



Haverling

LONDON BOROUGH

GOVERNANCE COMMITTEE AGENDA

7.30 pm

**Tuesday
9 September 2014**

**Town Hall, Main Road,
Romford**

Members 13: Quorum 5

COUNCILLORS:

**Conservative
(5)**

Michael White
(Chairman)
Osman Dervish
Roger Ramsey
Melvin Wallace
Damian White

**Residents'
(5)**

Clarence Barrett
(Vice-Chair)
Jody Ganly
Ray Morgon
Stephanie Nunn
Darren Wise

**UKIP
(2)**

Lawrence Webb
Ian de Wulverton

**Independent
Residents
(1)**

Jeffrey Tucker

**For information about the meeting please contact:
Grant Soderberg tel: 01708 433091
e-mail: grant.soderberg@onesource.co.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 DISCLOSURE OF PECUNIARY INTERESTS

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any pecuniary interest in any item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 12)

To approve as a correct record the minutes of the Committee held on 26 June 2014 and to authorise the Chairman to sign them.

5 TRANSFORMATION OF SERVICE DELIVERY - 3G CONNECTION TO I-PADS FOR MEMBERS (Pages 13 - 16)

6 APPOINTMENT TO OUTSIDE BODIES AND OTHER ORGANISATIONS 2014/15. (Pages 17 - 20)

7 MONITORING OFFICER NO 1 AMENDMENTS TO THE CONSTITUTION (Pages 21 - 28)

Andrew Beesley
Committee Administration
Manager

Public Document Pack Agenda Item 4

**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Town Hall, Main Road, Romford
26 June 2014 (7.30 - 8.00 pm)**

Present:

COUNCILLORS

Conservative Group	Michael White (Chairman), Osman Dervish, Melvin Wallace, Damian White and +Robert Benham
Residents' Group	Clarence Barrett (Vice-Chair), Jody Ganly, Stephanie Nunn, Darren Wise and +Barbara Matthews
UKIP Group	Lawrence Webb and Ian De Wulverton
Independent Residents Group	+Michael Deon Burton

+ Substitute Members: Councillor Robert Benham (for Roger Ramsey), Barbara Matthews (for Ray Morgon) and Michael Deon Burton (for Jeffrey Tucker)

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

Apologies for absence were received from Councillors Roger Ramsey, Ray Morgon and Jeffrey Tucker.

There were no disclosures of pecuniary interest

1 MINUTES

The minutes of the meeting held on 12 March 2014 were agreed as a true record and signed by the Chairman.

2 BRIEFING NOTE: QUESTIONS TO FULL COUNCIL

The Committee agreed to accept a late briefing note concerning the proportions for Opposition Groups questions at meetings of Full Council. The proposed arrangements which varied for alternate meetings were:

Meeting 1 (including July 16 Council)

Residents' Association Group – 19 of 32 Opposition seats = 59% of questions = 8.85 or 9 questions in total.

UKIP Group – 7 of 32 Opposition seats = 22% = 3.3 or 3 questions in total.

Independent Residents' Group – 5 of 32 Opposition seats = 16% of questions = 2.4 = 3 questions in total (one question to be allocated to Labour Member at alternate meetings)

Meeting 2 (including 17 September Council)

Residents' Association – 9 questions, UKIP Group 3 questions, Independent Residents' Group 2 questions and Labour Member 1 question.

The Committee **noted** the allocation arrangements for opposition questions.

3 ADDITION TO THE DELEGATED POWERS OF THE HEAD OF REGULATORY SERVICES

The Committee was invited to consider a report concerning a necessary change to the Constitution to amend the powers of the Head of Regulatory Services to include agreements under section 16 of the Greater London Council (General Powers) Act 1974 to restrict the occupants of buildings from having access to residents parking permits.

This had been previously dealt with under Section 106 of the Town & Country Planning Act, but there had recently been adverse judicial comments about its use in this manner which made it unadvisable to continue to use s.106 for this purpose.

A Member queried whether these powers ought to be exercised more properly within the Local Development Framework, and it was agreed that this could well be the case, but for the time-being, an amendment of the delegated powers as requested would ensure a trouble-free transition.

