; and that the Monitoring Officer be authorised to amend the Constitution to that effect.

REPORT DETAIL

- 1.1 This report sets out the political balance and other issues associated with the appointment of Committees etc for the new Municipal Year.
- 1.2 The Constitution anticipates that the Committees listed below (and referred to in the report preceding this on the agenda) will be appointed and the Council is therefore obliged also to consider the question of political balance of those Committees in accordance with the Local Government and Housing Act 1989.

- 1.3 The Constitution allows for the number of Councillors on each committee to be a specified number determined by Council from time to time. The numbers currently specified are as follows:

Quasi-judicial and administrative committees		Overview & scrutiny committees	
Licensing	13	Adult Services & Health OSC	8
Regulatory Services	11(12)*	Children's OSC	8
Adjudication & Review	9(8)*	Corporate OSC	8
Appointments	6	Culture &c OSC	8
Audit	6	Environment OSC	8
Pensions	6	Housing OSC	8
Governance	6(9)*		
Standards	6		

- 1.4 The total number of seats on Committees available on this basis would be 111; but between March 2005 and immediately before the election, the seats on Regulatory Services, Adjudication & Review and Governance Committees (marked * above) were adjusted better to reflect the then prevailing political balance to the numbers given in brackets, with a resultant total of 114 seats for allocation. **The allocation of seats on either basis in the new circumstances of the Council would not provide a suitable distribution of seats.**
- 1.5 An adjustment to the base position in the Constitution is required from time to time to enable the political balance calculations to be sensibly applied. Council is requested to authorise the Monitoring Officer to adjust the Constitutional provisions to reflect the new circumstances.

Groups of Members

- 2.1 A key consideration in determining the Council's political balance is the size of the Groups to which Members belong. The legislation states that any two or more Members may form a Group; a Member who is not in a Group with at least one other Member has no entitlement to a Committee seat, although the Council may agree to allocate seat(s) to Member(s) not in Groups, provided no Member votes against such an allocation.
- 2.2 The legislation also provides that the distribution of seats to Groups must reflect their proportion of the 54 seats on the Council even though only 52 Members are entitled to be allocated seats.

Political Balance

- 3.1 Appendix 1 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.

- 3.2 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 some room for 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 is likely to be in the range 108-120 with individual Committee sizes varying from 6 to a maximum of about 15.
- 3.3 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.
- 3.4 **There is no perfect answer.** Much depends on the sizes of Committee agreed by the Council, and the willingness of Groups to compromise where necessary.
- 3.5 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 Appendix 1; then finally, adjustments are required to the formula result to ensure that, overall, each Group receives its appropriate share of the total number of seats to be allocated.
- 3.6 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. As noted above, however, the numbers provided for in the Constitution do not provide the most “reasonably practicable” solution in the current circumstances.

Making the necessary adjustments

- 4.1 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.
- 4.2 With the seat numbers proposed, the Rainham & Wennington Independent Residents and Labour Groups would have their greatest entitlement to seats on the Adjudication & Review, Governance, Licensing, Regulatory Services and Standards Committees. These Committees regulate the Council's business or deal most with the community and it may be felt preferable for those two Groups to be represented – so far as numbers permit – on them since all-Group representation on them is very desirable.
- 4.3 Although it would also be desirable for those two Groups to be represented on the Overview & Scrutiny Committees, in practical terms the numbers of seats available

and the need to balance other Groups' entitlements do not permit that. The Rainham & Wennington Independent Residents Group has a numerically lesser entitlement to a seat on the Audit Committee than on any of the Overview & Scrutiny Committees but its importance in regulating the Council's business may be felt to outweigh any advantage that might be gained from appointing a Member of the Group to one Overview & Scrutiny Committee, bearing in mind as well that the selection of a particular Overview & Scrutiny Committee could be problematic.

- 4.4 Partially to overcome the problem of the inevitable limitation of Overview & Scrutiny Committee membership, it is suggested that the Constitution be amended to make clear that, when setting up a Topic Group, an Overview & Scrutiny Committee is free to invite any Member (other than a Cabinet Member, because of the statutory bar on their involvement in overview & scrutiny activity) to participate in it.
- 4.5 The proposed allocation of seats recommended in Appendix 2 has been prepared accordingly.

