

# GOVERNANCE COMMITTEE

## AGENDA

7.30pm	Wednesday 30 May 2007	Havering Town Hall Main Road, Romford
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Members 10: Quorum 4

### COUNCILLORS:

**Conservative Group  
(6)**

Frederick Thompson  
(Chairman)  
Kevin Gregory (Vice-  
Chairman)  
Steven Kelly  
Eric Munday  
Roger Ramsey  
Michael White

**Residents' Group  
(2)**

Gillian Ford  
Barbara Matthews

**Rainham &  
Wennington  
Independent  
Residents' Group  
(1)**

Mark Stewart

**Labour Group  
(1)**

Keith Darvill

*Note: the Membership is shown subject to any variation following  
the Annual Meeting of Council on 23 May 2007*

**For information about the meeting please contact:**

**Ian Buckmaster (01708) 432431**

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# NOTES ABOUT THE MEETING

## 1. HEALTH AND SAFETY

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

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

## 2. MOBILE COMMUNICATIONS DEVICES

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

## 3. CONDUCT AT THE MEETING

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

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

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

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

**AGENDA ITEMS**

**1 CHAIRMAN'S ANNOUNCEMENTS**

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

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

**3 DECLARATION OF INTERESTS**

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

**4 MINUTES**

To approve as correct records the minutes of the meeting of the Committee held on 9 May 2007, and to authorise the Chairman to sign them

**5 APPOINTMENTS TO OTHER ORGANISATIONS, 2007/08**

**6 GOVERNANCE (APPEALS) SUB-COMMITTEE**

**7 AMENDMENTS TO THE CONSTITUTION**

**8 ETHICAL GOVERNANCE SURVEY – A PROGRESS REPORT**

**9 URGENT BUSINESS**

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

**Governance Committee, 30 May 2007**

Cheryl Coppel  
Chief Executive

**Governance Committee, 30 May 2007**

**MINUTES OF A MEETING OF THE  
GOVERNANCE COMMITTEE  
Havering Town Hall  
9 May 2007 (7.30pm – 8.50pm)**

**Present:**

**COUNCILLORS:**

**Conservative Group** Frederick Thompson (in the Chair), +Robert Benham, Kevin Gregory, Steven Kelly, Roger Ramsey and Michael White

**Residents' Group** +Linda Hawthorn and Barbara Matthews

**Rainham & Wennington Independent Residents' Group** Mark Stewart

**Labour Group** Keith Darvill

**Substitute Members:** Councillors Robert Benham (for Eric Munday) and Linda Hawthorn (for Gillian Ford)

Apologies were received for the absence of Councillors Gillian Ford and Eric Munday

Except as shown, all decisions were taken with no vote against

Councillors Linda Hawthorn and Frederick Thompson each declared a personal interest in the matter referred to in Minute ?

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

32 **MINUTES**

The Minutes of the meeting of the Committee held on 20 March 2007 were approved as a correct record and were signed by the Chairman.

33 **COUNCIL CHAMBER AND COMMITTEE ROOMS – availability and bookings policy**

*Councillors Linda Hawthorn and Frederick Thompson each declared a personal interest as members of organisations referred to in the report.*

The report invited the Committee to review the policy on the availability of the meeting accommodation at the Town Hall for use for meetings, both internal and external. Approval was sought of new guidelines for the letting of rooms, including the Council Chamber.

In the course of discussion, issues arose about certain uses referred to in the report and the Committee decided to defer its consideration to enable Members to give further thought to implications arising from the proposals before them.

### 34 **REVIEW OF STANDARDS COMMITTEE**

At its Annual Meeting in 2006, the Council had appointed four Independent Members to the Standards Committee, two for a term of two years ending at the meeting of Annual Council in 2008 and two for a term of four years ending at the meeting of Annual Council in 2010. Council also appointed eight Members to the Standards Committee (5:1:1:1). The two Independent Members appointed for two years were also appointed as Chairman and Vice-Chairman of the Committee.

The Committee now considered, at the request of the Administration, a report reviewing the make up of the Standards Committee.

The Committee was reminded that at least 25% of the Standards Committee must by law be Independent Members and that such Independent Members could only be recruited following advertisement in one or more local newspapers and the completion of an application form (and therefore by implication a full recruitment process), and must be appointed by full Council. The Committee was also reminded that hearings into matters complained of must be determined within 3 months of a report from an Ethical Governance Officer of the Standards Board for England in all but the most exceptional of cases and that Annual Council had, therefore, agreed in May 2006 to allow a margin of error by appointing one more Independent Member than was absolutely necessary, so that the Standards Committee could remain quorate should a vacancy arise among the Independent Members.

The Committee was further reminded that the relevant legislation provided that:

- (i) Standards Committees did not have to be politically balanced
- (ii) Only one member of the Executive could be on the Standards Committee and this could not be the Leader
- (iii) At least 25% of the whole membership of the Committee must be Independent
- (iv) Standards Committees could form Sub-Committees to deal with hearings since the legislation to specifically allow this was introduced
- (v) A meeting of the Standards Committee and Sub-Committee would not be quorate unless at least one Independent member were present

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- (vi) The Committee must contain at least two members of the Council and one Independent Member
- (vii) The Committee could not be chaired by the one member of the Executive

The concerns that had prompted the Administration's request for a review had arisen partly owing to the fact that the Council had chosen to have a politically balanced Standards Committee, thus requiring a larger committee and a larger number of Independent Members. Enquiries had shown that a majority of London Boroughs had much smaller Standards Committees and the Administration had therefore suggested that the composition of the Standards Committee be reviewed to bring it more into line with other London authorities.

The Committee was reminded of the political balance rules and of their specific application to the Standards Committee. It was also advised that, should Members wish to recommend to the Council that there be fewer Independent Members, then provided the legislation was complied with and the risk entailed in reducing the number of Independent Members to the minimum appreciated, it was open to them to do so. Although the Council had appointed the present Independent Members for fixed terms of two and four years respectively, it was again open to the Council to rescind those decisions, to remove the four Independent members and to re-appoint some of them for a different term.

The Committee was advised that the Local Government and Public Involvement in Health Bill, likely to become law in July 2007, included a requirement that the Chairman of the Standards Committee be one of the Independent Members. The imminent legislation would also require the Standards Committee to undertake a "first sieve" of complaints with onward referral to the Standards Board of only the most serious cases, meaning that the Standards Committee was very likely to be much more busy than previously.

