



Havering

LONDON BOROUGH

GOVERNANCE COMMITTEE AGENDA

7.00 pm

**Tuesday
5 July 2011**

**Havering Town Hall
Romford**

Members 11: Quorum 4

COUNCILLORS:

**Conservative Group
(8)**

**Residents' Group
(2)**

**Labour Group
(2)**

**Independent
Residents' Group
(1)**

Robert Benham
Becky Bennett (Vice-
Chair)
Osman Dervish
Steven Kelly
Eric Munday
Roger Ramsey
Frederick Thompson
(Chairman)
Michael White

Clarence Barrett
Gillian Ford

Keith Darvill
Paul McGeary

Jeffrey Tucker

**For information about the meeting please contact:
Grant Soderberg 01708 433091
grant.soderberg@havering.gov.uk**

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

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

2 APOLOGIES FOR ABSENCE & SUBSTITUTE MEMBERS

(if any) - receive.

3 MINUTES (Pages 1 - 12)

To approve as a correct record the minutes of the meeting of the Committee held on 2 June 2011, and to authorise the Chairman to sign them.

4 DECLARATIONS OF INTEREST

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.

5 PUBLIC ACCESS TO THE COUNCIL CHAMBER - REVIEW OF ARRANGEMENTS (Pages 13 - 20)

Members are invited to review the rules for the admission of the public to areas of the Council Chamber that were introduced in 2006.

6 APPOINTMENT OF LOCAL AUTHORITY GOVERNORS TO SCHOOLS, PUPIL REFERRAL UNITS AND ACADAMIES (Pages 21 - 24)

The Committee is asked to review the proposals to make changes in the terms of reference concerning the appointment of school governors as it remains responsible for the overall policy on such appointments.

7 URGENT BUSINESS

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

**Ian Buckmaster
Committee Administration &
Member Support Manager**

**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Havering Town Hall
2 June 2011 (7.30pm – 8.25pm)**

Present:

COUNCILLORS:

Conservative Group	Frederick Thompson (in the Chair), Becky Bennett, Robert Benham, Osman Dervish, Steven Kelly, Eric Munday, Roger Ramsey and Michael White
Residents' Group	Clarence Barrett and Gillian Ford
Labour Group	+Denis O'Flynn
Independent Residents' Group	Jeffrey Tucker

Apologies for absence were received from Councillor Keith Darvill (+Councillor Denis O'Flynn substituted) and Councillor Paul McGeary

Councillor Michael Deon Burton was also present at the meeting

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

48 MINUTES

The minutes of the meeting held on 11 May 2011 were agreed as a correct record and signed by the Chairman.

49 MINUTES OF THE ADJUDICATION AND REVIEW COMMITTEE

The minutes of the meeting held on 27 May 2011 were agreed as a correct record and signed by the Chairman.

50 MINUTES OF THE APPOINTMENTS COMMITTEE

The minutes of the meetings held on 22 July and 18 August 2010 were agreed as correct records and signed by the Chairman.

51 WEBCASTING – RENEWAL OF SERVICE CONTRACT

The Committee was reminded that a decision was now needed concerning the webcasting provision as a contract break was due in September. Members considered whether the cost of webcasting was reasonable and whether it met

its objective of providing a reasonable mechanism for the Council to engage with the public. The consensus was that it was becoming so.

A Member asked about the number of “hits” by the public and was informed that the most recent information showed some 460 views of live broadcasts (both Council and Cabinet) and around 4,500 visits to view archived material. The Member further asked whether that volume represented value for money and a number of Members expressed the opinion that, in comparison with the cost involved with the previous system of Area Committees, it was and that, over time the number of visits to the site would increase as more people learned about it.

A Member asked whether webcasting might not be more effective if it was extended to cover all meetings held in public. In reply it was pointed out that this would develop over time, possibly with the exception of the Regulatory Services Committee and of quasi-judicial meetings.

Members discussed how to ensure that the best could be obtained from the provision and were informed that a benchmarking exercise could be undertaken to see how this was being delivered in other councils. In answer to a question concerning what the charges covered, Members were informed that Council-owned equipment was being used, but all the records and support were off-site.

Staff were encouraged to seek to negotiate a reduction in the cost of the current service and to circulate a report on the usage statistics to members.