Area Committees

- 5.1 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.

Implications and risks

- 6.1 **There are no direct financial, equalities or environmental implications or risks attached to the issues discussed in this report. The legal implications are addressed in the Appendices to this report.**

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**STEPHEN EVANS
Chief Executive**

Background Papers: None.

POLITICAL BALANCE PRINCIPLES

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 two 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.

Moreover, in determining entitlements to seats, members who are not in a Group are disregarded as not being entitled to any seat; but the proportions on which entitlements are calculated must relate to the total number of Councillors.

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 and (b) that one Group's representation on some Committees will be at the expense of another's.

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

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

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

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

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.

PRINCIPLES FOR ALLOCATION OF SEATS ON COMMITTEES

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

Basic allocation of seats

Of 54 Members of the Council, 34 (62.96%) 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. In addition, there are two Members not in a Group: one (1.85%) each for the British National Party and the Liberal Democrat Party.

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 5 are rounded down, and those 5 or more are rounded up.

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

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

Table

	CONSERVATIVE		RESIDENTS		RAINHAM & WENNINGTON IND. RESIDENTS		LABOUR	
	34		13		3		2	
	62.96%		24.07%		5.56%		3.70%	
Size of body	Entitlement	Allocation	Entitlement	Allocation	Entitlement	Allocation	Entitlement	Allocation
3	1.89	2	0.72	1	0.17	0	0.11	0
4	2.52	3	0.96	1	0.22	0	0.15	0
5	3.15	3	1.20	1	0.28	1	0.19	0
6	3.78	4	1.44	1	0.33	1	0.22	0
7	4.41	4	1.69	2	0.39	1	0.26	0
8	5.04	5	1.93	2	0.44	1	0.30	0
9	5.67	6	2.17	2	0.50	1	0.33	0
10	6.30	6	2.41	2	0.56	1	0.37	1
11	6.93	7	2.65	3	0.61	1	0.41	0
12	7.56	8	2.89	3	0.67	1	0.44	0
13	8.19	8	3.13	3	0.72	1	0.48	1
14	8.81	9	3.37	3	0.78	1	0.52	1
15	9.44	9	3.61	4	0.83	1	0.56	1

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

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

Once the number of seats available on each Committee has been 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

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.

COMMITTEE and size		CONSERVATIVE		RESIDENTS		RAINHAM & WENNINGTON IND. RESIDENTS		LABOUR	
		%age	Rounde d	%age	Rounde d	%age	Rounde d	%age	Rounde d
		<i>Entitlements</i>							
Governance	10	6.30	6	2.41	2	0.56	1	0.37	1
Licensing	10	6.30	6	2.41	2	0.56	1	0.37	1
Regulatory Services	10	6.30	6	2.41	2	0.56	1	0.37	1
Adjudication & Review	9	5.67	6	2.17	2	0.50	1	0.33	0
Audit	8	5.04	5	1.93	2	0.44	1	0.30	0
Standards	8	5.04	5	1.93	1	0.44	1	0.30	1
Appointments	6	3.78	4	1.44	2	0.33	0	0.22	0
Pensions	6	3.78	4	1.44	2	0.33	0	0.22	0
Adult Services OSC	6	3.78	4	1.44	2	0.33	0	0.22	0
Children's OSC	6	3.78	4	1.44	2	0.33	0	0.22	0
Corporate OSC	6	3.78	4	1.44	2	0.33	0	0.22	0
Culture &c OSC	6	3.78	4	1.44	2	0.33	0	0.22	0
Environment OSC	6	3.78	4	1.44	2	0.33	0	0.22	0
Health OSC	6	3.78	4	1.44	2	0.33	0	0.22	0
Housing OSC	6	3.78	4	1.44	2	0.33	0	0.22	0
Crime & Disorder	6	3.78	4	1.44	2	0.33	0	0.22	0
Actual seats allocated	115		74		31		6		4
Overall proportional entitlement	%age	62.96%	72	24.07%	28	5.56%	6	3.70%	4
Number of seats over entitlement			2		3		0		0