Having considered the issues involved in reviewing the composition of the Standards Committee, the Committee concluded that the balance of advantage lay in making changes necessary to reduce the size of the Committee, and **ACCORDINGLY RESOLVED to RECOMMEND to the Council:**

- 1 That a Standards Committee be appointed with six Members (3:1:1:1) and two Independent Members.
- 2 That the terms of office of the Independent Members appointed in May 2006 be reduced by one year, so that the terms of the two then appointed for two years shall expire forthwith and those of the two appointed for four years shall expire at the Annual Meeting of the Council in May 2009.
- 3 That the Standards Committee be recommended that the appointment of a Hearings Sub-Committee be dispensed with



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- 4 That the Chairman of the Standards Committee be a Councillor but that the appointment be not eligible for a Special Responsibility Allowance
- 5 (a) That one of the Independent Members be appointed Vice-Chairman  
(b) That Council consider the recommendation of the Group Leaders jointly as to which of the Independent Members should be appointed as Vice-Chairman.

**35 AMENDMENTS TO THE CONSTITUTION**

The Council's Constitution was subject to continuous review to ensure that it remained "fit for purpose" and that there was a smooth the flow of business through the Council's decision-making processes.

Five proposals were accordingly submitted to the Committee for changes to existing provisions. The Committee accepted them (some with minor amendments) and agreed to recommend that the Council approve them, as Members considered that the changes proposed would lead to an improvement in the way in which the Council's business is conducted.

A proposal that certain restrictions be placed on the ability of Area Committee Chairmen to call special meetings of those Committees was not pursued.

**RESOLVED:**

That Council be **RECOMMENDED** that the changes to the Constitution set out in the several proposals in Appendix 1 to these minutes be approved.

**36 AMENDMENTS TO THE CONSTITUTION – made by the Monitoring Officer**

The Constitution provided that this Committee must be notified at the first reasonable opportunity of any amendment made by the Monitoring Officer in exercise of her delegated power. The Committee now noted amendments made by her and published in Notification 27 (as set out in Appendix 2 to these minutes).

**APPENDIX 1  
(Minute 35)****AMENDMENTS TO THE CONSTITUTION****1. Service Planning**

Part 3 Section 2 paragraph 14 of the Constitution provided for Cabinet Members 'to consider and recommend the service plan or plans in respect of the portfolio allocated'. In practice, Cabinet Members were consulted on Service Plans but did not formally sign them off on a Cabinet Member decision – Form A. It was suggested that the practice would be accurately reflected by deleting the reference to service plans from paragraph 14 and inserting a provision in Part 3 Section 3 paragraph 3.3.1 General powers of Group Director as follows:

8. To consult with the Lead Member on Service Plans

Paragraph 14 in Section 2 would then read:

14. To consider and recommend plans in respect of the portfolio allocated.

**2. Use of un-Parliamentary language.**

Arising from a case reported to it, the Standards Committee had recommended that the Committee consider:

- (a) prohibition of the use in debate of un-Parliamentary language; and
- (b) clarification of the powers of the Mayor from the Chair to move the procedural motions:
- (i) that the Member be not further heard; or
  - (ii) that the Member do leave the meeting
- to make them more explicit, in order to ensure that the Mayor's ability to control debate is not in question

The Committee accordingly endorsed the following proposed amendments to the Council Procedure Rules:

**19.2 Unparliamentarily Language**

The use in debate of unparliamentarily language is prohibited and any use of it will be considered to be offensive under rule 19.3 below:-

**19.3 Member not to be heard further**

- (i) If a Member, disregarding any ruling of the Mayor, behaves in an improper or offensive manner or deliberately obstructs business, any Member, including the Mayor, may move that the Member be not heard further. If seconded, the motion will be voted on without

discussion.

- (ii) If the motion is carried, the Member named in it shall immediately be seated and be silent.

It is considered that unparliamentary language is language which breaks the rules of politeness such as insulting or rude language and accusations of lying, being drunk or misrepresenting other's words. Offensive words have been identified over the years in relation to this.

### 3. Legal Proceedings

Attention had been drawn to a recent Crown Court case relating to a London Borough, where it had been found that a decision under delegated authority to institute legal proceedings made by a member of staff rather than personally by the designated officer was invalid as there was no discretion to sub-delegate.

In order to ensure that the authority to commence proceedings was clear, it was proposed that the Constitution be amended to provide that, in addition to the Assistant Chief Executive Legal & Democratic Services, certain senior members of the legal staff should be empowered to issue proceedings on behalf of the Council:

#### **3.9.2 Assistant Chief Executive Legal & Democratic Services and Legal Managers (who are permanent employees of the Council):**

- (i) To prepare or approve the form and content of all legal documentation on behalf of the Council.
- (ii) To lay information, complaints and claims on behalf of the Council for the purpose of any proceedings before the Magistrates' Court, County Court and other courts and tribunals, including all civil and criminal proceedings.
- (iii) To defend all legal proceedings brought against the Council and to take any steps that are in his or her opinion expedient to that end.

### 4. Trading Standards

#### **Appendix F in Part 7 of Section 3.**

As from 1 April 2007, Trading Standards have a statutory duty to enforce the Copyright Designs and Patents Act 1988, requiring substantial alterations in the process for determining whether action be taken to enforce those provisions. **Now that there was a duty to enforce, the previous arrangement whereby Members were consulted before a prosecution was commenced was no longer appropriate.**

In addition, the Fraud Act 2006 had created new dishonesty offences and repealed others under the Theft Act etc. It was possible that Trading Standards might need to

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consider prosecution under these provisions as they had in the past under the Theft Act, even though they did not have a statutory duty to do so, especially where used in connection with investigations where Trading Standards continue to enforce. Accordingly, it was proposed that the **Fraud Act be added to the list of Statutes in Appendix F but with a "T" in the first column next to that entry, indicating that the relevant Lead Member would be consulted before prosecution commenced.**

As from 1 June 2007, Part 5 of the Housing Act 2004 would come into force, requiring the production of home information packs by vendors of properties for sale. The enforcement of these provisions is to be the responsibility of every local weights and measures authority, which in Havering, falls to the Trading Standards department. **Accordingly an extra line needed to be inserted into Appendix F referring to Part 5 of the Housing Act 2004.**

As from 1 July 2005 Trading Standards had had a duty to enforce and carry out a yearly review of the sale of spray paint under part 6 of the Anti social Behaviour Act 2003 as amended by the Clean Neighbourhoods and Environment Act 2005. It was proposed that the **Anti Social Behaviour Act 2003 be added** to Appendix F.