RESOLVED:

That

1. The continued use of web casting as a tool in the Council’s programme of community engagement be approved.
2. The Head of Communications be authorised to continue broadcasting meetings of the Council, Cabinet and Ask the Cabinet over the internet, together with other sessions of interest where this has been agreed with the relevant Chairman or Cabinet Member other than the Regulatory Services Committee.
3. The cost-effectiveness of webcasting be monitored and that periodic bench-marking exercises be undertaken to ensure that the Council’s webcasting provision continued to deliver a service to the public consistent with good practice.

52 APPOINTMENTS TO OUTSIDE BODIES

The Committee received the details of appointments required to outside bodies for the forthcoming year. Members noted that a number of organisations were no longer supported and that membership would not be required. Appointments were made as detailed in appendix 1 to these minutes.

A Member proposed that Councillor David Durant be appointed to the Damyns

Governance Committee 2 June 2011

Hall Aerodrome Joint Consultative Committee on the grounds that this appointment had in the past come from that Ward. There was no seconder for this proposal.

It was proposed that Councillor Michael Deon Burton be appointed to the Orchard village Neighbourhood Management Board on the grounds of his being a Ward Councillor for that area. In addition, it was stated that Councillor Burton had previously been appointed to the Board but that he had wrongly been removed from it by the Management Board, and his place subsequently wrongly allocated to an Administration councillor. Members discussed this matter and a vote was taken on whether the Administration nominations for appointment should be accepted. The nominations were **ACCEPTED** by 11 votes to 1:

In favour:

Councillors: Benham, Bennett, Dervish, Kelly, Munday, Ramsey, Thompson, White, Barrett, Ford and O'Flynn.

Against:

Councillor Tucker.

RESOLVED:**That**

- 1 (a) The appointments to the organisations referred to in the report for the period until the meeting that dealt with appointments for the municipal year 2012/13 (or such other period as may be relevant in any specific case) be confirmed.
- (b) Where the appointment was executive, the Leader be recommended to confirm that the appointment be made.
- 2 Where the Council's representative (or any deputy or alternative representative where applicable) was unable to attend a particular meeting and the constitutional arrangements of the body in question so permitted, that representative may mandate the Chair of the meeting to exercise a proxy vote.
- 3 The Council's voting rights at the General Assembly of the Local Government Association be exercised by Councillor Michael White (5 votes) and Councillor Clarence Barrett (1 vote) (or their respective nominees in the event either is unable to vote in person).

53 APPOINTMENT OF THE CHAIRMEN AND VICE-CHAIRMEN OF SUB-COMMITTEES

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

The Committee was invited to appoint the chairmen and vice chairmen of the Adjudication and Review and Appointments sub committees. Members were reminded that the Sub Committees needed to be politically balanced, but that membership was not restricted to the members of the Governance Committee. They were also reminded that the Adjudication and Review Sub Committee ought to remain at its current number (10) because of the need to provide for hearings panels. Both Sub Committees would only meet in future when there was business for them to transact.

For the Adjudication and Review Sub Committee, it was proposed that Councillor Osman Dervish be appointed Chairman and Councillor Frederick Thompson be appointed as Vice Chairman.

Councillor Rebecca Bennett was proposed for Chairman of the Appointments Sub Committee and Councillor Michael White as Vice Chairman.

Councillor Barbara Matthews was nominated for the position of Opposition Vice Chairman for the Adjudication and Review Sub Committee.

Councillor Michael Deon Burton was proposed for appointment as Chairman of the Adjudication and Review Sub Committee, but in the absence of a seconder, this nomination failed.

The other nominations were then agreed by 11 votes to 1.

In favour:

Councillors: Benham, Bennett, Dervish, Kelly, Munday, Ramsey, Thompson, White, Barrett, Ford and O'Flynn.

Against:

Councillor Tucker.

