



Public Document Pack

**Havering**  
LONDON BOROUGH

# ANNUAL MEETING OF THE COUNCIL

**7.00 pm Wednesday, 25 May 2011  
At Council Chamber - Town Hall**

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

**Acting Assistant  
Chief Executive**

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

**Ian Buckmaster**

**Tel: 01708 432431**

**Email: [ian.buckmaster@havering.gov.uk](mailto:ian.buckmaster@havering.gov.uk)**



**Please note that this meeting will be webcast.**

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

## AGENDA

**1 PRAYERS**

**2 TO RECEIVE APOLOGIES FOR ABSENCE (IF ANY)**

**3 MAYORALTY**

- (a) To elect the Mayor of the Borough for the Municipal Year 2011/12.
- (b) To receive notice of the appointment of the Deputy Mayor of the Borough for the Municipal Year 2011/12.

**A. Motion on behalf of the Conservative Group**

That Councillor Melvin Wallace be elected Mayor for the Municipal Year 2011/12

**4 MINUTES (Pages 1 - 30)**

To approve as a true record the minutes of the meeting of the Council held on 30 March 2011, and to authorise the Mayor to sign them.

**5 ANNOUNCEMENTS BY THE MAYOR OR CHIEF EXECUTIVE**

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

*Note: at the conclusion of the Leader's Statement Council will adjourn for refreshments*

**7 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.*

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

To consider whether to confer on any persons who have rendered eminent service to the borough, the Honorary Freedom of the Borough.

- 8A **The following nominations have been received, for conferment of the Freedom of the Borough upon the individuals nominated, in recognition of the eminent service:**

**On behalf of the Administration:**

**Joyce Leicester**

**On behalf of the Residents' Group:**

**Sue Ospreay**

**On behalf of the Labour Group:**

**Tom Horlock**

**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.

**9 APPOINTING THE COMMITTEES OF THE COUNCIL (Pages 31 - 42)**

To consider the Chief Executive's report about appointing Committees

**10 APPOINTMENT OF THE CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES**  
(Pages 43 - 46)

To consider the nominations proposed by the Administration, Independent Residents' Group and the Residents' Group

**11 APPOINTMENT OF THE STATUTORY LEAD MEMBER FOR CHILDREN'S SERVICES**

**Motion on behalf of the Administration**

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

**12 APPOINTMENT OF THE MEMBER CHAMPIONS**

**Motion on behalf of the Administration**

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

**13 PETITIONS**

Councillor Fred Osborne has given notice of an intention to present a petition.

**14 DELEGATION OF POWERS TO THE NATIONAL ILLEGAL MONEY LENDING TEAM** (Pages 47 - 48)

To consider a report of the Governance Committee

**15 THE COUNCIL'S CAPITAL PROGRAMME 2011/14** (Pages 49 - 60)

To consider recommendations of the Leader of the Council

**16 MEMBERS' QUESTIONS** (Pages 61 - 66)

To receive replies to Members' Questions

**17 MOTIONS FOR DEBATE** (Pages 67 - 68)

To consider and debate motions and amendments about the following matters:

**A Local Government Funding Formula**

**B Youth Services Cuts**

This page is intentionally left blank



**MINUTES OF A MEETING OF THE COUNCIL OF THE  
LONDON BOROUGH OF HAVERING  
Havering Town Hall, Romford  
30 March 2011 (7.30pm – 10.50pm)**

**Present:** The Mayor (Councillor Pam Light) in the Chair

**Councillors:** Councillors June Alexander, Michael Armstrong, 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, Linda Hawthorn, Lesley Kelly, Steven Kelly, Mark Logan, Barbara Matthews\*, Paul McGeary, Robby Misir, Ray Morgon, John Mylod, Pat Murray, Barry Oddy, Denis O'Flynn, Fred Osborne, Ron Ower, Gary Pain, Roger Ramsey, Paul Rochford, Geoffrey Starns, Billy Taylor, Barry Tebbutt, Frederick Thompson, Jeffery Tucker, Linda Van den Hende, Keith Wells, Melvin Wallace, Damian White, Michael White and John Wood

\* For part of the meeting

8 Members' guests and members of the public and a representative of the press were also present.

Apologies were received for the absence of Councillors Peter Gardner, John Mylod, Lynden Thorpe and Linda Trew.

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

Rev Armstrong Fummey of Trinity Methodist Church, Romford opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

66 **MINUTES (agenda item 3)**

**RESOLVED:**

**That the minutes of the Meeting of the Council held on 23 February 2011 be signed as a true record.**

67 **PHILP HEADY, DEMOCRATIC SERVICES MANAGER**

The Mayor and the Leader of the Council both referred to the forthcoming retirement of Philip Heady, Democratic Services Manager and, on behalf of the Council, thanked him for his service since 1982 and wished him well for the future.

68 **DECLARATIONS OF INTEREST (agenda item 4)**

Councillors Steven Kelly, Jeff Brace, Billy Taylor and June Alexander each declared a personal interest in the matters referred to in minute 71, as members of the Board of Homes in Havering.

Following a request for guidance, the Council noted advice that Members of the Regulatory Services Committee were not precluded from participating in the debate, or voting, on the motion referred to in minute 79.

In the course of the debate on the motion referred to in minute 78, Councillor Linda Van den Hende declared a personal interest as the wife of a serving police officer.

69 **ANNOUNCEMENTS (agenda item 5)**

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

70 **PETITIONS (agenda item 6)**

Pursuant to Council Procedure Rule 23, petitions were presented as follows, by Councillors:

Jeffrey Tucker - From more than 500 residents of Rainham & Wennington Ward opposing the proposed development at Dovers Corner

Michael Deon Burton - (1) From more than 450 signatories opposing the proposed development at Dovers Corner

(2) From 115 residents opposing conversion of Will Perrin Court to a hostel



- Georgina Galpin - From residents of Thorncroft, Hornchurch seeking double yellow line parking restrictions at the junction of Osborne Road and Thorncroft
- Pat Murray - From residents of Bridgwater Road, North Hill Drive, Hildene Avenue and adjoining areas objecting to the sale of off-street parking facilities in that neighbourhood

It was noted that each petition would be passed to Democratic Services for attention in accordance with the Petitions Scheme.

71 **HOUSING REVENUE ACCOUNT CAPITAL PROGRAMME, 2011-2012 (agenda item 7)**

*The Mayor had accepted the report as an urgent item, pursuant to Section 100B(4) of the Local Government Act 1972, as the decision of the Cabinet from which it arose had not be taken until after the despatch of the agenda for the meeting.*

*Councillors Steven Kelly, Jeff Brace, Billy Taylor and June Alexander each declared a personal interest, as members of the Board of Homes in Havering.*

There was before the Council a report of the Cabinet concerning the Housing Revenue Account (HRA) Capital Programme, 2011-2012. No amendment was proposed and the recommendations of the Cabinet were **ADOPTED** without debate or division. It was, accordingly, **RESOLVED**:

**That the HRA Capital Programme for 2011/12 as now proposed by the Cabinet, be approved.**

72 **FORMAT OF MEETINGS OF FULL COUNCIL (agenda item 8)**

The Governance Committee had considered a number of proposals intended to facilitate more efficient and effective transaction of the business coming before meetings of the full Council and its report now before the Council set out a range of proposed changes in meeting procedure.

Those proposals were **ADOPTED** without debate or division, and it was **RESOLVED that**:

- 1 **The Annual Meeting of the Council start at 7pm and be arranged in two parts with an adjournment between them:**
  - (a) **Mayor Making, at which the Mayor for the coming municipal year will be elected, the Deputy Mayor**

- appointed and the Leader of the Council's Annual Statement presented; and
- (b) other business, to include the appointment of Committees, their Chairmen and Vice-Chairmen, consideration of Reports, Members' Questions and debates on Motions on any matter relevant to the Council.
- 2 (a) At ordinary meetings of the Council, proposers of motions have the ability to propose either a more limited form of debate than the full debate currently provided for, or dealing with the motion by vote-only (without requiring a procedural motion to that effect) and that the Council Procedure Rules be amended as set out in Appendix 2 to these minutes accordingly; and
- (b) In the limited form of debate ("Intermediate debate procedure"), the restrictions on participants be as follows:
- 1 A speech of 5 minutes for the proposer of a motion or amendment;
  - 2 A speech of 2 minutes for all other speakers, including those seconding the motion;
  - 3 That the number of speakers, including those seconding the motion and any amendment but excluding those proposing the motion or an amendment, shall not exceed five from the Administration and five from Groups other than the Administration (and there shall be a formal convention as to how those speakers may be identified, to be agreed by the Group Leaders);
  - 4 That rights of reply shall be exercisable by the Leader of the Opposition (or his nominee) and the Leader of the Council, both having 5 minutes.
- 3 (a) That, when seconding a motion or amendment, Members rise only formally to second the proposal and make any speech subsequently, in general debate; and
- (b) the current seconder's right to a speech of 8 minutes be abolished.
- 4 That the pattern of meetings of the Council be:
- January (or 1 February if necessary)  
February (Council Tax and budget)  
March

**May (the Annual Meeting, including Mayor Making)**

**July**

**September**

**November**

- 5 That, when Council considers a report by Cabinet, a Committee or an officer, in addition to proposing formal amendment, Members have the right to submit questions for response by the Leader of the Council, the appropriate Cabinet Member or the appropriate Committee Chairman, any such question to be submitted to the same deadline as an amendment to the report.**
- 6 That the revised Council Procedure Rules set out in Appendix 2 be adopted and that the Assistant Chief Executive be authorised to make any other necessary minor or consequential amendments that result from these decisions.**

**73 REVIEW OF COMMITTEE STRUCTURE (agenda item 9)**

A report of the Governance Committee was submitted, dealing with changes proposed to the Council's Committee structure, following a review by the Administration. The proposals were **ADOPTED** without debate or division, and it was **RESOLVED**:

**That, with effect from the Annual Meeting on 25 May 2011:**

- (a) The Adjudication & Review Committee and the Appointments Committee be re-constituted as Sub-Committees of the Governance Committee and that Hearings Panels be re-designated as Panels of that Committee, and that their respective functions be assigned to this Committee as set out in Appendix 3A to these minutes; and**
- (b) The Partnerships Overview & Scrutiny Committee be abolished and its functions re-distributed to other Overview & Scrutiny Committees as set out in Appendix 3B;**

**and that the Assistant Chief Executive, Legal & Democratic Services be authorised to make all consequential adjustments to the Council's Constitution.**

74 **AMENDMENTS TO THE CONSTITUTION (agenda item 10)**

- A **Local Democracy, Economic Development and Construction Act 2009 – Designation of Statutory Scrutiny Officer**
- B **Head of Development and Building Control: adjustments to the scope of planning applications which can be decided under delegated powers**

A report of the Governance Committee invited the Council to approve two amendments to the Council's Constitution concerning the delegation to certain officers of authority (a) as to act statutory Scrutiny Officer and (b) of additional powers in relation to certain planning applications BY Homes in Havering and by Schools.

Both adjustments were **APPROVED** without debate or division and it was **RESOLVED:**

- 1 **That the post of Committee Administration and Member Support Manager be designated as statutory Scrutiny Officer with effect from 1 April 2011 and that the holder of the post, Ian Buckmaster, be appointed accordingly.**
- 2 **That the Head of Development and Building Control be authorised to determine planning applications by or on behalf of Homes in Havering or Schools and that the existing delegations to that officer be adjusted by the addition to paragraph 3.7.6 of the following new delegations:**
  - (i) **Erect extensions, conservatories, alterations, disabled ramps and similar household type development in respect of Homes in Havering submitted planning applications which, were they not Homes in Havering properties, would be determined under staff delegated powers**
  - (ii) **Extensions less than 1,000sqm and freestanding shelters and boundary treatment including walls and fencing proposals in respect of school related applications unless objections have been received or the school is within the Green Belt.**

75 **DATES OF COUNCIL MEETINGS (agenda item 11)**

The Chief Executive reported upon the proposed schedule of meetings of the Council in 2011/12, taking into account the adjusted cycle approved at minute 72(4) above. The schedule was **APPROVED** as submitted and it was accordingly **RESOLVED:**

**That Council fix the dates of its meetings for the Municipal Year 2011/12 and, on a provisional basis, the balance of 2012, as follows:**

**2011**

**20 July**

**21 September \***

**23 November \***

**\* replacing those shown in the current diary as provisional**

**2012**

**1 February**

**22 February (Council tax Setting)**

**28 March**

**23 May (Annual Meeting)**

**18 July (provisional)**

**19 September (provisional)**

**28 November (provisional)**

**76 MEMBERS' QUESTIONS(agenda item 12)**

16 questions were asked and replies given.

The texts of those questions and their answers, together with those not asked orally, are set out in **Appendix 4 to these minutes.**

**77 FORTHCOMING MARRIAGE OF HRH PRINCE WILLIAM OF WALES AND MISS KATE MIDDLETON**

With the consent of the Mayor, a Member referred to the forthcoming marriage of HRH Prince William of Wales and Miss Kate Middleton. A proposal that the Mayor write on behalf of the Council and the people of the Borough to convey to His Royal Highness and his fiancée best wishes for a long and happy marriage was **AGREED** unanimously.

78 **SAFER NEIGHBOURHOOD POLICING (agenda items 13/13A)**

*Councillor Linda Van den Hende declared a personal interest as the wife of a serving police officer.*

**Motion on behalf of the Independent Residents' Group**

This Council affirms its support for Safer Neighbourhood policing and opposes any changes that are detrimental to the size and future of ward based Safer Neighbourhood Teams.

**Amendment by the Administration**

**Amend to read:**

This Council affirms its support for Safer Neighbourhood policing and opposes any changes that are detrimental to the size and future of ward based Safer Neighbourhood Teams, and welcomes the Mayor of London's commitment of an extra £42million in London policing.