The permutations are not perfect but follow, as nearly as practicable, the considerations and principles discussed in the report and Appendix 1:

- All Groups are represented on the Audit, Governance, Licensing, Regulatory Services and Standards Committees
- Three Groups are represented on the Audit and Adjudication & Review Committees
- Recommendation 4, if adopted, provides a mechanism for the involvement of any Member (other than a Cabinet Member) in overview & scrutiny activity
- The “seats over entitlement” are a consequence of the proportionality calculation discussed in paragraph 2.2 of the report
- The total number of Committee seats is allocated as “reasonably practicably” as possible

- Each Committee is balanced as “reasonably practicably” as possible, taking account of the political balance principles



GOVERNANCE COMMITTEE

16

26 APRIL 2006

REPORT TO COUNCIL

**COUNCIL PROCEDURE RULES:
ANNUAL MEETING OF COUNCIL
IN THE YEAR OF LOCAL ELECTIONS –
submission of motions, reports and amendments**

The Council Procedure Rules (CPRs) set out strict time limits applying to the submission of motions, reports and amendments for consideration at Council meetings. Normally, there would be no difficulty about complying with the timetable but the Committee was advised that it had become apparent that, for the Annual Meeting following the local elections, the deadline for submissions was likely to have passed before Groups would have had opportunity to address issues such as their nominations for appointments.

Accordingly, a revised timetable specifically for Annual Meetings in the year of local elections was proposed.

The Committee **RECOMMENDS** to Council that the following additional rules be inserted in the Council Procedure Rules (Part 4 of the Constitution):

11 MOTIONS ON NOTICE

11.5 Motions at Annual Meeting in the year of ordinary elections

For the Annual Meeting in a year in which ordinary elections of all councillors are held, in **11.1** there shall be substituted for “10 clear days”, “6 clear days”

13 RULES OF DEBATE

13.17 Amendments at Annual Meeting in the year of ordinary elections

For the Annual Meeting in a year in which ordinary elections of all councillors are held, in **13.6** there shall be substituted for “6 clear days”, “1 clear day”



ANNUAL COUNCIL

17

24 MAY 2006

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: MEMBERS' ALLOWANCES

SUMMARY

The Council on 29th March made a Members' Allowance Scheme for the year effective from 1st April 2006.

A scheme must be made annually before the 1st April in each year but can be amended during the year.

The scheme made on 29th March 2006 is set out in the Appendix to this report.

The report to Council noted that any amendments to the scheme would be considered at Annual Council.

RECOMMENDATION

1. That in the light of the report agreed by Council on 7th December 2005 the allowance for Area Committee Chairmen be reduced from £6,390 to £4,260 effective from 8th May 2006.
2. Following consultation with the Administration the allowance for a Leader of a Minority Opposition and a Deputy Leader of a Minority Opposition shall only be payable to a Leader and Deputy Leader of a political group with six members and over.
3. The Monitoring Officer be authorised to amend the Members' Allowance scheme as agreed by Council.
4. Members agree that the percentage increase in basic allowances set out in paragraph 12 of the scheme being 2.95% be applied and paid with effect from 1st April 2006 as provided for in the scheme.

