

COUNCIL MEETING

**7.30pm WEDNESDAY, 28 JULY 2010
AT HAVERING TOWN HALL
MAIN ROAD, ROMFORD**

Members of the Council of the London Borough of Havering are hereby summoned to attend a meeting of the Council at the time and place indicated for the transaction of the following business, including the consideration of the conferment of the Honorary Freedom of the borough



Democratic Services Manager

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



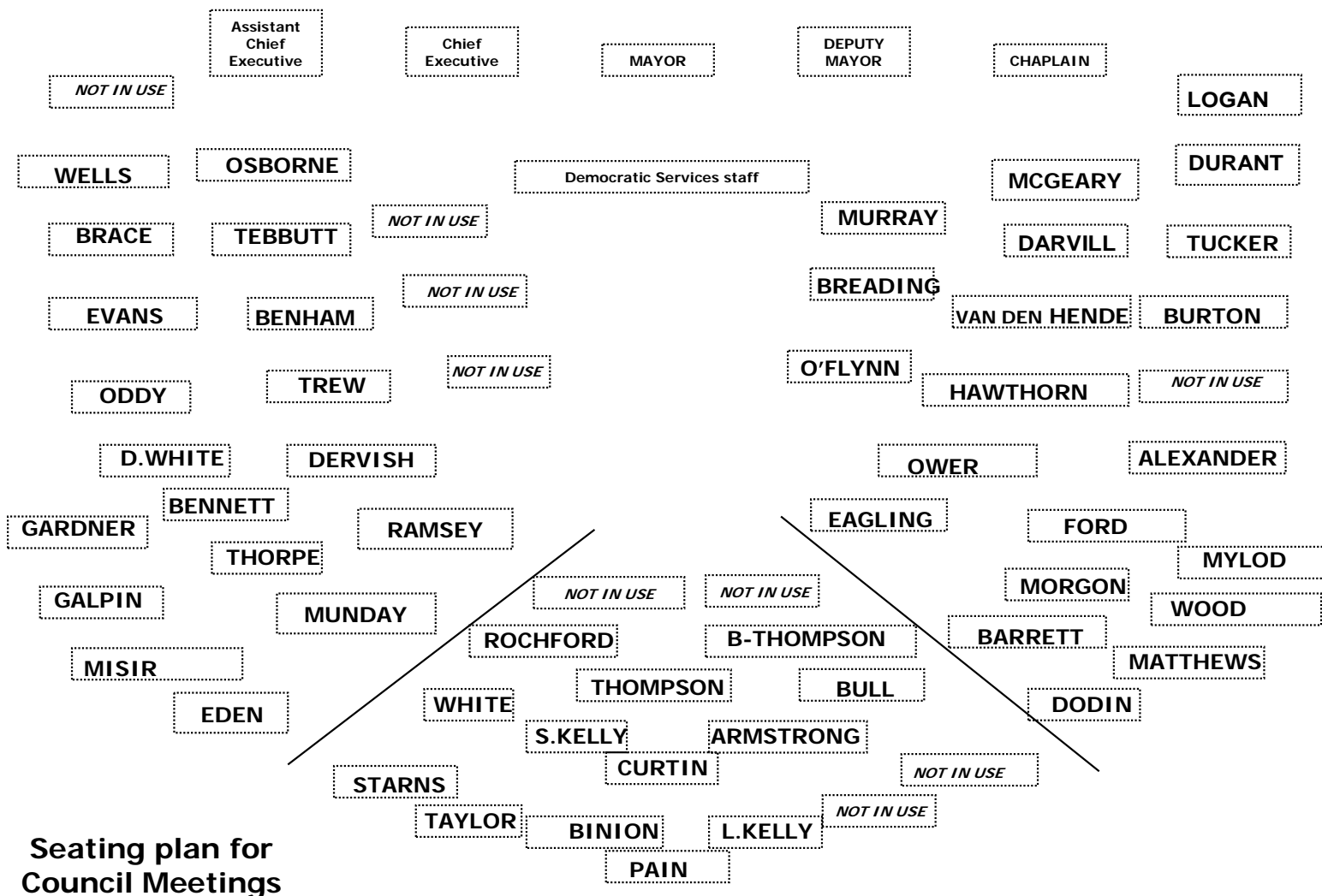
Webcast

Please note that this meeting will be webcast.

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

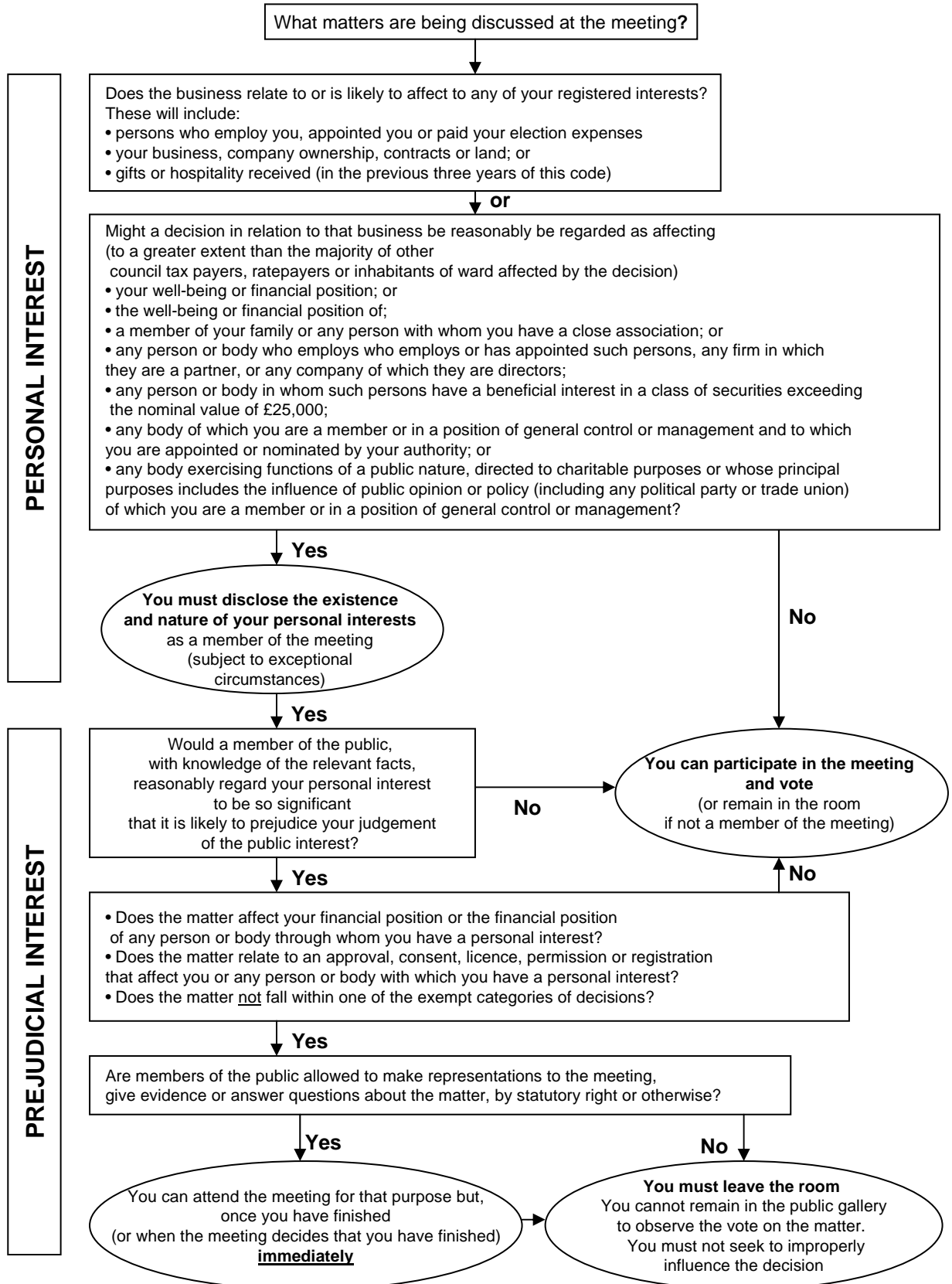
Council, 28 July 2010 - agenda

Council, 28 July 2010 - Agenda



Seating plan for Council Meetings

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA

INITIAL BUSINESS

1 **PRAYERS**

2 To receive apologies for absence (if any)

3 **MINUTES**

To sign as a true record the minutes of the Annual Meeting of the Council held on 26 May 2010 (to follow)

4 **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.

HONOURS

5 AWARDS FOR EMINENT SERVICE TO THE BOROUGH OR TO THE COUNCIL

To consider whether to

- (a) confer on any person of distinction or who has rendered eminent service to the borough the Honorary Freedom of the Borough; and to
- (b) present to any other former Member a certificate of service.

5A The following nominations have been received, for conferment of the Freedom of the Borough upon the individuals nominated:

On behalf of the Administration:

Former Councillor Bob Neill MP (Under Secretary of State (Communities & Local Government)), for eminent service to the Borough

On behalf of the Residents' Group:

Former Councillor Pat Mylod, for eminent service to the Borough

Note: the Local Government Act 1972 requires that, in order for the honours to be conferred, the nominations must be supported by not fewer than two thirds of the members present and voting.

5B The following former Members did not stand for re-election, or were not re-elected, on 6 May:

Gary Adams	Tom Binding
John Clark	Jonathan Coles
Chris Fox	Mark Gadd
David Grantham	Kevin Gregory
Coral Jeffrey	Andrew Mann
Pat Mylod	Mark Stewart
Steve Whittaker	Mike Winter

The Council is invited to consider whether to present to these former Members a certificate of service.

ANNOUNCEMENTS

- 6 **ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE**

PRESENTATION OF PETITIONS

- 7 **PETITIONS**

Councillors Linda Hawthorn, Denis O’Flynn, Pat Murray, Ron Ower, David Durant and Jeffery Tucker have each given notice of an intention to present a petition.

RECOMMENDATIONS AND REPORTS

NOTE: The deadline for amendments (other than to item 12) is midnight, Monday 26 July 2010; an amendment to item 12 may be proposed at any time before the debate on it is concluded

- 8 **ANNUAL TREASURY MANAGEMENT REPORT 2009/10** – to consider a report of the Audit Committee
- 9 **AMENDMENTS TO THE TREASURY MANAGEMENT STRATEGY STATEMENT** – to consider a report of the Cabinet
- 10 **REPORT OF OUTER NORTH EAST LONDON JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE INTO HEALTH FOR NORTH EAST LONDON PROPOSALS** – to consider a report of the Health Overview & Scrutiny Committee
- 11 **MEMBERS’ ALLOWANCES** – to consider a report of the Group Director, Finance & Commerce
- 12 **STATUTORY PETITIONS SCHEME** – to consider a report of the Governance Committee (to follow)

(NOTE: in accordance with section 100B(4) of the Local Government Act 1972, the Mayor has accepted this as an urgent item, as the Governance Committee is not meeting until after the despatch of the final Agenda for the meeting)

MEMBERS' QUESTIONS

13 **MEMBERS' QUESTIONS**

MOTIONS FOR DEBATE

14 **LIVING NEWSPAPER**

Motion on behalf of the Independent Residents' Group

This Council urges the Cabinet to halt publication of the newspaper called *Living*.

14A **Amendment on behalf of the Administration**

Amend to read:

This Council urges the Cabinet to continue the publication of *Living*, and recognises the great success of the publication in supporting our local communities.

15 **AREA COMMITTEES: RESCISSION OF PREVIOUS DECISION**

That the decision of Council at the meeting on 26 May 2010 to appoint nine Area Committees and to appoint nine Area Committee Chairmen and Vice-Chairmen be rescinded.

Note: In accordance with Council Procedure Rule 14.1 this motion required the signatures of at least 25% of the whole membership of the Council (14 Members) in order to be included in the Agenda. The following 19 Members have signed accordingly – Councillors:

Robert Benham, Roger Evans, Dennis Bull, Garry Pain, Keith Wells, Robby Misir, Linda Trew, Osman Dervish, Billy Taylor, Barry Oddy, Rebecca Bennett, Fred Osborne, Ted Eden, Jeff Brace, Sandra Binion, Lesley Kelly, Mike Armstrong, Andrew Curtin and Paul Rochford.

15A **Amendment on behalf of the Labour Group**

Add after the words "be rescinded" the following:

temporarily, pending a thorough review of Area Committees and their functions to be conducted by a Working Party consisting of members of the Council of each political party with the intention of bringing forward new proposal for

community engagement and drawing on the new localist agenda promoted by all major political parties, such Working Party if not achieving consensus being able to bring forward minority reports and proposals for consideration at Full Council on or before 2 February 2011.

Note - the motion would then read:

That the decision of Council at the meeting on 26 May 2010 to appoint nine Area Committees and to appoint nine Area Committee Chairmen and Vice-Chairmen be rescinded temporarily, pending a thorough review of Area Committees and their functions to be conducted by a Working Party consisting of members of the Council of each political party with the intention of bringing forward new proposals for community engagement and drawing on the new localist agenda promoted by all major political parties, such Working Party if not achieving consensus being able to bring forward minority reports and proposals for consideration at Full Council on or before 2 February 2011.

16 REPORT OF CABINET 14 JULY 2010 – “RESPONDING TO THE GOVERNMENT’S EMERGENCY BUDGET AND THE POLICY IMPLICATIONS OF THE COALITION AGREEMENT”

Motion on behalf of the Labour Group

This Council, mindful of the serious impact on the delivery of public services to residents and the consequences to employees, calls upon each of its Overview & Scrutiny Committees to examine separately the proposals that are relevant to that Committee contained in the Cabinet Report dated 14 July 2010 headed ‘Responding to the Governments Emergency Budget and the policy implications of the Coalition Agreement’.

To ensure that adequate time is provided to Members to allow thorough scrutiny of the proposals, the Committees’ meetings be held between 6 September and 8 October 2010.

16A Amendment on behalf of the Administration

Amend to read:

This Council, mindful of the efforts of the cabinet and officers to mitigate the impact on the delivery of services to its residents and the consequences to employees, calls upon its overview and scrutiny committees to examine carefully the proposals in the Cabinet report dated 14.7.2010 headed “Responding to the Government’s Emergency Budget” at the joint overview and scrutiny committee scheduled for 3 August 2010.

17 **GOVERNMENT CUTS**

Motion on behalf of the Labour Group

This Council notes that the Government:

- (1) plans to reduce the deficit much further and faster than the Labour Government with a consequent threat to the recovery and greater damage to public services;
- (2) has imposed additional in year cuts to local council programmes giving rise to an estimated funding gap of about £50million of current budget levels;
- (3) has chosen to increase VAT from 17.5% to 20%, a regressive tax bearing hardest on the least well-off;
- (4) has frozen child benefit, cut disability benefit and housing benefit, abolished free swimming, and abandoned the free school meals programme which would have helped 500,000 children; and
- (5) In doing so has penalised people on low and middle incomes while doing little to ensure that the well-off bear their fair share.

This Council calls on the Government to rethink its approach and resolves as part of the consultation process announced by the Government over the comprehensive spending review to engage with the local community to identify priorities for the protection of local services and the local economy.

17A **Amendment on behalf of the Administration**

Amend to read

This Council notes that the Government is dealing with the legacy of Labour's Debt Crisis, and condemns the previous government for a national debt which is more than £2 trillion, and deploras attempts by the Labour Party to use council meetings for national political propaganda.



**MINUTES OF THE ANNUAL MEETING OF THE
COUNCIL OF THE LONDON BOROUGH OF
HAVERING**

**Havering Town Hall, Romford
26 May 2010 (7.30 p.m. – 10.25p.m.)**

Present: The Mayor (Councillor Roger Ramsey) in the Chair at the start of the meeting

Councillors June Alexander, Clarence Barrett, Robert Benham, Becky Bennett, Sandra Binion, Jeff Brace, Denis Breading, Wendy Brice-Thompson, Dennis Bull, Michael Deon Burton, Andrew Curtin, Keith Darvill, Osman Dervish, Nic Dodin, David Durant, Brian Eagling, Ted Eden, Roger Evans, Gillian Ford, Georgina Galpin, Peter Gardner, Linda Hawthorn, Lesley Kelly, Steven Kelly, Pam Light, Mark Logan, Barbara Matthews, Paul McGeary, Robby Misir, Ray Morgon, Eric Munday, John Mylod, Pat Murray, Barry Oddy, Denis O'Flynn, Fred Osborne, Ron Ower, Gary Pain, Paul Rochford, Geoffrey Starns, Billy Taylor, Barry Tebbutt, Frederick Thompson, Lynden Thorpe, Linda Trew, Jeffery Tucker, Linda Van den Hende, Melvin Wallace, Keith Wells, Damien White and Michael White

Air Commodore Brian Batt DL, Hon. Aldermen Graham Price and Louise Sinclair, and approximately 60 guests, members of public and press also attended.

Apologies for absence were received from Councillors Michael Armstrong and John Wood.

The Reverend David Marshall, Area Dean of Havering, opened the meeting with prayers.