Following debate, the Administration amendment was **CARRIED** by 40 votes to 8 (see voting division 1) and adopted as the substantive motion without division.

**RESOLVED that:**

**This Council affirms its support for Safer Neighbourhood policing and opposes any changes that are detrimental to the size and future of ward based Safer Neighbourhood Teams, and welcomes the Mayor of London's commitment of an extra £42million in London policing.**

79 **REDEVELOPMENT OF GARAGE SITES AND CAR PARKING AREAS IN HAROLD HILL (agenda item 14/14A)**

*Councillor Linda Van den Hende declared a personal interest as the wife of a serving police officer.*

**Motion on behalf of the Labour Group**

This Council regrets the time constraints and unwarranted haste to implement the proposed development of garage sites and car parking areas in the Harold Hill Estate as a consequence of the time limited funding arrangements imposed by the Homes & Communities Agency and the Mayor of London which has led to the premature serving of Notices on Tenants and the proposed commencement of works on parts of the Estate before the planning processes have been completed.

**Amendment by the Administration**

**Amend to read:**

This Council regrets the time constraints to implement the proposed development of insufficiently used garage sites as a consequence of the time limited funding arrangements imposed by the HCA; but congratulates the Administration for its policy to provide much needed family homes for Havering residents.

Following debate, the Administration amendment was **CARRIED**. The motion as amended was then **CARRIED** as the substantive motion by 30 votes to 9 (see voting division 2).

**RESOLVED that:**

**This Council regrets the time constraints to implement the proposed development of insufficiently used garage sites as a consequence of the time limited funding arrangements imposed by the HCA; but congratulates the Administration for its policy to provide much needed family homes for Havering residents.**

---

Mayor  
25 May 2011

**Note:** the record of the voting divisions is attached as  
**Appendix 5 to these minutes.**

**Appendix 1  
(Minute 68)**

**ANNOUNCEMENTS BY MAYOR**

May I start by congratulating Fairkytes Arts Centre for receiving a nationally recognised accreditation for excellence of service. The Quest accreditation is a quality scheme for sport and leisure and was awarded following a gruelling two day inspection. Congratulations too to the Council's Adult Services for being 'highly commended' in the LGC Awards. The Council came second in the Health and Social Care category, for its pioneering social enterprise scheme – to give our vulnerable residents the choice of how they would like to be cared for.

The Queen's Theatre also had something to celebrate when they received three top awards. The inaugural Off West End Theatre Awards called 'The Offies' were presented by actor Simon Callow. The Queen's won The People's Favourite Production Award for the musical Camp Horror; The People's Favourite Entertainment Award for the production of A Funny Thing Happened on the Way to the Forum and for the Most Welcoming Theatre, which is something I think we can all vouch for. Further good news that I heard today is that the Queen's Theatre has been successful in its bid to the Arts Council, England.

Speaking of a warm welcome. I recently visited Hesdin, our twin town, and met with the Mayor, Jean Marie Roussel and his wife Francine, to mark the 10th anniversary of twinning between our towns, which was extremely successful.

I was very impressed with our first Bikewise event as one of the Mayor of London's Biking Boroughs. Around 4,000 residents came to Hornchurch Country Park, many by bike. Well done to the organisers – and to Councillor Michael White, who rode with me on the front seat of a tandem and didn't once tip off!

Another event which attracted more than 600 people was the 100<sup>th</sup> anniversary of International Women's Day event we held at Havering College of Further and Higher Education. Its success marks the hard work and enthusiasm of everyone involved. And it doesn't stop there - the Council's Walking for Health scheme is attracting a record number of walkers. It has also received praise from Natural England, the Government's advisor on the natural environment, when some 79 people turned out for one of the six walks Leisure Services hold a week.

I was also impressed by the brilliant performance of the one hundred pupils from Rainham schools who took part in the Moyo, an event of music, dance and drama. I attended too the Havering Primary Dance Festival, part of the Emerson Park School Partnership Dance Festival, which was just as impressive. Both events were extremely well organised and professionally performed.

I was extremely pleased to be asked to launch the nominations for the Caring Neighbour Scheme organised by Havering's Over 50s Forum. This is a great scheme which recognises ordinary people of all ages who go out of their way to show good neighbourliness, expecting nothing in return. I hope you will give it your support.

A big thank you to Members, colleagues and friends for their support for my Charity Boxing Dinner fundraising event. With your help we raised £1,200 for my charities the Rainbow Trust and HAD – Havering Association for people with Disabilities.

I will also be walking in the footsteps of Dick Whittington to raise funds for my charities this coming Sunday. I intend to complete the seven mile walk in full robes, sponsorship forms are available: please give generously!



**AMENDED COUNCIL PROCEDURE RULES**

**Rule 1 - Annual Meeting of the Council**

**Amend the second paragraph and list of agenda items as follows:**

The annual meeting will commence at 7pm and comprise two Parts, as follows:

Part 1

- (a) choose a Member to preside if the Mayor is not present and to receive apologies for absence;
- (b) elect the Mayor of the Borough and receive notice of the appointment of the Deputy Mayor;
- (c) approve the minutes of the last meeting and of any subsequent extraordinary meeting;
- (d) receive any announcements from the Mayor and/or Chief Executive;
- (e) in a year when there is an ordinary election of Councillors, elect the Leader of the Council, and receive any notice of the appointment of the Deputy Leader of the Council and the Members of the Cabinet
- (f) receive a statement by (or on behalf of) the Leader of the Council relating to any aspect of the Council policy or in respect of any issue affecting the Council or the borough.

Part 2

- (g) receive any declarations of interest from members;
- (h) other than in a year when there is an ordinary election of Councillors, consider whether to confer on any person of distinction or who has rendered eminent service to the borough the Honorary Freedom of the Borough
- (i) appoint the overview and scrutiny committees, the Standards Committee and any such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions; appoint their Chairmen and Vice Chairmen; and appoint the following seven Champions:
  - (i) for Diversity
  - (ii) for the Historic Environment
  - (iii) for the 14-19 Diploma Scheme
  - (iv) for the Over Fifties
  - (v) for Standards
  - (vi) for the Voluntary Sector Compact
  - (vii) for Younger Persons
- (j) receive any petitions pursuant to rule 23(a);

- (k) receive and consider the following business, in the order indicated:
- (i) recommendations from the Cabinet and the Council's committees;
  - (ii) reports of the Chief Executive, Monitoring Officer or Chief Finance Officer;
  - (iii) proposals from the Cabinet in relation to the Council's budget and policy framework;
  - (iv) reports of the overview and scrutiny committees and/or the Member Champions;
  - (v) any statutory or other plans submitted for the Council's approval;
  - (vi) consider questions from members submitted in accordance with Rule 10;
  - (vii) 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;
  - (viii) consider any motions submitted in accordance with the procedure set out in Rule 11; and
  - (ix) consider any other business specified in the summons to the meeting.

The Initial, Revised and Final Agendas for the Annual Meeting, and any papers or other submissions for consideration at that meeting, shall be delivered in accordance with Timetable 1 appended to these Rules.

**Rule 11 - Motions of which notice is given**

**Insert new paragraph 11.3 (and renumber subsequent paragraphs accordingly)**

**11.3 Mode of debate**

The proposer of a motion may indicate at the time of submitting the motion, or at any time prior to the publication of that motion in the final agenda for a meeting, that the motion may be dealt with at the meeting by the intermediate debate procedure provided for in Rule 13.5 or by vote only as provided for in Rule 13.6. That indication shall apply also in respect of any amendments proposed to the motion and shall be noted on the agenda papers.

If no such indication is given, the motion (and any amendments) shall be debated in full (unless Rules 7(d) (Mayor's powers) or 9.1(d)(conclusion of meeting) apply).

**Amend paragraph 11.7 as follows:**

**11.7 Amendments to, or questions about, reports**

Amendments to any reports before Council shall be submitted to the Proper Officer as follows:

- (a) To reports issued with the final agenda, no later than the Monday before the meeting (but if the Monday is a Bank Holiday, the time limit will be extended to noon on the Tuesday before the meeting).
- (b) An amendment to an urgent report may be proposed without notice at any time before the debate on it is concluded.

A Member may question the Leader of the Council, a Cabinet Member, a Committee Chairman or a Member Champion, as appropriate, about the content of any report before Council. Questions:

- (a) About reports issued with the final agenda shall be submitted to the Proper Officer no later than the Monday before the meeting (but if the Monday is a Bank Holiday, the time limit will be extended to noon on the Tuesday before the meeting).
- (b) About an urgent report may, with the consent of the Mayor, be asked without notice at the time the report is considered by Council.

**Rule 12 – Motions without notice**

**In paragraph 12.1, insert the following and renumber subsequent clauses accordingly:**

- (f) to apply to a motion (including a deemed motion relating to a report) the full debate procedure (rule 13.4), intermediate debate procedure (rule 13.5) or vote only procedure (rule 13.6);
- (g) where a motion is being considered by the Intermediate debate procedure (rule 13.5), to vary the number of Members who may speak;

**Rule 13 – Rules of debate**

**Replace paragraph 13.3 by the following:**

**13.3 Mode of debate**

This Rule shall not apply to any motion or amendment proposed in relation to the Council Tax and budget at the meeting of the Council at which they are set.

Unless an indication has been given in accordance with Rule 11.3 (mode of debate) or Rule 9.1(d) (conclusion of meeting) applies, all motions shall be debated in accordance with Rule 13.4 (Full debate procedure).

Where the proposer has indicated that the motion shall be debated using the intermediate debate procedure, Rule 13.5 (Intermediate debate procedure) shall apply unless a procedural motion is passed to apply either the full debate procedure or the vote only procedure

Where the proposer has indicated that the motion shall be dealt with by vote only, Rule 13.6 (Vote only procedure) shall apply unless a procedural motion is passed to apply either the full debate procedure or the intermediate debate procedure.

Speeches must be directed to the agenda item under discussion or to a point of personal explanation, clarification, order or information.

**Rename paragraph 13.4 and amend its content as follows:**

**13.4 Full debate procedure**

No speech may exceed the following time limits without consent of the Mayor:

- (a) ten minutes for a mover of a motion or an amendment and
- (b) five minutes for other speeches in any debate

Except that, at the meeting setting the council tax under rule 3, the speeches of any Group Leader (or of a member nominated to speak on behalf of a Group Leader) on any motion or amendment relating to the council tax shall not exceed twenty minutes.

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

- (a) The Leader of the Group by which any motion, recommendation or amendment was proposed (if not the Leader of the Council or the Leader of the Opposition), or, if the mover is not a member of a Group, that Member.
- (b) Where more than one Group or individual Member has proposed a motion or amendment, each shall be entitled to exercise a right of reply, in the order in which the motion or amendment(s) appears on the agenda.
- (c) The Leader of the Opposition
- (d) The Leader of the Council.

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

**Insert new paragraphs 13.5, 13.6 and 13.7:**

**13.5 Intermediate debate procedure**

No speech may exceed the following time limits:

- (a) five minutes for a mover of a motion or an amendment
- (b) two minutes for all other speeches and
- (c) a right of reply for five minutes each for the Leader of the Opposition and the Leader of the Council (or their respective nominees).

Unless agreed otherwise by procedural motion, the number of speakers, including those seconding the motion and any amendment but excluding those proposing the motion or an amendment, shall not exceed five from the Administration and five from Groups other than the Administration.

A convention agreed by Group Leaders will govern the selection of speakers.

The motion and any amendment shall be voted upon as if there had been a full debate of the matter.

**13.6 Vote only procedure**

Where this procedure is invoked, the Mayor shall put the matter to a vote without debate. The motion and any amendment shall be deemed to have been moved and seconded, and shall be voted upon as if there are been a full debate of the matter.

**13.7 Seconding a motion or amendment**

No motion or amendment shall be debated or voted upon unless it has been seconded by a Member other than its proposer. A Member seconding a motion or amendment shall do so formally, without making a speech.

**Delete existing paragraph 13.6 and renumber the subsequent paragraphs.**

**APPENDIX 3  
(Minute 76)**

**Appendix 3A**

**REVISED FUNCTIONS OF THE GOVERNANCE COMMITTEE**

Note – for ease of reference, the functions being transferred to the Governance Committee are shown in **bold font**

Hearings Panels, currently the responsibility of the Adjudication & Review Committee, would become the responsibility of this Committee (through the new Adjudication & Review Sub-Committee). The functions below marked \* would be the responsibility of that new Sub-Committee and those marked ø would be under the Appointments Sub-Committee.