REPORT DETAIL

1. The review of Area Committees approved by Council on the 7th December 2005 increased Area Committees from six to nine but retained as an overall amount the allowances payable to Area Committee Chairmen. This results in a reduction in each Area Committee Chairman's allowance from £6,390 to £4,260 per annum.
2. These allowances become effective from the date of creation of the nine area Committees, which is the 8th May 2006, but only become payable in the new municipal year from the point at which Area Chairmen are elected. This will occur as each Area Committee elects a Chariman.
3. The Administration have indicated that in the light of there being minority groups on the Council that allowances payable to the Leader and Deputy Leader of any minority group should only be paid if the number in the group is six or over.
4. The Independent Panel on the remuneration of Councillors in London which the Council should have regard to when setting allowances, provides that special allowances should come into play only in those positions, such as Chairs or Vice Chairs of a Regulatory or Scrutiny Committees, where there are significant differences in the time requirements and levels of responsibility from those generally expected of a Councillor.
5. This view is supported by the new guidance on allowances, which says that Special Responsibility Allowances (SRAs) should be paid to those Members who have 'significant additional responsibilities' over and above the generally accepted duties of a Councillor.
6. The Independent Panel sets out in their report that the leadership of the second or smaller Opposition Group should only be included for SRA purposes if such group has a minimum membership of four Councillors. There is however local discretion in this; it is for the Council to agree the Members' Allowance Scheme and the level at which an allowance for a second or smaller Opposition Group Leader and Deputy Leader is set. The Council must have regard to the Independent Panel's report in reaching their recommendation, and can justify why they wish to depart from the recommendations of the Independent Panel.
7. The 29th March 2006 report did not refer to the percentage uplift in the basic allowance, it being considered that this could more properly be dealt with at Annual Council. The 2006 scheme already contains provision for this and the amount of allowance will increase from £8,990 to £9,255 after a 2.95% uplift is applied. Should the percentage increase in basic allowances be disapplied then an amendment will be required to the Scheme

Council, 24 May 2006

Financial Implications and Risks:

The total cost of Members' Allowances, which includes the cost of the Special Responsibility Allowances (SRAs), will depend on the number paid as Members are only entitled to one SRA. Actual expenditure will therefore depend on the allocation of responsibilities at any point in time with any expenditure over/under the budget being managed as part of the overall budget. This in turn will reflect the number of committees for which SRAs are paid, eg a change in the number of Area or Overview & Scrutiny Committees could affect the overall cost.

Should the budget be insufficient, a virement will be sought if possible by reviewing other Member support budgets. However, if this is not possible, an allocation will be made from the contingency for 2006/07, and future years will be taken into account as part of the Medium Term Financial Strategy.

The 2006/7 budget assumes no inflation on Special Responsibility Allowances. Provision has been made within the budget for an inflationary increase to the basic allowance.

Legal Implications and Risks:

Section 6 of the Local Authorities (Members' Allowances) Regulations 1991 requires a Scheme to be made prior to the 1st April in the year the Regulations came into effect and subsequent years. A year is defined as a twelve month period from 1st April.

A Scheme may be revoked only with effect from the beginning of a year provided a new Scheme is made for the period beginning with the date of revocation.

A Scheme may be amended at any time.

Human Resource Implications and Risks:

None arising directly.

Staff Contact:	Rita Greenwood	Title:	Group Director Finance & Commercial
Telephone:	01708 432218		

**STEPHEN EVANS
Chief Executive**

Background Papers

"Making Allowances", a new report by the Independent Panel on the Remuneration of Councillors in London – August 2001.

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“The Remuneration of Councillors in London: 2003 Review.”

Members' Allowances Scheme

Agreed at the meeting of the Council on 29 March 2006. The new Scheme is agreed with effect from 1st April 2006 and the revocation of the Members' Allowance Scheme (2005) is effective from 1st April 2006.

The Council of the London Borough of Havering in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 1991 as amended by the Local Authorities (Members Allowances) (England) Regulations 2003 hereby makes the following scheme:

1 This scheme may be cited as the Havering London Borough Council Members' Allowance Scheme. The new scheme shall have effect from 1st April 2006.

2 In this scheme, "councillor" means a councillor of the London Borough of Havering and "year" means the period ending on 31st March 2007 and any period of 12 months ending on 31st March in any year after 2007.

3 **Basic allowance (Schedule 1)**

Subject to paragraphs 7 and 12, for each year a basic allowance of £8,990 (2005/06 rates) shall be paid to each councillor.

4 **Special responsibility allowance (Schedule 1)**

(a) For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the Council that are specified in schedule 1 to this scheme.

(b) Subject to paragraph 7, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.

(c) When a councillor would otherwise be entitled under the scheme to more than one special responsibility allowance, then the entitlement shall instead be only to one of them, being the one attracting the higher rate.