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CHAIRMAN
5 July 2011

APPOINTMENTS RECOMMENDED BY THE COUNCIL TO OTHER ORGANISATIONS, 2011/12

ORGANISATION AND NUMBER OF APPOINTEES	EXECUTIVE MEMBER APPOINTMENTS	
CEME (Centre for Engineering & Manufacturing Excellence) - 1	Group Director, Finance & Commerce	
Connexions	Cabinet Member – Children & Learning (Manager of Youth Services – alternate director)	
East London Waste Authority - 2	Deputy Leader of the Council and Cabinet Member – Environment	
Futures Charitable Trust (from January 2012)		
Greater London Enterprise Limited -1	Cabinet Member– Community Empowerment	
IWMS Contract Liaison Committee - 1	Deputy Leader of the Council	
London Councils (Leaders' Committee)	Representative (1): Leader of the Council Deputy: (1) Deputy Leader of the Council	
Transport & Environment Committee	Representative (1): Cabinet Member - Environment	
Grants Committee	Deputies (up to 4): Deputy Leader of the Council, Cabinet Member– Community Empowerment, Cabinet Member–Value Representative (1): Cabinet Member – Value	
Greater London Employment Forum	Deputies (up to 4): Deputy Leader of the Council, Cabinet Member– Towns & Communities & Cabinet Member-Transformation	
Greater London Employment Forum	Representative: Cabinet Member – Value Deputy Representative: Deputy Leader of the Council	
Thames Gateway London Partnership	Leader of the Council	

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APPOINTMENTS MADE BY THE COUNCIL TO OTHER ORGANISATIONS, 2011/12

ORGANISATION AND NUMBER OF APPOINTEES	MEMBER APPOINTED (Non Executive Appointments)	
Adoption Panel	Councillor Georgina Galpin, vacancy (Chairman), Carole Balfe, Leroy Harry, Dr Haq, vacancy, Betty Haltham, Tony Ferguson, Lynne Adams and Beryl Thornton	
Age Concern : Havering (Havering Old People's Welfare Association Council) - 2	Cabinet Member–Individuals and Councillor June Alexander	
Carers Panel	Alan Johnstone (Chairman), Carol Balfe, Marie Pudney, Wendy Johnson, Floyd Powell, Avril Howe, Councillor Wendy Brice-Thompson, Dr Saminathan, Trevor Sim and Joyce Adelakun	
Coopers Company & Coborn Educational Foundation	Councillor Linda van den Hende	
Damyns Hall Aerodrome Joint Consultative Committee	Cabinet Member for Community Empowerment and Councillor Linda van den Hende	
Draper's Academy	Councillor Geoff Starns	
Essex Wildlife Trust (Bedfords Park Management Committee)	Councillor Geoff Starns	
Governor Panel - 3	Cabinet Member-Children & Learning, Councillor Wendy Brice-Thompson and Councillor Gillian Ford	
Havering Admissions Forum - 2	Cabinet Member–Children & Learning and Councillor Sandra Binion.	
Havering Arts Council - 5	Cabinet Member-Towns & Communities, Councillors Keith Wells Rebecca Bennett, Garry Pain, Linda Hawthorn and Barbara Matthews.	

Appointments to other organisations, 2011/12

Havering Association for People with Disabilities - 2	Councillors Steven Kelly and Councillor Nic Dodin
Havering Bands and Majorettes Association - Executive Committee - 3	Councillors Andrew Curtin, Osman Dervish and Linda Hawthorn
Havering & Brentwood Bereavement Service - 1	Councillor Dennis Bull
Havering Chamber of Commerce and Industry	Leader of the Council
Havering Children's Trust	Cabinet Member–Children & Learning
Havering Community Safety Partnership – 2	Cabinet Member–Community Safety and the Assistant Chief Executive, Legal and Democratic Services
Havering Joint Forum - 6	Leader of the Council, Deputy Leader of the Council, Cabinet Member–Value, Cabinet Member-Transformation, Leader of the Opposition Group and Councillor Linda van den Hende
Havering Local Strategic Partnership - 3	Leader of the Council, Deputy Leader of the Council and Leader of the Opposition
Havering Police and Community Consultative Group - 9 appointed by Council 20 th October 2010	Cabinet Member- Community Safety and Councillors Roger Evans (Elm Park & Hylands); Paul Rochford (Emerson Park & Harold Wood); Lynden Thorpe (Gidea Park); Denis O'Flynn (Harold Hill); Nic Dodin (Hornchurch); Billy Taylor (North Romford); Fred Osborne (Romford); Michael Deon Burton (South Hornchurch & Rainham); Gillian Ford (Upminster)
Havering Sports Council - 5	Cabinet Member–Towns & Communities, Councillors Osman Dervish, Garry Pain, John Mylod and Denis Breeding.
Havering Sixth Form College	Cabinet Member – Children & Learning (till July 2014) Councillor Steven Kelly (till July 2013)