**Section 3 Part 3.6.2 para 20.**

The second proposal was to amend the Constitution to allow senior Trading Standards Officers to charge offenders at police stations without the normal requirement to seek authorisation from the Assistant Chief Executive Legal and Democratic Services to institute proceedings .

The main intended use of this delegated power was to deal with itinerant street traders who had been arrested and taken to the police station, where they may be charged if the custody sergeant considers it appropriate to do so. Currently there were a number of cases where itinerant traders, typically Chinese selling unlawfully copied DVDs, were identified during investigations, but as Trading Standards officers did not have powers of arrest, they could not deal with the offender immediately. If a prosecution was being considered, significant time would be required to compile a file of evidence and if proceedings were brought then there was a strong probability that the offender would be untraceable and the costs involved wasted.

If approved, the power would be exercised sparingly; but it would be useful on occasions when the police had arrested a suspect who had typically been engaging in sales of unlawfully copied material.

At the police station, the custody sergeant had responsibility for the management of the suspect and any charges that might be brought. If the Trading Standards officer considered there was sufficient evidence to bring a charge, he would attend the police station and read out the charge. The sergeant would then decide whether bail the suspect; those remanded in custody would appear before Magistrates next day and if they pleaded guilty, would be dealt with immediately and be sentenced without the need to prepare a prosecution file etc, although if the defendant pleaded Not Guilty, there

would be no ultimate saving as a prosecution file will have to be prepared and there was a risk that the defendant would be untraceable.

It was accordingly proposed that **Section 3 Part 3.6.2 para 20 be amended** accordingly an additional amendment to this clause is also necessary for the reasons explained above, to read:

**20. The Head of Technical Services, the Trading Standards Manager, the Principal Officer (Operations) and the Principal Officer (Fair Trading and Quality)**

To exercise the powers and duties of the Council on matters relating to trading standards, consumer protection and metrology, including:

- (i) making such test purchases of goods and services as may be expedient for effective enforcement
- (ii) exercising and enforcing the enactments listed in Appendices E and F , including any regulations made under those enactments

This function must be exercised subject to the Assistant Chief Executive Legal & Democratic Services or the Legal Manager (Community Services) authorising the institution and conduct of any legal proceedings, except in such circumstances where a potential defendant is being held at a police station and the custody sergeant requests that the Trading Standards officer consider charging the individual. In such exceptional circumstances the power to charge the offender be limited to the Trading Standards Manager, the Principal Officer (Operations) and the Principal Officer (Fair Trading and Quality). This procedure will only be used when dealing with itinerant persons where charging by way of summons would not be effective

**APPENDIX 2  
(Minute 36)****AMENDMENTS TO CONSTITUTION****Notification No. 27****Date 28<sup>th</sup> March 2007****Notification of amendments to the constitution****Amendments made by the Monitoring Officer**

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

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

<b>Part and article/ section</b>	<b>Page reference</b>	<b>Substance of amendment / amended wording</b>	<b>Reason for amendment</b>
Part 3 Section 3 Para 29(iii)	136	Delete Investment and replace with Pensions	Correction
Part 3 Section 3 Para 3.9.3.3	136	Move paragraph 3 to new paragraph 3.9.2.30 and renumber	Correction
Part 3 Section 7 Appendix C & D	168 & 172	Replace Appendix C and D with the Appendices attached hereto <b>[Note: see annex following]</b>	New Legalisation and Correction
Part 3 Section 3 Para 3.8.2.1	129	Replace £120,000 with £138,000 for motor insurance, insert £140,000 for liability insurance (Annual update of insurance)	Organisational Change
Part 4 Section 8 Para 6	299	Replace Education in the heading and in (a) and (b) with Children's Services	Correction
Part 2 Article 10	29	Amend 9 Councillors to 6 throughout	Correction
Part 1	2	Amend Five Overview Scrutiny Committee to Eight	Correction

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Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
Part 1	3	Amend Six Area Committees to Nine	Correction
Part 2 Article 6.05	18	<p>Paragraph 6.05 be replaced with the following wording</p> <p><b>6.05 Joint scrutiny of health service</b></p> <p>The Health Overview &amp; Scrutiny Committee is authorised pursuant to Regulation 7 of the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 to establish together with the health overview &amp; scrutiny committees of one or more other local authorities a joint overview &amp; scrutiny committee.</p> <p>Any such joint overview &amp; scrutiny committee shall have such terms of reference, and shall exist for so long, as the appointing overview &amp; scrutiny Committees may agree</p>	Correction agreed by Governance Committee on 20 <sup>th</sup> March 2007

## ANNEX

***These are the appendices referred to in the entry relating to Part 3, Section 7***

## Appendix C

**Enactments enforceable by Head of Housing & Health**

This appendix sets out those enactments which the Head of Housing & Health has delegated authority to enforce. The Head of Housing & Health may authorise his or her staff to enforce these enactments and to authenticate, on the Council's behalf, any notice, certificate or other document required to be issued in relation to the enactments. See Part 3 of this constitution, section 3.7.4, function 57.

Enactment	Relevant provisions and notes
Agriculture (Miscellaneous Provisions) Act 1968	Part I
Animal Boarding Establishments Act 1963	
Animal Health Act 1981	
Betting Gaming & Lotteries Act 1963	
Breeding of Dogs Act 1973	
Building Act 1984	<ul style="list-style-type: none"> <li>• sections 59 to 69 (relating to drainage of buildings and to sanitary conveniences)</li> <li>• section 70 (food storage accommodation in existing houses)</li> </ul>

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Enactment	Relevant provisions and notes
	<ul style="list-style-type: none"> <li>• section 76 (relating to defective premises)</li> </ul>
Caravan Sites Act 1968	
Caravan Sites Control & Development Act 1960	
Cinemas Act 1985	
Clean Air Act 1993	
Clean Neighbourhoods & Environment Act 2005	Parts 3, 5, 6 & 7
Control of Pollution Act 1974	section 13 (Part III, sections 60 to 62 and regulations made under section 78 (sulphur content of fuel oil)) and 1990
Dangerous Wild Animals Act 1976	
Environment Act 1995	
Environmental Protection Act 1990	Parts I, II (Sections 33, 34 & 59), IIA, III, IV and VIII (Section 150)
Essex County Council Act 1922	Part IV (Massage and Special Treatment)
European Communities Act 1972	<ul style="list-style-type: none"> <li>• Common Agricultural Policy (Wine) Regulations 1973</li> <li>• any other regulations that may be made</li> </ul>
Factories Act 1961	
Fire Safety and Safety of Places or Sport Act 1987	
Food Act 1984	
Food Safety Act 1990	
Food and Environment Protection Act 1985	Part III
Gambling Act 2005	
Game Act 1831	
Gaming Act 1968	
Greater London Council (General Powers) Act 1967	(registration of hairdressers, etc.)
Greater London Council (General Powers) Act 1973	section 31
Greater London Council (General Powers) Act 1979	(control of brown tail moth)
Greater London Council (General Powers) Act 1984	(registration of certain sleeping accommodation)
Greater London Council (General Powers) Act 1986	