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

5 **Child and dependent care allowance**

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

6 Renunciation

A councillor may by notice in writing given to the Group Director Finance and Commercial elect to forego any part of his/her entitlement to an allowance under this scheme.

7 Part-year entitlements

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

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

- (c) Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a basic allowance shall be to the payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her terms of office subsists bears to the number of days in that year.
- (d) Where this scheme is amended as mentioned in paragraph 7(b), and the term of office of a councillor does not subsist throughout the period mentioned in paragraph 7(b)(i), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that paragraph) as bears to the whole the same proportion as the number of days during which his/her term of office as a councillor subsists bears to the number of days in that period.
- (e) Where a councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of

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days during which he or she has such special responsibilities bears to the number of days in that year.

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

8 Travelling and Subsistence (Schedule 2)

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

9 Claims and payments

- (a) Payments shall be made in respect of basic and special responsibility allowances, subject to paragraph 8(b), in instalments of one-twelfth of the amount specified in this scheme on the last working day of each month.
- (b) Where a payment of one-twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more than the amount to which, by virtue of paragraph 7, he or she is entitled, then payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.
- (c) Payments in respect of Travel and Subsistence shall be made to the Councillor on receipt of a claim form with supporting receipts/vouchers. Claims must be made within three months of the claim arising.

10 Pension Scheme

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

11 Financial Limits

The Group Director Finance and Commercial will arrange for the budget for members Allowances to be monitored to ensure that budgetary issues are reported to Members.

12 Increases in Allowances

Basic Allowances are updated each year on 1st April by the % increase as agreed by the Joint Negotiating Committee for Chief Officers of Local Authorities. The amounts so calculated are to be rounded up to be divisible for payment purposes.

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

13 Suspension of Basic and Special Responsibility Allowance

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

14 Co-Optees Allowances

The standard rate of allowance for statutory co-optees is £100 per meeting attended.

Independent persons sitting on Panels will be compensated for any financial loss based on presentation of claim showing actual losses up to a maximum of £100.

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

15 Note

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

Schedule 1: Members' allowances

Category of allowance	Amount per member (£)
Basic allowance (all members)	8,990*
Special responsibility allowances	
Deputy Leader of Minority Opposition	2,250
Deputy Leader of Principal Opposition	3,825
Area Committee Chairmen	6,390
Leader of Minority Opposition	6,390
Appointments, Governance, Investment, Adjudication and Audit Chairmen	7,650
Overview & Scrutiny Chairmen	11,070
Leader of Principal Opposition	18,000
Licensing and Regulatory Services Chairmen	20,430
Cabinet Members, inc. Deputy Leader of the Administration	25,110
Leader	39,150
*Note : 2005/06 rate	

Schedule 2: Travel and Subsistence

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

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

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

Travel and subsistence arrangements for key events, e.g. Town Twinning will be set in line with the above. However, taking account of the practicalities of arrangements, these will be set out and documented by the Group Director Finance and Commercial, prior to each event and be agreed with the Lead Member for Resources.



ANNUAL COUNCIL

24 MAY 2006

SUPPLEMENTARY AGENDA

MEMBERS' SEATING PLAN

The seating plan for the Chamber is attached.

2A 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.

9 TO APPOINT THE COMMITTEES OF THE COUNCIL, ETC

CORRECTION:

In recommendation 2, for "Education Overview and Scrutiny Committee", read "Children's Services Overview and Scrutiny Committee"

12 COMMITTEE SIZES AND POLITICAL BALANCE

12A Amendment on behalf of the Labour Group

That the proposals for the allocation of Committee places be revised so that the Labour Group Members be allocated places on the following Committees:-

- 1) Children's Services – Overview & Scrutiny
- 2) Culture & Regeneration – Overview & Scrutiny
- 3) Governance
- 4) Licensing

and that the political balance table be adjusted accordingly.

Note:

If the Council accepts the amendment, the political balance calculation will alter. In addition to the changes proposed, adjustments would be needed to the Regulatory Services and Standards Committees, on which the Labour Group would no longer be represented.