Governance	<p><b>Monitoring constitution</b></p> <p>In accordance with Part 2, Article 11 of this constitution:</p> <ul style="list-style-type: none"> <li>• To monitor and review operation of the constitution to ensure that the aims and principles of the constitution are given full effect</li> <li>• To make recommendations to the Council about amending the constitution</li> <li>• To monitor and review the Members' Allowance Scheme and make recommendations to Council</li> <li>• To monitor and review the role of Overview and Scrutiny including numbers, operation and responsibility of Overview and Scrutiny Committees and their terms of reference and make recommendations</li> <li>• To monitor and review all aspects of Corporate Governance</li> <li>• To approve the Annual Governance Statement</li> </ul> <p><b>Staff disciplinary, capability and grievance procedures</b></p> <ul style="list-style-type: none"> <li>• Where necessary, to establish a panel to consider and determine any appeal by the Head of Paid Service, a Group Director, Assistant Chief Executive, Assistant Director or a Head of Service from the decision of a panel of the Appointments Committee.</li> <li>• Where necessary, to establish a panel to hear a grievance submission made by the Head of Paid Service, a Group Director, Assistant Chief Executive, Assistant Director or a Head of Service</li> <li>• Where necessary to establish a panel to consider and determine any appeal against dismissal or final stage grievance lodged by "Havering Grade" staff.</li> </ul> <p><b>ø Appointments and dismissals</b></p> <ul style="list-style-type: none"> <li>• <b>To make recommendations to Council about appointing and dismissing the Head of Paid Service</b></li> <li>• <b>To appoint and dismiss Group Directors, Assistant Chief Executive, Assistant Director and Heads of Service, in accordance with the procedures set out in the Staff Employment Procedure Rules in Part 4 of this constitution</b></li> <li>• <b>Where necessary to establish a panel to consider and determine any allegation under the Council's disciplinary or capability procedures against the Head of Paid service, a Group Director, Assistant Chief Executive, Assistant Director or Head of Service.</b></li> <li>• To appoint (or in the case of appointments to be made by the</li> </ul>
------------	--

	<p>Executive, to recommend for appointment) any individual:</p> <p>(a) to any office (other than an office in which he is employed by the authority) in the authority's gift</p> <p>(b) as the authority's representative to any body other than the authority or to any committee or sub-committee of such a body</p> <p>and to revoke any such appointment (see Part 3, section 5: local choice functions)</p> <ul style="list-style-type: none"> <li>• To approve delegated arrangements for such appointments</li> <li>• To interview candidates for the independent member positions on the Standards Committee and to make recommendations to Council about the appointment of the independent members</li> </ul> <p><b>∅ Terms and conditions</b></p> <p><b>To determine the local terms and conditions, pay and grading arrangements of the Head of Paid Service, Group Directors, Assistant Chief Executive, Assistant Director and Heads of Service</b></p> <p><b>* Appeals and complaints</b></p> <p><b>To determine an appeal against any decision made by or on behalf of the authority, except where statute provides for some other route of appeal (see Part 3, section 4: functions not to be the responsibility of an authority's Executive (group B functions) and Part 3, section 5: local choice functions) - see Hearings Panels below</b></p> <p><b>* Admission and exclusion of pupils</b></p> <ul style="list-style-type: none"> <li>• <b>To make arrangements pursuant to Chapter I of Part III of the School Standards and Framework Act 1998 (admission appeals)</b></li> <li>• <b>To make arrangements pursuant to Chapter V of Part II of the School Standards and Framework Act 1998 (exclusion appeals and children to whom section 87 applies: appeals by governing bodies)</b></li> </ul> <p><b>* Governing bodies</b></p> <p><b>To hear appeals from teachers about early retirement decisions by governing bodies</b></p> <p><b>Member support</b></p> <p>To oversee matters related to the facilities available to support members</p> <p><b>Miscellaneous</b></p> <p>To undertake those functions assigned under Part 3, section 4: functions not to be the responsibility of an authority's Executive (group EA functions)</p>
--	---

The entries currently in Part 3.1.2 of the Constitution relating to the Adjudication & Review Committee and the Appointments Committee will be placed immediately following that of the Governance Committee and be re-designated as Sub-Committees.

**Redistribution of functions of the Partnerships OSC**

Note – for ease of reference, the functions being transferred from the Partnerships OSC to the alternative OSCs are shown in **bold font**; only the affected OSCs are shown

<b>Overview and Scrutiny Committee</b>	<b>Area of responsibility</b>
<b>Environment</b>	<ul style="list-style-type: none"> <li>• Environment</li> <li>• <b>Local Development Framework and Strategic Transport</b></li> <li>• <b>Transport for London</b></li> <li>• Environmental Strategy</li> <li>• Community safety</li> <li>• Streetcare</li> <li>• Parking</li> <li>• Social Inclusion</li> <li>• Scrutiny of relevant aspects of the LAA</li> <li>• Councillor Call for Action</li> </ul>
<b>Towns &amp; Communities</b>	<ul style="list-style-type: none"> <li>• <b>Community Engagement</b></li> <li>• <b>Cohesion</b></li> <li>• <b>3<sup>rd</sup> Sector Compact</b></li> <li>• Regulatory Services</li> <li>• Planning and Building Control</li> <li>• Town centre strategy</li> <li>• Licensing</li> <li>• Leisure, arts, culture</li> <li>• Housing Retained Services</li> <li>• <b>Partnership with the ALMO</b></li> <li>• Community safety</li> <li>• Social and economic regeneration</li> <li>• Parks</li> <li>• Social inclusion</li> <li>• Scrutiny of relevant aspects of the LAA</li> <li>• Councillor Call for Action</li> </ul>

Overview and Scrutiny Committee	Area of responsibility
Value	<ul style="list-style-type: none"> <li>• <b>Strategy and commissioning</b></li> <li>• <b>Local Strategic Partnership</b></li> <li>• <b>Partnerships with Business</b></li> <li>• Customer access</li> <li>• E-government and ICT</li> <li>• Finance (although each committee is responsible for budget processes that affect its area of oversight)</li> <li>• Human resources</li> <li>• Asset Management</li> <li>• Property resources</li> <li>• Facilities Management</li> <li>• Communications</li> <li>• Democratic Services</li> <li>• Social inclusion</li> <li>• Scrutiny of relevant aspects of the LAA</li> <li>• Councillor Call for Action</li> </ul>



**APPENDIX 4  
(Minute 76)**

**MEMBERS' QUESTIONS AND ANSWERS**

*Note: Questions 1 to 16 were answered at the meeting. In accordance with Council Procedure Rule 10.6(a), the remainder were treated as if put for written answer*

**1 BANNING OF FOOTBALL TRAINING IN THE BOROUGH'S PARKS**

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

By Councillor Linda Hawthorn

Further to the recent publicity surrounding the reported banning of football training at Upminster Park and other parks across the borough, would the Cabinet Member:

- a) Set out the exact position regarding football training at parks across the borough and in particular the impact on junior football teams?
- b) Explain what consultation with users was undertaken prior to any decision to ban football training at Upminster Park and other parks across the borough?

**Answer:**

In answer to part a)

We actively encourage participation in football and all sports by Havering residents, but particularly by children and young people. The current position regarding football in some parks is that we are trying to relocate teams who are currently undertaking organised training in formal parks to use either areas that are set out for sports or to use areas on sites that are playing fields. In addition we are undertaking a review of teams who are using the sites for training to help us contact them in future. The impact of our action has been for teams to understand that the Parks Service will assist them in finding areas for them to train and protect the pitches that they have booked from other teams using them for unauthorised training. They are now aware we do not permit areas of formal parks to be damaged when there are alternative locations where sport is permitted and by undertaking a review of who is doing the training we will be able to ensure that training is only provided by qualified people with all of the required CRB checks in place that enable them to work safely with children.

In answer to part b)

We have not banned football. We were trying to locate footballers away from playing on the more formal areas of parks or on other teams hired pitches. Because we do not have a list of who is training and where they are training it is very difficult to consult with the teams as they are not always training at the same site in consecutive weeks. The review and contact list that we are currently compiling will greatly assist in our ability to contact these clubs.

At the time when we took action to relocate the teams many games had been abandoned due to water logging and we received complaints from the public on the damage that was being done to the parks. We took action to minimise the damage and consulted with the teams during the process. Havering has a large number of teams who train on our sites and the majority of teams relocated without any comment. We would like to take this opportunity to thank the vast majority of teams that co-operated in this exercise.

In response to a supplementary question, the Cabinet Member undertook to keep the questioner informed as groups were re-located.

**2 UPHELD STANDARDS COMPLAINT: COSTS**

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

By Councillor Mark Logan

After the attempts of the Administration to financially burden me with a Cost Order after the Mark Gadd fraud allegation what was the Tribunal Service decision on this matter?

**Answer:**

The Councillor is mistaken as the Council did not make any formal application for costs against him – the possibility of him having to pay costs was raised by the Tribunal because of his conduct.

Having considered the matter further the Tribunal concluded that Councillor Logan's statements and actions "were not sufficiently obstructive in their effect as to constitute a ground for making an order" for costs against him

In response to a supplementary question, the Cabinet Member undertook to advise the questioner of the cost of engaging a barrister to represent the Council at the hearing.

**3 THE FUTURE OF LIVING**

**To the Leader of the Council (Councillor Michael White)**

By Councillor Denis O'Flynn

When does the Administration expect the Government to announce its detailed policy relating to Council Publications following the recent consultation which will determine the future of *Living*?

**Answer:**

The government has already announced its detailed policy, which is currently making its way through Parliament and should be effective from next month. The last two copies of *Living* have carried articles explaining this - and telling residents that the next issue will be published in June and every quarter after that.

In response to a supplementary question, the Leader referred the questioner to the answer to Question 20 following.

**4 LONDON LOCAL AUTHORITIES AND TRANSPORT FOR LONDON ACT 2003: IMPLEMENTATION**

**To the Cabinet Member for Environment (Councillor Barry Tebbutt)**

By Councillor Ray Morgon

Would the Cabinet Member explain why the provisions of Section 16 of the London Local Authorities and Transport for London Act 2003, approved by Members at October 2010 Council, have not yet been advertised?

**Answer:**

The decision to implement this legislation was taken by the Cabinet on 8th December 2010. I am advised that, due to staffing constraints, the Notice advertising that Havering was going to enforce Section 16 of the London Local Authority and Transport for London Act 2003 was unfortunately not published until 7th March 2011. Since the Act requires that 3 months' notice is given prior to a Local Authority enforcing Section 16 of the Act, these powers will now not come into force until 8th June 2011.

**5 DEVELOPMENT AT DOVERS CORNER AND THE HAVERING LDP**

**To the Leader of the Council (Councillor Michael White)**

By Councillor Michael Deon Burton

Does Cllr Michael White agree, that the Government Inspector's decision to approve a Tower City at Dovers Corner overturns the Council's own Local Development Plan and threatens to inflict over-development throughout Havering?

**Answer:**

As previously stated, we are disappointed with the Inspector's recommendation on the Dovers Corner planning appeal, which was adopted by the Secretary of State. Nevertheless, we are intending to produce new local planning guidance which will strengthen our ability to limit development along the A1306 in Rainham to predominantly three storeys, in line with the Local Development Framework.

I do not think this will affect the rest of the borough, because the Council's borough-wide policies provide strong protection for Havering's existing suburban character.

In response to a supplementary question, the Leader confirmed that the Council remained committed to the protection of the borough from inappropriate development,

*In response to a point of order, the Acting Assistant Chief Executive expressed the view that reference in the supplementary question to a particular prospective development would be unlikely to be regarded as prejudicial.*

**6 THE COUNCIL'S CAPITAL PROGRAMME**

**To the Cabinet Member for Value (Councillor Roger Ramsey)**

By Councillor Paul McGeary

How and when is the Council's Capital Programme reviewed, which Overview & Scrutiny Committee will monitor its progress and will the Administration provide Members with a schedule of projects within the Capital Programme approved by Full Council?

**Answer:**

The Council is required to approve a budget annually. As part of the budget-setting process, Council is asked to approve proposals for both revenue and capital spend. The 2011/12 budget, which was approved by Council in February, includes the overall level of proposed capital spend for the coming year, but not the detailed schemes within it.

In the past, approval of detailed schemes has been delegated to the relevant Cabinet member. This has been accomplished through executive decision forms, which are subsequently published formally and are thus available for both Members and the community to examine. As part of being as more open and transparent, Cabinet agreed that the proposed detailed programme for 2011/12 would be brought back to Cabinet. A report is currently being prepared and this will be considered by Cabinet in April. This report will also set out the proposed approach to the 2012/13 budget.

Heads of service are responsible for the implementation of detailed programmes and included within their performance packs details of both spend and progress with their capital schemes. This information is available to Overview & Scrutiny members. In addition, the Council produces a monthly monitoring report - which for 2011/12 will broadly be on a quarterly basis, with exception reporting for the intervening months. These reports are available from the Council's website.

In response to a supplementary question, the Cabinet Member reminded the questioner that Overview & Scrutiny Committees were free to pursue any questions they wished arising from the performance information available on the Council's website.

**7 PROVISION OF PITCHES FOR GYPSIES AND TRAVELLERS**

**To the Cabinet Member for Community Empowerment (Councillor Robert Benham)**

By Councillor Linda Van den Hende

Now that the London Mayor has stated he will not set a target for the number of Gypsy and Traveller pitches for each London Borough within the London Plan, would the Cabinet Member set out how Havering is planning to determine the quantity of pitches it should permit?

**Answer:**

The removal of borough targets from the Draft Replacement London Plan means that the need for pitches will be identified solely through a borough-level needs assessment. The Council has committed to producing a Gypsy and Traveller Sites planning document as part of its Local Development Framework, which will determine how many pitches we should plan for in Havering, after taking account of all relevant planning policies, including the Green Belt. A draft document will be the subject of public consultation in due course.

In response to a supplementary question, the Cabinet Member confirmed that consultation on the number of pitched was in hand – his expectation was that fewer would in fact be required than had earlier been thought necessary.

**8 DEVELOPMENT AT DOVERS CORNER: POSSIBILITY OF FLOODING**

**To the Cabinet Member for Individuals (Councillor Steven Kelly)**

By Councillor Jeffrey Tucker

The Thames Estuary floodplain includes Dovers Corner Rainham, which is a particularly porous site. In the opinion of Havering Council Planning Department, would tower blocks on this site sink and would underground car parks flood - and would properties get insurance cover?

**Answer:**

The Environment Agency, who would advise on flooding issues, did not object to the planning application but recommended conditions which the Secretary of State attached to the planning permission, to ensure adequate drainage and flood mitigation.

Buildings within flood plains are common and the foundation design would be subject to the Building Regulations.

The question of insurance is not one that the Planning Department can answer, but given that there are existing properties within identified flood plains in the borough, there is no reason to suppose that it would not be possible to get insurance cover.

In response to a supplementary question, the Cabinet Member confirmed that the questioner was free to quote him accurately and subject to the law of defamation.