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<b>Enactment</b>	<b>Relevant provisions and notes</b>
Guard Dogs Act 1975	(licensing of guard dogs' kennelling)
Health Act 2006	Part I, Chapter I (smoke- free premises, places and vehicles)
Health and Safety at Work, Etc. Act 1974	(other than in respect of requirements imposed upon the Council as employers)
Housing Act 1985	
Housing Act 2004	
Housing (Construction and Regeneration) Act 1996	
Hypnotism Act 1952	
Landlord and Tenant Act 1985	
Late Night Refreshment Houses Act 1969	
Licensing Act 1964	sections 78 and 79
Licensing Act 2003	
Local Government and Housing Act 1989	
Local Government (Miscellaneous Provisions) Act 1976	<ul style="list-style-type: none"> <li>• section 15 (survey of land for the purposes of compulsory purchase)</li> <li>• section 16 (power to serve notices – requisition for information)</li> <li>• section 20 (provision of sanitary conveniences at places at entertainment)</li> <li>• section 35 (power to require the removal of obstructions from private sewers)</li> </ul>
Local Government (Miscellaneous Provisions) Act 1982	<ul style="list-style-type: none"> <li>• sections 14 to 16</li> <li>• section 17 (exercise powers relating to entry in relation to registered premises in the Council's area)</li> <li>• section 29 (exercise powers of entry; each Environment Health Officer authorised to act)</li> <li>• Schedule 3 (sex establishments)</li> </ul>
London Government Act 1963	
London Local Authorities Act 1990	Part III (street trading) (licensing of night cafes)
London Local Authorities Act 1990	
London Local Authorities Act 1991	Part II, Part III and section 23
London Local Authorities Act 1995	
London Local Authorities Act 1996	

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<b>Enactment</b>	<b>Relevant provisions and notes</b>
London Local Authorities Act 2000	
Medicines Act 1968	(such orders and regulations as the Council may be appointed to enforce)
Mobile Homes Act 1983	
Noise Act 1996	sections 2 to 9
Noise & Statutory Nuisance Act 1993	(loudspeakers in streets)
Offices, Shops and Railway Premises Act 1963	
Performing Animals (Reg) Act 1925	
Pet Animals Act 1951	
Poisons Act 1972	
Pollution Prevention & Control Act 1999	
Prevention of Damage by Pests Act 1949	
Private Places of Entertainment (Licensing) Act 1967	
Protection from Eviction Act 1977	
Public Health Act 1936	
Public Health Act 1961	
Public Health Control of Disease Act 1984	
Rag Flock and Other Filling Materials Act 1951	
Refreshment Houses Acts 1869 and 1967	
Rent Act 1977	(provisions relating to certificates of disrepair pursuant to section 27 and schedule 6)
Riding Establishments Acts 1964 and 1970	
Shops Act 1950 – 1965	
Sunday Entertainments Act 1932	
Sunday Observance Act 1780	
Sunday Theatre Act 1972	
Sunday Trading Act 1994	
Theatres Act 1968	
Town & Country Planning Act 1990	Sections 215-219 Powers to deal with land adversely affecting amenity of the neighbourhood.
Wildlife and Countryside Act 1981	
Young Persons (Employment) Acts 1938 and 1964	

<b>Enactment</b>	<b>Relevant provisions and notes</b>
Zoo Licensing Act 1981	

**Appendix D**

## Enactments enforceable by Head of Housing & Health: licensing and registration of premises or persons

This appendix sets out those enactments under which the Head of Housing & Health has delegated authority to license and register premises or persons for the council's Environmental Health function. The Head of Housing & Health may authorise his or her staff to license or register these premises or persons. See Part 3 of this constitution, section 3.7.4, functions 45, 46, 47 and 57.

<b>Licensing matter</b>	<b>Enactment</b>
Animal boarding establishments	Animal Boarding Establishments Act 1963
Butchers	Food Safety Act 1990
Caravan Sites	Caravan Sites and Control of Development Act 1960
Dangerous wild animals	Dangerous Wild Animals Act 1976
Dog-breeding premises	Breeding of Dogs Act 1973
Establishments for massage and special treatment	London Local Authorities Act 1991
Gambling	Gambling Act 2005
Game dealers	Game Act 1831
Guard dog kennels	Guard Dogs Act 1975
Licensing	Licensing Act 2003
Housing	Housing Act 2004
Night cafes (until 24.00 hours 23 November 2005)	London Local Authorities Act 1990
Pet shops	Pet Animals Act 1961
Public entertainment (until 24.00 hours 23 November 2005)	London Government Act 1963
Riding establishments	Riding Establishments Act 1964
Sex establishments	Local Government Miscellaneous Provisions Act 1982
Street trading	London Local Authorities Act 1990

<b>Registration matter</b>	<b>Enactment</b>
Food premises	Food Safety Act 1990

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Hairdressers' and barbers' establishments	Greater London Council (General Powers) Act 1967, section 21
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MEETING	DATE	ITEM
GOVERNANCE COMMITTEE	30 MAY 2007	<b>5</b>

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## **REPORT OF THE CHIEF EXECUTIVE**

**SUBJECT: APPOINTMENTS TO OTHER ORGANISATIONS, 2007/08**

### **SUMMARY**

Members are invited to make appointments to the various organisations referred to in this report.

### **RECOMMENDATIONS**

1. That the Committee determine upon appointments to the organisations referred to in this report for the period until the meeting that deals with appointments for the municipal year, 2008/09 (or such other period as may be relevant in any specific case).
2. That, where the Council's representative (or any deputy or alternative representative where applicable) is unable to attend a particular meeting and the constitutional arrangements of the body in question so permit, that representative may mandate the Chair of the meeting to exercise a proxy vote.
3. That the Council's voting rights at the General Assembly of the Local Government Association be exercised by Councillor Michael White (4 votes) and Councillor Barbara Matthews (1 vote) (or their respective nominees in the event either is unable to vote in person).