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

The meeting closed with the singing of the National Anthem.

1 **DECLARATIONS OF INTEREST (Agenda Item 3)**

The Members present named in agenda items 4, 7, 8, 13 and 14 (the Mayoralty, Cabinet and various Committee Chairmanships) who were candidates for offices attracting a Special Responsibility Allowance, each declared a personal interest under paragraph 8 of the Members' Code of Conduct as they would benefit from the Members' Allowance Scheme 2010.

2 **MAYORALTY (Agenda Item 4)**

Motion on behalf of the Conservative Group (Agenda Item 4(a))

That Councillor Pam Light be elected Mayor for the Municipal Year 2010/11.

The Conservative Group proposal was **AGREED** without a vote. It was, therefore, duly **RESOLVED**:

That Councillor Pam Light be elected Mayor for the Municipal Year 2010/2011

Councillor Pam Light, having made the Declaration of Acceptance of Office of Mayor as required by the Local Government Act 1972, then took the Chair and thanked the Council for the honour conferred upon her. The Mayor indicated that the Mayor's Consort for the year would be **Mr Terry Light**.

The Leader of the Council and other Members expressed the thanks of the Council to Councillor Roger Ramsey for his services in 2009/10. Councillor Ramsey suitably replied.

3 **DEPUTY MAYOR - Appointment (Agenda Item 4(b))**

In accordance with the Local Government Act 1972, the Mayor signified in writing her appointment of **Councillor Melvin Wallace** as Deputy Mayor for the ensuing year and to carry out the duties of the Mayor in case of the Mayor's illness or absence.

Councillor Wallace made the Declaration of Acceptance of Office accordingly. The Mayor indicated that the Deputy Mayoress for the year would be **Mrs Joan Wallace**.

4 **MINUTES (Agenda Item 5)**

It was **RESOLVED**:

That the minutes of the meeting of the Council held on 24 March 2010 be signed as a true record.

5 **ANNOUNCEMENTS BY MAYOR AND BY CHIEF EXECUTIVE (Agenda Item 6)**

The Mayor made an announcement about her chosen charity for the year and other matters:

Well thank you for choosing me as Mayor for this year. Having served as the Deputy Mayor during the year before last, which was such a pleasurable experience, I am very much looking forward to representing Council as Mayor for this year.

My charities for this year are the Rainbow Trust, a charity to support children with life-threatening illnesses and their families, and Havering Association for the Disabled.

There were no announcements by the Chief Executive on this occasion.

6 **ELECTION OF LEADER OF THE COUNCIL (Agenda Item 7)**

The Council noted that, in accordance with the Local Government Act 2000, as amended, the Leader would now be elected for a term of four years ending at the Annual Meeting of the Council following the borough elections in 2014.

Motion submitted by the Conservative Group

That Councillor Michael White be elected to the office of Leader of the Council for the Municipal Year 2010/14.

The proposal was **AGREED** without a vote and it was **RESOLVED**:

That Councillor Michael White be elected to the office of Leader of the Council for the Municipal Years 2010/14.

7 **NOTICE OF THE APPOINTMENTS BY THE LEADER OF THE MEMBERS OF THE CABINET, INCLUDING THE DEPUTY LEADER (Agenda item 8)**

The Council noted that, in accordance with the Local Government Act 2000, as amended, the Leader was empowered to appoint up to nine other Members of the Cabinet, one of whom must be appointed as Deputy Leader. The Council's Constitution required that the Leader announce the names of the Deputy and other Cabinet Members at this meeting.

Accordingly, in the course of his address to the Council (minute 14 and Appendix 1 following) the Leader announced that **Councillor Steven Kelly** would be **Deputy Leader** and that the Members of the Cabinet would be Councillors:

Steven Kelly
Michael Armstrong
Robert Benham
Andrew Curtin
Lesley Kelly
Roger Ramsey
Geoffrey Starns
Barry Tebbutt
Paul Rochford

The Council **NOTED** the appointments made by the Leader of the Council, and **NOTED** the portfolios assigned to the individual Cabinet Members as set out in Appendix 2 to these minutes.

8 **ESTABLISHING THE COMMITTEES OF THE COUNCIL, CHANGES TO THE COMMITTEE STRUCTURE AND AREA COMMITTEES (Agenda items 9, 10 and 11)**

Council had before them:

- (i) motions and amendments as follows and
- (ii) a report and two supplementary reports of the Monitoring Officer (Agenda items 9, 10 Supplementary and 10B) on establishing Committees and political balance, and on issues arising from the motions and amendments

and was invited to establish:

- (a) the following statutory Committees:
 - (i) Overview & Scrutiny Committees

- (ii) the Standards Committee
- (iii) the Licensing Committee
- (b) other, non-statutory, Committees to deal with matters that were neither reserved to the Council itself nor executive functions, as set out within the Council's Constitution.

The recommendations in the Monitoring Officer's Report and Second Supplementary Report were:

- (1) That, so far as necessary to enable any changes proposed and agreed during this meeting to be carried in to effect, Council Procedure Rule 20.2 (proposals to amend the Constitution to be referred to Governance Committee without discussion) be suspended.
- (2) That, subject to the Council's consideration of any motion or amendment before the meeting relating to changes in the Committee structure, the Committees listed in Appendix 1 (*to that report*) be appointed for the 2010/11 Municipal Year and that:
 - (a) As required by statute, two voting co-optees representing the Church of England and the Roman Catholic Church and three parent governor co-optees selected in accordance with the appropriate Regulations, be appointed to the Children's Services Overview and Scrutiny Committee.
 - (b) The other non-elected member "appointments" and invitations to attend shown in the Appendix (and particularly its annexes) be confirmed.
- (3)
 - (a) That the number of seats on each Committee appointed by Council be as shown in the Revised Table appended to the Supplementary Agenda; and
 - (b) That the suggested political balance of those Committees (in accordance with the principles detailed in Appendix 3 of the report at Agenda item 9), be noted and accepted, and seats allocated to Groups accordingly.

An amendment on behalf of the Independent Residents' Group, Agenda item 10A, had been withdrawn before the meeting.

Motion on behalf of the Administration (Agenda item 10)

- 1 That a Highways Advisory Committee be established (under section 102(4) of the Local Government Act 1972) to advise the Council's Executive on local highway management schemes; and that the Area Committees and Regulatory Services Committee cease to exercise the powers delegated to them in relation to such matters.
- 2 To **RECOMMEND to the Leader of the Council** that the Executive functions in relation to advice by the Highways Advisory

Committee be exercised by the Cabinet Member for Community Empowerment.

- 3 That the Highways Advisory Committee comprise 7 Members (politically balanced, including no more than one Member of the Cabinet, excluding the Cabinet Member for Community Empowerment as decision-maker in relation to the Committee's advice), and meet monthly.

- 4 (a) That, other than the Crime & Disorder Committee and the Health Overview & Scrutiny Committee, the functions of the Overview & Scrutiny Committees be realigned to accord with the Council's Goals and its partnership arrangements, and that the following Overview & Scrutiny Committees be established accordingly:

Children & Learning

Environment

Individuals

Partnerships

Towns and Communities

Value

- (b) That the new Overview & Scrutiny Committees be assigned the functions set out in the Monitoring Officer's supplementary report accompanying this motion.

- (c) That the Overview & Scrutiny Committees be advised of the limited resources available to support their activities and requested to restrict their Topic Group activities to one at any one time.

- 5 Amend the Appendix to the Monitoring Officer's report (agenda item 9) as follows:

Add to the Table in Appendix 2 of the report, after "Governance Committee", "Highways Advisory Committee"

Delete the existing names of the Overview & Scrutiny Committees as set out in that Appendix, other than "Crime and Disorder" and "Health", and

Insert, in alphabetical order as appropriate, the following Overview & Scrutiny Committee names:

Children & Learning

Environment

Individuals

Partnerships

Town and Communities

Value

- 6 Amend recommendation 3 of the Monitoring Officer's report as follows:

Delete "Children's Services"

Add "Children & Learning"

The Supplementary Report (agenda item 10B) of the Monitoring Officer set out, in Appendices, proposed terms of reference for the Committees proposed in the motion, which follow as Appendices 3 and 4 to these minutes.

Amendment on behalf of the Residents' Group (Agenda item 10C)

That the terms of reference in respect of the Highways Advisory Committee be referred to Governance Committee for full consideration and agreement.

Motion on behalf of the Administration (agenda item 11)

- 1 That the Council appoint the Chairmen and Vice-Chairmen of Area Committees rather than the Committees themselves.
- 2 That ordinary meetings of Area Committees be held twice a year, in July and January, rather than four times as hitherto; and that their meetings take place either at the Town Hall or Langtons in Hornchurch, as determined by the Chairman of each Committee.

Amendment on behalf of the Independent Residents' Group (Agenda item 11A)

Amend 1 to read:

That all Area Committee Chairmen and Vice-Chairmen be appointed by the respective Area Committees.

Amendment on behalf of the Residents' Group (Agenda item 11B)

That the terms of reference in respect of the Area Committees be referred to Governance Committee for full consideration and agreement.

Following debates:

- (a) the recommendations of the Monitoring Officer in the report (Agenda item 9) as varied by the supplementary reports (Agenda items 10 Supplementary and 10B) were **ADOPTED** (except so far as varied by subsequent decisions) without division;
- (b) the proposals in the Administration motion (Agenda item 10) relating to the Overview & Scrutiny Committees were **AGREED** without division;

- (c) the Residents' Group amendment (Agenda item 10C, relating to the proposed Highways Advisory Committee) was **LOST** by 31 votes to 20 (see voting division 1) and the proposals in the Administration motion (Agenda item 10, relating to the Highways Advisory Committee) were **AGREED** without division;
- (d) the Independent Residents' Group amendment (Agenda item 11A, relating to the appointment of Chairmen and Vice-Chairmen of the Area Committees) was **LOST** by 31 votes to 9 (see voting division 2); the Residents' Group amendment (Agenda item 11B, relating to Area Committees' terms of reference) was **LOST** by 31 votes to 16 (see voting division 3); and the Administration motion (Agenda item 11, relating to the appointment of Area Committee Chairmen and Vice-Chairmen) was **CARRIED** by 31 votes to 20 (see voting division 4).

It was, accordingly, **RESOLVED**:

- 1 **That, so far as necessary to enable any changes proposed and agreed during this meeting to be carried in to effect, Council Procedure Rule 20.2 (proposals to amend the Constitution to be referred to Governance Committee without discussion) be suspended.**
- 2
 - (a) **That a Highways Advisory Committee be established (under section 102(4) of the Local Government Act 1972) to advise the Council's Executive on local highway management schemes; that the Area Committees and Regulatory Services Committee cease to exercise the powers delegated to them in relation to such matters; and that the Committee be assigned the functions set out in Appendix 3 to these minutes;**
 - (b) **To RECOMMEND to the Leader of the Council that the Executive functions in relation to advice by the Highways Advisory Committee be exercised by the Cabinet Member for Community Empowerment (as set out in Appendix 3).**
 - (c) **That the Highways Advisory Committee include no more than one Member of the Cabinet, excluding the Cabinet Member for Community Empowerment as decision-maker in relation to the Committee's advice, and meet monthly.**
- 3
 - (a) **That, other than the Crime & Disorder Committee and the Health Overview & Scrutiny Committee, the functions of the Overview & Scrutiny Committees be realigned to accord with the Council's Goals and its**

partnership arrangements, and that the following Overview & Scrutiny Committees be established accordingly:

Children & Learning
Environment
Individuals
Partnerships
Towns and Communities
Value

- (b) That the new Overview & Scrutiny Committees be assigned the functions set out in Appendix 4 to these minutes.
 - (c) That the Overview & Scrutiny Committees be advised of the limited resources available to support their activities and requested to restrict their Topic Group activities to one at any one time.
- 4
- (a) That the Council appoint the Chairmen and Vice-Chairmen of Area Committees rather than the Committees themselves.
 - (b) That ordinary meetings of Area Committees be held twice a year, in July and January, rather than four times as hitherto; and that their meetings take place either at the Town Hall or Langtons in Hornchurch, as determined by the Chairman of each Committee.
- 5
- That, taking into account the foregoing decisions, the Committees listed in Appendix 5 be appointed for the 2010/11 Municipal Year and that:
- (a) As required by statute, two voting co-optees representing the Church of England and the Roman Catholic Church and three parent governor co-optees selected in accordance with the appropriate Regulations, be appointed to the Children & Learning Overview and Scrutiny Committee.
 - (b) The other non-elected member “appointments” and invitations to attend shown in the Appendix (and particularly its annexes) be confirmed.
- 6
- (a) That the number of seats on each Committee appointed by Council be as shown in Appendix 5; and
 - (b) That the suggested political balance of those Committees (in accordance with the principles detailed

in Appendix 3 of the report at Agenda item 9), be noted and accepted, and seats allocated to Groups accordingly.

9 **AMENDMENT OF THE CONSTITUTION (Agenda item 12)**

Motion on behalf of the Administration

That the Assistant Chief Executive Legal & Democratic Services be authorised to make such adjustments to the Constitution as are necessary to give effect to the decisions consequent upon Agenda items 9, 10 and 11.

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

That the Assistant Chief Executive Legal & Democratic Services be authorised to make such adjustments to the Constitution as are necessary to give effect to the decisions consequent upon Agenda items 9, 10 and 11.

10 **APPOINTMENT OF THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES (Agenda item 13)**

Motion on behalf of the Administration

That the following Chairmen and Vice-Chairmen be appointed –

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication & Review (2 Vice-Chairmen)	Dennis Bull	1 Garry Pain
Appointments	Keith Wells	Steven Kelly
Audit	Georgina Galpin	Osman Dervish
Governance	Michael White	Rebecca Bennett
Pensions	Eric Munday	Damian White
Licensing (3 Vice-Chairmen)	Peter Gardner	1 Georgina Galpin 2 Linda Trew 3 Lynden Thorpe

Committee	Chairman Councillor	Vice-Chairman Councillor
Regulatory Services	Barry Oddy	Barry Tebbutt
Highways	Frederick Thompson	Billy Taylor
Children's & Learning Overview & Scrutiny Learning	Sandra Binion	
Environment Overview & Scrutiny	Jeff Brace	
Individuals Overview & Scrutiny	Wendy Brice-Thompson	
Partnerships Overview & Scrutiny	Roger Evans	
Towns and Communities Overview & Scrutiny	Frederick Osborne	
Value Overview & Scrutiny	Robby Misir	
Crime & Disorder Overview & Scrutiny	Ted Eden	
Health Overview & Scrutiny	Lynden Thorpe	

Amendment on behalf of the Residents' Group

That the following Vice-Chairmen be appointed –

Committee	Vice-Chairman Councillor
Adjudication & Review	2 June Alexander
Licensing	Linda Van den Hende (instead of Linda Trew)
Children's & Learning Overview & Scrutiny Learning	Gillian Ford
Environment Overview & Scrutiny	John Mylod
Individuals Overview & Scrutiny	Linda Van Den Hende

Committee	Vice-Chairman Councillor
Partnerships Overview & Scrutiny	Barbara Matthews
Towns and Communities Overview & Scrutiny	Linda Hawthorn
Value Overview & Scrutiny	Ray Morgon
Crime & Disorder Overview & Scrutiny	John Wood
Health Overview & Scrutiny	June Alexander

The appointments, other than that of the second Vice-Chairman of the Licensing Committee, were **AGREED** without division.

The appointment of second Vice-Chairman of the Licensing Committee was put to the vote and there were 32 votes for Councillor Linda Trew (Administration nominee) and 16 votes for Councillor Linda Van den Hende (Residents' Group nominee) and **COUNCILLOR LINDA TREW WAS DECLARED ELECTED** (see voting division 5).