**9 HAVERING'S CCTV INFRASTRUCTURE**

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

By Councillor Pat Murray

What plans does the Administration have to review the central control of CCTV cameras and their monitoring arrangements, and what plans are there to amalgamate and restructure its infrastructure?

**Answer:**

A scoping report has been produced however to date no decision has been taken to amalgamate and restructure.

In response to a supplementary question, the Cabinet Member gave assurance that the a report would be put before the Cabinet in due course.

**10 CRIMINAL RECORD BUREAU CHECKS**

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

By Councillor Ray Morgon

Would the Cabinet Member explain why this Council is ignoring section 17 of the London Safeguarding board procedures that clearly states that it is illegal to appoint someone without a CRB check?

**Answer:**

The London Borough of Havering prioritises, conforms to and exceeds the minimum standards set out in relation to the safer recruitment of staff and volunteers.

The Council gives the safer recruitment of staff the highest priority and implements a range of safer recruitment practices to ensure that statutory requirements are complied with across the Children's Trust and LSCB Partnerships.

Recruitment and vetting checks are a key element in the work to ensure that children are safeguarded and the risk of harm from those who are in contact with them in whatever capacity is minimised.

CRB Disclosures must be obtained before or as soon as practicable after appointment.

The full range of checks must be carried out on all agency or supply staff by the supply agency. Robust audit procedures are in place to monitor compliance.

Head Teachers, Principals and local authorities have discretion to allow an individual to begin work in schools and colleges pending receipt of a CRB Disclosure but should ensure that the individual is appropriately supervised (as defined in paragraph 4.25 of the Guidance) and that all other checks including List 99 have been completed.

In response to a supplementary question, the Cabinet Member re-affirmed the Council's compliance with, and exceeding of, the required minimum standards.

**11 ST GEORGE'S DAY CELEBRATIONS**

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

By Councillor David Durant

Basildon Council is promoting a "St George's Day Party in a Box scheme". Will Havering Council contact Basildon Council for further details and promote a similar scheme in Havering?

**Answer:**

Officers have already spoken to Basildon Council. The Basildon scheme is open to registered charities and community organisations and the Council pays for a box of bunting, hats, flyers etc to help groups organise St George's Day celebrations.

In Havering, we already support the festivities in Romford Market and there are many other celebrations that take place across the borough without any formal Council input. We would have to consider whether the extra cash and officer time was necessary to encourage local people to celebrate – or whether our patriotic residents really needed any help from us to celebrate St George's Day! What I can assure Cllr Durant is that this Council will continue to fly the St George's Cross and promote St George's Day as we have always done.

**12 YOUTH OUTREACH SERVICES**

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

By Councillor Keith Darvill

Will the Cabinet Member make a statement about the current and planned provision for Youth Outreach Staff and the services they provide?

**Answer:**

Currently the Integrated Youth Service operates a number of services within its remit including the provision of targeted, universal and specialist services to young people aged 11-25 within the borough. This includes outreach services.

Due to the economic pressures facing the Council as a whole, the service is currently going through a redundancy and restructure programme which will help deliver a projected and anticipated efficiency saving of c.£500k by 2012.

The effect of this saving will mean that the way in which services are delivered will change. This will include outreach services. The team of Detached Youth Workers that currently operate in the 3 localities will be restructured so that they can still work on the streets and where young people meet, but with a much more targeted approach determined by needs of young people. The finer detail of the restructure is not yet determined, largely due to individual redundancy situations which are ongoing with staff members.

In response to a supplementary question, the Cabinet Member confirmed that resources were being concentrated in the areas of greatest need, and that the questioner's request for attention to be given to the area of, and surrounding, the Hilldene Shopping Centre would be borne in mind.

**13 ALLOCATION OF TICKETS FOR THE 2012 OLYMPIC GAMES**

**To the Leader of the Council (Councillor Michael White)**

By Councillor Ron Ower

Would the Leader of the Council please confirm that Havering Council will follow the example of several other London boroughs by not buying the proposed allocation of 100 tickets for the 2012 Olympics and that any free tickets that are obtained will be offered to Havering residents with sporting links?

**Answer:**

Given the overall financial position, Havering Council has decided to return all of the 100 tickets it was offered for purchase, apart from two tickets which will be purchased on behalf of the Mayors of the Council's twin towns, Ludwigshafen and Hesdin. The two Mayors have also been asked if they wish to purchase additional tickets, at their expense, through Havering Council. The Council is awaiting a response from the two Mayors to this offer.

In response to a supplementary question, the Leader confirmed that Members and officers would be expected to refuse free tickets and that, hopefully, schools and other organisations would be given allocations.

**14 PROPOSED CHANGES TO TENANCY CONDITIONS: CONSULTATION**

**To the Cabinet Member for Housing (Councillor Lesley Kelly)**

By Councillor Mark Logan

Are the Council aware that the consultation for the 32 changes proposed to amend the Council tenants' secure tenancy is a flawed consultation and they are left wide open to a legal challenge?

**Answer:**

It is unclear from Cllr Logan's question here on what basis he believes the consultation to be flawed. Substantial consultation has been carried out by Homes in Havering on the Council's behalf, with Homes in Havering following the Council's legal advice throughout the process and, therefore, the Council has complied with the relevant legislation in consulting on and varying the tenancy agreement.

In response to a supplementary question, the Cabinet Member expressed regret that members of the public had corresponded with the questioner rather than comment formally on the proposals. It was entirely reasonable that failure to respond should be taken as signifying acceptance of the proposals. She did not accept that the consultation was flawed.

With the consent of the Mayor, the Cabinet Member offered to meet the questioner to clarify issues with which he appeared to have difficulty.

**15 FOOTPATH, ROADS AND HIGHWAYS REPAIRS**

**To the Cabinet Member for Environment (Councillor Barry Tebbutt)**

By Councillor Denis Breading

What plans have the Council to repair the Borough's footpaths, roads and highways which have fallen into even greater disrepair as a result of the extreme weather conditions experienced in the winters of 2009/10 and 2010/11, what is the estimated cost of such repairs and how much additional financial support has been allocated by Central Government for this purpose?

**Answer:**

The council has revenue and capital budgets in place next year 11/12 for reactive maintenance (patching) and planned maintenance (carriageway resurfacing and footway renewals).

Last year the council provided additional funding (£270K) for the patching of the carriageway following the severe winter conditions experienced and central government also provided additional resources (£148K).

Central Government have allocated further funds nationally of £100M for the next financial year 11/12 and there is a further £100M recently announced in the forthcoming budget (23.03.11) following the second severe winter in a row.

It is difficult to calculate the cost of such repairs arising from the severe weather only.

In response to a supplementary question, the Leader indicated that about £357,000 would be available to Havering.

**16 GREEN WASTE COLLECTION: PAYMENT METHODS**

**To the Cabinet Member for Environment (Councillor Barry Tebbutt)**

By Councillor Brian Eagling

Would the Cabinet Member explain why the option to pay by Direct Debit for Green Waste Bins has been withdrawn?

**Answer:**

The decision was made by Head of StreetCare and Head of Customer Services to withdraw the Direct Debit facility this year and review for future years. The reason for this was due to the inefficiencies in the Allpay Direct Debit facility, which were identified by StreetCare and the Customer Services Team.

Administrating the 10% of customers paying by DD was extremely time consuming, mainly due to the lack of integration with the other processing systems, which is why it was felt it would be better to review, future DD payments when the new systems were available

In response to a supplementary question, the Cabinet Member confirmed that DD would be reinstated once the new systems were in place.

**17 RE-DEVELOPMENT OF ONGAR WAY GARAGE SITES**

**To the Cabinet Member for Individuals (Councillor Steven Kelly)**

By Councillor Michael Deon Burton

The residents of Ongar Way are not against the garages being replaced with quality housing, but do not want to lose the open space by Rainham Road/Ongar Way roundabout. Has this area been 'appropriated for planning purposes' to facilitate the building of high-rise, high-density flats on this site?

**Answer:**

Prospective purchasers of land that have been identified for development commonly require local authorities to provide clean title to land. The Council has accepted external legal advice that appropriating land for planning purposes best achieves this requirement. The originally proposed purchaser of the land is not now proceeding and any new purchaser is likely to want to consider the most appropriate form of development for the site, which would be subject to the usual planning processes.

**18 'YOUR COUNCIL, YOUR SAY' SURVEY**

**To the Leader of the Council (Councillor Michael White)**

By Councillor Clarence Barrett

Would the Leader disclose the full cost of the recent 'Your Council, Your Say' survey and set out when the results will be conveyed to members?

**Answer:**

The full cost of producing and distributing the survey, together with an estimate of postage costs relating to Freepost returns, totals just under £10,000.

The 'Your Council, Your Say' survey has been the single most successful survey we've run, leading to well over 11,000 responses from residents. The results will help us shape our future strategies and I think many councils will wonder how on earth we managed to get such a huge response from residents. I'm very grateful to everyone who took the time to fill in the questionnaire.

A summary of the interim results was published in Living on March 21<sup>st</sup> and the full set will be shared with members and the public shortly.

**19 MANAGEMENT OF COUNCIL HOUSING**

**To the Cabinet Member for Housing (Councillor Lesley Kelly)**

By Councillor Mark Logan

Now that we have the third worst record in the UK and second worst in London for bringing Council housing up to the Decent Homes standard would you agree now is the time to bring the management control back in house?

**Answer:**

Councillor Logan has confused a number of issues. The Council's housing stock is badly in need of improvement. However this deterioration in the condition of the stock is not caused by the current management arrangements, by which our Arms Length Management Organisation (Homes in Havering) have delegated responsibility to manage our housing stock. The condition of the housing stock is directly as a result of under investment, and our shortage of capital with which to carry out essential repairs and improvements. We hope to be able to address this, following the announcement of our Decent Homes Backlog funding, of £62.7m which we will receive over the next four years, whether we have an Arms Length Management Organisation in place or not.



20 ***LIVING: CHANGE FROM FORTNIGHTLY TO QUARTERLY PUBLICATION***

**To the Leader of the Council (Councillor Michael White)**

By Councillor Ron Ower

Would the Leader advise what annual savings will be derived by the *Living* newspaper going from fortnightly to quarterly?

**Answer:**

There will be no savings. Even though the running costs are being reduced and a member of staff is being made redundant, there will still be an advertising income target over and above the base budget of £88,000 in order to cover the full costs.

As I have repeatedly said in this chamber, *Living* was extremely cost-effective as a fortnightly publication. This year it is expected to pay for itself entirely from advertising, without using any of its budget. So, had the publication remained as a fortnightly newspaper, we would have been able to reduce that budget considerably, but now it's unlikely we'll be able to do that. And we will also have to pay for our public notices to be placed in a local newspaper.

It is very unfortunate that the Government has applied a blanket rule on Council publications, because it means that we have to abandon a very cost-effective and very popular fortnightly publication. We will continue to lobby Government to allow us to publish public notices online – which we are not currently permitted to do – in order to recoup those costs.

21 **HOUSING ALLOCATION: BIDDING SYSTEM**

**To the Cabinet Member for Housing (Councillor Lesley Kelly)**

By Councillor Mark Logan

People on the Council waiting lists are allowed to make two bids upon the choice-based lettings bidding system on a weekly basis. Tenants staying in a PSL property are given a direct offer of a property at the end of the PSL contract; these properties are the ones that no one else wants. If they refuse these dilapidated properties they are sent a notice to quit and put on to the streets. Will Cabinet look into this part of LB Havering's disgraceful lettings policy?

**Answer:**

This question appears to be based on a misunderstanding of how the Council's choice-based lettings system works. Cllr Logan is correct that all those on the Housing Register can place up to two bids per week through the choice-based lettings system, he is not right, however, in assuming that PSL tenants do not also have this ability.

Homeless households placed in a PSL property may bid for a council or housing association property at any time. If the PSL lease comes to an end before they receive an offer of council or housing association accommodation, the tenant will typically be offered another PSL property.

Alternatively, if at this time the tenant has lived in PSL accommodation for a number of years, it is likely they will be placed on the Council's move-on programme under which they will receive a higher priority on the Housing Register for six weeks. If they are still unsuccessful in their bidding during this six weeks, the Council will make a direct offer of council or housing association accommodation with the necessary number of bedrooms.

Council housing in the borough is in high demand, and there is no pool of unwanted properties earmarked for PSL tenants. Furthermore, properties are only offered once they meet the Council's lettable standard.

In cases where the Council is offering a property under the homelessness legislation, the household has a statutory right to request a review of its suitability. It is always advisable for the household to accept the property and then seek a review if they wish to do so. Should the review determine the property is not suitable, another home will be offered.

**22 SUPPORT FOR TOWN CENTRES: BUDGET AND STAFFING**

**To the Leader of the Council (Councillor Michael White)**

By Councillor Gillian Ford

Would the Leader set out the budget associated with supporting Town Centres and the number of staff employed as Town Centre managers?

**Answer:**

Recent restructuring within the Regeneration, Policy and Planning Service has concentrated resources to support the Council's priority programmes. The former town centre management budgets have been integrated with regeneration budgets to deliver comprehensive programmes in areas such as Harold Hill, Hornchurch, Rainham and Romford, and to deliver a range of initiatives to improve the competitiveness of businesses across the whole borough including town centres. In addition, we are continuing to co-ordinate specific promotional activities, such as Christmas lights and specialist markets in town centres.

As a result, there are no longer specific budgets for town centres nor staff employed as town centre managers.

**23 CABINET MEMBERS' MEETINGS**

**To the Leader of the Council (Councillor Michael White)**

By Councillor Mark Logan

Over the past five years how many "jolly-boys' outings" have there been by the Conservative Cabinet staying at luxury hotels to discuss Council business and what have been the financial implications?

**Answer:**

None

**24 DISPOSAL OF GREEN WASTE**

**To the Cabinet Member for Environment (Councillor Barry Tebbutt)**

By Councillor Clarence Barrett

Further to the Council question in October 2010, would the Cabinet Member set out what measures are to be put in place to avoid the contents of green waste sacks (at a cost of £1.10 each) being collected and disposed of with residual waste?