**REPORT DETAIL**

- 1.1 The Committee is authorised to make all appointments to other organisations. Except where otherwise specifically provided, appointments are for the period until the meeting of this Committee immediately following the Annual Meeting of Council in 2008.
- 1.2 **Appendix 1** lists the appointments requiring to be made; for the most part, these are organisations to which the Council have made appointments for a number of years, and many are purely local voluntary organisations. **Appendix 2** refers to appointments that are not due to be made at this meeting, and indicates why.

**Exercise of voting rights**

- 2.1 In some cases, the constitution of an organisation permits the casting of proxy votes if the appointed representative is unable to attend a meeting.
- 2.2 In order to avoid a possible loss of influence, it is the Council's usual practice to agree that, where the Council's representative (or any deputy or alternative representative where applicable) is unable to attend a particular meeting and the constitutional arrangements of the body in question so permit, that representative may mandate the Chair of the meeting to exercise a proxy vote.
- 2.3 **The Committee is asked to agree to that practice continuing for the coming year.**
- 2.4 The Council is entitled to 5 votes in the General Assembly. Previously, the Leaders of the Council and of the Opposition were allocated 4 votes and 1 vote each respectively. **The Committee is asked to confirm that this arrangement should continue.**

**Havering Theatre Trust**

- 3.1 In addition to the appointments shown in Appendix 2, the Council appoints the members of the Council of Management and of the Board of the Havering Theatre Trust (which is a limited company controlled by the Council). The Council also appoints 10 non-Councillor members of the Council of Management.

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- 3.2 It is customary for the Committee to consider recommendations from the Trust as to appointments to be made. These recommendations are, of course, not binding on the Council but Members have previously found them helpful.
- 3.3 The Trust has recommended that the following be appointed for the coming year:
- |                                   |                         |
|-----------------------------------|-------------------------|
| David Burn (Vice-Chair)           | John Cryer              |
| Vernon Keeble-Watson              | Angela Marshall         |
| Siddiq Mubashar                   | Chris Purnell           |
| Michael Quine                     | Dennis Roycroft (Chair) |
| Pamela Wilkes (Company Secretary) | Caroline Wood           |
- 3.4 Two of the Council Members of the Council of Management are appointed also to serve on the Board and the Committee is invited to nominate three of the two Members accordingly.

### **Thames Chase Joint Committee**

- 4.4 Councillors Clarence Barrett, Lesley Kelly and Eric Munday are the Council's representatives on this Joint Committee.
- 4.5 The Clerk to the Joint Committee has advised that, for 2007/08, it is Havering's turn to nominate a Member to be Vice-Chairman of the Joint Committee.
- 4.6 The Committee is requested to confirm the nominee.

### **Equalities and Social Inclusion Implications and Risks**

- 5.1 There are no specific implications or risks. Appointments should be made with the Council's equalities policies in mind.

### **Legal, Finance and Environmental Implications and Risks**

- 6.1 These appointments are administrative and have no direct legal, financial or environmental implications or risks. In some cases, membership of an organisation is dependent upon the Council paying a subscription: where relevant, the subscription will be met from within an appropriate budget provision.

**Cheryl Coppel**  
**Chief Executive**



**Governance Committee, 30 May 2007**

**Staff Contact:** Ian Buckmaster, Manager of Committee and Overview &  
Scrutiny Support

**Telephone:** 01708 432431

**Background Papers**

A number of files is held by Democratic Services which provide information on the organisations to which appointments are being made.

## APPENDIX 1

### ORGANISATIONS TO WHICH APPOINTMENTS ARE TO BE MADE

### APPOINTMENTS REQUIRED TO BE MADE BY THE COUNCIL TO OTHER ORGANISATIONS, 2007/08

*Note: see footnotes at end for specific issues about organisations marked \**

ORGANISATION AND NUMBER OF APPOINTEES	MEMBER APPOINTED
---------------------------------------	------------------

Age Concern : Havering (Havering Old People's Welfare Association Council) - 2

Adoption Panel

**Ardleigh House Community Association** \* - 2

London Councils (formerly ALG)  
(Leaders' Committee)

Transport & Environment Committee

Representative (1):

Grants Committee

Deputies (up to 4):  
Representative (1):

Deputy (4):

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Greater London Employment Forum

Crime and Public Protection Forum - 1

Children, Young People & Families Forum - 1

Culture, Tourism & 2012 Panel – 1

Economic Development – 1

Health and Social Care Panel -1

Housing Forum -1

London Caribbean Forum – 1

Bretons Community Association -1

Carers Panel

CEME (Centre for Engineering & Manufacturing Excellence)

Connexions -1

Coopers Company & Coborn Educational Foundation - 1

Corporate Parenting Panel – 3

Representative (ex officio):

Deputy Representative:

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**Cranham Community Association \*– 1**

East London Waste Authority – 2

Education Otherwise Than At School Service (EOTAS)  
Management Advisory Committee