As the sizes of the Committees affected and the allocations of seats on them to Groups would be altered, for the table in Appendix 2 of the report, substitute the following (emphases added for clarity):

COMMITTEE and size	CONSERVATIVE		RESIDENTS		RAINHAM & WENNINGTON IND. RESIDENTS		LABOUR		
	<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	10	6.30	6	2.41	2	0.56	1	0.37	1
Licensing	10	6.30	6	2.41	2	0.56	1	0.37	1
Regulatory Services	9	5.67	6	2.17	2	0.50	1	0.33	0
Adjudication & Review	9	5.67	6	2.17	2	0.50	1	0.33	0
Audit	8	5.04	5	1.93	2	0.44	1	0.30	0
Standards	6	3.78	4	1.44	1	0.33	1	0.22	0
Appointments	6	3.78	4	1.44	2	0.33	0	0.22	0
Pensions	6	3.78	4	1.44	2	0.33	0	0.22	0
Adult Services OSC	6	3.78	4	1.44	2	0.33	0	0.22	0
Children's Services OSC	8	5.04	5	1.93	2	0.44	0	0.30	1
Corporate OSC	6	3.78	4	1.44	2	0.33	0	0.22	0
Culture &c OSC	8	5.04	5	1.93	2	0.44	0	0.30	1
Environment OSC	6	3.78	4	1.44	2	0.33	0	0.22	0
Health OSC	6	3.78	4	1.44	2	0.33	0	0.22	0
Housing OSC	6	3.78	4	1.44	2	0.33	0	0.22	0
Crime & Disorder	6	3.78	4	1.44	2	0.33	0	0.22	0
Actual seats allocated	116		75		31		6		4
Overall proportional entitlement	<i>%age</i>	62.96%	73	24.07%	28	5.56%	6	3.70%	4
Number of seats over entitlement			2		3		0		0

The key changes in this are that:

- The Regulatory Services Committee is reduced in size by one Member and its balance adjusted
- The Standards Committees is reduced in size by two Members and its balance adjusted
- The Children's Services and Culture & Regeneration Overview & Scrutiny Committees each increase in size by **two** Members (this

increase is because, to preserve due balance, an additional Conservative Member needs to be appointed as well)

For the reasons explained in the report and Appendix 1, the table in Appendix 2 is the “default position” for political balance purposes. Unless the Labour Group amendment is accepted with no Member voting against, Appendix 2 as originally published will be used to determine the allocation of seats to the Groups.

13 APPOINTMENT OF COMMITTEE CHAIRMEN AND VICE-CHAIRMEN

13A Alteration by the Administration

Regulatory Services Committee – Vice-Chairman

Delete Eric Munday and **insert** Barry Tebbutt

13B Amendments on behalf of the Residents’ Group

1 Adjudication and Review Committee – Vice-Chairman

Delete Ted Eden and
Insert Pat Mylod

2 Licensing Committee – Vice-Chairman

Delete Melvin Wallace and
Insert John Mylod

3 Regulatory Services Committee

Chairman: **Delete** Roger Evans and
Insert Jeff Brace

Vice-Chairman: **Delete** Eric Munday and
Insert Linda Hawthorn

4 Overview and Scrutiny Committee Chairmen

Adult Services **Delete** Jeff Brace and
Insert Pat Mylod

Corporate **Delete** Robby Misir and
Insert Clarence Barrett

Children’s Services **Delete** Lesley Kelly and
Insert Gillian Ford

Culture	Delete Mark Gadd and Insert Ray Morgon
Environment	Delete Sandra Binion and Insert Andrew Mann
Housing	Delete Barry Oddy and Insert June Alexander
Crime & Disorder	Delete John Clark and Insert Linda Van Den Hende
Health	Delete Ted Eden and Insert Linda Hawthorn

5 Insert the following Vice-Chairmen

Adult Services	Pat Mylod
Corporate	Clarence Barrett
Children's Services	Gillian Ford
Housing	June Alexander
Crime & Disorder	Linda Van Den Hende
Health	Linda Hawthorn

6 Replace Vice-Chairman

Culture	Delete David Charles and Insert Ray Morgon
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7 Replace Vice-Chairman