It was accordingly **RESOLVED**:

That the following Chairmen and Vice-Chairmen be appointed –

Committee	Chairman Councillor	Vice-Chairman Councillor
Adjudication & Review (2 Vice-Chairmen)	Dennis Bull	1 Garry Pain 2 June Alexander
Appointments	Keith Wells	Steven Kelly
Audit	Georgina Galpin	Osman Dervish
Governance	Michael White	Rebecca Bennett
Pensions	Eric Munday	Damian White
Licensing (3 Vice-Chairmen)	Peter Gardner	1 Georgina Galpin 2 Linda Trew 3 Lynden Thorpe

Committee	Chairman Councillor	Vice-Chairman Councillor
Regulatory Services	Barry Oddy	Barry Tebbutt
Highways	Frederick Thompson	Billy Taylor
Children's & Learning Overview & Scrutiny Learning	Sandra Binion	Gillian Ford
Environment Overview & Scrutiny	Jeff Brace	John Mylod
Individuals Overview & Scrutiny	Wendy Brice- Thompson	Linda Van Den Hende
Partnerships Overview & Scrutiny	Roger Evans	Barbara Matthews
Towns and Communities Overview & Scrutiny	Frederick Osborne	Linda Hawthorn
Value Overview & Scrutiny	Robby Misir	Ray Morgon
Crime & Disorder Overview & Scrutiny	Ted Eden	John Wood
Health Overview & Scrutiny	Lynden Thorpe	June Alexander

11 **APPOINTMENT OF THE CHAIRMEN AND VICE-CHAIRMEN OF
AREA COMMITTEES**

Motion on behalf of the Conservative Group (Agenda item 14A)

That the following Chairmen and Vice-Chairmen be appointed –

Area Committee	Chairman Councillor	Vice-Chairman Councillor
Elm Park & Hylands	Roger Evans	Damien White
Emerson Park & Harold Wood	Lesley Kelly	Paul Rochford
Gidea Park	Lynden Thorpe	Ted Eden

Area Committee	Chairman Councillor	Vice-Chairman Councillor
North Romford	Billy Taylor	Linda Trew
Romford	Frederick Osborne	Robert Benham

Motion on behalf of the Independent Residents' Group (Agenda item 14B)

That the following Chairman and Vice-Chairman be appointed –

South Hornchurch & Rainham	Michael Deon Burton	David Durant
----------------------------	---------------------	--------------

Motion on behalf of the Residents' Group (Agenda item 14C)

That the following Chairmen and Vice-Chairmen be appointed –

Hornchurch	John Mylod	Nic Dodin
Upminster	Gillian Ford	Linda Van den Hende

Motion on behalf of the Labour Group (Agenda item 14D)

That the following Chairman and Vice-Chairman be appointed –

Harold Hill	Denis O'Flynn	Paul McGeary
-------------	---------------	--------------

All of the motions were **AGREED** without division, and it was **RESOLVED:**

That the following Chairmen and Vice-Chairmen be appointed –

Area Committee	Chairman Councillor	Vice-Chairman Councillor
Elm Park & Hylands	Roger Evans	Damien White
Emerson Park & Harold Wood	Lesley Kelly	Paul Rochford

Area Committee	Chairman Councillor	Vice-Chairman Councillor
Gidea Park	Lynden Thorpe	Ted Eden
Harold Hill	Denis O'Flynn	Paul McGeary
Hornchurch	John Mylod	Nic Dodin
North Romford	Billy Taylor	Linda Trew
Romford	Frederick Osborne	Robert Benham
South Hornchurch & Rainham	Michael Deon Burton	David Durant
Upminster	Gillian Ford	Linda Van den Hende

12 **APPOINTMENT OF THE STATUTORY LEAD MEMBER FOR CHILDREN'S SERVICES (Agenda item 15)**

The Council was reminded that it had a legal obligation to appoint one of its Members to be the statutory Lead Member for Children's Services.

It was also noted that, having regard to the duties of that office, it was usual for the Cabinet Member whose portfolio includes responsibility for Children's Services to be appointed to it, but there is no obligation to do so.

Motion on behalf of the Conservative Group

That the Cabinet Member for Children's & Learning be appointed Statutory Lead Member for Children's Services and Champion for the new Diploma Scheme.

The motion was **AGREED** without division, and it was **RESOLVED**:

That the Cabinet Member for Children's & Learning be appointed Statutory Lead Member for Children's Services and Champion for the new Diploma Scheme.

13 **APPOINTMENT OF THE MEMBER CHAMPIONS (Agenda item 16)**

The Council was invited to appoint Member Champions.

Motion on behalf of the Conservative Group (Agenda item 16A)

That the following be appointed Champions as indicated:

For Diversity	Councillor Osman Dervish
For the Over Fifties	Councillor Pam Light
For the Historic Environment	Councillor Andrew Curtin
For Standards	Councillor Wendy Brice- Thompson
For the Voluntary Sector Compact	Councillor Andrew Curtin
For Younger Persons	Councillor Garry Pain

Amendment on behalf of the Residents' Group (Agenda item 16B)

That the following be appointed Champions as indicated:

For Diversity	Councillor Nic Dodin
For the Over Fifties	Councillor Linda Van den Hende
For the Historic Environment	Councillor Linda Hawthorn
For Standards	Councillor Gillian Ford
For the Voluntary Sector Compact	Councillor Barbara Matthews
For Younger Persons	Councillor Ray Morgan

The appointments were put to the vote without debate. There were 31 votes for the Administration nominees) and 16 votes for the Residents' Group nominees and **THE ADMINISTRATION NOMINEES WERE DECLARED ELECTED** (see voting division 6), and it was **RESOLVED:**

That the following be appointed Champions as indicated:

For Diversity	Councillor Osman Dervish
For the Over Fifties	Councillor Pam Light
For the Historic Environment	Councillor Andrew Curtin
For Standards	Councillor Wendy Brice- Thompson
For the Voluntary Sector Compact	Councillor Andrew Curtin
For Younger Persons	Councillor Garry Pain

14 **STATEMENT BY THE LEADER OF THE COUNCIL (Agenda Item 13)**

The Leader's Statement is attached as **Appendix 1** to these minutes.

Mayor
28 July 2010

Note: the record of voting divisions is attached as **Appendix 6 to these minutes.**

**APPENDIX 1
(Minute 7)**

LEADER'S ANNUAL COUNCIL ADDRESS

Madam Mayor, fellow Councillors, Members of Parliament, invited guests, Ladies and Gentleman,

I would like to begin by congratulating you, Cllr. Light on becoming our forty seventh First Citizen. I know that colleagues right across the chamber will want to join with me in wishing you every success for the year ahead.

Madam Mayor, I would like to take this opportunity to thank the people of Havering for once again giving my party a mandate to serve the borough. I would also like to thank colleagues for electing me Leader of Havering Council this evening. This will be my sixth year as Leader and it is a tremendous honour for me to accept this responsibility. I promise that I will work tirelessly for the people of the borough – from Rainham to Harold Hill and Romford to Upminster. I will of course be supported in this by a first rate Cabinet, who like me are committed to delivering for the people of Havering.

Over the past few months candidates from all sides of this chamber have been out on the doorsteps meeting residents and seeking election to the Council. Today we have some new faces amongst us, but also some better known faces and I would like to welcome and congratulate both new and returning members and to also pay tribute to those former Members who have not returned, for their hard work and service to Havering.

As we are all aware, the next four years will pose a unique set of challenges for Havering, but it will also present us with new opportunities. It's important that we take the right decisions for the borough – from time-to-time the difficult decisions – but it's also important that we remain optimistic about the great potential we have in Havering and the bright future that lies ahead for us all.

Our Ambition for the borough – our *Living Ambition* – remains resolute. We want our residents to enjoy the highest possible quality of life. That means a clean, safe and green Environment that our residents can be proud of; It means successful and happy Towns & Communities, where people choose to live and raise their families.

It means maintaining the high quality of Learning available to our young children in Havering's schools; it means protecting and supporting those Individuals that need our help and it means ensuring at all times that we are delivering real Value for taxpayers' money.

Those are the Goals that will drive our work for the next four years, but there is no doubt that our challenging Ambition has become more challenging still. The new coalition government is embarking on a great project, with two aims. First, to restore the nation's finances and ensure that our future growth as a country is built on strong foundations - not financed with debt.

Second – the Government has set out its desire to change the balance of power in the country, preferring a Big Society to the big clunking fist of government.

Both elements of this project will have a big impact on Havering.

Most immediately, as we saw on Monday, there will be cuts to our funding. We are currently awaiting the detail of how this first round of spending cuts will affect us, but it will certainly hit our bottom line and we must ensure that we can manage the impact in the right way.

As many commentators have said, this is just the first round of squeezes on public sector funding. The Budget, on June 22nd, will give a clearer picture and this Autumn's spending review will give us more certainty, as the three-year picture is laid out.

At the same time, there will be changes in the way Government at all levels will work in the future. The Queen's Speech yesterday started to show the real meat behind the rhetoric – radical changes to schools, decentralisation of power and more opportunities for local people to shape their neighbourhoods.

It's important that we embrace these changes here in Havering and use them to the best advantage of our community – use them to help us deliver our Living Ambition.

It is also vital that we are proactive in the way we manage reductions in funding. We need to take a hard look at how we deliver services and how we can make this process even more efficient. Last year, the Cabinet agreed to Invest in the technology and infrastructure needed to improve customer services, adult social services and back-office services like accountancy, HR and IT while driving out costs caused by red tape.

This work is ongoing, but it won't stop there. We will be examining where further improvements can be made by working in partnership with other public and voluntary sector organisations, reviewing contracts and the use of office space.

In my new Cabinet, I am creating a new position – Cabinet Member for Transformation. Councillor Mike Armstrong will have a wide ranging brief to improve efficiency and ensure that the Council focuses its efforts where they are most needed, while always protecting vulnerable residents.

This week has seen the first reduction in public sector funding, to put the country's finances back on an even keel. It is vital that we don't wait to be told by the Government how we should save money – but that we shape our own future. So we are getting down to work straight away.

We have an ambition for this borough that hasn't changed. With less money to spend, we need to do business in a different way to drive out costs, while protecting the services that local people rely on. With a new Cabinet member for transformation, putting his energy into finding different ways for us to achieve our aims I am confident that we can deliver savings and protect our vital front line services.

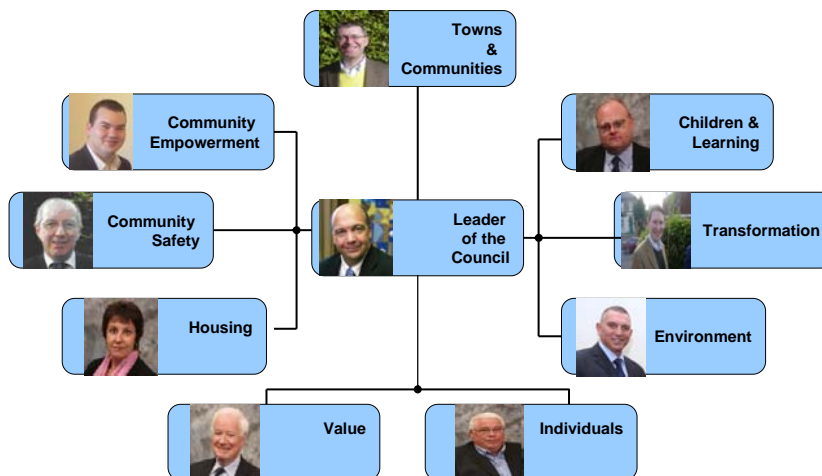
This work will be challenging, but also exciting. Over the past five years, we have delivered efficiencies of £26 million. It can be done and actually, it can be done in a way that sees many of our services improve – better customer services; more personalised and appropriate social care and a less bureaucratic, more responsive council. I would ask all members to support us in this endeavour and help ensure that we listen and respond to the views of local people.

While this work goes on, we will not be distracted from our goals for Havering, or from delivering the services that improve the quality of life for local people.

In order to maintain that focus, I am today appointing a team to Cabinet that I truly believe has the talent and ability to drive this improving council even further forward.

I have already mentioned the role of Cllr Mike Armstrong, as Cabinet Member for Transformation. Alongside him will be:

Harvering Executive 2010



We are also updating our Overview and Scrutiny committees so that they reflect the Goals of our Living Ambition.

<p>O&S Individuals</p> <ul style="list-style-type: none"> Goal for Individuals: to value and enhance the life of every individual Includes:- <ul style="list-style-type: none"> Personalised services agenda Adult Social Care Diversity Social Inclusion Scrutiny of relevant aspects of the LAA Councillor Call for Action 	<p>O&S Towns & communities</p> <ul style="list-style-type: none"> Goal for Towns and communities: to provide opportunities for all through economic, social and cultural activity Includes:- <ul style="list-style-type: none"> Regulatory Services Planning & Building Control Town Centre strategy Licensing Leisure, art, culture Community safety Social and economic regeneration Social inclusion Scrutiny of relevant aspects of the LAA Parks Councillor Call for Action Housing Retained Services 	<p>O&S Environment</p> <ul style="list-style-type: none"> Goal for Environment: to ensure a clean, safe and green borough Includes:- <ul style="list-style-type: none"> Environment Transport Environmental Strategy Community safety Social Inclusion Streetcare Parking Scrutiny of relevant aspects of the LAA Councillor Call for Action 	<p>O&S Learning</p> <ul style="list-style-type: none"> Goal for Learning: to achieve excellence in education and learning Includes:- <ul style="list-style-type: none"> School improvement (BSF) Pupil and Student Services (including the youth service) Children's Social Care Safeguarding Children Adult education Social Inclusion 14-19 Diploma Scrutiny of relevant aspects of the LAA Councillor Call for Action This OSC will also be the statutory Corporate Parenting Panel (not including lay members)
<p>O&S Value</p> <ul style="list-style-type: none"> Goal for Value: to deliver high customer satisfaction and a stable council tax Includes:- <ul style="list-style-type: none"> Customer access E-government and ICT Finance (although each committee is responsible for budget processes that affect its area of oversight) Human resources Asset Management Property resources Facilities Management Communications Democratic Services Social inclusion Scrutiny or relevant aspects of the LAA Councillor Call for Action 	<p>O&S Partnerships</p> <ul style="list-style-type: none"> To Understand how the public service join up in Havering Includes:- <ul style="list-style-type: none"> Scrutiny of the LAA as a whole Partnership with the ALMO Social Inclusion Councillor Call for Action Strategy and commissioning Local Development Framework and Strategic Transport LSP 3rd Sector Compact Partnerships with Business Community Engagement Cohesion LDF TFL 	<p>O&S Value</p> <ul style="list-style-type: none"> Goal for Value: to deliver high customer satisfaction and a stable council tax Includes:- <ul style="list-style-type: none"> Customer access E-government and ICT Finance (although each committee is responsible for budget processes that affect its area of oversight) Human resources Asset Management Property resources Facilities Management Communications Democratic Services Social inclusion Scrutiny or relevant aspects of the LAA Councillor Call for Action 	<p>O&S Partnerships</p> <ul style="list-style-type: none"> To Understand how the public service join up in Havering Includes:- <ul style="list-style-type: none"> Scrutiny of the LAA as a whole Partnership with the ALMO Social Inclusion Councillor Call for Action Strategy and commissioning Local Development Framework and Strategic Transport LSP 3rd Sector Compact Partnerships with Business Community Engagement Cohesion LDF TFL

I believe this will help keep us focussed on delivering our pledges to local people and I am grateful to all councillors who will be doing such a vital job on these committees.

Over the next four years, there will be new priority projects to drive Havering forward. Two of these projects will maintain our commitment to improving both Harold Hill and Rainham – under Cllr Steven Kelly and Cllr Mike Armstrong respectively. Details of the rest of these projects will be announced in the coming weeks.

This Administration will continue not just to deliver on new and existing projects, but continue with, for example improvements to our roads and pavements and other core frontline services.

Whilst we are rightly focussed on the challenges ahead, there will still be much to celebrate in Havering in future months and years.

In 2012, the Olympics will be on Havering's doorstep, with hundreds of thousands of visitors travelling to London – an opportunity for Havering's businesses and the Council to both attract people to our borough and help secure a meaningful legacy for years to come.

We will continue to support and promote our associations with the services. Armed Forces Day will be celebrated next month and promises to be even more successful than last year.

Following the Council unanimously voting to bestow Freedom of the Borough on the Royal Anglian Regiment, I would like to announce that we will be arranging a special civic dinner in aid of the Royal Anglians' appeal for funds for their regimental memorial and museum on 7 August and I would encourage all Members to buy tickets and donate to this worthy cause.

As elected representatives we all need to take a lead - from being a ward councillor serving on committees and local organisations, to being a Cabinet Member and delivering strategic services.

The changes to the Area Committees are a vital part of this commitment to community engagement and leadership. The new-look area committees will really champion their communities – I hope to see members of those committees meeting with community groups and community leaders, establishing new local networks, explaining our policies on the ground and feeding back the issues that matter most in the towns and communities that make up Havering.

We know that local people like to be kept informed. We know that they appreciate the regular updates about the Council's plans that they read in Living, but we also know that face-to-face contact with Councillors is a vital part of making our work mean something to local people. The importance of the new-look area committees cannot be understated as we look to channel the Government's plans for a Big Society into something meaningful in Havering.

Our society in Havering is central to holding our communities together, for supporting the young and the old, the infirm and the vulnerable. One of our aspirations will be to explore the possibilities to create a Havering Circle – an innovative scheme that would tap into the great volunteering spirit of our community and provide practical help and support from volunteers across the borough to those who need it.

In Havering looking after the vulnerable and those who need support is one of our defining features, and to this end we will be creating a new Tenants' Charter to support those families who have to deal with nuisance neighbours. When I was meeting residents over recent weeks, many people were saying to me that they wanted firmer action to deal with nuisance neighbours. Well I say to people enough is enough - we will be working flat out to deliver the tough action you need to combat anti-social and problem neighbours in your communities.

As a Council we need to pull together and connect more with residents, we need to be more accessible and more transparent, we need to protect the most vulnerable in our community and most of all we need to play our part in bringing our communities together.

These themes are at the heart of our Living Ambition to deliver the highest possible quality of life for the people of Havering.