Appointments to other organisations, 2011/12

Havering Theatre Trust - 3	Cabinet Member - Value, Cabinet Member – Transformation and Councillor Gillian Ford.
Havering Twinning Educational Association	Councillor Melvin Wallace
Havering Youth Inclusion & Support Panel	Councillor Wendy Brice-Thompson and Councillor Linda Trew (Deputy)
Homes in Havering (Housing ALMO Board)	Councillors Steven Kelly, Jeff Brace, Robby Misir and June Alexander
Hornchurch Housing Trust (Nomination Trustees) - 6	Mr Ray Emmett and Mr David Williams (until February 2015) Mr Chris Oliver and Councillor Eric Munday (until February 2013) Mr Ivor Cameron and Mrs Peggy Munday (until February 2014)
Lee Valley Regional Park Authority (indirect appointment via nomination to London Councils)	Councillor Andrew Curtin (until June 2013)
London Accident Prevention Council	Councillors Fred Osborne and John Mylod
London Councils, London Caribbean	Councillor Andrew Curtin
Local Government Association General Assembly - 4	Leader of the Council, Deputy Leader of the Council, Cabinet Member, Value and Leader of the Opposition
Local Government Association Tourism Forum - 1	Cabinet Member–Towns & Communities
Local Government Association Urban Commission- 1	Cabinet Member–Community Empowerment
London Home & Water Safety Council	Councillor Fred Osborne
London Youth Games-1	Cabinet Member–Towns & Communities

Appointments to other organisations, 2011/12

Lucas Children's Play Charity Nominative Trustees – 2	Councillors Andrew Curtin and Councillor Linda Hawthorn (appointed till 2011)
Management Committee of the Tuition Service	Cabinet Member – Children & Learning
North East London NHS Foundation - 1	Cabinet Member – Individuals
Orchard Village Neighbourhood Management Board	Cabinet Member-Housing, Cabinet Member-Transformation, Rebecca Bennett and Denis Breading
Partnerships in Parking - 1	Cabinet Member–Environment
Poyntz (a.k.a. Richard Poyntz's) and other charities	Councillor June Alexander (until March 2012)
Relate North East	Councillors Keith Wells and Brian Eagling
Reserve Forces & Cadets Association	Councillor Ted Eden
Romford Town Centre Partnership	Leader of the Council, Cabinet Member – Community Empowerment (Deputy) and Chief Executive
Romford Combined Charity <u>Nominative Trustees</u> - 2	Councillor Michael Armstrong, Councillor Andrew Curtin and (until 3 November 2014) Wilf Mills (until 3 November 2012) Councillor Osman Dervish (until 25 October 2011)
Second Chance Theatre for the People	Councillor Andrew Curtin
Standing Advisory Council for Religious Education (SACRE) - 5	Cabinet Member-Children & Learning, Councillors Wendy Brice-Thompson (observer), Damian White, Pam Light, Gillian Ford and Paul McGeary
Tenant Management Organisations	BETRA (Gooshays) – Councillor Dennis Bull DELTA (Squirrels Heath) – Councillor Lynden Thorpe PETRA (St Andrews) – Councillor Garry Pain

Appointments to other organisations, 2011/12

Thames Regional Flood Defence Committee- Cabinet Member–Environment (until November 2014)
1

Upminster Windmill Preservation Trust Councillor Linda Hawthorn

Veolia ES Cleanaway Havering Riverside Cabinet Member–Transformation
Trust - 1

Veolia ES Cleanaway - Maintenance Trust - Cabinet Member–Transformation

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GOVERNANCE COMMITTEE

5 July 2011

REPORT

Subject Heading:	PUBLIC ACCESS TO THE COUNCIL CHAMBER – review of arrangements
CMT Lead:	Ian Burns Acting Assistant Chief Executive 01708 432442
Report Author and contact details:	Ian Buckmaster Committee Administration & Member Support Manager ian.buckmaster@havering.gov.uk 01708 432431
Policy context:	Members of the public have a statutory right to attend meetings of Council, Cabinet and Committees. The limited accommodation available in the Council Chamber means that public use of some areas of it must be restricted.
Financial summary:	There are no financial implications

SUMMARY

This report, submitted at the request of the Leader of the Council, invites the Committee to review the rules for the admission of the public to areas of the Council Chamber that were introduced in 2006 following incidents of members of the public who are not prepared willingly to move to different parts of the public areas when requested to do so.

RECOMMENDATION

For consideration as to the changes, if any, to be made in the rules agreed by the Committee in October 2006 for public access to the Council Chamber.