**Answer:**

The existing vehicles that collect the green waste from our wheeled bin customers operate very efficiently and are not designed for the manual loading of sacks, due to the lifting mechanism in place.

To introduce a dedicated vehicle collecting garden sacks would cost between £85,000 and £170,000 per year depending on if the service was to operate through the main growing period or throughout the year.

There are also other operational and administrative changes that would need to be made to the current service which would add to the overall cost.

A proportion of the garden waste collected in the green sacks is already diverted from landfill at the Shanks Frog Island Waste Management facility.

Based on estimated tonnages a separate collection service for garden waste sacks would improve our recycling and composting performance by around 1%.

The introduction of a separate collection service for garden waste sacks would need to be considered in light of the current financial situation, and the impact it would have on composting rates.

**VOTING RECORD**

<i>DIVISION NUMBER:</i>	<b>1</b>	<b>2</b>	<b>3</b>
<b>The Mayor [Cllr. Pam Light]</b>	O	O	O
The Deputy Mayor [Cllr. Melvin Wallace]	✓	✓	✓
<b><u>CONSERVATIVE GROUP</u></b>			
Cllr. Michael White	✓	✓	✓
Cllr. Michael Armstrong	✓	✓	✓
Cllr. Robert Benham	✓	✓	✓
Cllr. Becky Bennett	✓	✓	✓
Cllr. Sandra Binion	✓	✓	✓
Cllr. Jeff Brace	✓	✓	✓
Cllr. Wendy Brice-Thompson	✓	✓	✓
Cllr. Dennis Bull	✓	✓	✓
Cllr. Andrew Curtin	✓	✓	✓
Cllr. Osman Dervish	✓	✓	✓
Cllr. Ted Eden	✓	✓	✓
Cllr. Roger Evans	✓	✓	✓
Cllr. Georgina Galpin	✓	✓	✓
Cllr. Peter Gardner	A	A	A
Cllr. Lesley Kelly	✓	✓	✓
Cllr. Steven Kelly	✓	✓	✓
Cllr. Robby Misir	✓	✓	✓
Cllr. Eric Munday	✓	✓	✓
Cllr. Barry Oddy	✓	✓	✓
Cllr. Frederick Osborne	✓	✓	✓
Cllr. Gary Pain	✓	✓	✓
Cllr. Roger Ramsey	✓	✓	✓
Cllr. Paul Rochford	✓	✓	✓
Cllr. Geoffrey Starns	✓	✓	✓
Cllr. Billy Taylor	✓	✓	✓
Cllr. Barry Tebbutt	✓	✓	✓
Cllr. Frederick Thompson	✓	✓	✓
Cllr. Lynden Thorpe	A	A	A
Cllr. Linda Trew	A	A	A
Cllr. Keith Wells	✓	✓	✓
Cllr. Damian White	✓	✓	✓
<b><u>RESIDENTS' GROUP</u></b>			
Cllr. Clarence Barrett	✓	O	O
Cllr. June Alexander	✓	O	O
Cllr. Nic Dodin	✓	O	O
Cllr. Brian Eagling	✓	✓	O
Cllr. Gillian Ford	✓	O	O
Cllr. Linda Hawthorn	✓	O	O
Cllr. Barbara Matthews	✓	A	A
Cllr. Ray Morgon	✓	O	O
Cllr. John Mylod	A	A	A
Cllr. Ron Ower	✓	✓	✓
Cllr. Linda Van den Hende	✓	O	O
Cllr. John Wood	✓	O	O
<b><u>LABOUR GROUP</u></b>			
Cllr. Keith Darvill	X	X	X
Cllr. Denis Breading	X	X	X
Cllr. Paul McGeary	O	X	X
Cllr. Pat Murray	X	X	X
Cllr. Denis O'Flynn	X	X	X
<b><u>INDEPENDENT LOCAL RESIDENTS' GROUP</u></b>			
Cllr. Jeffery Tucker	X	X	X
Cllr. Michael Deon Burton	X	X	X
Cllr. David Durant	X	X	X
Cllr. Mark Logan	X	X	X
<b>TOTALS</b>			
✓ = YES	40	31	30
X = NO	8	9	9
O = ABSTAIN/NO VOTE	2	9	10
ID = DECLARATION OF INTEREST/NO VOTE	0	0	0
A = ABSENT FROM MEETING	4	5	5
	54	54	54

This page is intentionally left blank

## **ANNUAL COUNCIL, 25 MAY 2011**

### **REPORT OF THE CHIEF EXECUTIVE**

#### **SUBJECT: APPOINTING THE COMMITTEES OF THE COUNCIL**

- 1 In accordance with the Constitution, the Council appoints its Committees at the Annual Meeting.
- 2 This report deals with the appointment and sizes of Committees, the co-opted members and observers etc and recommends such appointments consistent with previous decisions of the Council. Account has been taken of the Council's decisions at its last meeting to abolish the Partnerships Overview & Scrutiny Committee and to reconstitute the Adjudication & Review and Appointments Committees as Sub-Committees of the Governance Committee.
- 3 There are no additional financial implications or risks arising from this report. Any allowances payable to Members resulting from the proposed appointments will be in accordance with the current, approved Members' Allowances scheme and will be contained within the relevant budgetary provision.
- 4 There are no legal, human resources or equalities and social inclusion implications or risks attached to this report.

#### **RECOMMENDATIONS**

That:

- (1) The Committees listed in Appendix 1 be appointed for the 2011/12 Municipal Year.
- (2) Those Committees be appointed with:
  - (a) the membership sizes and
  - (b) the political balanceindicated in Appendix 2 and its annexes (including the note to the table in annex B) and that it be noted that this includes an increase in the size of the Governance Committee to 13 (8:2:2:1)
- (3) The voting co-optees, the two representing Church of England and Roman Catholic interests and the three parent governor co-optees

**Annual Council, 25 May 2011**

selected in accordance with the appropriate Regulations, be appointed to the Children's Services Overview and Scrutiny Committee.

- (4) The other non-elected member "appointments" and invitations to attend shown in Appendix 1 be confirmed.

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

**Cheryl Coppel  
Chief Executive**

**Background Papers List**

None

## APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES

Audit Committee

Governance Committee

Adjudication and Review Sub-Committee *See annex 1*

Appointments Sub-Committee

Licensing Committee *See annex 2*

Pensions Committee *See annex 3*

Regulatory Services Committee

Standards Committee *See annex 4*

Children's Overview & Scrutiny Committee *See annex 5*

Crime & Disorder Committee *See annex 6*

Environment Overview & Scrutiny Committee

Health Overview and Scrutiny Committee

Individuals Overview & Scrutiny Committee

Towns & Communities Overview & Scrutiny Committee

Value Overview & Scrutiny Committee

Annex 1

### **Adjudication and Review Sub-Committee**

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

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

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

1.3 The substitute rule does not apply to Hearings Panels.

Annex 2

### **Licensing Committee**

2.1 Most of the work of this Committee is carried out through Licensing Sub-Committees comprising a Chairman and two other Members, all drawn from the main Committee. In general, Sub-Committees will be chaired either by the Chairman of the main Committee, or one of the three Vice-Chairmen.

2.2 The substitute rule does not apply to Licensing Sub-Committees.

Annex 3

### **Pensions Committee**

3.1 The Pensions Committee is responsible for the management of the Council's Pension Fund investment portfolio.



- 3.2 The Admitted and Scheduled Bodies who are members of the pension fund jointly appoint a representative as a non-voting, co-opted Member of the Committee.
- 3.3 Although not strictly Members of the Committee, in accordance with the Constitution, two representatives of the staff are appointed by the unions to attend and contribute to meetings of the Committee. These appointees have no voting rights but are present during the discussion of any exempt business.

Annex 4

### **Standards Committee**

- 4.1 There are three Independent Members on this Committee, one of whom is Chairman and another Vice-Chairman, as required by law.
- 4.2 In accordance with legal provisions for the work of Standards Committees, the Committee has established three Sub-Committees that consider individual complaints:
  - The Assessment Sub-Committee: to carry out an initial assessment of a complaint and to determine the response to it;
  - The Review Sub-Committee: to review decisions of the Assessment Sub-Committee if so requested by a complainant
  - The Hearings Sub-Committee: to consider the outcome of investigations into complaints
- 4.3 The substitute rule does not apply to these Sub-Committees.

Annex 5

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

- 5.1 The law requires that the Council co-opt to this Overview & Scrutiny Committee one representative of each of the Anglican and Roman Catholic Churches, **with voting rights**, to attend when issues relating to Education are being discussed and have call-in rights in relation to executive decisions. In practice, they are also able to contribute to other discussions.
- 5.2 In addition, there are three co-opted members, **also with voting rights**, representing governors of schools in the three sectors of education, primary, secondary and special. Again, they may attend when issues relating to Education are being discussed and have call-in rights in relation to executive decisions. They are also able to contribute to other discussions.
- 5.3 Finally, there are three **non-voting** representatives of local teacher unions and professional associations, nominated by those organisations.

- 5.4 The Councillor Members of the Committee are also automatically Members of the Council's Corporate Parenting Panel.

Annex 6

**Crime & Disorder Committee**

- 6.1 The Committee was placed on a statutory footing on 30 April 2009, when the Crime and Disorder (Overview and Scrutiny) Regulations 2009 came into force (previously, the Council had operated the Committee on a non-statutory basis with the co-operation, willingly given, of crime and disorder partner bodies).
- 6.2 The Regulations confer on the Committee an ability to co-opt certain members or employees of crime and disorder partner bodies. It is for the Committee to determine whether such co-optees are to have voting rights and the issues in respect of which they may attend meetings as co-optees.
- 6.3 There are no present proposals for the Committee to exercise its rights to co-opt but that is reviewed from time-to-time and co-options may be made as need arises.

## POLITICAL BALANCE

- 1.1 **The Local Government (Committees and Political Groups) Regulations 1990** require that, so far as practicable, the membership of Committees – both overall, and of individual bodies – must reflect the division of the overall membership of the Council into the various Groups. The Regulations set out the parameters within which such balance is to be achieved.
- 1.2 The proposed allocation of seats in **Annex A** has been prepared accordingly and *is considered to represent the default position*.
- 2.1 **Annex B** sets out in detail the principles of political balance that the law requires the Council to conform to, and discusses the application of those rules to the current political make-up of the Council.
- 2.2 In broad terms, each Group of members is entitled to take seats on Committees in proportion to the total number of Members that belong to it. There is discretion as to the size of Committees and thus the total number of places available for allocation, although for reasons of practicality – not least ensuring that sufficient Members are available from each Group to cover its meeting obligations – the total number of seats (assuming that the number of Committees does not change) within the current structure of Committees is always likely to be in the range 108-120 with individual Committee sizes varying from 6 to a maximum of 15.
- 2.3 Within the overall number of seats available, some adjustment is needed to ensure, so far as practicable, that each Group has its due share of seats and that the allocation of seats between the Groups on each Committee reflects their respective proportions of the Council's membership.
- 2.4 ***There is no perfect answer.***
- 3.1 The first step is to agree the sizes of the individual Committees; the allocation of seats to each Group then follows the formula referred to in Annex B; then finally, adjustments are required to the outcome to ensure that, overall, each Group receives its appropriate share of the total number of seats to be allocated.
- 3.2 The Council is free to agree different arrangements from those prescribed by law, so long as no Member votes against them. Should any such “different arrangements” be voted against, however, then the “default” position would need to be applied.

- 4.1 In consequence of the abolition of the Partnerships Overview & Scrutiny Committee and the reconstitution of the Adjudication & Review and Appointments Committees as Sub-Committees of the Governance Committee, a slight adjustment of the overall political balance is required. The Administration and the Labour Group are each entitled to an additional Committee seat.**

#### **Making the necessary adjustments**

- 5.1 In determining where adjustments should be made to achieve the overall balance, it is necessary to consider whether there are any particular Committees on which it is more important for all Groups to be represented than others. Although highly desirable, it is clearly impossible for each Group to be represented on all Committees (all else aside, meeting commitments for individual Members would then be difficult, if not impossible, to fulfil). Compromise is therefore essential.
- 5.2 Under current arrangements, the Administration is represented on all Committees (and has a majority of the seats on each of them) while the Labour Group is entitled to seats on the Governance, Licensing, Regulatory Services and Standards Committees, which are the Committees regulating the Council's business or dealing most with the community and which tend to have larger memberships than other Committees.
- 5.3 Having regard to the workloads of the various Committees and, in particular, to the impending increase in the workload of Members of the Governance Committee as it becomes responsible for Adjudication & Review and Appointments matters, it appears that the required adjustment in Committee memberships can best be achieved by appointing two additional Members to the Governance Committee, one from the Administration and one from the Labour Group.**

**RECOMMENDED SEAT ALLOCATION**

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

		<b>CONSERVATIVE</b>	<b>RESIDENTS</b>	<b>LABOUR</b>	<b>IND LOCAL RESIDENTS</b>
Governance	<b>13</b>	8	2	2	1
Licensing	<b>11</b>	7	2	1	1
Regulatory Services	<b>11</b>	7	2	1	1
Highways Advisory	<b>9</b>	5	2	1	1
Standards	<b>9</b>	5	2	1	1
Pensions	<b>7</b>	4	1	1	0
Audit	<b>6</b>	4	1	1	0
Children's OSC	<b>9</b>	6	2	1	0
Crime & Disorder OSC	<b>9</b>	5	2	1	1
Towns & Communities OSC	<b>9</b>	5	2	1	1
Environment OSC	<b>7</b>	4	2	0	1
Health OSC	<b>6</b>	4	2	0	0
Individuals OSC	<b>6</b>	4	2	0	0
Value OSC	<b>6</b>	4	2	0	0
<b>Total seats allocated</b>	<b>118</b>	<b>72</b>	<b>26</b>	<b>11</b>	<b>9</b>

- All Groups are represented on the Governance, Highways Advisory, Licensing, Regulatory Services and Standards Committees
- Committee seats are allocated, and each Committee is balanced, as “reasonably practicably” as possible

## POLITICAL BALANCE PRINCIPLES

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

## **Annual Council, 25 May 2011**

- 3.1 Once the allocation of seats to Groups in accordance with the statutory procedure is undertaken, the Council is under a duty to make appointments to each Committee so as to give effect to the wishes expressed by that Group about who is to be appointed to their allocated seats.
- 3.2 The “wishes of the Group” may be communicated to the Chief Executive (or the Committee Administration & Member Support Manager [CAMSM] on her behalf) by notice in writing by the Group Leader (or on his/her behalf by a recognised deputy) and will be implemented forthwith. Changes may be effected at any time by notice to the Chief Executive (or CAMSM) and will be notified to all Members in the next available edition of the weekly Calendar Brief.
- 3.3 It should be noted that the Chairmen and Vice-Chairmen of Committees are appointed by Council and any change in membership affecting a Chairman or Vice-Chairman will therefore require consideration by Council, and be dealt with by formal motion.