This is an historic third term for the Conservatives in Havering and we will continue to deliver as we have done year on year for the people of this borough. Four years ago we set a limit of 3.5% for rises on Council Tax. This year I can announce that for the next four years we plan on setting a limit of just 2.5%. If the Government sticks to their plans then we will be able to deliver a freeze on Council Tax for next year and I believe that this is something Members from across the Chamber will support.

There is still much more work to be done and it is our driving aspiration to continue transforming Havering and the Council to deliver high quality value for money services and to improve our borough for all the people of Havering.

**APPENDIX 2
(Minute 7)**

Cabinet Members' portfolios

CABINET MEMBER FOR TRANSFORMATION: COUNCILLOR MICHAEL ARMSTRONG

Portfolio items assigned (from paragraph 2.6 of Part 3 of the Constitution):

IT
HUMAN RESOURCES
COMMISSIONING
CUSTOMER SERVICES
POLICY AND PARTNERSHIPS

Delegations (from paragraph 2.5 of Part 3 of the Constitution): (a) to (g); (i) to (l); (n); (o); (q)

CABINET MEMBER FOR COMMUNITY EMPOWERMENT: COUNCILLOR ROBERT BENHAM

Portfolio items assigned (from paragraph 2.6 of Part 3 of the Constitution):

HIGHWAYS
REGENERATION (*excluding Environmental Strategy & Strategic Transportation Planning*)
COMMUNITY ENGAGEMENT
STRATEGIC PLANNING
COMMUNITY SAFETY (*Road Safety only*)

Delegations (from paragraph 2.5 of Part 3 of the Constitution): (a) to (g); (i) to (l); (n); (o); (q); (r); (s)

*** CABINET MEMBER FOR TOWNS AND COMMUNITIES with special responsibility for Culture: COUNCILLOR ANDREW CURTIN**

Portfolio items assigned (from paragraph 2.6 of Part 3 of the Constitution):

CULTURE & LEISURE

Delegations (from paragraph 2.5 of Part 3 of the Constitution): (a) to (g); (i) to (l); (n); (o); (q)

CABINET MEMBER FOR HOUSING: COUNCILLOR LESLEY KELLY

Portfolio items assigned (from paragraph 2.6 of Part 3 of the Constitution):

HOUSING
PUBLIC PROTECTION (*except Licensing*)

Delegations (from paragraph 2.5 of Part 3 of the Constitution): (a) to (g); (i) to (l); (n); (o); (p); (q); (aa)

CABINET MEMBER FOR INDIVIDUALS: COUNCILLOR STEVEN KELLY

Portfolio items assigned (from paragraph 2.6 of Part 3 of the Constitution):

ADULT SOCIAL CARE
DEVELOPMENT CONTROL (*excluding Emergency Planning*)
BUILDING CONTROL

Delegations (from paragraph 2.5 of Part 3 of the Constitution): (a) to (g); (i) to (l); (n); (o); (q)

*** Note: by notice dated 8 June 2010, the title of this Cabinet Member portfolio was varied to that shown**

CABINET MEMBER FOR VALUE: COUNCILLOR ROGER RAMSEY

Portfolio items assigned (from paragraph 2.6 of Part 3 of the Constitution):

FINANCIAL SERVICES
EXCHEQUER SERVICES
ASSET MANAGEMENT
PROCUREMENT

Delegations (from paragraph 2.5 of Part 3 of the Constitution): (a) to (o); (q); (t) to (z)

CABINET MEMBER FOR CHILDREN AND LEARNING: COUNCILLOR PAUL ROCHFORD

Portfolio items assigned (from paragraph 2.6 of Part 3 of the Constitution):

CHILDREN & YOUNG PEOPLE'S SERVICES
LEARNING & ACHIEVEMENT
SCHOOLS FOR THE FUTURE

Delegations (from paragraph 2.5 of Part 3 of the Constitution): (a) to (g); (i) to (l); (n); (o); (q)

CABINET MEMBER FOR COMMUNITY SAFETY: COUNCILLOR GEOFF STARNS

Portfolio items assigned (from paragraph 2.6 of Part 3 of the Constitution):

COMMUNITY SAFETY (*except Road Safety*)
HEALTH AND SAFETY
LEGAL SERVICES
DEMOCRATIC SERVICES
ELECTORAL REGISTRATION
DEVELOPMENT CONTROL (*Emergency Planning only*)
PUBLIC PROTECTION (*Licensing only*)

Delegations (from paragraph 2.5 of Part 3 of the Constitution): (a) to (g); (i) to (l); (n); (o); (q); (bb)

CABINET MEMBER FOR ENVIRONMENT: COUNCILLOR BARRY TEBBUTT

Portfolio items assigned (from paragraph 2.6 of Part 3 of the Constitution):

STREETCARE
REGENERATION (*Environmental Strategy and Strategic Transportation Planning only*)

Delegations (from paragraph 2.5 of Part 3 of the Constitution): (a) to (g); (i) to (l); (n); (o); (q)

LEADER OF THE COUNCIL: COUNCILLOR MICHAEL WHITE

Portfolio items assigned (from paragraph 2.6 of Part 3 of the Constitution):

COMMUNICATIONS
PROJECT MANAGEMENT

Delegations (from paragraph 2.5 of Part 3 of the Constitution): (a) to (cc)

**APPENDIX 3
(Minute 8)**

**PROPOSED ADJUSTMENTS IN RESPONSIBILITY FOR FUNCTIONS
RELATING TO HIGHWAYS MATTERS**

In Part 3 of the Constitution:

Highways Advisory Committee

Section 1.2 (page 37):

Insert between the entries for Governance and Pensions:

Highways Advisory	<ul style="list-style-type: none"> • To advise the Council's Executive on local highway and traffic management schemes • To consult objectors, and consider objections made, to schemes • To make recommendations to the Cabinet Member for Community Engagement for the implementation of schemes
-------------------	---

Area Committees and Regulatory Services Committee

Section 1.2 (page 37):

Delete from the entry relating to the Regulatory Services Committee the words "and that are not delegated to the area committees (see Part 3, section 1.5)"

Section 1.5 (on pages 44/5):

- 1 Delete paragraph 2 of the functions of the Area Committees (and renumber paragraph 3 accordingly)
- 2 Delete the "Process for approving highway schemes" (**Note: A new Process will be devised in due course to reflect the new arrangements**)

Executive functions

Section 2.5 (on page 54):

Add in the list of functions that may be delegated, after (r) – (s)
to consider recommendations of the Highways Advisory Committee relating to highways and traffic schemes and to make decisions relating to them.

and renumber subsequent entries accordingly.

Section 2.6 (on page 54/55):

Add in the list of portfolios, after (x) –

- (y) Highways and traffic schemes

and renumber subsequent entries accordingly.

Section 3.6.3 (on page 82/3)

In paragraph (j), delete "area committees" and insert "Highways Advisory Committee"

In paragraph (r), delete the whole text and insert "*This section is being revised in the light of the establishment of the Highways Advisory Committee and a new procedure will be added when agreed by that Committee*"

In paragraph (v) delete " an Area Committee or the Head of StreetCare" and insert "to the Leader or a Cabinet member"

Amend paragraph (cc) to (ee) and insert:

"(cc) To manage highway trees including determining requests for removal and/or replacement of trees

(dd) To determine the provision, positioning and layout of road signs and other street furniture"

**APPENDIX 4
(Minute 8)**

ADJUSTMENTS TO THE OVERVIEW AND SCRUTINY COMMITTEE STRUCTURE

In Part 2 of the Constitution:

Section 5.4, Paragraph 5 (on page 30)

In the heading, delete "s Services" after "Children", and add "& Learning"

In Part 3 of the Constitution:

Section 1.4 (on page 43)

Delete all entries from the table indicating Area of responsibility, except the entries relating to Health and Crime and Disorder; and insert the following (before "Health"):

Children & Learning	<ul style="list-style-type: none"> • School improvement (BSF) • Pupil and Student Services (including the youth service) • Children's Social Care • Safeguarding Children • Adult education • 14-19 Diploma • Social Inclusion • Scrutiny of relevant aspects of the LAA • Councillor Call for Action
Environment	<ul style="list-style-type: none"> • Environment • Transport • Environmental Strategy • Community safety • StreetCare • Parking • Social Inclusion • Scrutiny of relevant aspects of the LAA • Councillor Call for Action
Individuals	<ul style="list-style-type: none"> • Personalised services agenda • Adult Social Care • Diversity • Social Inclusion • Scrutiny of relevant aspects of the LAA • Councillor Call for Action
Partnerships	<ul style="list-style-type: none"> • Scrutiny of the LAA as a whole • Partnership with the ALMO • Strategy and commissioning • Local Development Framework and Strategic Transport • Local Strategic Partnership • 3rd Sector Compact • Partnerships with Business • Community Engagement • Cohesion • Local Development Framework • Transport for London • Social Inclusion • Councillor Call for Action

<p>Towns & Communities</p>	<ul style="list-style-type: none"> • Regulatory Services • Planning & Building Control • Town centre strategy • Licensing • Leisure, art, culture • Housing Retained Services • Community safety • Social and economic regeneration • Parks • Social inclusion • Scrutiny of relevant aspects of the LAA • Councillor Call for Action
<p>Value</p>	<ul style="list-style-type: none"> • Customer access • E-government and ICT • Finance (although each committee is responsible for budget processes that affect its area of oversight) • Human resources • Asset Management • Property resources • Facilities Management • Communications • Democratic Services • Social inclusion • Scrutiny of relevant aspects of the LAA • Councillor Call for Action

APPENDIX 5
(Minute 8)

Committees appointed by the Council, and their political balance

		CONSERVATIVE		RESIDENTS		LABOUR		INDEPENDENT RESIDENTS	
		Actual	Rounded	Actual	Rounded	Actual	Rounded	Actual	Rounded
Licensing	11	6.72	7	2.44	2	1.02	1	0.81	1
Regulatory Services	11	6.72	7	2.44	2	1.02	1	0.81	1
Governance	11	6.72	7	2.44	2	1.02	1	0.81	1
Adjudication & Review	10	6.11	6	2.22	2	0.93	1	0.74	1
Standards	9	5.50	5	2.00	2	0.83	1	0.67	1
Highways	9	5.50	5	2.00	2	0.83	1	0.67	1
Pensions	7	4.28	4	1.56	1	0.65	1	0.52	1
Appointments	7	4.28	4	1.56	2	0.65	1	0.52	0
Audit	6	3.67	4	1.33	1	0.56	1	0.44	0
Children & Learning	9	5.50	6	2.00	2	0.83	1	0.67	0
Crime & Disorder	9	5.50	5	2.00	2	0.83	1	0.67	1
Towns & Communities	9	5.50	5	2.00	2	0.83	1	0.67	1
Partnerships	7	4.28	5	1.56	1	0.65	1	0.52	0
Environment	7	4.28	4	1.56	2	0.65	0	0.52	1
Health	6	3.67	4	1.33	2	0.56	0	0.44	0
Individuals	6	3.67	4	1.33	2	0.56	0	0.44	0
Value	6	3.67	4	1.33	2	0.56	0	0.44	0
Seats allocated	140		86		31		13		10
Seats entitled to	140	85.56	86	31.11	31	12.96	13	10.37	10

VOTING RECORD

<i>DIVISION NUMBER:</i>	1	2	3	4	5	6
The Mayor [Cllr. Pam Light]	O	O	O	O	✓	O
The Deputy Mayor [Cllr. Melvin Wallace]	X	X	X	✓	✓	X
CONSERVATIVE GROUP						
Cllr. Michael White	X	X	X	✓	✓	X
Cllr. Michael Armstrong	A	A	A	A	A	A
Cllr. Robert Benham	X	X	X	✓	✓	X
Cllr. Becky Bennett	X	X	X	✓	✓	X
Cllr. Sandra Binion	X	X	X	✓	✓	X
Cllr. Jeff Brace	X	X	X	✓	✓	X
Cllr. Wendy Brice-Thompson	X	X	X	✓	✓	X
Cllr. Dennis Bull	X	X	X	✓	✓	X
Cllr. Andrew Curtin	X	X	X	✓	✓	X
Cllr. Osman Dervish	X	X	X	✓	✓	X
Cllr. Ted Eden	X	X	X	✓	✓	X
Cllr. Roger Evans	X	X	X	✓	✓	X
Cllr. Georgina Galpin	X	X	X	✓	✓	X
Cllr. Peter Gardner	X	X	X	✓	✓	X
Cllr. Lesley Kelly	X	X	X	✓	✓	X
Cllr. Steven Kelly	X	X	X	✓	✓	X
Cllr. Robby Misir	X	X	X	✓	✓	X
Cllr. Eric Munday	X	X	X	✓	✓	X
Cllr. Barry Oddy	X	X	X	✓	✓	X
Cllr. Frederick Osborne	X	X	X	✓	✓	X
Cllr. Gary Pain	X	X	X	✓	✓	X
Cllr. Roger Ramsey	X	X	X	✓	✓	X
Cllr. Paul Rochford	X	X	X	✓	✓	X
Cllr. Geoffrey Starns	X	X	X	✓	✓	X
Cllr. Billy Taylor	X	X	X	✓	✓	X
Cllr. Barry Tebbutt	X	X	X	✓	✓	X
Cllr. Frederick Thompson	X	X	X	✓	✓	X
Cllr. Lynden Thorpe	X	X	X	✓	✓	X
Cllr. Linda Trew	X	X	X	✓	✓	X
Cllr. Keith Wells	X	X	X	✓	✓	X
Cllr. Damien White	X	X	X	✓	✓	X
RESIDENTS' GROUP						
Cllr. Clarence Barrett	✓	O	✓	X	X	✓
Cllr. June Alexander	✓	O	✓	X	X	✓
Cllr. Nic Dodin	✓	O	✓	X	X	✓
Cllr. Brian Eagling	✓	O	✓	X	X	✓
Cllr. Gillian Ford	✓	O	✓	X	X	✓
Cllr. Linda Hawthorn	✓	O	✓	X	X	✓
Cllr. Barbara Matthews	✓	O	✓	X	X	✓
Cllr. Ray Morgon	✓	O	✓	X	X	✓
Cllr. John Mylod	✓	O	✓	X	X	✓
Cllr. Ron Ower	✓	O	✓	X	X	✓
Cllr. Linda Van den Hende	✓	O	✓	X	X	✓
Cllr. John Wood	A	A	A	A	A	A
LABOUR GROUP						
Cllr. Keith Darvill	✓	✓	✓	X	X	✓
Cllr. Denis Breading	✓	✓	✓	X	X	✓
Cllr. Paul McGeary	✓	✓	✓	X	X	✓
Cllr. Pat Murray	✓	✓	✓	X	X	✓
Cllr. Denis O'Flynn	✓	✓	✓	X	X	✓
INDEPENDENT LOCAL RESIDENTS' GROUP						
Cllr. Jeffery Tucker	✓	✓	O	X	O	O
Cllr. Michael Deon Burton	✓	✓	O	X	O	O
Cllr. David Durant	✓	✓	O	X	O	O
Cllr. Mark Logan	✓	✓	O	X	O	O
TOTALS						
YES	20	9	16	31		
NO	31	31	31	20		
<i>For Administration nominee(s)</i>					32	31
<i>For Residents' Group nominee(s)</i>					16	16
ABSTAIN/NO VOTE	1	12	5	1	4	5
DECLARATION OF INTEREST/NO VOTE	0	0	0	0	0	0
ABSENT FROM MEETING	2	2	2	2	2	2
	54	54	54	54	54	54

IN FAVOUR ✓

AGAINST X

NOT VOTING O

ABSENT A

INTEREST DECLARED ID

AUDIT COMMITTEE

8

SUBJECT: ANNUAL TREASURY MANAGEMENT REPORT

The Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management was adopted by the Council in February 2002 and the Council fully complies with its requirements.

The primary requirements of the Code are as follows:

1. Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.
2. Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
3. Receipt by the Full Council of an annual treasury management strategy report (including the annual investment strategy for the year ahead), a midyear review report and an annual review of the previous year.
4. Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
5. Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body, which in this Council is the Audit Committee.

Treasury management in this context is defined as:

"The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

The Annual Treasury Management Report for 2009/10 (as set out in the Appendix to this report) covers:

- the Council's treasury position as at 31 March 2010;
- the strategy for 2009-10;
- the economy and interest rates in 2009-10;
- borrowing rates in 2009-10;
- the borrowing outturn for 2009-10;
- debt rescheduling;

Council, 28 July 2010

- compliance with treasury limits and Prudential Indicators;
- investment rates in 2009-10;
- investment outturn for 2009-10;
- Icelandic bank defaults and other issues

The Committee has considered the Report and now commends it to the Council.