Elm Park Community Association – 1

Emerson Park Community Association – 1

Essex Wildlife Trust (Bedfords Park Management  
Committee) - 1

**Front Lane Community Association \*– 1**

Governor Panel – 3

Greater London Enterprise Limited – 1

Harold Hill & District Community Association - 2

Harold Wood Neighbourhood Centre – 2

Havering Admissions Forum – 5

Havering Arts Council – 5

**Governance Committee, 30 May 2007**

**Havering Association for People with Disabilities\* - 2**

Havering and Barking Relate – 2

Havering & Brentwood Bereavement Service-1

**Havering Chamber of Commerce and Industry\* - 1**

Havering Children's Trust Board

Havering College of Adult Education – 5

Havering Community Safety Partnership – 2

Havering Early Years Development Partnership - 5

Havering Joint Forum – 6

Havering Local Strategic Partnership – 3

Havering Police and Community Consultative Group – 6

**To be appointed by Area Committees at their July meetings**

**Havering Sports Council \* – 5**

Havering Theatre Trust - 8

Havering Twinning Educational Association- 1

Havering Youth Inclusion and Support Panel – 1 & Deputy

**Hornchurch Housing Trust \* (2 only required)**

## Governance Committee, 30 May 2007

Housing ALMO Board – 4

IWMS Contract Liaison Committee – 1

Local Government Association General Assembly – 4

Local Government Association Tourism Forum – 1

Local Government Association Urban Commission – 1

Local Government Information Unit – 1

London Accident Prevention Council – 2

London Home and Water Safety Council – 1

London Local Authority Arts Forum – 2

**London Riverside Limited \* – 1**  
(formerly Heart of Thames Gateway)

London Youth Games Limited – 1

Mardyke Youth and Community Centre - 2

North London Thames Gateway Groundwork Trust - 1

**Governance Committee, 30 May 2007**

North Romford Community Association - 1



## Governance Committee, 30 May 2007

Rainham and Wennington Community Association - 1

Reserve Forces & Cadets Association – 1

Romford Carnival Committee - 2

Romford Town Centre Partnership - 2

Romford Young Men's Christian Association  
(YMCA) - Board Of Management –1

**Rush Green Community Association\*** – 2

Second Chance - Theatre for the People - 1

Standing Advisory Council on Religious Education  
(SACRE) - 5

Thames Gateway London Partnership – 1

Upminster Windmill Preservation Trust - 1

Veolia ES Cleanaway Havering Riverside Trust – 1

Veolia ES Cleanaway Havering Riverside Maintenance  
Trust – 1

## Governance Committee, 30 May 2007

- **Ardleigh House Community Association\*** - have requested a representative who is able to attend on a regular basis. Will accept a named substitute.
- **Cranham Community Association \*** - would like to retain Councillor Alexander as Member representative.
- **Front Lane Community Association\*** - would like to retain Councillor Alexander as Member representative.
- **Havering Association for People with Disabilities\*** - would like to retain Councillor Mylod as Member representative.
- **Havering Sports Council\*** - have requested representatives who are able to attend on a regular basis.
- **Havering Chamber of Commerce and Industry\*** - have requested a representative who is able to attend on a regular basis. Will accept a named substitute.
- **Hornchurch Housing Trust\*** – Mr Chris Oliver and Councillor Munday appointed till February 2009.  
Mr Ivor Cameron and Mrs Peggy Munday appointed till February 2010.
- **London Riverside Limited \***- Still active and therefore require appointment.
- **Rush Green Community Association\*** - would like to retain Councillors Benham and Osborne as Member representatives.

**Other Organisations not requiring Appointment**

<b>Organisation</b>	<b>Member Representatives</b>	<b>Additional Information</b>
Court of the City University	Kevin Gregory	No longer require appointment
Futures Charitable Trust	Geoff Starns	Appointed till December 2007
Havering Bands & Majorettes Association	Sandra Binion, Andrew Curtin & Len Long	Organisation is restructuring and would like to retain existing appointments
Havering CAB Management Committee	Robert Benham & Kevin Gregory	No longer require appointment
Havering College of Further & Higher Education	Paul Rochford & Kevin Gregory	Appointed till December 2008
Havering Sixth Form College	Paul Rochford	Appointed till Dec. 2008
	Roger Ramsey	Appointed till June 2010
Hides Educational Foundation	June Alexander Gillian Ford Geoff Starns	Organisation is restructuring and would like to retain existing appointments
Lee Valley Park Authority	Andrew Curtin	Appointed till June 2009
London East Local Authorities' Group	Geoff Starns	Organisation no longer active
London & Quadrant Housing Trust	Robert Benham	No longer require appointment
Lucas Children's Play Charity	Andrew Curtin	Appointed till October 2007
	Len Long	Appointed till October 2011
Poyntz Charity	June Alexander	Appointed till November 2007
Regional Flood Defence Committee	Barry Tebbutt	Appointed by London Councils till June 2010
Romford Combined Charity	Michael Armstrong	Appointed till November 2010
	Andrew Curtin	Appointed till November 2010
	Mr Wilf Mills	Appointed till November

**Governance Committee, 30 May 2007**

		2008
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<b>Organisation</b>	<b>Member Representatives</b>	<b>Additional Information</b>
Schools Organisation Committee	Clarence Barrett, Keith Darvill, Roger Evans, Lesley Kelly, Geoff Starns, Barry Oddy and Pam Light	Organisation due to be disbanded.
Thames Chase Joint Committee	Clarence Barrett, Lesley Kelly and Eric Munday	Appointed until June, 2010

**Governance Committee, 30 May 2007**



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GOVERNANCE COMMITTEE	30 MAY 2007	<b>6</b>

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## REPORT OF THE CHIEF EXECUTIVE

**SUBJECT: GOVERNANCE (APPEALS) SUB-COMMITTEE**

### **SUMMARY**

This report invites the Committee to re-establish the Appeals Sub-Committee to determine a further appeal arising from the implementation in 2005/06 of adjustments to management lines for certain chief officers.

### **RECOMMENDATION**

That the Committee confirm the appointment of the Governance (Appeals) Sub-Committee and determine its membership on the basis of four Members (3:1:0:0).

### **REPORT DETAIL**

- 1.1 In September 2005, the Committee established a Sub-Committee to deal with appeals from chief officers arising from the earlier approval of proposed changes in the Council's Strategic and Corporate Management Teams.

#### **Appeals**

- 2.1 The process allows chief officers to exercise a right of appeal in two particular circumstances:

1. The selection of the chief officer for compulsory redundancy
  2. The decision of the Pensions Panel not to exercise its discretion to award added years to an eligible chief officer's pension as a result of s/he being made redundant (irrespective of whether that redundancy was voluntary or compulsory).
- 2.2 The Committee should note that the granting of appeal rights in these circumstances is a statutory requirement and, in the case of the first right, is also incorporated into national conditions of service. The Constitution provides for this Committee to establish a panel to hear a grievance submission made by "Havering Grade" staff and it has been accepted that both the above circumstances fall within this provision, and accordingly that this Committee should be the determining body for such appeals.

### **The need for the Sub-Committee**

- 3.1 Although the appeal process arising from the 2005 adjustments is largely complete, an issue has arisen of which urgent consideration by the Sub-Committee is required. Being a statutory obligation, the issue can only be determined by a Member-level body.

### **Composition of the Sub-Committee**

- 4.1 The Sub-Committee previously had four Members and there is no proposal to alter that. In establishing it, the Committee must have due regard to political balance and it cannot include Members who have had prior involvement in earlier stages of the process which led to the appeal. This means that those Members who sat on the Appointments Committee during August and September 2005 when matters relating to the adjustments were dealt with, i.e. Councillors Steven Kelly, Barbara Matthews and Michael White, are ineligible to serve on the Sub-Committee. Councillors Eric Munday and Roger Ramsey, who previously served on the Sub-Committee, are eligible to serve on it again.
- 4.2 The provisions about political balance will apply to this Appeals Panel. As a Panel of four, it would have a balanced membership of 3:1:0:0.

### **Financial Implications and Risks:**

- 5.1 There are no direct financial implications or risks arising from this report. Any costs associated with meetings etc will be met from within existing budgets.