REPORT DETAIL

1 Introduction

1.1 When the Council Chamber was extensively refurbished and remodelled in 1997/98, opportunity was taken to extend (to nearly double) its accommodation for the public and, at the same time, to provide additional seating at the rear of the Chamber, primarily for use by Members' guests.

1.2 The Chamber area is divisible into five main areas:

- "the Members' area" – comprising the main seats, also known as the "floor of the Chamber", and the dais, with full access to the microphone system
- "the side area" of seats by the side windows (beneath the portrait of the Queen), including two seats for the press
- "the lobby" – the seating area at the rear of the Chamber, by its main entrance, with 14 seats for staff, Members' guests and press
- "the gallery" – the side area, normally curtained off and also used as a corridor between the original Town Hall building and the recent extension: there are up to 19 seats for the public in this area
- "the balcony" – the original public area, above the main parts of the Chamber: there are 25 seats for the public in this area

1.3 The diagram appended illustrates these various areas.

1.4 Steps were taken when the Chamber was refurbished also to make it reasonably accessible for disabled people using wheelchairs –

- some seats in the Members' area are removable to enable wheelchair access to Members' desks;
- a ramp was installed to provide easy access to the dais and some seats in the gallery are also removable to facilitate wheelchair access, although the structure of the Chamber does not permit full accessibility – for example, some gaps between structural members are rather narrow and may not permit all types of wheelchair access but, without considerable building work, it is not practicable to make better provision.

2 Public access issues

2.1 The Council has long operated a firm policy of permitting public access to the Chamber, in excess of its statutory obligations.

2.2 There is a statutory right of access by members of the public to all meetings, other than those where confidential or exempt business is to be transacted. That right is, however, not absolute: the Council has no obligation to admit the public when numbers are so large that they cannot all reasonably be accommodated – for example, where the numbers are in excess of those permitted access in accordance with a fire risk assessment.

- 2.3 Partly to meet the conflict that might arise between the circumstances outlined in paragraphs 2.1 and 2.2, “overspill” facilities can be made available in Committee Rooms 3A and 3B using the ICT connections between those rooms and the Chamber. This has been done on a number of occasions, especially for the Regulatory Services Committee.
- 2.4 The Chamber is used for meetings of the Council, Cabinet, the Regulatory Services Committee and other Committee meetings when a Committee Room is not used, for all of which public access is essential. It is also used for Licensing Sub-Committee hearings and for planning Public Inquiries, which are also open to the public but where the circumstances are slightly different.
- 2.5 The gallery and the balcony together provide a maximum of 44 seats for the public - more than sufficient to meet demand for most Council and Cabinet meetings. The lobby provides up to 14 seats for Members’ guests at Council meetings, again generally sufficient for demand.
- 2.6 At many Regulatory Services Committee meetings, there is demand for public access in excess of what can be provided even through the combined use of the lobby, gallery and balcony areas; moreover, the public rights of address at that Committee means that those speaking for or against an application need access to the microphone system in the Chamber. Similar microphone access may be required at other meetings held in the Chamber, including Cabinet meetings.
- 2.7 For other meetings, demand for public access is variable but generally containable within the facilities available if the use of the rear two rows of seating in the Members’ area is permitted.
- 2.8 At Licensing Sub-Committee hearings and Public Inquiries, applicants and public authorities’ representatives need to be able to address the hearing from a more prominent position than the general public and thus it is recommended that they be permitted to use the front two rows of seats in the Members’ area.

3 Members’ guests

- 3.1 It is customary for Members to be able to reserve seats (via Committee Administration) for their guests to attend meetings of the Council. Generally, the accommodation in the lobby suffices for them but, on occasion – for example, the Annual Meeting of Council – many more guests are invited. Guests are regarded as members of the public present by invitation: for example, if the Council resolved to consider matters in exempt session, the guests would be obliged to leave the Chamber with the press and other public attendees.
- 3.2 When more guests are invited than can be accommodated in the lobby, seats are reserved for them in the gallery – and, very occasionally, in the balcony if numbers are large enough – which inevitably reduces the number of seats available for the public. It must be borne in mind that, notwithstanding the availability of overspill facilities, the reserving of seats for large numbers of guests could leave the Council open to accusations of failing to comply with its statutory obligations.