Annual Treasury Management Report

1. This Annual Treasury Report Covers

- the Council's treasury position as at 31 March 2010;
- the strategy for 2009-10;
- the economy and interest rates in 2009-10;
- borrowing rates in 2009-10;
- the borrowing outturn for 2009-10;
- debt rescheduling;
- compliance with treasury limits and Prudential Indicators;
- investment rates in 2009-10;
- investment outturn for 2009-10;
- Icelandic bank defaults and other issues

2. Treasury Position as at 31 March 2010

The Council's debt and investment position at the beginning and the end of the year was as follows:

TABLE 1	31st March 2010 Principal	Rate/ Return	31st March 2009 Principal	Rate/ Return
Fixed Rate Funding:				
-PWLB	£37.99m	5.04%	£37.99m	5.04%
-Market	<u>£7.00m</u>	3.60%	<u>£7.00m</u>	3.60%
Total Debt	£44.99m	4.82%	£44.99m	4.82%
Investments:				
-In-House	£79.81m	2.22%	£103.11m	5.47%
Total Investments	£79.81	2.22%	£103.47m	5.47%

3. The Strategy for 2009-10

The Sector recommended treasury strategy for 2009-10, was based on the view that there was an intensifying global recession which would not only require central bank rates to be cut to unprecedented historically low levels, but could also require further action from central banks to reverse the downward path of economies.

Bank Rate was expected to continue falling from 2.0% in December 2008 to 0.5% in March 2009 and then stay there throughout 2009/10 before starting to rise in the second quarter of 2010. However, there was a downside risk to this forecast if the recession proved even deeper and longer than expected at that time; this would mean that the first rise in Bank Rate would be delayed.

The effect on interest rates for the UK was therefore expected to be as follows:

- **Shorter-term interest rates** - The “average” City view anticipated that Bank Rate would fall to 0.5% and remain there at the end of 2009 due to the scale of the recession before starting to rise back towards more normal levels in 2010, though it would be 2012 before Bank Rate returned to around 4.5%.
- **Longer-term interest rates** - The view on longer-term fixed interest rates, 50 years, was that they would remain around 3.90 – 3.95% during 2009/10 with the 25 year rate being about 10 – 15 basis points (bps) higher.

The major issue for treasury management in 2009-10 has been the huge difference between investment rates and borrowing rates that has emerged during this recession due to: -

- a. the unprecedented fall in Bank Rate
- b. the disappearance during the year of the margins over more normal investment rates caused by the credit crunch as the Bank of England’s quantitative easing operations had the desired effect of easing the supply and cost of credit in the economy during 2009.

A further strong theme has been the major emphasis on mitigating risk by giving heightened preference to security and liquidity at a time when the world banking system was still under stress and pending the issue, later in 2009, of new CIPFA and statutory guidance on investing. This has therefore resulted in more of our investment portfolio being moved into investment instruments with lower rates of return but higher security and liquidity. This has compounded the significant fall in total investment earnings compared to previous years.

Consequently, in order to balance the impact of the loss in investment income, there was a major re-evaluation of the benefits of new borrowing, whereby significant treasury management savings could be achieved by running down investment balances instead of taking new borrowing in

order to finance new capital expenditure or to replace debt maturing during the year. Whilst this has provided savings during 2009-10 in terms of debt management costs, the Council needs to be mindful of both interest rate risk and refinancing risk moving forward, in the event that interest rates start to rise. There is a risk that borrowing costs may start to rise throughout 2010/11 due to market concerns regarding sovereign debt levels and the re-emergence of inflationary pressures.

4. The Economy and Interest Rates

During 2009/10 the Monetary Policy Committee (MPC) was focused on helping the economy to turn around from plunging into the deepest and longest recession the UK economy had experienced for many years.

Despite keeping Bank Rate at an unprecedented historical low of 0.5% all year, the MPC also had to resort to extreme measures in terms of pumping liquidity into the economy through quantitative easing by purchasing £200bn gilts and corporate bonds. This had the effect of boosting prices for gilts and corporate bonds and therefore bringing down yields, so also reducing borrowing costs for both the corporate and public sector.

It was notable that the increase in money supply in the economy generated by this programme brought the credit crunch induced spread between Bank Rate and 3 month LIBID (investment rate that depositors could earn) down from 0.95% at the beginning of the financial year to zero during August 2009.

The dominant focus in 2009/10 was on quarterly GDP growth figures. The recession bottomed out in quarter 1 of 2009. There was then major disappointment that the end of the recession failed to materialise in quarter 3 2009 but the fourth quarter of 2009 did then see economic growth return at +0.4%.

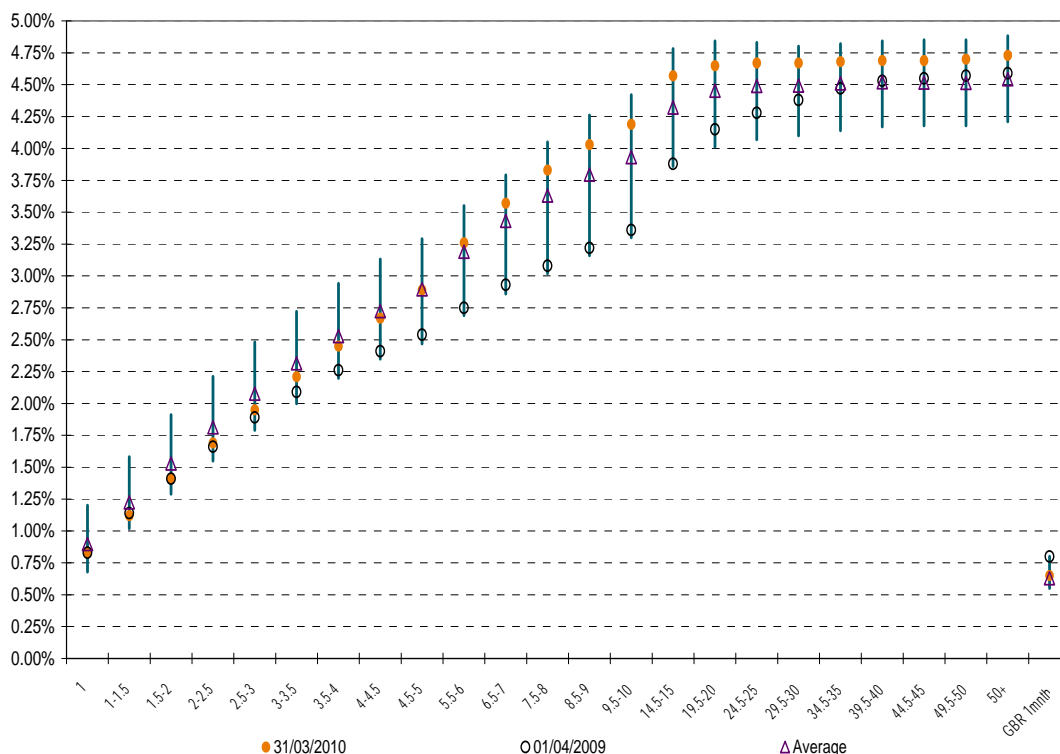
Inflation has not been a major concern of the MPC as it fell back below the 2% target level from June to November. However, it did spike upwards to reach 3.5% on the back of the unwinding of the temporary cut in VAT to 15% on 1 January 2010. This was not seen as a cause for alarm as this spike was expected to fall out of the inflation index and inflation was forecast by the Bank of England to fall back under target by the end of 2010.

5. Borrowing Rates in 2009-10

PWLB borrowing rates: the graph and table below show, for a selection of maturity periods, the range (high and low points) in rates, the average rates and individual rates at the start and the end of the financial year.

Variations in most PWLB rates this year have been within a fairly limited band compared to previous years with the largest spread being 1.12% in the 10 year in the table below.

PWLB rates 2009-10



5 year PWLB rate. This started the year at 2.54% and then fell to a low for the year of 2.47% on the following day before then rising sharply to hit a peak of 3.29% in July. From there it fell till until reaching 2.54% in October and then rose back up to a peak of 3.13% in January. It finished the year at 2.89%.

10 year PWLB rate. This started the year at 3.36% and then fell to a low for the year of 3.30% on the following day before then rising sharply and rose to hit a peak of 4.15% in July. From there it fell until reaching 3.55% in October and then rose back up to a peak of 4.42% in February. It finished the year at 4.19%.

25 year PWLB rate. This started the year at 4.28% and then peaked in the 4.70s during June – August before falling back to a bottom of 4.07% in October. From there it rose again towards the end of the year to return to the 4.70s and peaked at 4.83% in February. It finished the year at 4.67%.

50 year PWLB rate. This started the year at 4.57% and then peaked at 4.85% in June before falling back to a bottom of 4.18% in October. From there it rose again towards the end of the year and peaked at 4.79% in March. It finished the year at 4.70%.

PWLB Borrowing Rates 2009/10 for 1 to 50 years

	1	2	3	4	5	10	25	50
1/4/2009	0.83%	1.41%	1.89%	2.26%	2.54%	3.36%	4.28%	4.57%
31/3/2010	0.83%	1.41%	1.95%	2.45%	2.89%	4.19%	4.67%	4.70%
High	1.20%	1.91%	2.48%	2.94%	3.29%	4.42%	4.83%	4.85%
Low	0.68%	1.29%	1.79%	2.20%	2.47%	3.30%	4.07%	4.18%
Spread	0.52%	0.62%	0.69%	0.74%	0.82%	1.12%	0.76%	0.67%
Average	0.90%	1.53%	2.08%	2.53%	2.90%	3.93%	4.49%	4.51%
High date	9/6/09	12/6/09	12/6/09	24/4/09	28/7/09	22/2/10	22/2/10	2/6/09
Low date	16/9/09	9/10/09	9/10/09	2/4/09	2/4/09	2/4/09	9/10/09	9/10/09

6. Borrowing Outturn for 2009-10

Debt Performance - As highlighted in section 2 above the average debt portfolio interest rate hasn't moved over the course of the year. The approach during the year was to use cash balances to finance new capital expenditure or maturing debt so as to run down cash balances and minimise counterparty risk incurred on investments. This also maximised treasury management budget savings as investments rates were much lower than most new borrowing rates.

7. Debt Rescheduling

Our treasury management advisors, Sector, started 2009-10 with the expectation that longer-term PWLB rates would be on a rising trend during the year and that shorter term rates would be considerably cheaper. However, moving from long term to short term debt would mean taking on a greater risk exposure to having to reborrow longer term in later years at considerably higher rates than most of the long term debt currently in the debt portfolio. Short term savings could be achieved by internally financing new capital expenditure and replacing maturing debt by running down existing cash balances which were only earning minimal rates of interest due to the fact that Bank Rate was kept at 0.5% all year. Running down cash balances also meant reduced counterparty risk on the investment portfolio.

8. Compliance With Treasury Limits

During the financial year the Council operated within the treasury limits and Prudential Indicators set out in the Council's annual Treasury Strategy Statement. The outturn for the Prudential Indicators is shown below.

TABLE 3: PRUDENTIAL INDICATORS	2008/09	2009/10	2009/10
Extract from budget and rent setting report	actual	Estimate	actual
	£'000	£'000	£'000
1) Capital Expenditure			
Non - HRA	36,237	48,134	51,601
HRA	13,638	13,935	15,538
TOTAL	49,875	62,069	67,139
2) Ratio of financing costs to net revenue stream			
Non - HRA	1.58%	1.45%	3.58%
HRA (applies only to housing authorities)	14.99%	13.83%	15.08%
3) Capital Financing Requirement as at 31 March			
Non – HRA	38,474	38,364	45,054
HRA (applies only to housing authorities)	2,127	4,148	4,241
TOTAL	40,601	42,512	49,295
4) External Debt	44,986	44,986	44,986
5) Net borrowing requirement			
brought forward 1 April	(6,959)	(4,385)	(2,474)
carried forward 31 March	(4,385)	(2,474)	£4,309
in year borrowing requirement	2,574	1,911	£6,783
6) Incremental impact of capital investment decisions	£ p	£ p	£ p
Increase in council tax (band D) per annum *	£0.25p	£2.50p	£3.39p
Increase in average housing rent per week	£0.00p	£0.00p	£0.00

Definitions

2) *The ratio of financing costs to net revenue stream is designed to test the affordability of the authority's financial strategy. The ratio addresses the revenue implications since, as a fundamental principle, all the borrowings of an authority are secured on its future revenue income*

3) *The Capital Financing Requirement is the amount of capital spending that has not yet been financed by capital receipts, grants or contributions from revenue. It measures the underlying need to borrow for capital purposes.*

5) *The net borrowing requirement is the difference between the authority's CFR and external debt*

6) *A fundamental indicator of affordability for a council to consider in setting its forward plans is the impact on the council tax, and in the case of the HRA, housing rent. The purpose of this indicator is to allow the effect of the totality of the council's plans to be considered.*

TABLE 4: TREASURY MANAGEMENT INDICATORS	2008/09	2009/10	2009/10
	actual	original	actual
	£'000	£'000	£'000
1) Operational Boundary for external debt -			
borrowing	57,500	57,500	57,500
other long term liabilities	2,000	2,000	2,000
TOTAL	59,500	59,500	59,500
The Operational Boundary is set in the region of 35% above the Capital Financing Requirement			
2) Authorised Limit for external debt -			
borrowing	70,000	70,000	70,000
other long term liabilities	2,000	2,000	2,000
TOTAL	72,000	72,000	72,000
The Authorised Limit is set in the region of 25% above the Operational Boundary			
3) Actual external debt	£44,986	£44,986	£44,986
4) Upper limit for fixed interest rate exposure			
expressed as either:-			
Net principal re fixed rate borrowing / investments	100%	100%	100%
5) Upper limit for variable rate exposure			
expressed as either:-			
Net principal re variable rate borrowing / investments	25%	25%	25%
6) Upper limit for total principal sums invested for over 364 days	75,000	75,000	75,000

TABLE 5: Maturity structure of fixed rate borrowing during 2010/11	upper limit	lower limit
under 12 months	40%	0%
12 months and within 24 months	40%	0%
24 months and within 5 years	60%	0%
5 years and within 10 years	75%	0%
10 years and above	100%	25%

9. Investment Rates in 2009-10

At the start of 2009-10, investment rates were enhanced by a substantial credit crunch induced margin. However, the Bank of England's quantitative easing operations had the desired effect of improving the supply of credit in the economy and so these margins were eliminated by half way through the year. Consequently, investment rates fell markedly during the first half of the year,

Overnight rate: this varied little during the year within a range of 0.38 – 0.49%.

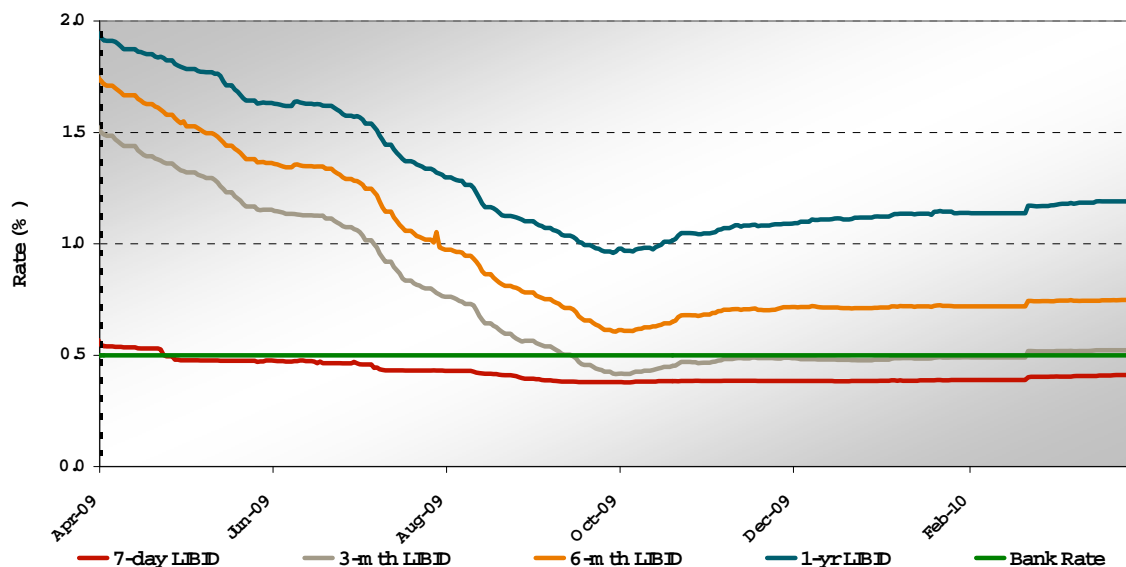
3 month rate: from a high point for the year of 1.50% on 1.4.09, the rate fell gradually to reach a low of 0.42% in September before finishing the year at 0.52%,

12-month rate: this started the year at a credit crunch enhanced rate of 1.85% and fell steadily until reaching 0.85% in September. Since then it has risen to finish the year at 1.15% as the market looked ahead to when the MPC would have to start raising Bank Rate from its then current rate of 0.50%.