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

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

#### **Basic allocation of seats**

- 5.1 The seat entitlements of the Groups are determined by a formula using the percentage of seats held by each Group, operating through a sequence of stages as follows:

- **First**, the percentage of each Group’s membership of the Council is calculated.
- **Next**, that percentage is then applied to the number of seats available on each Committee to determine each Group’s potential entitlement to seats on that Committee (rounded to the nearest whole number following the mathematical convention that numbers below 0.5 are rounded down, and those 0.5 or more are rounded up).

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

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

- **Finally**, fine adjustment is required to ensure that, so far as reasonably practicable, the total of seats allocated reflects the overall proportion of Council membership held by each Group and the numerical strength of its entitlement to seats on particular

Committees. For that purpose, at this stage the seat allocation of particular Committees will be adjusted from the ideally-balanced number reached in earlier stages of the process. This can result in a group being allocated more seats than appears to be its strict entitlement: this is the inevitable result of tensions within the political balance rules, which require different balancing arrangements as between the overall number of seats available, and the number of seats on each Committee.

### **Specific allocations**

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

### **Sub-Committees of the Governance Committees**

- 7.1 The Adjudication & Review and Appointments Sub-Committees do not count for the purpose of determining the overall political balance but must nevertheless be politically balanced themselves.
- 7.2 This can be achieved simply by continuing to use the same membership numbers as applied when they were Committees in their own right.
- 7.3 Members of either Sub-Committee do not have to be Members of the Governance Committee, though some overlapping membership is desirable.



**ANNUAL COUNCIL, 25 MAY 2011**

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

**A. Motion on behalf of the Administration**

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

<b>Committee</b>	<b>Chairman Councillor</b>	<b>Vice-Chairman Councillor</b>
Audit	Georgina Galpin	Osman Dervish
Governance	Frederick Thompson	Rebecca Bennett
Pensions	Eric Munday	Damian White
Licensing (3 Vice-Chairmen)	Peter Gardner	1 Georgina Galpin 2 Linda Trew 3 Lynden Thorpe
Regulatory Services	Barry Oddy	Barry Tebbutt
Highways	Billy Taylor	Frederick Thompson
Children & Learning Overview & Scrutiny Learning	Sandra Binion	<i>Opposition nomination</i>
Environment Overview & Scrutiny	Jeff Brace	<i>Opposition nomination</i>
Individuals Overview & Scrutiny	Wendy Brice-Thompson	<i>Opposition nomination</i>
Towns and Communities Overview & Scrutiny	Frederick Osborne	<i>Opposition nomination</i>
Value Overview & Scrutiny	Robby Misir	<i>Opposition nomination</i>
Crime & Disorder Overview & Scrutiny	Ted Eden	<i>Opposition nomination</i>
Health Overview & Scrutiny	Pam Light	<i>Opposition nomination</i>

- 2 That the Governance Committee be delegated authority to appoint the Chairmen and the Vice-Chairmen of the Adjudication & Review and Appointments Sub-Committees.

**B. Amendment on behalf of the Independent Residents' Group**

- 1 That the following Chairman be appointed –

<b>Committee</b>	<b>Chairman Councillor</b>
Audit	Michael Deon Burton
Governance	Michael Deon Burton
Pensions	Michael Deon Burton
Licensing	Michael Deon Burton
Regulatory Services	Michael Deon Burton
Highways	Michael Deon Burton
Children & Learning Overview & Scrutiny Learning	Michael Deon Burton
Environment Overview & Scrutiny	Michael Deon Burton
Individuals Overview & Scrutiny	Michael Deon Burton
Partnerships Overview & Scrutiny	Michael Deon Burton
Towns and Communities Overview & Scrutiny	Michael Deon Burton
Value Overview & Scrutiny	Michael Deon Burton
Crime & Disorder Overview & Scrutiny	Michael Deon Burton
Health Overview & Scrutiny	Michael Deon Burton

**Annual Council, 25 May 2011**

2 Sub-Committees of the Governance Committee:

That Council appoint the Chairmen of the Adjudication & Review and Appointments Sub-Committees and that the following appointments be made accordingly:

Adjudication & Review	Michael Deon Burton
Appointments	Michael Deon Burton

**C. Amendment on behalf of the Residents' Group**

1 Licensing Committee: one vice chairman position -

**Replace** Linda Trew with Brian Eagling

2 **Insert** following Overview & Scrutiny Committee Vice-Chairmen -

Committee:

Children & Learning	Gillian Ford
Environment	John Mylod
Individuals	Linda Van den Hende
Towns & Communities	Linda Hawthorn
Value	Ray Morgon
Crime & Disorder	John Wood
Health	Brian Eagling

This page is intentionally left blank

## **ANNUAL COUNCIL, 25 MAY 2011**

### **REPORT OF THE GOVERNANCE COMMITTEE**

#### **SUBJECT: DELEGATION OF POWERS TO THE NATIONAL ILLEGAL MONEY LENDING TEAM**

The National Illegal Money Lending Team was officially launched in April 2011 and the amalgamation of a number regional teams. It is funded jointly by HM Treasury and The Department for Business, Innovation and Skills (BIS). Birmingham City Council facilitates and services the Team. Previously Havering was part of a London team operated by Tower Hamlets

The project is focussing on illegal money lenders. Not licensed by the Office of Fair Trading, and often known as “loan sharks”, they prey on the vulnerable, charging extortionate interest rates. Victims often live in fear, resulting in ill health and other social problems, leading possibly into a criminal lifestyle to keep up with payments. Information on illegal lenders rarely comes to the attention of Trading Standards. This is in part due to fear, but sometimes there is a perception that these lenders are the only source of credit for those without an income. They may also feel a local authority would not have the ability to deal with such crimes.

In addition to the Consumer Credit Act 1974, the Illegal Money Lending Team uses a wide range of other legislation to deal with illegal money lenders and their criminality, which includes fraud and violence. The project benefits all Londoners, particularly the vulnerable, and complements Havering’s Sustainable Community Strategy of reducing poverty, improving safety and building confidence within the community. It supports victims as well as securing convictions against illegal lenders.

Delegation to the Illegal Money Lending Team would speed up enforcement action against unlicensed lenders within Havering, enhance confidentiality of operations and help avoid Havering officers being placed in possibly dangerous situations.

As the Illegal Money Lending Team needed for operational reasons to have the delegated authority before the next meeting of full Council in order to carry out investigations in the borough into current complaints, it was necessary for the Chief Executive to use her power “to discharge the relevant functions of the Council where.....as a matter of urgency .... it is necessary that action should be taken before the date of a meeting of a body in whom the power of decision rests” to delegate the necessary authority in advance of the Council’s approval.

**The Committee accordingly RECOMMENDS that Council:**

1. In pursuance of Section 101(1)(b) of the Local Government Act 1972, Section 19 of the Local Government Act 2000 and Regulation 7 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000, delegates to Birmingham City Council:
  - (A) Enforcement of Parts III and IV of the Consumer Credit Act 1974, and
  - (B) the enforcement functions and powers under Parts XI and XII of the Consumer Credit Act 1974, and
  - (C) the power of prosecution under section 222 of the Local Government Act 1972

all in connection with money-lending or the activities of money lenders and/or their agents and associates, and the laundering of the proceeds of illegal money-lending.

2. Agrees that Part 3, Section 2.3 of the Constitution (functions exercised by another authority on behalf of this authority) be amended accordingly
3. Authorises the Acting Assistant Chief Executive to agree the terms of the delegation agreement with Birmingham City Council.
4. Agrees that the Council will enter into a joint Cross Border Working Protocol with Birmingham City Council in respect of illegal money lending.
5. Notes the exercise by the Chief Executive of her powers within Part 3, Section 3.1.8 of the Council's Constitution temporarily to delegate the above powers to Birmingham City Council to allow an investigation to proceed prior to this meeting.

**ANNUAL COUNCIL, 25 MAY 2011****REPORT OF THE LEADER OF THE COUNCIL****SUBJECT: THE COUNCIL'S CAPITAL PROGRAMME 2011/14**

Council approved the budget for 2011/12 at the budget setting meeting in February. As part of that budget, Council approved a revised Capital Programme for 2010/11 and indicative programmes for 2011/12 and beyond. In agreeing the budget, Cabinet agreed that a further report would be submitted, setting out the detail Capital Programme for 2011/12. This report sets out the detailed schemes in line with that recommendation.

The opportunity has also been taken to review the Council's Capital Strategy.

**RECOMMENDATIONS**

Council is asked to:

1. Agree the Capital Strategy as set out in Appendix
2. Note the detailed Capital Programme for 2011/12 as set out in Appendix B.
3. To note that, where detailed schemes within each Programme Area are still being worked up, their approval, within the programme limits, has been delegated to the relevant Group Director in discussion with the Group Director Finance & Commerce.
4. To note that the indicative Capital Programme for 2012/13 and beyond will be subject to a further review over the Summer.
5. To note that the approval of business cases requiring the application of prudential borrowing will be delegated to the service Cabinet Member and the Cabinet Member for Value.

**REPORT DETAIL****1. INTRODUCTION**

## Annual Council, 25 May 2011

- 1.1. The Council approved the adoption of an eight year Capital Programme as part of the planning process at its meeting in October 2008. This Programme was based on the gradual move towards the use of prudential borrowing to finance it and provision for this was reflected in the budget proposals. This Programme was subsequently approved by Council in February 2009.
- 1.2. Changes in the cost of prudential borrowing through the Public Works Loans Board were announced as part of the CSR. Given the current financial climate and this increase in costs, it is now felt that the Council's budget strategy should not incorporate the use of prudential borrowing, with minor exceptions. It is therefore proposed that the Capital Programme for the foreseeable future should rely on the use of capital and Section 106 receipts and any sources of external funding only.
- 1.3. With this approach in mind, a revised programme was submitted as part of the report to Cabinet in January. This included a revised core programme over the remainder of 2010/11, and an indicative core programme for the four following years, ending in 2014/15. Cabinet was advised that a detailed schedule of schemes would need to be compiled within each of the proposed programme areas.
- 1.4. This report sets out the detailed core programme for 2011/12 for Cabinet to approve. The report sets out the Council-funded programme and thus does not include any schemes relying entirely on external funding resources. Authority for progressing such schemes was included in the budget report to Cabinet and is summarised later in this report. The report does also not include any schemes approved as part of the 2010/11 programme, or earlier, as these have been authorised under delegations arising from previous budget cycles.
- 1.5. This report does not include the HRA capital programme for 2011/12 as this was set out in the report to Cabinet in March.
- 1.6. The Council's Capital Strategy was last subject to a major review in 2009. A further review has been undertaken in the context of the approach now being adopted, in particular revising the use of prudential borrowing such that it would generally only be used where supported by a business case, and the revised core programme now included in the budget.
- 1.7. The Council has already adopted a statement setting out its revenue budget strategy. It is proposed to adopt a similar principle for the capital programme. A statement setting out the capital strategy is set out in Appendix A for approval by Cabinet.
- 1.8. The Capital Strategy requires approval by Council. As part of the Council's ongoing financial strategy, a further report on the revenue budget will be submitted to Cabinet later in the year. This will include a statement of the Medium Term Financial Strategy (MTFS). The overall financial strategy will then be referred on to Council for approval.



**2. THE PROPOSED PROGRAMME FOR 2011/12**

- 2.1. The original programme for 2010/11 was based on the eight year concept referred to above. In the light of the current financial climate, a major review of the programme was carried out during the Autumn. As indicated, it was decided not to continue to pursue a programme based on a mixed funding approach reliant on external receipts and prudential borrowing. For the foreseeable future, the programme will only be based on external receipts (ie capital receipts, Section 106 receipts, and grant and other external funding sources).
- 2.2. As a result of this, and given that a number of elements of the originally planned programme for 2010/11 had yet to be committed, a revised programme was devised. This took due account of the particular issues over the flow of funds into the Council from capital receipts, as these were now expected to be achieved much later than originally envisaged.
- 2.3. With this in mind, revised programmes for 2010/11, and subsequently 2011/12, have been developed and brought together. In very broad terms, only schemes already committed by the Autumn have remained in this year's programme, to minimise the cash-flow impact of the timing of spend and receipts. Other schemes or programme areas originally intended for 2010/11 have either been deferred to later years, or removed from the programme, to ensure the level of spend remains within the available resources.
- 2.4. The revised programme also takes into account the actual incidence of spend. It is not unusual for spend planned in one year to run into the following year, or for schemes or programme areas to cover more than one year. Where ever possible this is reflected in the detailed schedules, but does mean as the year progresses, schemes may many different reasons slip into later financial years.
- 2.5. The proposed detailed core programme for 2011/12 for those programme areas and schemes funded by the Council is set out in Appendix B. This is within the overall budget approved by Council in February 2011. The programme includes a range of schemes within each head of service area within the confines of the overall block allocation for each service area where these have so far been identified and agreed. This does not cover the whole of the individual block allocations, as some of the details will not be determined until later in the financial year. Approval of these has been delegated to the relevant Group Director in discussion with the Group Director Finance & Commerce.
- 2.6. There are some specific elements of the proposed programme that require further clarification. These are covered in the following paragraphs.