- 3.3 This does mean that the number of seats available for Members' guests will, in practice, have a practicable upper limit of 32 (lobby and gallery combined). Others can be accommodated but at the risk of the Council being accused of restricting access to the general public.
- 3.4 It should be noted that it is possible only to reserve seats in the gallery area for guests until shortly before the meeting begins. It would be unfair, and perhaps difficult for the Council to defend, if a reserved seat were not taken up when members of the public are being referred to the balcony or to an overspill room. Thus, a guest who arrives after 7:25pm cannot be guaranteed a seat and will have to take their chance with other members of the public.
- 3.5 Provision has not hitherto been made for Members to invite guests to attend meeting of the Cabinet or Committees.

4 Controlling public access to the Chamber

- 4.1 On occasion, staff have to ask members of the public to vacate seats reserved for others, or to refrain from sitting in areas not intended to be available to the public. The rules now under review were introduced in 2006 following a number of instances of individuals being reluctant to move when requested to do so and becoming annoyed at being asked to move from what they consider a place rightfully theirs. The Committee was then advised that the absence of clearly designated "public" and "private" areas had hampered staff in dealing with these situations.
- 4.2 At that time, the Committee agreed formally to designate specific areas of the Chamber as accessible or not accessible by the public, with different areas being designated for different meetings, as set out in the following table:

Area:	Members' area	Side area	Lobby	Gallery	Balcony
Meeting:					
Annual Council	Not open to public	Not open to public	Members' guests only	Members' guests only	Open to the public
Other Council meetings (including Council Tax and Extra-ordinary meetings)	Not open to public	Not open to public	Members' guests only	Open to the public	Open to the public
Cabinet	Not open to public but, where agreed in advance,	Not open to public	Not open to public	Open to the public	Open to the public

	seats to be available for members of the public coming forward to address the meeting				
Regulatory Services Committee and other Committees when in the Chamber	Rear two rows of Members' seats open to the public	Not open to public	Open to the public	Open to the public	Open to the public
Licensing Sub-Committee hearings and Public Inquiries	Rear two rows of Members' seats open to the public; front two rows available for use by the applicant and by public authorities' representatives	Not open to public	Open to the public	Open to the public	Open to the public

4.4 The side area of seats are not normally available to the public, but they will be able to use it at the discretion of the Chairman of a meeting when numbers are such that additional seating needs to be made available.

4.5 These designations were agreed as, without the backing of such a formality, staff would be unable to respond to members of the public who challenged being requested to move elsewhere, or who ignored clearly marked seat reservations. The existence of designation does not of itself of course mean that those who would be asked to move will be any more co-operative but it will strengthen staffs' ability to deal with such situations and also facilitate the use by the Mayor or a Chairman of their powers to require the removal of individuals who disrupt meetings.

5 Implications of webcasting

5.1 Members will be aware that, since 2009, meetings of the Council and Cabinet have been webcast.

5.2 Members of the public attending those meetings are aware that webcasting will be taking place and are liable, therefore, to appear in any webcast images.

People who do not wish to appear in the webcast are able to take a seat in the balcony, to which the camera coverage does not extend.

- 5.3 One of Members' concerns when webcasting began was that there was an increased risk that members of the public might use the opportunity of appearing in the webcast to display banners, posters or the like to the embarrassment of Members, or behave in a disruptive manner. To date, the few instances of such behaviour have been promptly addressed by the Mayor or Chairman and defused without difficulty.
- 5.4 Members will wish to bear in mind, however, that hitherto members of the public have been restricted to sitting in the side gallery and thus come into camera view only when Members sitting to the right of the Mayor or Chairman, immediately in front of the gallery, are in camera view. The impact of any disruption of the sort indicated in the preceding paragraph would therefore have been limited in any event.
- 5.5 If, however, the rules were to be changed so that the public were allowed to take seats in the Chamber itself, there would be an increased risk of members of the public behaving improperly, as they would then be in a camera view on many more occasions.

6 Possible changes

- 6.1 If the Committee is minded to relax the current rules and permit members of the public to take seats in the main area of the Chamber at Cabinet meetings, it is suggested that the rules governing public attendance at meetings of the Regulatory Services Committee be adopted.
- 6.2 At meetings of that Committee, Members generally sit in the front two rows of seats, with the public in the rear rows. That arrangement has generally proved successful. Some minor differences will be needed for Cabinet as many more officers are usually in attendance than at meetings of the Committee.