Investment Rates 2009-10

	Overnight	7 Day LIBID	1 Month	3 Month	6 Month	1 Year
01-Apr -09	0.49%	0.55%	0.89%	1.50%	1.73%	1.93%
31- Mar -10	0.41%	0.41%	0.42%	0.52%	0.76%	1.19%
High	0.49%	0.55%	0.89%	1.50%	1.73%	1.93%
Low	0.41%	0.38%	0.38%	0.42%	0.61%	0.96%
Average	0.40%	0.42%	0.47%	0.73%	0.94%	1.29%
High Date	01/04/09	01/04/09	01/04/09	01/04/09	01/04/09	01/04/09
Low Date	09/09/09	02/10/09	18/09/09	29/09/09	29/09/09	28/09/09

Investment Rates 2009-10



10. Investment Outturn For 2009-10

Internally Managed Investments - The Council manages its investments in-house and invests with the institutions listed in the Council's approved lending list. The Council invests for a range of periods from overnight to 365 days, dependent on the Council's cash flows, its interest rate view, the interest rates on offer and durational limits set out in the approved investment strategy.

Investment Strategy

Pending the issuance of revised CIPFA and statutory investment guidance expected towards the end of the year, and in the light of continuing stresses on the world banking system, enhanced priority was given to security and liquidity in order to reduce counterparty risk to the maximum possible extent.

As noted earlier in this report, the opportunity was also taken to eliminate the requirement for new borrowing by running down investment balances in order to further reduce exposure to counterparty risk and provide savings to debt management budgets.

In order to counter the downturn in investment rates and earnings explained above, a *substantial* part of the investment portfolio was held in liquidity accounts with main UK banks. These accounts offered both instant access and rates which were often double those available in the money markets through brokers for overnight money and higher than for most periods up to six months.

In addition, use was made of special deals with main UK banks with various periods from three months to one year which also offered substantially enhanced rates over the equivalent rates available through brokers.

Investment Performance for 2009-10 - Detailed below is the result of the investment strategy undertaken by the Council.

TABLE 2	Average Investment Balance	Rate of Return	Budgeted Rate of Return	Benchmark (3 month libor)
Internally Managed	£120.76m	2.22%	1.50%	0.72%

As a result of the rate of return exceeding the benchmark return an additional £1,811k of interest was achieved

As a result of the rate of return exceeding the budgeted rate of return, an additional £869k of interest was achieved.

11. Icelandic Bank Defaults

The Icelandic Government has stated its intention to honour all its commitments as a result of their banks being placed into receivership. The U.K. Government is working with the Icelandic Government to help bring this about. At the current time, the process of recovering assets is still ongoing with the Administrators. The Local Government Association is coordinating the efforts of all UK authorities with Icelandic investments. Members will be periodically updated on the latest developments on these efforts.

The Government, the National Assembly of Wales and the Scottish Parliament have all issued regulations to allow local authorities to delay recognising any loss on these investments that may eventually be incurred until the financial year 2010-11.

SUBJECT: AMENDMENTS TO THE TREASURY MANAGEMENT STRATEGY STATEMENT

The Local Government Act 2003 (the Act) and supporting regulations require the Council to 'have regard to' the CIPFA Prudential Code and the CIPFA Treasury Management Code of Practice to set Prudential and Treasury Indicators for the next three years to ensure that the Council's capital investment plans are affordable, prudent and sustainable.

The Act therefore requires the Council to set out its treasury strategy for borrowing and to prepare an Annual Investment Strategy. Any amendments to the Treasury Strategy require Council approval.

Two changes are required in the Treasury Management Strategy to allow the Council to be able to react to changing market conditions and allow its strategy to be flexible and continue to meet the requirements of the CIPFA Treasury Management Code of Practice:

Section 9.2 Creditworthiness Policy

criteria 4 amended to read '*regular meetings of Officers*' as opposed to '*a formal weekly meeting*'

Section 9.3 Counterparty Limits & Duration

Group & Institution Limits, bullet point (iii) amended to say '*lower of £25m or 25% of investments opening balance at start of quarter*' where previously it read '*.....balance at start of year*'

These amendments will allow the Council's counterparty list to remain flexible and able to react to market news and other financial information such as share prices and credit default spreads.

HEALTH OVERVIEW AND SCRUTINY COMMITTEE

10

REPORT OF OUTER NORTH EAST LONDON JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE INTO HEALTH FOR NORTH EAST LONDON PROPOSALS

Shown in appendix 1 is a summary of the recommendations (to the Joint Committee of Primary Care Trusts) of the Outer North East London Joint Health Overview and Scrutiny Committee into the Health for North East London proposals. This Committee, including three Members from Havering, conducted a detailed scrutiny of the Health for North East London proposals which will affect health services throughout North East London.

The report was endorsed by the Council's Health Overview and Scrutiny Committee on 8 July and the Committee took the view that the fundamental and wide-ranging nature of the proposals were such that the report should be referred on to full Council with a recommendation that it too endorses the recommendations as set out in appendix 1. This is in accordance with Rule 20 [c] of the Overview and Scrutiny Committee Procedure Rules which states that Overview and Scrutiny Committees are required, where appropriate, to prepare a report for submission to Council as well as making their report and recommendations public.

Members may wish to note that the new Government has required Health for North East London to do further work on areas including consulting with Local Authorities and ensuring support from GP commissioners. While final proposals are now expected to be brought forward around December 2010, the observations of the Joint Committee remain relevant to ensuring that decision makers take into account the views of local people and stakeholders on the proposals.

Copies of the report have been sent to group leaders and a copy has also been deposited in the Members' Resources Room. Further copies are available on request from Committee Administration officers.

RECOMMENDATION

That Council endorse the recommendations of the Outer North East London Joint Health Overview and Scrutiny Committee as set out in Appendix 1.

APPENDIX 1: SUMMARY OF RECOMMENDATIONS OF THE OUTER
NORTH EAST LONDON JOINT HEALTH OVERVIEW AND
SCRUTINY COMMITTEE: REPORT INTO HEALTH FOR
NORTH EAST LONDON PROPOSALS

Summary of Recommendations

Below is a list of the Committee's recommendations relating to each of the areas affected under the Health for North East London Proposals.

1. Emergency Care

1. That H4NEL undertake a renewed investigation of population trends across Outer North East London (ONEL) in order to ascertain that local hospitals, particularly Queen's, will be able to cope with future demand for healthcare.
2. That all proposals for closure of A & E and/or wards at King George or Queen's Hospital be put on hold until work by BHRUT on mapping admissions and care pathways has been completed.
3. That no reduction in acute hospital services is implemented until the impact of appropriate alternative preventative facilities has been fully assessed.
4. The proposals to retain and upgrade A&E and emergency facilities at Whipps Cross Hospital be implemented as planned by H4NEL.
5. That the Committee be given details of infection control contingency plans for all North East London hospitals in the event of a renewed outbreak of infection leading to significant ward closures.

2. Maternity

1. That BHRUT conduct further research and work on its workforce strategy in order to establish definitively if it is currently possible to fully staff maternity units at both King George and Queen's Hospitals.
2. That no plans to implement a larger-scale maternity unit at Queen's or to remove that at King George be implemented until maternity services at BHRUT receive at least a fair rating in the relevant Care Quality Commission ratings or equivalent.
3. If an expanded maternity unit is developed at Queen's, relevant stakeholders should be closely involved by BHRUT in the design and implementation of such facilities. These stakeholders to include The Royal College of Midwives, National Childbirth Trust and ONEL Local Involvement Networks (LINKs).
4. That further details be given of the relevant procedures should complications develop in births delivered at either the Barking Hospital Midwife Led Unit or alternative community birthing facilities that may be developed.
5. That a further midwife led unit be developed, serving the north of the Outer North East London region, and that details of facilities available at this unit be released as soon as possible.

3. Vascular Surgery

1. That H4NEL provide an assurance to the Committee that staff at receiving hospitals will be sufficiently trained to spot symptoms of conditions such as ruptured aortic aneurysm that are likely to require complex vascular surgery.
2. That further detail be given of Queen's Hospital's ability to cope with the additional workload of complex vascular surgery cases that are currently undertaken at King George.
3. That further detail be given of the Royal London's ability to cope with the additional workload of complex vascular surgery cases that are currently undertaken at Whipps Cross.

4. That details be provided to the Committee of rehabilitation services available across Outer North East London following complex vascular surgery and assurances be given of the ability of Queen's Hospital's to cope with their additional share of this work.

4. Role of London Ambulance Service

1. That H4NEL continues to fully involve LAS as the final proposals are implemented.
2. That H4NEL reconsider if the proposals place too many added responsibilities on ambulance crews, particularly the enhanced requirement to correctly diagnose complex conditions.
3. That details of what extra resources and enhanced training will be made available to LAS crews in light of the H4NEL proposals are supplied to the Committee as a matter of urgency.
4. That H4NEL hold more extensive discussions with the East of England Ambulance Service on the impact of the plans on their ambulance crews and on their operations generally.

5. Mental Health

1. That considerably more emphasis be given to the impact of the H4NEL proposals on mental health services than has been the case up to now.
2. That clear minimum standards of service availability and response times be drawn up for mental health services that will be operating in A & E departments and polyclinics throughout the H4NEL area.
3. That H4NEL undertake a review of all mental health crisis response facilities with the aim of agreeing more appropriate care pathways for people experiencing a mental health crisis.
4. Should it be decided that A & E services at King George Hospital are to be withdrawn, a clear programme of improvements to mental health services at Queen's be drawn up by H4NEL in conjunction with NELFT.
5. That more engagement work be undertaken by H4NEL with both mental health service users and their carers.

6. Transport Issues

1. That a clearer analysis of travel times, recognising the complexity of these in busy periods, be undertaken by H4NEL, preferably in conjunction with transport officers from the affected boroughs and Essex County Council.
2. That H4NEL enter into negotiations with Transport for London and seek specific, measurable improvements to public transport services at King George, Queen's and Whipps Cross Hospitals as well as all midwife led birthing units that may be introduced.
3. That H4NEL press for the introduction of direct bus links between Barking and Queen's Hospital and between Ilford and Queen's Hospital as a matter of urgency.
4. That discussions be held between H4NEL and the relevant parties to establish improved public transport links between Queen's and Whipps Cross Hospitals and the area of Essex for which they are the principal hospitals.
5. That revised staff travel plans be drawn up for King George and Queen's Hospitals as well as all other medical facilities significantly affected by the H4NEL proposals.

6. That H4NEL investigate the availability of patient transport for patients from the Outer North East London referred for out of region treatment and to Barts and the London NHS Trust in particular.
7. That revised and clearer eligibility criteria for out of region patient transport be drawn up and this be clearly communicated to patients at the time of referral to out of region hospitals.

7. Polyclinics and Care Outside Hospital

1. That H4NEL work with the Outer North East London PCTs to ensure that sufficient community-based facilities are located within polyclinics to ensure polyclinics are viable and fully used.
2. That issues of accessibility, location, parking and public transport are fully considered for all further polyclinics and that proposals are brought to the relevant Borough Overview and Scrutiny Committees before final decisions are taken.
3. That clear and well advertised lists are drawn up of services available at polyclinics and other community based facilities.
4. That clarity be given as a matter of urgency on the level of additional financial resources that will be given by PCTs to implement the enhanced community services required under H4NEL.
5. That figures be kept in advance by H4NEL on the numbers of A & E attendances both before and after H4NEL changes are implemented and that these be reported back to the borough Health Overview and Scrutiny Committees.
6. That full, formal consultation be carried out as each future polyclinic is introduced.

8. Impact on Social Care Services

1. That further details of the costs associated with the H4NEL proposals, particularly those around community based services be released by the NHS and Local Authorities as soon as possible.
2. That H4NEL give an assurance that no cost shunting onto Council Social Care departments will take place as result of these proposals.
3. That H4NEL enter into consultation with Essex County Council re the associated Social Care costs of the proposals in that area.
4. That, if services are moved from King George to Queen's Hospital, accommodation is allocated for hospital social workers from Barking & Dagenham and Redbridge.

9. Workforce Issues

1. That H4NEL provide further details of the staffing model required under the new model of services.
2. That details be provided of the further staffing costs under the proposals in terms of any redundancies, new posts and any associated training costs.
3. That a clear overall workforce strategy be developed by H4NEL, including an action plan keeping staff informed about the implementation of the H4NEL proposals and also addressing any concerns over relocation of services.

10. Health Inequalities

1. That H4NEL reconsider the health inequalities outcomes of the proposals for all affected residents.
2. That a minimum specification of services available in polyclinics be developed and publicised and brought back to the Joint Committee for scrutiny.

3. That factors such as those outlined in paragraph 10.3 below be taken more fully into account in the H4NEL proposals.

11. Integrated Impact Assessment

1. That the final report of the H4NEL Integrated Impact Assessment be made available to the Committee and to the public as soon as possible.

12. The H4NEL Consultation

1. That H4NEL produce a short, accessible summary of the proposals and make this as widely available as possible. This document to be revised in light of any final decisions taken by H4NEL. This document to also be available in all alternative formats.
2. That H4NEL continue to involve all local LINKs in discussions and consultation as the proposals are finalised.
3. That the People's Platform continue its work beyond the end of the consultation period and H4NEL confirm that funding for its further work will be made available.
4. That the role of and services available at facilities such as Polyclinics and Urgent Care Centres are publicised far more widely and effectively than they are at present.
5. That consultation and discussions continue with stakeholders in the Essex area as the proposals are finalised and implemented.
6. That H4NEL provide further detailed evidence of how it has consulted with clinical staff over these proposals.
7. That clear protocols be drawn up for future cross-border health consultations including a commitment to involve carers, their representatives and service user-led organisations.

13. Other Issues

1. That H4NEL draw up a contingency plan in the event of the historic debt at BHRUT not being fully resolved.
2. That H4NEL undertake further analysis on the financial impact of the proposals on local Hospital Trusts.
3. That a clear and unequivocal commitment be given by H4NEL that no existing services will be withdrawn until their replacements are in full operation.
4. That further information be given about the effects of the proposals on residents in Essex.
5. That H4NEL provide further evidence that predicted demographic changes in Outer North East London and Essex have been fully taken into account.
6. That further analysis be carried out by H4NEL to determine the impact of the proposals on Out of Hours Services including pharmacies.
7. That H4NEL officers update the Committee on progress with the proposals at least every three months initially. The same updates to be offered to all local LINKs and to the People's Platform.
8. That H4NEL provide further information on its plans for post-consultation analysis and of its implementation strategy.
9. That H4NEL develop a strategy for mitigating the impact of the proposals on carers.



REPORT OF THE GROUP DIRECTOR, FINANCE & COMMERCE

SUBJECT: MEMBERS' ALLOWANCES

SUMMARY

The Council agreed a Members' Allowances scheme on 24 February, which became effective from 1 April 2010.

This report proposes to revise the scheme through the establishment of a Highways Committee chairman's allowance and the removal of the Area Committee chairmen allowance as a result of their disestablishment, should the motion on Area Committees be agreed by Council..

RECOMMENDATIONS

1. That the Members' Allowances scheme be amended with effect from 28 July 2010 to reflect the establishment of a Highways Committee chairman's special responsibility allowance of £7,650 per annum.
2. That the Members' Allowances scheme be amended with effect from 28 July 2010 to reflect the removal of the Area Committee chairmen's allowance of £4,260 per annum.

REPORT DETAIL

1. BACKGROUND INFORMATION – THE CURRENT SCHEME

- 1.1 The Council currently has nine Area Committees. As part of the Council's response to the Government's emergency budget and the policy implications of the Coalition Agreement a number of efficiency and savings proposals were reported to Cabinet on the 14th July.
- 1.2 Among these was the disestablishment of Area Committees, expected to realise a total saving of £77k per annum from 2011/12. Part of the role of Area Committees was previously to manage local Highways issues but, at its last meeting, Council decided to transfer this task to the Highways

Advisory Committee. The chairman of that committee will receive a special responsibility allowance of £7,650 per annum. The other roles of Area Committees will be met through a variety of channels, although the detail of this is still to be fully determined.

- 1.3 No other changes to the scheme are proposed.
- 1.4 Although the Cabinet report schedules detail savings to be achieved from 2011/12 to 2013/14; any opportunities to deliver savings ahead of this timescale will be explored. With this in mind, the changes outlined within this report will be implemented with immediate effect.
- 1.5 The Local Authorities (Members' Allowances) (England) Regulations 2003 provides that a Local Authority shall make a scheme in accordance with these Regulations in respect of each year. Regulation 10 provides that such a scheme shall be made before the beginning of each year commencing on 1st April. Such a scheme may be amended during the year, but only revoked with effect from the beginning of a year.
- 1.6 In establishing the Members' Allowances scheme which has operated within the Council, regard has been given to the report of the (then) ALG (now London Councils') Independent Remuneration Panel on Members' allowances, and the allowances in the Havering scheme have been set within their bands of recommendations.
- 1.7 The proposed list of revised members' allowances is as follows:

Category of Allowance	Amount Per Member £
<u>Basic Allowance</u>	10,208
Special Responsibility Allowances:	
Leader of the Council	51,191
Deputy Leader of the Administration	35,705
Cabinet Members	32,705
Leader of Principal Opposition	18,000
Leader of Principal Minority Opposition	6,390
Leader of Minority Opposition	2,227
Deputy Leader of Principal Opposition	3,825
Mayor	14,418
Deputy Mayor	7,650
Overview and Scrutiny Committees Chairmen	14,418
Licensing and Regulatory Services	20,430

Committee Chairmen	
Audit, Pension, Highways, Governance, Appointments, Adjudication and Review Committee Chairmen	7,650

Note:

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

Financial Implications and Risks:

Each Area Committee chairman is paid a special responsibility allowance of £4,260. This could equate to a saving of up to £38,340.