Environment	Delete Gary Adams and Insert Andrew Mann
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Note: the following table sets out the Administration's proposals (as altered) and the Residents' Group amendments now proposed:

Committee	Chairman Councillor		Vice-Chairman Councillor	
	Conservative nominee	Residents' nominee	Conservative nominee(s)	Residents' nominee(s)
	* = uncontested		* = uncontested	
Adjudication & Review (2 Vice-Chairmen)	*Robert Benham		*Pam Light Ted Eden	Pat Mylod
Appointments	*Dennis Bull		Eric Munday	
Audit	*David Grantham		Frederick Thompson	
Governance	*Frederick Thompson		Kevin Gregory	
Pensions	*Melvin Wallace		Roger Ramsey	
Licensing (3 Vice-Chairmen)	*Edward Cahill		*Georgina Galpin *David Charles Melvin Wallace	John Mylod
Regulatory Services	Roger Evans	Jeff Brace	Barry Tebbutt	Linda Hawthorn
Adult Services Overview & Scrutiny	Jeff Brace	Pat Mylod		*Pat Mylod
Corporate Overview & Scrutiny	Robby Misir	Clarence Barrett		*Clarence Barrett
Children's Overview & Scrutiny	Lesley Kelly	Gillian Ford		*Gillian Ford
Culture & Regeneration Overview & Scrutiny	Mark Gadd	Ray Morgon	David Charles	*Ray Morgon
Environment Overview & Scrutiny	Sandra Binion	Andrew Mann	Gary Adams	*Andrew Mann
Housing Overview & Scrutiny	Barry Oddy	June Alexander		*June Alexander
Crime and Disorder	John Clark	Linda van den Hende		*Linda van den Hende
Health Overview & Scrutiny	Ted Eden	Linda Hawthorn		*Linda Hawthorn

14 ELECTION OF MEMBERS CHAMPIONS

14A Elderly Persons

14A(1) Amendment on behalf of the Residents' Group

Delete David Charles and
Insert Pat Mylod

14B Historical Champion

14B(1) Amendment on behalf of the Residents' Group

Delete all after "That..." and
Insert "this Council is firmly committed to preserving Havering's heritage for our future generations and to demonstrate this, this Council remains wholly supportive of English Heritage, by continuing the important role of Champion for the Historic Environment and to this end nominates Linda Hawthorn to this position".

The motion should then read

That this Council is firmly committed to preserving Havering's heritage for our future generations and to demonstrate this, this Council remains wholly supportive of English Heritage, by continuing the important role of Champion for the Historic Environment and to this end nominates Linda Hawthorn to this position.

17 MEMBERS' ALLOWANCES SCHEME, 2006/07

17A Amendment on behalf of the Rainham & Wennington Independent Residents' Group

Delete recommendations 1, 2 and 4 and replace them with:

1. That the Council ceases to pay Special Responsibility Allowances, and that Members be paid only the basic allowances provided for in the Members' Allowance Scheme, with no increase on the basic allowance over the next 4 years.
2. That the remaining recommendation be renumbered accordingly.

17B Amendment on behalf of the Administration

Add new recommendation:

- (5) Reinstatement in schedule 1 an SRA of £1,700 for Vice-Chairman of Overview & Scrutiny Committee