Financial Implications and Risks

There are no financial implications or risks arising from this report.

Equalities and Social Inclusion Implications and Risks

No implications or risks have been identified. The Chamber areas are as reasonably accessible by disabled people as practicable given the design and construction of the Town Hall.

Environmental Implications and Risks

There are no implications or risks for the environment.

Legal Implications and Risks

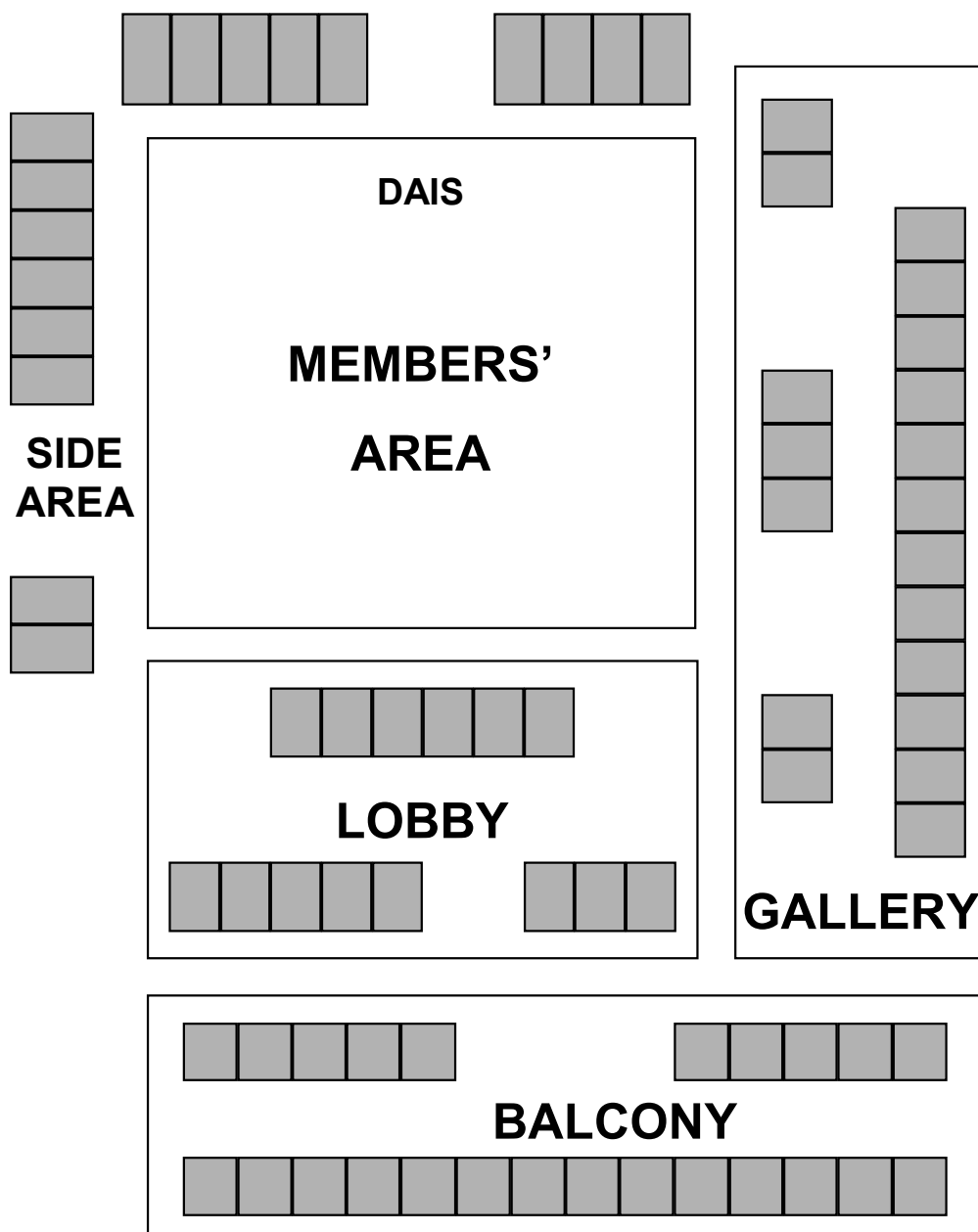
The Local Government Act 1972 obliges the Council to admit the public to meetings, except when confidential or exempt information is being dealt with. Case law has modified the absolute obligation to the extent that the right of access is exercisable only when those seeking access can be physically accommodated in the room.