### **Legal Implications and Risks:**

- 6.1 The Council must comply with all legal requirements and conditions of service currently in force when considering appeals against compulsory redundancy. Failure to so comply could amount to a breach of contract and pave the way for an Employment Tribunal complaint which, if successful, could result in an adverse finding against the Council and additional expenditure in the form of a compensatory payment. The Council needs to ensure that its employment

practice is consistent so as to avoid an allegation of discriminatory treatment which would lay the Council open to a discrimination claim which, if successful, could potentially mean unlimited compensation, (there is no set maximum award for a successful claim of discrimination in the Employment Tribunal).

- 6.2 Any Appeals Panel must comply with the requirements for political balance. A four Member panel would be 3:1:0:0.

**Human Resources Implications and Risks:**

- 7.1 These are contained within the body of this report.

**Equalities and Social Inclusion implications:**

- 7.2 The process adopted for selecting officers for redundancy must be applied in a consistent and non-discriminatory basis and must be free from any unlawful bias on the grounds of gender, race, disability or other material factor set out in the relevant employment and equalities legislation.

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**Cheryl Coppel  
Chief Executive**

**Background Papers List**

There are no background papers







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MEETING	DATE	ITEM
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## **REPORT OF THE CHIEF EXECUTIVE**

**SUBJECT: AMENDMENTS TO THE CONSTITUTION**

<b>SUMMARY</b>
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1. Part 2 Article 15.02(c) of the Constitution authorises the Monitoring Officer to amend the Constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure, the Monitoring Officer shall have power to amend the Constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure, to insert recommendations made pursuant to a written report agreed by Council, to clarify the Constitution, insert obvious omissions or to comply with any accepted recommendations made by District Audit, the Audit Commission, the Standards Board and/or any other government appointed inspection regime.
2. Power to clarify the Constitution, insert obvious omissions or to comply with accepted recommendations of external bodies shall only be exercised after first giving five working days' notice to Group Leaders.
3. If the Monitoring Officer makes any such amendment to the constitution, he or she must notify the Governance Committee accordingly at the first reasonable opportunity.
4. Other amendments are dealt with under Part 1 Article 4.02 paragraph (a) of the Constitution, which provides that only the Council will exercise the function of adopting and changing the Constitution.

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5. Part 3 Section 1 paragraph 1.2 of the Constitution provides that this Committee will
  - monitor and review the operation of the Constitution to ensure that the views and principles of the Constitution are given full effect
  - make recommendations to the Council about amending the Constitution

### RECOMMENDATIONS

To amend the Monitoring Officer's powers as set out below to enable the Constitution to be amended more speedily.

### REPORT DETAIL

1. The powers of the Monitoring Officer are set out below and are contained in Article 15 of the Constitution

#### **Delegated powers of the Monitoring Officer**

The Monitoring Officer shall have power to amend the Constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure, to insert recommendations made pursuant to a written report agreed by Council, to clarify the Constitution, insert obvious omissions or to comply with any accepted recommendations made by District Audit, the Audit Commission, the Standards Board and/or any other government appointed inspection regime.

**Note** Power to clarify the Constitution, insert obvious omissions or to comply with accepted recommendations of external bodies shall only be exercised after first giving five working days' notice to Group Leaders.

If the Monitoring Officer makes any such amendment to the constitution, he or she must notify the Governance Committee accordingly at the first reasonable opportunity.

2. The Council has appointed a new Chief Executive and has been awarded a good rating for its Comprehensive Performance Assessment by the Audit Commission. It is clear that the Council needed to have very tight systems and controls in place to achieve that star rating but now the Council needs to move forward and that in order to do so, such restrictive

## **Governance Committee, 30 May 2007**

controls may need to be released. These may impact on areas of the Constitution which need to be refreshed.

3. It is therefore recommended that the Monitoring Officer powers be amended as follows

### **Delegated powers of the Monitoring Officer**

The Monitoring Officer shall have power to amend the Constitution to:

- (a) correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure
- (b) insert recommendations made pursuant to a written report agreed by Council
- (c) clarify the Constitution, insert obvious omissions or to comply with any accepted recommendations of external bodies.
- (d) Improve practices and processes and amendments generally

### **Note Power to:**

- (a) clarify the Constitution, insert obvious omissions or to comply with accepted recommendations of external bodies
- (b) improve practices, processes and amendments generally

Shall only be exercised after first giving five working days' notice to Group Leaders. Should any Group Leader object then the matter shall be referred to the next meeting of the Governance Committee

If the Monitoring Officer makes any such amendment to the constitution, he or she must notify the Governance Committee accordingly at the first reasonable opportunity.

4. The process of giving notice to the Group Leaders and allowing them the opportunity to effectively stop any amendment without it coming before the Council's Governance Committee has worked well previously and it is suggested that this is a reasonable way forward.

### **Financial Implications and Risks**

There are none

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**Equalities and Social Inclusion Implications and Risks**

There are none

**Human Resource Implications and Risks**

There are none

**Legal Implications and Risks**

The ability of the Monitoring Officer to undertake other amendments will ensure that processes can be streamlined much more quickly and effectively.

**CHERYL COPPELL**  
**Chief Executive**

**Staff Contact: Christine Dooley**  
**Assistant Chief Executive Legal & Democratic Services**  
**Telephone: 01708 432442**

**Background Paper List**

None



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## REPORT OF THE CHIEF EXECUTIVE

**SUBJECT: Ethical Governance Survey – a progress report**

### **SUMMARY**

The Ethical Governance Survey is a "...survey of members and officers including awareness and understanding of ethical behaviour". This refers to all 54 members and all top 140 managers. The survey is administered by the Audit Commission and is conducted online.

This report to Governance Committee is intended as a progress report and a means to gain maximum participation of Members and Officers.

Previously, the survey was to be carried out **after** Full Council (18<sup>th</sup> July 2007). However, this date has had to be changed so that the survey will now be carried out **before** Full Council. A full project plan is included.

### **RECOMMENDATION**

That the Survey be carried out between June 4<sup>th</sup> and June 29<sup>th</sup> 2007.

That the Committee play an active role in encouraging all Members to participate, specifically:

- That **Group Leaders encourage participation** across their Group
- That **Cabinet and Overview & Scrutiny Committee** members (including co-opted members) are specifically targeted for participation

- That all Members are advised that **information and support is available to assist** their participation

## REPORT DETAIL

Previously, the Ethical Governance Survey was to be carried out **after** Full Council (18<sup>th</sup> July 2007). However, this date has had to be changed so that the survey will now be carried out **before** Full Council.