The cost of the special responsibility allowance payable to the Highways Committee chairman is £7,650.

This would release a net saving of up to £30,690. In reality the saving is likely to be significantly less than this based on the level of dual occupancy of special responsibility positions at any particular time.

Human Resource Implications and Risks:

None arising directly.

Legal Implications and Risks:

The 2003 Regulations provide for an allowance scheme to be made each year prior to and with effect from 1st April and the revocation of a scheme with effect from the same date. It is permissible to amend the scheme during a year but not to make a new scheme other than at 1st April.

The Regulations set out various detailed requirements in respect of:

- publicity
- categories of special responsibility allowances
- basic allowances being the same for all members
- co-optees' allowances, etc.

In addition the Regulations provide that an Independent Remuneration Panel's report shall as soon as reasonably practicable after it is received, be made available for public inspection and the main features of the report be published in one or more newspapers circulating in its area.

Council, 28 July 2010

Regulation 19 provides that before a local authority makes or amends a scheme, the authority shall have regard to the recommendations made to it by an independent remuneration panel. This does not mean that a local authority has to adopt only those recommendations but it does mean that if an authority is going to depart from those recommendations it should objectively justify those departures and the rationale for them so that if the decision making of the authority is called in to challenge there are both reasoned and reasonable grounds for its decision taking into account all the material factors in issue.

The Cabinet report agreed on 14 July includes savings identified by the ceasing of Area Committees. The Cabinet report is to be the subject of scrutiny on 3 August. There is a motion on the Agenda before this Council to rescind the appointment of Area Committees and the appointment of Chairmen. Notwithstanding the Cabinet report and scrutiny, the Council does need to address the matter of allowances as it has agreed to the formation of a Highways Advisory Committee and therefore the need for Area Committees in their current form has ceased.

Background Papers

The Remuneration of Councillors in London: 2006 Review.

Members' Allowances Scheme

Agreed at the meeting of the Council on 24th February 2010. The new Scheme is agreed with effect from 1st April 2010 – as amended on the 28th July 2010 - and the revocation of the Members' Allowance Scheme (2009) is effective from 1st April 2010.

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

- 1 This scheme may be cited as the Havering London Borough Council Members' Allowance Scheme. The new scheme shall have effect from 1st April 2010 and as amended on the 28th July 2010.
- 2 In this scheme, "councillor" means a councillor of the London Borough of Havering and "year" means the period ending on 31st March 2011 and any period of 12 months ending on 31st March in any year after 2011.
- 3 **Basic allowance (Schedule 1)**

Subject to paragraphs 7 and 12, for each year a basic allowance of £10,208 shall be paid to each councillor.
- 4 **Special responsibility allowance (Schedule 1)**
 - (a) For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the Council that are specified in schedule 1 to this scheme.
 - (b) Subject to paragraph 7, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.
 - (c) When a councillor would otherwise be entitled under the scheme to more than one special responsibility allowance, then the entitlement shall instead be only to one of them, being the one attracting the higher rate.
 - (d) Where a member is also a Member of another Authority, that Member may not receive allowances from more than one Authority in respect of the same duties.

5 Child and dependent care allowance

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

6 Renunciation

A councillor may by notice in writing given to the Group Director Finance and Commerce 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 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 Commerce 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 as quoted will be updated for 2010/11 by the percentage increase as agreed under the annual Local Government Pay Settlement of the Joint Negotiating Committee for Chief Officers of Local Authorities or its replacement under the local pay agreement. The amounts so calculated are to be rounded up to be divisible for payment purposes.

The amended basic allowance will be found on the Internet once any annual percentage uplift has been agreed.

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 Mayor and Deputy

The Mayor and Deputy Mayor allowance covers the cost of all Mayoral activities such as clothing and personal expenses plus sundry expenses including items such as attendance at dinners and raffle tickets, sponsorship and donations. The Mayor and Deputy Mayor will be responsible for all such payments via the SRA, which will be taxed. The Council will meet the cost of the Mayor's "At Home" and other Havering Civic receptions, award pins and certificates at the civic award ceremony; the medals, certificates and frames in the event of there being any ceremony associated with Honorary Alderman/Freeman of the Borough awards, gifts given on behalf of the Council in reciprocation or gifts initiated by the Council for promotional purposes, the cost of maintaining and provisioning the beverage machine in the Parlour, postage costs and all costs associated with the Mayoral transport, robes etc.

15 Co-Optees Allowances

The standard rate of allowance for statutory co-optees is £117 per meeting attended except for the Independent chair of the Standards Committee where the rate will be £240 per meeting.

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.

16 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	10,208
Special Responsibility Allowances:	
Leader of the Council	51,191
Deputy Leader of the Administration	35,705
Cabinet Members	32,705
Leader of Principal Opposition	18,000
Leader of Principal Minority Opposition	6,390
Leader of Minority Opposition	2,227
Deputy Leader of Principal Opposition	3,825
Mayor	14,418
Deputy Mayor	7,650
Overview and Scrutiny Committees Chairmen	14,418
Licensing and Regulatory Services Committee Chairmen	20,430
Audit, Pension, Highways, Governance, Appointments, Adjudication and Review Committee Chairmen	7,650

NOTES: The basic allowance will be uplifted each year in accordance with paragraph 12.

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

Council, 28 July 2010

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 Commerce, prior to each event and be agreed with the Cabinet Member for Resources.

Council, 28 July 2010



COUNCIL, 28 JULY 2010

13

QUESTIONS

NOTE: Questions are listed in the order in which they will be dealt with at the meeting.

1 CONTINUED PUBLICATION OF *LIVING* NEWSPAPER

To the Leader of the Council (Councillor Michael White)

By Councillor Clarence Barrett

Further to the recent announcement by Secretary of State for Communities and Local Government, Eric Pickles, that 'Councils should spend less time and money on council newspapers that end up in the bin and focus more on frontline services like providing regular rubbish collections', would the Leader explain how he intends to respond to this proposal and set out the subsequent timetable for the abolition of the *Living* newspaper?

2 UNSUCCESSFUL STANDARDS COMPLAINT

To the Cabinet Member for Community Safety (Councillor Geoff Starns)

By Councillor Mark Logan

As an estimate, how much did the unfounded complaint by Councillor Frederick Osborne against Councillor Jeffrey Tucker cost the Council in officer time and money?

3 PRIVATE SECTOR LEASING – CONDITION OF PROPERTIES AVAILABLE TO LET

To the Cabinet Member for Housing (Councillor Lesley Kelley)

By Councillor Pat Murray

What arrangements are made by the Private Sector Leasing Department with Landlords to ensure that all properties offered to applicants are in a fit condition to occupy and meet decent homes standards?

4 PUBLIC ACCESS TO DETAILS OF EXPENDITURE

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ray Morgon

Following the new Government's announcement that all council expenditure above £500 would be available for the public to view, would the Cabinet Member confirm what progress has been made on this issue?

5 DEVELOPMENT AT DOVER'S CORNER

To the Leader of the Council (Councillor Michael White)

By Councillor Jeffrey Tucker

Do you agree that the Administration's support that led to the decision to allow buildings above 3-storeys high in the Rainham Village conservation area undermines the opposition to the Weston Homes (Tower City) application at Dover's Corner?

6 HAROLD HILL LEARNING VILLAGE

To the Cabinet Member for Children & Learning (Councillor Paul Rochford)

By Councillor Paul McGeary

Will the lead member make a statement about the timetable for completion of the Learning Village following recent announcements by the Coalition Government relating to Building Schools for the Future, Primary Schools Capital Funding, and Capital Funding for the Academies Programme?

7 BUDGET REDUCTIONS: IMPACT ON VOLUNTARY GROUPS

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Gillian Ford

Would the Cabinet Member set out the impact of grants to voluntary groups as a result of the proposed budget reductions?

8 **WITHDRAWAL OF STANDARDS COMPLAINTS**

To the Cabinet Member for Community Safety (Councillor Geoff Starns)

By Councillor Jeffrey Tucker

Councillor Steven Kelly has apologised to Councillor Mark Logan for making a complaint against him to the Standards Committee. He said he attempted to have the complaint withdrawn, but was told by the Assistant Chief Executive that this was not possible! Is this true?

9 **WHYBRIDGE PA COMMUNITY HALL**

To the Cabinet Member for Towns & Communities (Councillor Andrew Curtin)

By Councillor Denis Breading

Will the lead member make a statement about external funding received for the Whybridge PA Community Hall and how such funds have been used in the maintenance and refurbishment of the Hall?

10 **“THE BIG SOCIETY”: ROLE OF AREA COMMITTEES**

To the Leader of the Council (Councillor Michael White)

By Councillor Ray Morgon

Would the Leader of the Council explain the comments he made in his statement to Annual Council about the importance of the new look Area Committees in relation to the government's plan for a Big Society.

11 **DAMYN’S HALL AERODROME: PLANNING APPLICATIONS**

To the Chairman of the Regulatory Services Committee (Councillor Barry Oddy)

By Councillor David Durant

Why were the 6 planning applications submitted by Damyn’s Hall Aerodrome rejected by Planning Officers under delegated powers and not referred to the elected planning committee?

12 **TENANTS AND LESSEES SERVICE CHARGES**

To the Cabinet Member for Housing (Councillor Lesley Kelley)

By Councillor Denis O'Flynn

When will the outcome of the most recent consultation with tenant and lessees relating to service charge be made available to members?

13 **EFFICIENCY SAVINGS**

To the Leader of the Council (Councillor Michael White)

By Councillor Ray Morgon

In the June 2010 edition of "Living", the Leader stated that in the past five years the Council had made £26 million worth of efficiency savings. Could he confirm where these savings have been made?

14 **MITIGATING THE EFFECTS OF CLIMATE CHANGE**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor David Durant

At the Local Government Association conference in Bournemouth, Lord Lawson, the former Chancellor and now chairman of the Global Warming Policy Foundation, said Councils should take no action to mitigate the effects of climate change, which is as much due to natural factors as mankind's actions.

Is it possible for Havering Council to follow this sensible advice without financial penalty?

15 **ERECTION OF BOUNDARY FENCING OF THE GREEN OPEN SPACE ADJOINING CENTRAL PARK OFF GOOSHAYS DRIVE**

To the Cabinet Member for Towns & Communities (Councillor Andrew Curtin)

By Councillor Pat Murray

What is the cost of the new boundary fence erected on the land off Gooshays Drive to the rear of the Albermarle Youth Club and the Harold Hill Community Centre?

16 TENANTS' CHARTER: DEALING WITH NOISY NEIGHBOURS

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Ray Morgon

Given that no additional powers are available to the Council, would the Cabinet Member confirm what the new Tenants Charter announced by the Leader of the Council will contain to more effectively deal with noisy neighbours?

17 "PITCH N' PUTT" COURSE, HALL LANE, UPMINSTER

To the Cabinet Member for Towns & Communities (Councillor Andrew Curtin)

By Councillor Clarence Barrett

In respect of the Upminster Pitch n' Putt course (Hall Lane), would the Cabinet Member please set out:

- a) how the £10,000 allocated to this facility as part of the 2010/11 capital programme is to be spent?
- b) what measures will be taken to promote the facility?
- c) when will the course be open to the public?

18 BUILDING SCHOOLS FOR THE FUTURE PROGRAMME

To the Cabinet Member for Children & Learning (Councillor Paul Rochford)

By Councillor Gillian Ford

Further to the cessation of the Building Schools for the Future (BSF) programme, would the Cabinet Member set out how much has been spent thus far on the respective schemes?

19 DISPOSAL OF UNDERUSED GARAGE SITES

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Ron Ower

Following the Cabinet decision in September 2008 to commence the disposal of underused/vandalised garage sites, would the Cabinet Member confirm the latest position indicating how many sites have now been sold and to what value?

Council, 28 July 2010

20 CAR PARKING CHARGES: EFFECT OF FORTHCOMING VAT-RATE CHANGE

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Clarence Barrett

Given the increase in VAT from 17.5% to 20% from January 2011, would the Cabinet Member confirm that car park charges will not be increased as a result and that corresponding hourly tariffs will remain unchanged?

21 ABANDONMENT OF COMPREHENSIVE AREA ASSESSMENT: CONSEQUENTIAL SAVINGS

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ray Morgon

Following the Government's wise plan to scrap of the Comprehensive Area Assessment, would the Cabinet Member provide an estimate of how much this Council will save each year, together with how and where these savings will be made?

22 MEMBERS' CORRESPONDENCE: USE OF EMAIL

To the Cabinet Member for Community Safety (Councillor Geoff Starns)

By Councillor Ray Morgon

Would the Cabinet Member confirm why various departments still send letters to members in the courier rather than e-mail them?



Havering
LONDON BOROUGH

COUNCIL
28 July 2010

SUPPLEMENTARY
AGENDA

12 STATUTORY PETITIONS SCHEME

Report of the Governance Committee attached

Philip Heady
Democratic Services Manager

GOVERNANCE COMMITTEE

12

This report is submitted with the agreement of the Mayor as an urgent matter, pursuant to Section 100B(4) of the Local Government Act 1972

SUBJECT: STATUTORY PETITIONS SCHEME

Provisions of the Local Democracy, Economic Development and Construction Act 2009 relating to petitions came into force on 15 June, requiring the Council to establish a Petitions Scheme, which required formal approval by the Council.

The legislation set out a range of new requirements as to the way in which local authorities handle petitions. In particular, it required that if the number of signatories to a petition reached pre-determined thresholds, the petition should be either be considered by the relevant Overview & Scrutiny Committee, at which an appropriate senior officer would be expected to answer questions about the issues raised in the petition, or be debated at the next available meeting of the Council.

The Act required the Council to adopt a Petition Scheme, and Appendix 1 sets out the scheme proposed for the Council, which is based on a model endorsed by the Association of Council Secretaries and Solicitors and prepared by Mr Peter Keith-Lucas of Messrs Bevan Britten, solicitors. This Scheme conforms to the legal requirements.

Having considered the matter, the Committee agreed to recommend that the threshold for questioning an officer at an Overview & Scrutiny Committee meeting should be set at 2,500 signatures and the threshold for debate at Council should be 3,500 signatures. The Committee also agreed that the petition organiser should have opportunity to introduce the petition before it is debated and that Ward Councillors be notified of the receipt of petitions. The proposed Petition Scheme – and the new Rules set out in Appendix 2 of this report – sets out the parameters within which the debate at Council, or the questioning at an Overview & Scrutiny Committee would proceed.

These new duties had come into force on 15 June and, in order to preserve the Council's position, the Committee authorised the Democratic Services Manager to implement the Petitions Scheme from that date, in advance of Council approval, in order to comply with the requirements of the Act from that date.

The Committee noted that new duties relating to electronic petitions – e-petitions – were intended to become effective on 15 December.

The Committee was advised that an effect of the legislation and the consequent adoption of the Petition Scheme was that a number of changes would be required

to the Council's Council and Committee Procedure Rules, as set out in Appendix 2 to this report.

The Committee accordingly RECOMMENDS:

- 1 That the numbers of petitioners that will be trigger levels be set as follows:
For debate at Council meetings: 3,500 signatories
For the relevant officer to answer questions at an Overview & Scrutiny Committee meeting: 2,500 signatories**
- 2 That petitioners be given opportunity to present their petitions prior to debate by the Council**
- 3 That Ward Councillors be notified of the receipt of petitions and the action to be taken to follow them up.**
- 4 That the proposed Petition Scheme set out in Appendix 1 to this report, be adopted.**
- 5 That the Democratic Services Manager be authorised to determine the validity of petitions under the Petitions Scheme and to manage generally the petitions procedures**
- 6 That the Assistant Chief Executive Legal & Democratic Services be empowered to adjust the Council's Constitution as necessary to ensure compliance with the statutory requirements.**
- 7 That the proposed additions to the Council, Overview & Scrutiny and Committee Procedure Rules relating to the consideration of petitions as set out in the Appendix to this report, be approved.**

PETITION SCHEME

The Council recognises that petitions enable people to voice their concerns.

What is a petition?

The Council treats as a petition any communication which is signed by or sent to us on behalf of a number of people. For practical purposes, there must be at least 10 signatories or petitioners before we treat it as a petition.

What should a petition contain?