*Schools*

*Rainham and Hilldene Schools*

- 2.7. Cabinet previously approved a major redevelopment of both Rainham and Hilldene schools site which were to be funded through a mix of Council resources and grant, and in the case of the former also contributions from the local PCT. The original proposals for rebuilding both schools were stopped because of major national changes to school capital allocations. Both the level of capital available to Havering was to be substantially reduced and priorities for investment changed.
- 2.8. Notwithstanding this disappointing news, in respect of Rainham the school funding was successfully secured from Partnership for Schools and the DFE for the Children's Centre to ensure the school would receive the major investment it required. In total a budget of £2.5m is now available to take forward a new project for the school which will address major maintenance problems, re-locate the nursery to the demountable and allow the Victorian building to become the new Children's centre. It will also provide a new hub which will become a central entrance linking the main building to the children's centre and provide a location for Havering's locality team as well as being a community resource.
- 2.9. The Council has also made a bid for a further £520,000 to London Thames Gateway Development Corporation which would allow further development of the school with newly built learning resources areas for science and humanities which would then allow the creation of a quad space acting as the heart of the school. This revised project would substantially improve the condition and fabric of the school while retaining the architectural legacy of the 1930s brick front.
- 2.10. This revised schools programme also includes significant works to both Hilldene and Branfill schools.

*Rainham Library*

- 2.11. The Rainham library scheme is largely to be funded through the London Thames Gateway Development Corporation (LTGDC) grant, with the Council funding the fit out of the building. Commencement of this is dependent on the time of the receipt from LTGDC.

*Disabled Facilities Grant (DFG)*

- 2.12. Details of the DFG grant funding for 2011/12 were announced in February. Havering will receive a sum of £626k in that year, however an assessment of need has been carried out and this has determined that a level of spend in the region of £1m will be needed. This has therefore been included in the programme.

*Cemeteries & Crematoria*

- 2.13. A business case is currently being formulated around the future approach to the Upminster Cemetery site, which will come forward to the Cabinet in due course.

*Central Depot*

- 2.14. The first stage of the Central Depot project has been completed and tenders have now been received for the second stage. The tender costs are being partly funded through the Council's Strategic Reserve, but as this is a capital scheme, needs to be reflected in the capital programme.

*Harold Hill*

- 2.15. It is anticipated that the main capital receipt that will be utilised to finance the Harold Hill Ambitions programme will not occur until early in 2012/13. As the Council's future strategy revolves around not committing spend until receipts have been realised, it is now unlikely that any further spend will be incurred until that year. As a result, there is only limited Council-funded expenditure included in the 2011/12 capital programme.

*Section 106 Funding*

- 2.16. In keeping with the capital strategy now proposed, any Section 106 receipts will only be deployed once the funds have actually been realised. Whilst the nature of any agreements may come with restrictions, where possible this will be kept as flexible as possible. This would then enable such funds to be potentially used to finance part of the overall core programme, should capital receipts not prove sufficient, as well as being used for any specified purpose.
- 2.17. At this stage, only those receipts realised have given rise to capital schemes. Nothing will be included in the forward capital programme until receipts are in fact realised.

*Grant Funding*

- 2.18. It is customary for the Council to receive notification of funding for capital schemes and programmes from external bodies during the course of the year. Approval has already been given by Council, as part of the budget-setting report, for such schemes to be included within the capital programme under the authority of the Cabinet Member for Value and the relevant service area Cabinet Members.

**3. THE INDICATIVE PROGRAMME FOR 2012/13 AND BEYOND**

- 3.1. The indicative programme for 2012/13 and beyond was set out in the report to Cabinet in February, which was again approved by Council.

- 3.2. Detailed schemes will now need to be developed within these overall sums for the indicative programme for 2012/13 and beyond. It is proposed that these details will be brought back to Cabinet as part of the budget-setting process. This will take into account a further review of capital receipts and other funding streams, including both Section 106 monies and any additional grant funding from Government. The additional funding for schools referred to above is expected to be continued beyond 2011/12 and this will be taken into account as part of this review. The programme will also include the various Harold Hill Ambition schemes, which are now expected to fall within that year.
- 3.3. It is not proposed at this stage to assess future capital spend beyond 2014/15. There are a number of major uncertainties over the financial climate, not the least of which is the imminent review of the funding of local government. The longer term programme will be considered once these issues are clearer.

#### **4. DEVELOPMENT OF BUSINESS CASES AND PRUDENTIAL BORROWING**

- 4.1. The capital strategy now proposed does provide for the use of prudential borrowing should the proposed scheme deliver either a revenue budget saving and/or an income stream, in other words be self-financing. Where such schemes are identified, it is anticipated that a business case would need to be developed and agreed.
- 4.2. The business case would need to set out the anticipated investment, costs and savings or income, and how any borrowing would be covered. The business case would need to take into account any existing savings targets, and the likelihood of any future ones.
- 4.3. To expedite the approval of any such business cases, such approval has been delegated to the appropriate service Cabinet Member and the Cabinet Member for Value.
- 4.4. There are no background papers.

## CAPITAL STRATEGY

The following is recommended as a statement of Havering's capital budget strategy.

The capital budget strategy sets out the Council's approach to capital investment over the medium term. It has been developed in consultation between senior officers, Members and the Council's key strategic partners and is integrated with Havering's Community Strategy.

The Council will ensure it engages with the local community and wider stakeholders in developing its financial plans.

The Council has adopted a prudent capital programme in line with the Living Ambition designed to:

- Protect, maintain and develop existing assets and infrastructure – the backlog of repairs to existing assets such as school buildings, office accommodation, and infrastructure assets such as roads and paths;
- Develop new facilities for which there is significant public demand or upgrading assets to meet the expectations of local people, and obtaining value for money from the use of our assets and resources;
- Support the delivery of the Council's ambitious transformation programme and further initiatives to improve efficiency and effectiveness e.g. through the adoption of new technology to release revenue savings or improve service delivery to the community.

The Council will seek to continue to improve efficiency and value for money, in particular to:

- Maximise asset utilisation;
- Ensure assets are fit for purpose and health and safety compliant;
- Facilitate and promote community use;
- Explore alternative management arrangements e.g. leases to community groups;
- Explore opportunities for innovative ways to procure and deliver capital projects to maximise the resources available;
- Consider the wider aspects of capital projects for example whole life asset costs, equality and diversity, and environmental implications;
- Investigate shared usage/ownership arrangement with other local authorities, partners and stakeholders.

As well as the above, the Council's approach to capital asset management includes the review of existing assets in terms of suitability for purpose, alternative and future use, and maintenance requirements. The aim for the Council to rationalise its asset portfolio and only hold assets that support the delivery of its goals, offer value for

## Annual Council, 25 May 2011

money or in some other way are important for community, heritage or other significant social purpose.

The capital budget strategy is intrinsically linked to the revenue budget strategy. The revenue implications of capital expenditure and funding decisions are explored and accounted for on an ongoing basis. These are reflected as appropriate and include the consideration of the challenging financial climate which the Council faces.

The Council will finance capital expenditure through a combination of:

- Receipts
- External Funding
- S106 Contributions
- Revenue Contributions to Capital
- Capital Grants
- Capital Allowances
- Supported Borrowing
- Prudential Borrowing

Each funding stream is considered in terms of risk and affordability in the short and longer term.

The current and future economic climates have a significant influence on capital funding decisions. As a result planned disposals are being reviewed to ensure the timing maximises the potential receipt in depressed market conditions. A bridge funding reserve has been established to manage cash flow and provide flexibility.

Prudential borrowing will only be used as a last resort, unless a business case can be made to finance the investment from an income or savings stream.

Every effort is made to maximise grant funding, leverage opportunities and other external funding opportunities; where they are consistent with the Council's vision, goals and other specific strategies.

S106 contributions are not committed until they are actually received. This is due to the complex conditions and timing issues that can be associated with them.

The Council is also continuing to attract private investment into Council facilities through exploration of potential partnership and outsourcing arrangements, for example leisure management and residential and day care services.

This funding approach has been made with reference to the Council's current and longer term financial position, the prudential code, the current and projected economic climate, and the Council's asset management strategy as set out in the Corporate Asset Management Plan.

The capital programme will be reviewed on an annual basis. This will consider items such as new funding opportunities and Member priorities. In year changes e.g. the availability of additional external funding, will be made on an ongoing basis as part of

**Annual Council, 25 May 2011**

routine programme management. These will be implemented with regard to the Council's Constitution and agreed procedures.

This page is intentionally left blank



ASSET MANAGEMENT	35,533	(35,533)	0
CORPORATE OFFICE PROPERTY STRATEGY PHASE 2 (COPS2)	35,533	(35,533)	0
BUSINESS SYSTEMS	857,400	(857,400)	0
IT LICENCES REVENUE SUPPORT 2011/12	202,400	(202,400)	0
SECURE VOICE AND DATA INFRASTRUCTURE INCLUDING GOVERNMENT CODE OF CONNECTION AND SECURITY UPGRADES 11/12	40,000	(40,000)	0
COUNCIL ADDITIONAL CAPITAL APPROVAL	283,000	(283,000)	0
COMINO DOCUMENT MANAGEMENT AND WORKFLOW -11/12	160,000	(160,000)	0
CRM PHASE 2, SYSTEMS INTEGRATION AND CUSTOMER DATABASE DEVELOPMENT 11/12	160,000	(160,000)	0
IT SUPPORT FOR MEMBERS - 11/12	12,000	(12,000)	0
CHILDREN & YOUNG PEOPLE	150,000	(150,000)	0
YOUTH CAPITAL PROGRAMME 2011/12	150,000	(150,000)	0
STREETCARE	4,615,000	(4,615,000)	0
TWO YR CAPITAL PRGM FOR FURTHER STREET SCENE IMPROVEMTS- SURFACING	1,300,000	(1,300,000)	0
TWO YR CAPITAL PRGM FOR FURTHER STREET SCENE IMPROVEMTS- FOOTWAY AND PARKING	2,625,000	(2,625,000)	0
TWO YR CAPITAL PRGM FOR FURTHER STREET SCENE IMPROVEMTS- LIGHTING HOUSING & PUBLIC PROTECTION	690,000	(690,000)	0
CEMETERY AND CREMATORIUM CONDITION SURVEYS	126,004	(126,004)	0
CREMATORIUM IMPROVEMENTS (UPMINSTER)	11,000	(11,000)	0
CEMETERIES CAPITAL PROGRAMME 2011/12	45,000	(45,000)	0
REGENERATION, POLICY & PLANNING	70,004	(70,004)	0
COUNTRYSIDE REVENUE SUPPORT PROGRAMME 2011/12	8,000	(8,000)	0
LEGAL & DEMOCRATIC	8,000	(8,000)	0
HEALTH AND SAFETY REVENUE SUPPORT 11/12	250,000	(250,000)	0
SCHOOLS	250,000	(250,000)	0
BRANFILL PRIMARY PHASE 1	1,900,000	(1,900,000)	0
RAINHAM VILLAGE PRIMARY CONDITION ISSUES, ROOFS AND BOILER REPLACEMENT	600,000	(600,000)	0
HILLDENE LATERAL DISTORTION OF BRICKWORK	800,000	(800,000)	0
ADDITIONAL SCHEMES	500,000	(500,000)	0
BROXHILL PARK	2,584,000	(1,958,000)	(626,000)
ADDITIONAL FUNDING FOR RAINHAM LIBRARY	1,000,000	(1,000,000)	0
CREMATORIUM CHAPEL EXTENSION	468,000	(468,000)	0
ROMFORD CEMETERY IMPROVEMENTS	50,000	(50,000)	0
DIABLED FACILITIES GRANT 2011/12	5,000	(5,000)	0
ROMFORD SOCIAL CARE HUB	976,000	(350,000)	(626,000)
SUB TOTAL	85,000	(85,000)	0
	10,525,937	(9,899,937)	(626,000)