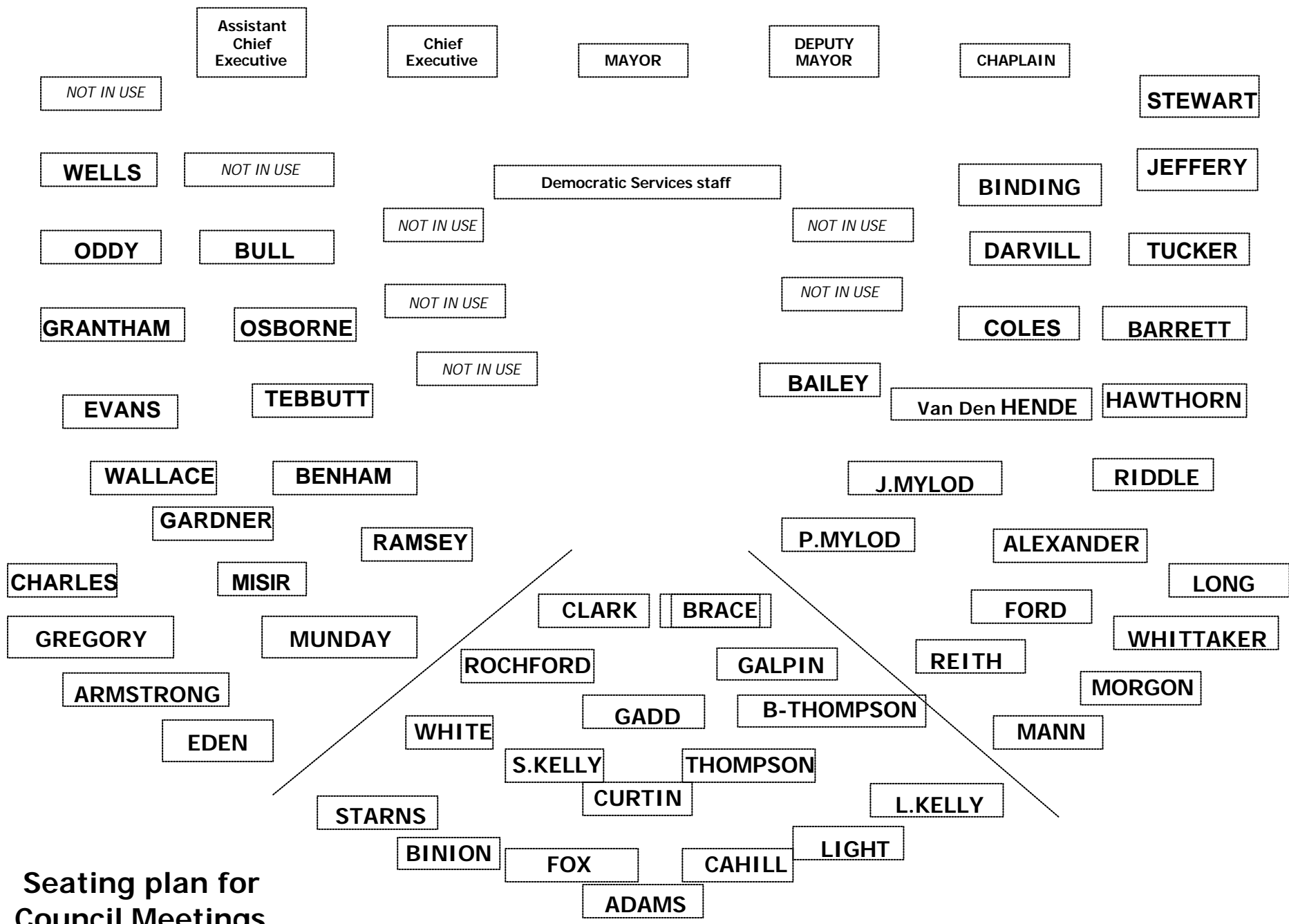
Note: The maximum additional cost of this proposal is £13,600. However, The total cost of Members' Allowances, which includes the cost of the Special Responsibility Allowances (SRAs), will depend on the number paid as Members are only entitled to one SRA. Actual expenditure will therefore depend on the allocation of responsibilities at any point in time with any expenditure over/under the budget being managed as part of the overall budget. This in turn will reflect the number of committees for which SRAs are paid, eg a change in the number of Area or Overview & Scrutiny Committees could affect the overall cost.

Should the budget be insufficient, a virement will be sought if possible by reviewing other Member support budgets. However, if this is not possible, an allocation will be made from the contingency for 2006/07, and future years will be taken into account as part of the Medium Term Financial Strategy.

The 2006/7 budget assumes no inflation on Special Responsibility Allowances. Provision has been made within the budget for an inflationary increase to the basic allowance.

**Stephen Evans
Chief Executive**

Annual Council, 24 May 2006



Seating plan for Council Meetings