Therefore, the suggested project plan is as follows:

### May 2007

#### *Briefings for Members and Officers*

- Briefing material produced for Members and Officers
- Cabinet and Overview & Scrutiny Committee Chairs asked to encourage participation from their members
- Officer management teams briefed

### June 2007

#### *Survey undertaken*

- Online survey 'live' between 4<sup>th</sup> June and 29<sup>th</sup> June 2007
- Email and letter to all Members inviting them to participate
- Email to all top 140 managers inviting them to participate
- As required, officers to support Members in completing surveys
  - Attending after the end, or before the beginning, of scheduled evening meetings
  - 1-2-1 or small group sessions (provided by Andy Theedom, contact to arrange at [andrew.theedom@havering.gov.uk](mailto:andrew.theedom@havering.gov.uk) or 01708 432076)

### July/August 2007

#### *Survey results*

- As soon as the results are available these will be reported to all participants, specifically:
  - Cabinet
  - Governance Committee
  - Member Development Group
  - Email to all Members
  - CMT
  - Email to all top 140 managers
- Any measures identified for action (such as training, support or information) will be put into place as soon as practically possible

### Financial Implications and risks:

There are no financial implications or risks as the Survey has no cost (with the exception of officer time in preparing for it) and does not impact on any future funding.

#### **Legal Implications and risks:**

This is a report updating Members on the Ethical Governance Survey which is to be carried out in June 2007. The survey will inform the work of the Audit Commission and surveys have been undertaken already in some of the other London Boroughs. Depending on the result of the survey it is possible that further training and development may be required and therefore there may be reputational risk should the results of the survey or the number of participants be low.

#### **Human Resources Implications and risks:**

There are no Human Resources implications

#### **Equalities and Social Inclusion implications:**

The results of the survey will help to identify the extent to which equalities legislation has been mainstreamed into service provision, and will provide useful data for the strategic planning of equality and diversity work, and the progression through the Equality Standard for Local Government

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**CHERYL COPPELL**  
Chief Executive

#### **Background Papers List**

- Previous report to Governance Committee (20<sup>th</sup> March)
- 'Why undertake this survey?'



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<b>SUPPLEMENTARY</b>		

## REPORT OF THE CHIEF EXECUTIVE

**SUBJECT: APPOINTMENTS TO OTHER ORGANISATIONS, 2007/08**

### **SPECIFIC ISSUES**

#### **Adoption Panel**

Regulations require a local authority providing an adoption service (“an adoption agency”) to appoint an Adoption Panel. In Havering, the actual appointment of the Panel is a matter for this Committee.

The regulations require that the Adoption Panel shall consist of no more than ten members, including the Chair and must include -

- (a) two social workers each with at least three years' relevant post-qualifying experience;
- (b) one member of the Council;
- (c) the medical adviser for adoption;
- (d) at least three other independent members including where reasonably practicable at least two persons with personal experience of adoption.

The adoption agency must appoint one member of the Adoption Panel as vice chair, to act as chair if the person appointed to chair the panel is absent or his office is vacant.

The time that any person may serve as a member of an Adoption Panel is limited to a total of nine years and this affects several of the current members, who are nearing that absolute maximum they can serve.

The current membership is:

<b>Panel Member</b>	<b>Status</b>	<b>Date eligibility to serve ends</b>
Alan Johnstone	Independent Member; Chair	December 2008
Stephen Richards	Social Worker; Vice Chair	December 2014
Jonathan Pearce	Social Worker	December 2015

## Governance Committee, 7 June 2006

Angie Kirby		Social Worker	December 2015
Councillor Wendy Brice-Thompson		Authority Member	December 2008
Dr Banerjee		Medical Adviser	No time limit (medical advisers are exempt from the time limit)
Tess Blight		Independent Member	December 2015
Tony Ferguson		Independent Member	December 2015
Betty Haltham		Independent Member	December 2015
Beryl Thornton		Independent Member	December 2011

**The Committee is asked to re-appoint those members of the Adoption Panel for the coming year (or until those members who are nearing the end of their eligibility to serve reach the point at which they must cease to do so, unless they resign earlier).**

### **Havering Early Years Development Partnership**

Nominations to Havering Early Years Development are not required this year.

The structure is being revised and it is expected that the new system will invite those who are interested to participate in discussion forums, rather than require regular attendance at meetings.

### **Thames Chase Joint Committee**

The Clerk to the Joint Committee, which is serviced by Essex County Council, has advised that it is Havering's "turn" to nominate the Vice-Chairman for 2007/08. The expectation is that the Vice-Chairman will become Chairman in 2008/09.

The Council's appointees are Councillors Clarence Barrett, Lesley Kelly and Eric Munday, and the Committee is asked to nominate one of them for the office of Vice-Chairman.

## **Havering Theatre Trust – non-Council nominees**

The following information has been received from the Trust:

“the Board recommend nominations as follows:

David Burn  
Vernon Keeble-Watson  
David LeI  
Michael Quine  
Angela Marshall  
Dennis Roycroft  
Louise Sinclair  
Pamela Wilkes

“All eight recommendations are current Trustees.

“The Board understands that James Brokenshire MP wishes to stand down from the Council of Management, and further notes that Mr David Thorpe wishes further clarification of the duties and responsibilities of a Trustee before agreeing to continue in this position.

“The Board therefore suggests that the one or two remaining non-Councillor Trusteeships remain vacant pending further discussion and future recommendation and nomination.

**The Committee is requested to consider the Trust’s suggestions and to determine the appointments.**

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<b>MEETING</b>	<b>DATE</b>	<b>ITEM</b>
<b>GOVERNANCE COMMITTEE</b>	<b>30 MAY 2006</b>	<b>5</b> <b>SECOND</b> <b>SUPPLEMENTARY</b>

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**REPORT OF THE CHIEF EXECUTIVE**

**SUBJECT: APPOINTMENTS TO OTHER ORGANISATIONS, 2007/08**

**SPECIFIC ISSUES**

**Havering Theatre Trust – non-Council nominees**

The following FURTHER communication has been received from the Trust:

“The Board has identified a skills shortage at governing level in arts and theatre management at present, and therefore recommends Bryan Savery for nomination. Mr Savery is Executive Director of the Hampstead Theatre (the comparable and complementary producing theatre company in north London), and currently Vice-Chair of the Independent Theatre Council. He is therefore well-placed to advise senior management and provide valuable insight and strategic guidance.”

**the committee is requested to consider the Trust’s additional suggestion and to determine the appointments.**