	Budget	Previously Funded Expenditure	Remaining Unfunded Expenditure Forecast	Capital Receipt Funding Remaining	Other Sources of Funding Remaining
<b>BUSINESS SYSTEMS</b>	<b>2,520</b>	<b>0</b>	<b>2,520</b>	<b>(2,520)</b>	<b>0</b>
CORE SYSTEMS	1,837	0	1,837	(1,837)	0
CORPORATE SYSTEMS INTEGRATION	683	0	683	(683)	0
<b>FINANCE &amp; PROCUREMENT</b>	<b>524,439</b>	<b>0</b>	<b>524,439</b>	<b>(524,439)</b>	<b>0</b>
TRANSFORMATION	524,439	0	524,439	(524,439)	0
<b>CHILDREN &amp; YOUNG PEOPLE</b>	<b>95,000</b>	<b>0</b>	<b>95,000</b>	<b>(95,000)</b>	<b>0</b>
YOUTH CAPITAL PROGRAMME	95,000	0	95,000	(95,000)	0
<b>CULTURE &amp; LEISURE</b>	<b>1,021,500</b>	<b>4,000</b>	<b>1,017,500</b>	<b>(1,017,500)</b>	<b>0</b>
QUEENS THEATRE ESSENTIAL WORKS	180,000	0	180,000	(180,000)	0
HORNCHURCH STADIUM FLOODLIGHTS REPLACEMENT & LIGHTING IMPROVEMTS	60,000		60,000	(60,000)	0
PARKS AND OPEN SPACES PROGRAMME URGENT TREE WORKS BUDGET	24,500	0	24,500	(24,500)	0
PARKS AND OPEN SPACES PROGRAMME INVESTMENT IN HERITAGE BUIDLINDS	25,000	0	25,000	(25,000)	0
RAINHAM LIBRARY REDEVELOPMENT	732,000	4,000	728,000	(728,000)	0
<b>STREETCARE</b>	<b>246,733</b>	<b>0</b>	<b>246,733</b>	<b>(246,733)</b>	<b>0</b>
Dangerous tree replacement - NEW CRF	75,000		75,000	(75,000)	0
Litter Bins- Installation	30,000		30,000	(30,000)	0
Subway enhancements - Make safer through lighting, signing etc	15,000		15,000	(15,000)	0
Replacement of Highway shrub beds planting schemes	20,000		20,000	(20,000)	0
Waste storage areas for flats recycling -(new crf- Paul Ellis)	20,000		20,000	(20,000)	0
STREETCARE ADDITIONAL CAPITAL PROGRAMME	86,733	0	86,733	(86,733)	0
<b>REGENERATION, POLICY &amp; PLANNING</b>	<b>980,519</b>	<b>0</b>	<b>980,519</b>	<b>(910,519)</b>	<b>(70,000)</b>
CLIMATE CHANGE ACTION PLAN	480,038	0	480,038	(480,038)	0
TOWN CENTRES & LONDON RIVERSIDE - REGENERATION PROJECTS- ORIGINAL	37,306	0	37,306	(37,306)	0
HORNCHURCH URBAN STRATEGY	150,175	0	150,175	(150,175)	0
ROMFORD MARKET - REGEN CAPITAL PRGM	73,000	0	73,000	(73,000)	0
ROMFORD CONSERVATION AREA	140,000	0	140,000	(110,000)	(30,000)
RAINHAM PUBLIC REALM - CONSERVATION AREA	100,000	0	100,000	(60,000)	(40,000)
<b>LEGAL &amp; DEMOCRATIC</b>	<b>2,095,832</b>	<b>950,567</b>	<b>1,145,265</b>	<b>(1,145,265)</b>	<b>0</b>
COMMUNITY SAFETY CAPITAL PROGRAMME	137,000	0	137,000	(137,000)	0
LEGIONELLA SURVEYS - VARIOUS COUNCIL SITES	1,579,926	950,567	629,359	(629,359)	0
NEW CRF- ARBORICULTURAL SURVEY - TO IMPROVE SAFETY IN PARKS	20,000		20,000	(20,000)	0
NEW CRF- FRONT LANE COMMUNITY CENTRE LIFT	31,667		31,667	(31,667)	0
NEW CRF- ALLOTMENT SITES INSTALLATION OF STAND PIPES	45,000		45,000	(45,000)	0
NEW CRF - CLOSED GRAVEYARD MEMORIAL SAFETY	25,000		25,000	(25,000)	0
NEW CRF - PROVISION OF FIRE EXTINGUISHER EQUIPMENT TO CORP BLDGS	10,000		10,000	(10,000)	0
NEW CRF - SUPPLY AND INSTALLATION OF EXTERNAL LIGHTING AT BOWER PARK	2,120		2,120	(2,120)	0
NEW CRF - INSTALLATION OF MARKET PLACE SAFETY BARRIERS	4,300		4,300	(4,300)	0
NEW CRF - BRETONS MANOR FIRE ALARM INSTALLATION	9,900		9,900	(9,900)	0
HEALTH AND SAFETY REVENUE SUPPORT	215,919	0	215,919	(215,919)	0
NEW CRF- INSTALLATION OF COMMUNICATIONS SYSTEM IN MERC HSE	15,000		15,000	(15,000)	0
<b>SUB TOTAL</b>	<b>4,966,543</b>	<b>954,567</b>	<b>4,011,976</b>	<b>(3,941,976)</b>	<b>(70,000)</b>



## ANNUAL COUNCIL, 25 MAY 2011

### MEMBERS' QUESTIONS

#### 1 "YOUR COUNCIL, YOUR SAY": SATISFACTION LEVELS

##### To the Leader of the Council (Councillor Michael White)

By Councillor Ray Morgon

Is the Leader of the Council able to provide an explanation as to why in the "Your Council, Your Say" survey, the top three wards by satisfaction with their local area were Cranham, Hacton and Upminster Wards?

#### 2 CLAMPING COMPANY

##### To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Jeffery Tucker

A well known South Ockendon clamping company continues to clamp local residents in Parkway, Rainham, including family members visiting the houses and flats.

Does this Council intend to take any action or can this Council advise local residents what further steps they should take when pressured to pay many hundreds of pounds and in some cases lose their cars?

#### 3 BRIDGEWATER ROAD, HAROLD HILL: ROAD WIDENING

##### To the Cabinet Member for Community Empowerment (Councillor Robert Benham)

By Councillor Pat Murray

What is the estimated cost of the proposed widening of Bridgewater Road and how will the cost be funded?

**4 NEW HOMES BONUS**

**To the Cabinet Member for Housing (Councillor Lesley Kelly)**

By Councillor Barbara Matthews

Further to the £397,000 new Homes Bonus awarded to Havering for 2011/12, and in line with government guidance which states that local councillors should be involved in the expenditure plans, would the Cabinet Member set out how this process will work?

**5 CCTV CAMERAS**

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

By Councillor Jeffery Tucker

Is Rainham Village still in line to receive CCTV as promised by this Council and how much longer does this part of the borough have to wait before they are installed?

**6 SPEED ENFORCEMENT CAMERA AT THE JUNCTION OF NOAK HILL ROAD, STRAIGHT ROAD, LOWER BEDFORDS ROAD AND BROXHILL ROAD**

**To the Cabinet Member for Environment (Councillor Barry Tebbutt)**

By Councillor Denis O'Flynn

Is the Speed Enforcement Camera at the junction of Noak Hill Road, Straight Road, Lower Bedfords Road and Broxhill Road functional and if so how many drivers have been prosecuted for exceeding the speed limit during 2009 and 2010?

**7 GERPINS LANE RRC – PRODUCTION OF IDENTIFICATION**

**To the Cabinet Member for Environment (Councillor Barry Tebbutt)**

By Councillor Ray Morgon

In respect of the recent requirement to provide a driving licence and Council Tax bill to use the Gerpins Lane RRC, would the Cabinet Member explain:

- (a) While accepting the need to limit the use of Gerpins Lane RRC to those residing in the ELWA (East London Waste Authority) area, why no

**Annual Council, 25 May 2011**

consultation was undertaken with councillors regarding the imposition of new entry requirements?

- (b) Why a permit scheme (given out free with the council tax demand) could not have been introduced, as successfully used in many other councils?
- (c) What measures are being taken to deal with the potential increase in fly-tipping?

**8 FOOTBALL PITCH CHANGING ROOMS: HOT WATER**

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

By Councillor Michael Deon Burton

How many of our football pitches, as a percentage, have changing rooms with hot running water that our football clubs can use?

**9 SERVICE CUTS IN EARLY YEARS AND PARENTS IN PARTNERSHIP SERVICES**

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

By Councillor Paul McGeary

Will the Cabinet Member for Children & Learning make a statement about the recent reduction of 6 members of staff in the Early Years Service and 1 member of staff in the Parents in Partnership Service with particular reference to the need for parental support for children with Special Education Needs?

**10 FUNDING FOR PEOPLE WHO HAVE DISABILITIES**

**To the Cabinet Member for Individuals (Councillor Steven Kelly)**

By Councillor Ray Morgon

Would the Cabinet member confirm what impact there will be on the Council, if any, as a result of the recent High Court decision made against Birmingham City Council which reduces funding to the disabled unless they were assessed as having "critical" needs?

11 **SAFER NEIGHBOURHOOD TEAMS - REDUCTIONS**

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

By Councillor David Durant

There is concern that elected Police Commissioners will undermine the operational independence of the Police, but the Government say they "will be more responsive to local needs"!

In London this post would be taken by the GLA Mayor Boris Johnson who was elected on a promise to represent outer-London, but who may make cuts to the Safer Neighbourhood Teams.

If cuts are made to the Safer Neighbourhood Teams would this negate the claim that elected Police Commissioners "will be more responsive to local needs"?

12 **PENALTY CHARGE NOTICES: APPEALS**

**To the Cabinet Member for Environment (Councillor Barry Tebbutt)**

By Councillor Clarence Barrett

In 2010/11, 32,885 Penalty Charge notices were issued for parking offences of which 16,193 were via the CCTV enforcement vehicles and 16,692 via handheld units. Would the Cabinet Member set out the number of appeals as set out below:

	Number of appeals	Successful appeals
16,193 (CCTV)	x	y
16,692 (handheld)	x	y

13 **ONGAR WAY, SOUTH HORNCHURCH – VILLAGE GREEN APPLICATION**

**To the Cabinet Member for Community Empowerment (Councillor Robert Benham)**

By Councillor Michael Deon Burton

Is it true that the South Hornchurch Conservatives have delivered leaflets supporting Village Green status for the land at Ongar Way and was this cleared with Councillor Michael White?

If yes, why is the Council determined to ignore Ongar Way residents who want the garages developed but the open space retained?

14 **CCTV ENFORCEMENT**

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

By Councillor Ron Ower

The Havering Council Code of Practice for the operation of CCTV Enforcement Cameras (paragraph 2.3.5) states that 'Relevant camera enforcement signs should be displayed in areas where the system operates. The signs will not define the field of view of the cameras but will advise that CCTV camera enforcement is taking place in the area.' Would the Cabinet Member confirm that this guidance is adhered to across the borough?

15 **PARKING RESTRICTIONS ON PUBLIC HOLIDAYS: ENFORCEMENT**

**To the Leader of the Council (Councillor Michael White)**

By Jeffrey Tucker

There are all day Monday to Saturday parking restrictions outside the Rainham Village shops. However a Rainham resident who parked outside the shops on Bank Holiday Monday May 2nd was outraged when he received a parking ticket for doing so, because he thought Sunday rules applied on Bank Holidays. He paid the fine but felt morally cheated.

How many parking tickets were issued on Bank Holiday Monday 25th & Bank Holiday Friday 29th April and do you think penalising unsuspecting motorists on quiet days in our smaller shopping centres is a good policy?

16 **WITHDRAWAL OF YOUTH SERVICES**

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

By Councillor Gillian Ford

Would the Cabinet Member advise this Council what impact studies have been carried out prior to the proposal to withdraw 19 youth service posts, the withdrawal from Angel Way development and the reorganisation of the Duke of Edinburgh's Award service?

**17 FUTURE OF WILL PERRIN COURT**

**To the Cabinet Member for Housing (Councillor Lesley Kelly)**

By Councillor Jeffery Tucker

A proposal has been brought to the attention of residents for a change of use of the empty Will Perrin Court, Guysfield Drive into a hostel. In this respect, I would ask:

- (a) To bring this intention to fruition, are any consents required and, if so, what are they?
- (b) Are residents to be officially notified by the Council about this change?

**18 QUALITY OF HIGHWAY REPAIR WORKS**

**To the Cabinet Member for Environment (Councillor Barry Tebbutt)**

By Councillor Ray Morgon

Would the Cabinet Member confirm what steps are taken by this Council to ensure that repairs undertaken to roads and pavements following works carried out by utility companies and Council contractors meet the relevant standard set by this authority?

**19 COUNCIL TAX ARREARS**

**To the Cabinet Member for Value (Councillor Roger Ramsey)**

By Councillor Ron Ower

Would the Cabinet Member confirm the level of residential Council Tax arrears as at 1<sup>st</sup> April 2011 and what measures are in place to recover these debts?





## ANNUAL COUNCIL, 25 MAY 2011

### MOTIONS FOR DEBATE

#### 1 LOCAL GOVERNMENT FUNDING FORMULA

##### Motion on behalf of the Independent Residents' Group

This Council resolves to contact all Local Authority Council Leaders and Chief Executives in England seeking support for a joint representation to the Local Government Minister in pursuit of reform of the biased Government Grant Formulas that deliberately favour urban areas and which have penalised Havering for over 20 years.

##### A. Amendment on behalf of the Labour Group

After the words 'This Council', **delete** to the end and **insert** the following:-

"recognises the importance of the proposed review of Local Government Finance and the Local Government Resource Review incorporating Business Rate Reform and calls upon all members of the Council to work with the Administration and Havering Members of Parliament to put the case for the Borough to the Government and Local Government Organisations to ensure that any changes address the failings of the current system; and, implement a fair central funding formula within an acknowledged needs based system.

##### B. Amendment on behalf of the Administration

**Amend** to read: -

This Council, recognising that all of the biased Government Grant Formulas have penalised Havering for over 20 years, welcomes the decision of the Coalition Government to introduce a new system and supports the Administration in its intention to press for a fairer outcome for areas such as Havering.

## **2 YOUTH SERVICES CUTS**

### **Motion on behalf the Labour Group**

This Council opposes the Administrations cuts to its universal youth services leading to the closure of facilities for young people and the cessation funding for the Duke of Edinburgh's Award Scheme in Havering.

This Council recognises that young people are already bearing an unfair burden of the public expenditure cuts imposed by the Conservative led Coalition Government including a significant reduction in Education Maintenance Allowance and a steep rise in University Tuition Fees and calls upon the Administration to reconsider its proposals in order to mitigate the impact on young people of both central Government policies and the proposed cuts in Havering's Youth Services.

### **A. Amendment on behalf the Administration**

**Amend to read:**

This Council recognises that all departments within Havering Council, including the Youth Service, are required to make efficiency savings to pay for the mess left to the Havering residents and UK economy by the previous Labour Government.