Nothing in the existing designation policy affects the right of persons to have access to meetings at which they can be physically accommodated, nor is it likely that any change proposed and agreed will affect their rights. Where necessary, the Council provides overspill accommodation at which the events of meeting can be viewed and heard by CCTV and audio links.

Human Resources Implication and Risks

There are no implications or risks for Human Resources. The availability of clear guidelines on the use of the different areas within the Chamber assists staff deal with awkward situations.

FLOOR PLAN





GOVERNANCE COMMITTEE

5 JULY 2011

REPORT

Subject Heading:

CMT Lead:

Report Author and contact details:

**Appointment Of Local Authority
Governors to Schools, Pupil Referral
Units and Academies**

Andrew Ireland, Group Director, Social
Care & Learning

Maureen Smith

Maureen.smith@havering.gov.uk

01708 433665

Policy context:

The terms of reference for the LA
Governor Appointment Panel do not
reflect the current range of schools,
academies and pupil referral units to
which LA governors need to be appointed.
The nominations for representatives and
arrangements for ratification of
appointments also need to be updated.

Financial summary:

There are none associated with this report

The subject matter of this report deals with the following Council Objectives

- Clean, safe and green borough
- Excellence in education and learning
- Opportunities for all through economic, social and cultural activity
- Value and enhance the life of every individual
- High customer satisfaction and a stable council tax

SUMMARY

Although this Committee no longer deals with individual appointments of school governors, it remains responsible for the overall policy on such appointments.

This report outlines proposals put forward by the LA Governor Appointment Panel for changes to the terms of reference for the Panel to appoint governors to a wider range of establishments to include Academy Governing Bodies and Pupil Referral Management Committees as well as the appointment of .Additional LA governors to schools causing concern.

It is also proposed to update the terms of reference in relation to the nomination of governors to the panel and ratify arrangements for LA governor appointments.

RECOMMENDATIONS

It is recommended that, to ensure that the appointment process for LA governors is complete, the terms of reference for the LA Governor Appointment Panel - initially agreed by Governance Committee on 10 March 2003 - be revised as per the attached document.

REPORT DETAIL

1. A number of Academies have been established in Havering and more are planned. There is the option for Academy Governing Bodies to include up to one LA governor. Currently the remit of the LA Governor Appointment Panel does not extend to the appointment of governors to academies.
2. The management committees of pupil referral units also include LA representatives and the appointment of these is also not included in the current terms of reference of the LA Governor Appointment Committee.
3. The representative governors on the Panel are nominated by the Havering Governor Forum not the Association of Havering Governors, which ceased to exist a number of years ago.
4. The terms of reference also need to reflect the change in the process for the ratification of appointments as previously agreed by Governance Committee.

IMPLICATIONS AND RISKS

Governance Committee, 5 July 2011

There are no specific implications and risks.

Financial implications and risks:

None are apparent

Legal implications and risks:

None are apparent

Human Resources implications and risks:

None are apparent

Equalities implications and risks:

None are apparent

BACKGROUND PAPERS

LA Governor Appointment Panel minutes – 15 June 2011

LA Governor Appointment Panel Terms of Reference – March 2003

APPENDIX

Appointment of LA Governors
Appointment Panel

Terms of Reference

To consider and approve applications and nominations for the position of LA governor against the criteria agreed by the Governance Committee 10 March 2003 *to schools, pupil referral units and academies.*

To consider and approve applications and nominations for the position of Additional LA governor to schools

Constitution (9) (Quorum 3 - 1 from each category)

• **Representatives from Council:**

Nominated by Governance Committee annually

• **Representative Head Teacher**

Primary school head, Secondary school head, Special school head to be nominated by the appropriate head teacher group.

• **Representative Governor**

Primary school governor, Secondary school governor, Special school governor: to be nominated by the Association of Havering Governors.

Chairman

To be elected at each meeting.

Frequency of Meetings

At least once per term. The Clerk can call meetings when a number of applications have been received.

Seven clear days notice of the meetings must be given and agendas circulated accordingly.

Clerking

A Clerk to be provided by Governing Bodies Support Unit.

Minutes

Minutes have to be produced and stored electronically. Record of attendance must be minuted.

Ratification of appointments

All decisions of the Appointment Panel must be ratified by the Group Director, Social Care and Learning.