A petition should include –

- (a) A clear statement of the petitioners' concerns and what they want the Council to do. This must relate to something which is the responsibility of the Council, or over which the Council has some influence. Where a petition relates to a matter which is within the responsibility of another public or local authority, the petition organiser will be asked whether they would like the petition to be redirected to that other Authority. Where a petition relates to a matter over which the Council has no responsibility or influence, it will be returned to the petition organiser with an explanation for that decision
- (b) The name and contact details of the "petition-organiser" or someone to whom any correspondence about the petition should be sent. Contact details may be either a postal address or an email address;
- (c) The names of at least 10 petitioners (which can include the petition organiser). Where the petition is in paper form, this can include an actual signature from each petitioner, but actual signature is not essential. The addresses of petitioners are important to enable the Council, for example, to assess the degree of local support or opposition to a planning application, but this is not essential. For the petition to be debated at a meeting of the Council ("A Petition for Debate"), or to trigger a public meeting of an Overview and Scrutiny Committee at which a specific officer will be required to report ("A Petition to hold an Officer to Account"), the petition will need to contain a higher number of signatories or petitioners (see below);
- (d) If the petition is being submitted in response to consultation on a specific matter, the matter which it relates should be identified, so as to ensure that it is considered along with original matter.

Who should you send a petition to?

Where you submit a petition in response to consultation by the Council, please address it to the return address set out in the consultation invitation. This will

ensure that it is reported at the same time as the matter to which it relates is considered.

Otherwise, please address petitions to –

Democratic Services Manager
London Borough of Havering
Havering Town Hall
Main Road
Romford
RM1 3BD

Or to Petitions@Havering.gov.uk

Your petition will be acknowledged to the petition organiser and entered on the Council's petitions website (<http://Havering.petitions>). The website will be regularly up-dated with information on the progress of the petition.

Types of Petition

There are five different types of petition, as set out below. How we deal with a petition depends on which type of petition is submitted –

(a) **Ordinary Petitions**

These are petitions which do not come within any of the following specific types. Please note that petitions which raise issues of possible Councillor misconduct will be taken as complaints arising under the Local Government Act 2000 and will be reported to the Standards Initial Assessment Sub-Committee, rather than considered under this Petitions Procedure. You may be asked to comply with the relevant procedure.

(b) **Consultation Petitions**

These are petitions in response to an invitation from the Council for representations on a particular proposal or application, for example on planning or licensing applications or proposals for parking restrictions or speed limits. Consultation petitions which are received by the response date in the consultation invitation will be reported to a public meeting of the person or body which will be taking the decision on the application or proposal.

(c) **Statutory Petitions**

Particular Acts of Parliament require the Council to consider petitions, for example a petition for a directly-elected Mayor. Where a petition is submitted under such a specific statute, it will be reported to the next available relevant meeting, in accordance with the statutory requirements.

(d) Petitions for Debate

If the petition is to be reported to and debated at a meeting of the Council, it must contain at least 3,500 signatories or petitioners.

(e) Petitions to Hold an Officer to Account

If the petition is to be considered at a meeting of an Overview and Scrutiny Committee, where an officer, identified either by name or by post title, will be required to answer questions on the conduct of a particular matter, it should contain at least 2,500 signatories or petitioners. The Council has determined that such petitions must relate to the Chief Executive, a Group Director, the Assistant Chief Executive, an Assistant Director or a Head of Service. Please note that where the petition raises issues of competence or misconduct, the petition will be dealt with under the Council's Disciplinary Procedures, and not under this Petitions Procedure.

The Petitions Website

The Council maintains a petitions website at <http://Havering.petitions>.

When a petition is received, within 5 working days Democratic Services Manager will open a new public file within the website and will put in that file the subject matter of the petition, its date of receipt and the number of signatories or petitioners. The petition organiser's name and contact details will only be included on the website if s/he so requests.

As soon as it is decided who the petition will be considered by within the Council, and when that consideration will occur, this information will be entered on the website at the same time as it is sent to the petition organiser. Once the petition has been considered, the Council's decision will be notified to the petition organiser and put on the website within 5 working days of that consideration.

Petitions are presented on the petitions website in the order in which they are received, but the website can be searched for key-words to identify all petitions relating to a particular topic. All petitions are kept on the website for 2 years from the date of receipt.

The role of Ward Councillors

When a petition is received which relates to a local matter (particularly affecting specific electoral wards), the Democratic Services Manager will notify receipt of the petition to each relevant Ward Councillor at the same time as acknowledging receipt of the petition to the petition organiser.

When the petition is reported to the person or body within the Council who can take a decision on the matter to which it relates, the relevant Ward Councillors will be invited to attend and to address the decision-taker for no more than 3 minutes (or 3 minutes each), immediately after the petition organiser.

What happens when a petition is received?

Whenever a petition is received –

- (a) Within 2 working days of receipt, Democratic Services' staff will acknowledge receipt to the petition organiser.
- (b) Wherever possible, Democratic Services' staff may be able to resolve the petitioners' request directly, by getting the relevant Cabinet Member or officer to take appropriate action. Where this is done, Democratic Services' staff will ask the petition organiser whether s/he considers that the matter is resolved.
- (c) Unless the matter has been resolved to the satisfaction of the petition organiser, Democratic Services' staff will within 5 working days of receipt of the petition provide a substantive response to the petition organiser setting out who the petition will be reported to for consideration, when and where that will take place and inviting the petition organiser to attend that meeting and to address the meeting for up to 3 minutes on the issue covered by the petition. The invitation to the petition organiser to address the meeting is in addition to any other public speaking rights at that meeting.
- (d) Whilst we are committed to dealing with petitions promptly, a petition will normally need to be received at least 10 working days before a relevant meeting if it is to be reported to that meeting. Where it is necessary to undertake a significant amount of work to collect information and advice to enable the matter to be properly considered, it may be necessary for Democratic Services' staff to decide that the petition will be held over until the following meeting of the relevant body.
- (e) At the same time as responding to the petition organiser, Democratic Services' staff will notify Group Leaders and Ward Councillors of receipt of the petition.
- (f) Within 5 working days of receipt of a petition, Democratic Services' staff will open a new public file for the petition on the Council's petitions website, setting out the subject matter of the petition, the date of receipt and the number of petitioners. The petition organiser's name and contact details will only be included on the website if s/he so requests.
- (g) At each stage of the consideration of the petition, within 5 working days of any decision, Democratic Services' staff will ensure that the petitions website is updated to ensure that petitioners can track progress of their petition.

What happens to a Consultation Petition?

Consultations Petitions are submitted in response to an invitation from the Council to submit representations on a particular proposal or application, such as a planning or licensing application or a proposed traffic regulation order.

The petition will be reported to the person or body who will take the decision on the proposal or application at the meeting when they are to take the decision on that application or proposal. The Council's Constitution defines who will take different types of decision.

Where the petition relates to a matter which is within the delegated power of an officer, s/he may decide not to exercise those delegated powers but to refer the matter to the relevant Cabinet Member for decision.

Where the petition relates to a matter which is within the delegated powers of an individual Cabinet Member, s/he may decide not to exercise those delegated powers but to refer the matter to Cabinet for decision.

What happens to a Statutory Petition?

Particular Acts of Parliament require the Council to consider petitions, for example a petition for a directly-elected Mayor. Where you submit a petition under such a specific statute, it will be reported to the next available meeting of the Council in accordance with the statutory requirements.

What happens to Petitions for Debate?

Petitions for Debate will be reported to the next convenient meeting of Council. Petitions will not be considered at the Annual Meeting of Council, at the meeting at which the Budget and Council Tax are set (unless the petition directly relates to the budget or Council Tax) or at Extraordinary Meetings of Council which are not convened to consider the subject matter of the petition.

The petition organiser will be invited to address the meeting for up to 3 minutes on the subject of the petition.

What happens to a Petition to Hold an Officer to Account?

Petitions to hold an officer to account will be reported to the next convenient meeting of the relevant Overview and Scrutiny Committee.

In advance of the Committee meeting, the petition organiser will be invited to submit a list of questions which s/he would like put to the officer at the meeting. These questions will be provided to the Chairman of the Committee, who will decide whether they are appropriate, and to the officer concerned, in advance of the meeting.

At the meeting, the Chairman will invite the petition organiser to address the Committee for a maximum of 3 minutes on the issue, and the relevant officer will

then be required to report to the Committee in relation to the conduct of the subject matter of the petition. Members of the Committee may question the officer, and the Chairman may invite the petition organiser to suggest questions for him/her to put to the officer.

What happens to an Ordinary Petition?

Democratic Services' staff will arrange for each Ordinary petition to be referred to the relevant Head of Service for attention, action and reply.

How will the Council debate a petition?

Petitions will normally be debated after Members' Questions but before Members' motions are debated.

The Mayor will invite the petition organiser to address the meeting for up to 3 minutes, after which the matter will be open for debate among Members. At the end of the debate, the Council will either determine the matter, refer it for investigation and report back, or refer it to the Cabinet or a Cabinet Member.

Within 5 working days of a final decision being made on the matter, Democratic Services' staff will notify the petition organiser of the Cabinet Member's decision and advise him/her that if s/he is not satisfied with that decision, s/he may require the matter to be reported to the next convenient meeting of the appropriate Overview and Scrutiny Committee for review.

At each stage, Democratic Services' staff will enter the relevant information on the website at the same time as it is sent to the petition organiser.

Appeal to an Overview and Scrutiny Committee

If the petition organiser is not satisfied with the outcome of the Council's consideration of his/her petition, he/she may appeal to an Overview and Scrutiny Committee by notifying Democratic Services' staff of his/her intention to appeal within 20 working days of being notified of the Council's decision on the petition.

Within 5 working days of receipt of intention to appeal, Democratic Services' staff will determine which is the relevant Overview and Scrutiny Committee and will notify the petition organiser of the time, date and place of the next convenient meeting of that Overview and Scrutiny Committee and will invite the petition organiser to attend the meeting and to address the Committee for up to 3 minutes on why he considers that the Council's decision on the petition is inadequate.

At that meeting, the Overview and Scrutiny Committee will invite the petition organiser and Ward Councillors to make their representations and to explain why s/he considers that the Cabinet Member's response was insufficient. The Overview and Scrutiny Committee may not over-ride the Cabinet Member, but the Cabinet Member must consider any recommendations made by the Overview and Scrutiny Committee.

The role of the Petition Organiser

The petition organiser will receive acknowledgement of receipt of the petition within 2 working days of its receipt by the Council.

Where the petition is not accepted for consideration, the petition organiser will be advised by Democratic Services' staff of the rejection and the grounds for such rejection.

Where the petition is accepted for consideration, the petition organiser will be advised by Democratic Services' staff within 5 working days of receipt by the Council as to who the petition will be considered by, and the date, time and place of any meeting at which it will be considered, which he/she will be invited to address for up to 3 minutes. The petition organiser may be asked questions on the subject matter of the petition.

The petition organiser may nominate another person to address the meeting and to answer any questions on the matter.

The petition organiser will be regularly informed by Democratic Services' staff of any decisions in respect of the petition and will be formally notified of the outcome of the petition's consideration within 5 working days of such decision.

The petition organiser may notify Democratic Services' staff of his/her intention to appeal to an Overview and Scrutiny Committee against the decision of the Council relating to the petition within 20 working days of being notified of that decision, and may attend and address the meeting of the Overview and Scrutiny Committee for up to 3 minutes as to why he/she considers that the Council's decision on the petition was inadequate.

Petitions which will not be reported

(a) Duplicate Petitions

Where more than one petition is received in time for a particular meeting, each supporting the same outcome on one matter, each petition organiser will be treated as an independent petition organiser, but only the petition organiser of the first petition to be received will be invited to address the relevant meeting.

(b) Repeat Petitions

Petitions will not normally be considered where they are received within 6 months of another petition being considered by the Council on the same matter.

(c) Rejected Petitions

Petitions will not be reported if in the opinion of Democratic Services' staff, they are rude, offensive, defamatory, scurrilous or time-wasting, or do not relate to something which is the responsibility of the Council, or over which the Council has some influence.

AMENDMENTS TO COUNCIL PROCEDURE RULES

In Council Procedure Rule 2:

Amend “rule 23” in rule (f) to read “rule 23(a)

Add after rule “(j)”, a new rule (and renumber subsequent rules accordingly):

“(k) debate any petition exceeding the threshold of 3,500 signatories, and reach a decision on it, in accordance with the procedure set out in Rule 23;”

In Council Procedure Rule 23:

Delete the existing text

Insert:

“23.1 Petitions may be presented to the Mayor by members of the Council during an ordinary Council meeting as referred to in Rule 2 (f), subject to notice being given to the Proper Officer of the intention to present a petition at least 6 clear days before the meeting.

There will be no debate on any petition under this rule but the member presenting the petition may make a brief statement on the content of the petitions.

Subject to rules 23.2 and 23.3 following, any petitions received by the Mayor at Council or at any other time will be referred to the appropriate Head of Service for action, reply or report.

“23.2 If a petition received by the Council, whether under rule 23.1 or otherwise, has 3,500 signatories or more, it shall be debated by Council at the next available ordinary meeting in accordance with the Council’s statutory Petitions Scheme. Such debates shall take place after Members’ Questions but before motions for debate (see Rule 2(k)).

“23.3 The debate on a petition shall take place in accordance with the following rules:

(a) The petition organiser shall have the right to address the Council for up to three minutes on the content and purpose of the petition;

- (b) Any Member may speak in support of, or opposition to, the petition for up to three minutes; and
- (c) At the end of the debate, the appropriate Cabinet Member shall have a right to speak in reply to the petition and Members' contributions, for up to five minutes.

A maximum of 30 minutes shall be allowed for the debate of petitions. Where more than one petition is to be debated, the Mayor shall have discretion to allocate the time available between petitions.

The Mayor shall also have discretion to vary the length of petition organisers', Members' or Cabinet Members' speeches under this Rule in order to facilitate the business of the Council.

At the conclusion of the debate, the Council shall determine whether:

- (a) to refer the petition to the relevant Overview & Scrutiny Committee, with or without a requirement to report back in due course;
- (b) to invite the Cabinet to consider the petition; or
- (c) to take no further action in relation to the petition."

AMENDMENTS TO COMMITTEE PROCEDURE RULES

In Committee Procedure Rule 7:

Add: in Rule (e) (Member of the public wishing to address the Committee) a new final paragraph:

This rule shall not apply where an Overview & Scrutiny Committee is dealing with a petition presented under the Council's petition scheme.

In "Rules for specific meetings":

Add new Rule 16 (and renumber existing rule 16 as 17):

"16 Overview & Scrutiny Committees, when considering petitions

In accordance with the Council's Petitions Scheme, an Overview & Scrutiny Committee (OSC) must consider petitions:

- (a) that have 2,500 or more signatures, and allow an officer to be questioned on the subject-matter of such a petition;
- (b) referred to it by the Council; or
- (c) at the request of the petition organiser if they consider the Council's decision on it to be inadequate.

In the case of petitions dealt with under (a) above, the petition organiser will be invited to submit a list of questions which s/he would like put to the officer at the meeting. These questions will be provided to the Chairman of the OSC, who will decide whether they are appropriate, and to the officer concerned, in advance of the meeting.

At the meeting, the Chairman will invite the petition organiser to address the Committee for a maximum of 3 minutes on the issue, and the relevant officer will then be required to report to the Committee in relation to the conduct of the subject matter of the petition. Members of the Committee may question the officer, and the Chairman may invite the petition organiser to suggest questions for him/her to put to the officer.

For the purposes of this rule, the "relevant officer" shall be the Group Director or Head of Service responsible of the function that is the subject of the petition. The relevant officer may be accompanied by other staff who may, but shall not be obliged to, answer questions in addition to the relevant officer.

In the case of (b), a report will be submitted to the OSC about the issues addressed by the petition and in response to them. The OSC will discuss the petition as appropriate and determine what further action, if any, to take. At the discretion of the Chairman, the petitions organiser may address the OSC for up to 3 minutes.

In the case of (c), the petition organiser may address the OSC for up to 3 minutes on why he considers that the Council's decision on the petition is inadequate. Relevant Ward Councillors may also speak about the petition for up to 3 minutes.

The OSC will consider their representations and decide how to respond. The Overview and Scrutiny Committee may not over-ride the Cabinet Member, but the Cabinet Member must consider any recommendations made by the Overview and Scrutiny Committee.

AMENDMENTS TO OVERVIEW & SCRUTINY COMMITTEE (OSC) PROCEDURE RULES

In OSC Committee Procedure Rule 2:

Add: after rule (f), a new rule (g):

- “(g) Consider petitions referred to them by the Council following debate
- “(h) Arrange for the relevant officer to appear before them and to answer questions about a petition received by the Council that has 2,500 signatories or more, where the petitions have asked that the officer be questioned.”

In Rule 3:

Add: after rule (d) (Annual Report)

“(e) **Responding to petitions**

Statutory requirements and the Council’s Petitions Scheme relating to petitions place obligations on OSCs:

- (i) to arrange for appropriate officers to answer questions relating to a petition, where the petition has 2,500 or more signatories;
- (ii) to consider petitions referred to them following debate at full Council; and
- (iii) to consider representations by petition organisers if they consider the Council’s decision to their petition to be inadequate.”

In Rule 20:

Add: after rule (a)(iv), a new rule:

- “(iv) questioning of an officer in response to a petition submitted under the Petitions Scheme, to which there are at least 2,500 signatories
- “(v) considering a petition referred to the OSC by the Council
- “(vi) considering representations by petition organisers who consider the Council’s decision to their petition to be inadequate”

and renumber the existing rule (v) as (vii).