The Committee **resolved to recommend to Council** that the following paragraph be added to Section 3.6.6 in Part 3 of the Constitution relating to the Head of Regulatory Services:

- (dd) To enter into agreements under s.16 Greater London Council (General Powers) Act 1974 to restrict the occupants of buildings from having access to residents parking permits.

4 APPOINTMENTS TO OTHER ORGANISATIONS, 2014/15

The Committee was invited to make recommendations to the various outside bodies to which it was affiliated. Where appropriate, each Group was invited to nominate a representative for the various positions.

All appointments were made without division and whilst the Committee deferred the appointment to one or two of the bodies, all other positions were filled and those Members appointed are shown on the appendix to this Minute.

The Committee:

- 1 (a) Determined the appointments to the organisations referred to in the appendix to this Minute the period until the meeting that will deal with appointments for the municipal year, 2014/15 (or such other period as may be relevant in any specific case).
- (b) **RECOMMENDED** to the Leader that the appointment be made.

- 2 Gave authority that, 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 Noted that the Council's voting rights at the General Assembly of the Local Government Association would be exercised by Councillor Roger Ramsey (3 votes) and Councillor Clarence Barrett (2 votes) (or their respective nominees in the event either was unable to vote in person).

Chairman

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APPOINTMENTS RECOMMENDED BY THE COUNCIL TO OTHER ORGANISATIONS, 2014/15

ORGANISATION AND NUMBER OF APPOINTEES	EXECUTIVE MEMBER APPOINTMENTS
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CEME (Centre for Engineering & Manufacturing Excellence) - 1	Group Director, Finance & Commerce
East London Waste Authority - 2	Councillor Steven Kelly and Cabinet Member for Environment
East and South East London Transport Partnership	Leader of the Council
Greater London Enterprise Limited -1	Leader of the Council
IESE Ltd	Leader of the Council
IWMS Contract Liaison Committee - 1	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 for Environment Deputies (up to 4): 1. Cabinet Member for Regulatory Services and Community Safety 2. Cabinet Member for Culture & Community Engagement

Appointments to other organisations, 2014/15

Grants Committee	Representative (1): Cabinet Member for Culture & Community Engagement
	Deputy (up to 4): 1. Cabinet Member for Regulatory Services and Community Safety 2. Cabinet Member for Housing
Greater London Provincial Council	Representative (1): Cabinet Member for Culture & Community Engagement
	Deputy Representative (1): Cabinet Member for Culture & Community Engagement

Appointments to other Organisations 2014/2015

ORGANISATION AND NUMBER OF APPOINTEES	MEMBER APPOINTED (Non Executive Appointments)	COMMENTS AND NOTES
Adoption & Permanency Panel-1	Councillor Wendy Brice Thompson	
Age Concern : Havering (Havering Old People's Welfare Association Council) - 2	Councillor June Alexander and Councillor Viddy Persaud	
Coopers Company & Coborn Educational Foundation	Councillor Linda Van den Hende	
Damyns Hall Aerodrome Joint Consultative Committee-2	Councillor Linda Van den Hende and Councillor David Durant	
Essex Wildlife Trust (Bedfords Park Management Committee)	Councillor Ray Best	
Fostering Panel-1	Councillor Gillian Ford	
Governor Panel - 3	Cabinet Member for Children & Learning, Councillor Gillian Ford and Councillor Lawrence Webb	
Havering Arts Council - 5	Cabinet Member for Culture & Community Engagement, Councillor Damian White, Councillor Joshua Chapman, Councillor Linda Hawthorn and Councillor Alex Donald	

Appointments to other Organisations 2014/2015

ORGANISATION AND NUMBER OF APPOINTEES	MEMBER APPOINTED (Non Executive Appointments)	COMMENTS AND NOTES
Havering Association for People with Disabilities - 2	Councillor Nic Dodin and Councillor Philippa Crowder	
Havering Bands and Majorettes Association- Executive Committee - 3	Councillor Osman Dervish, Councillor Reg Whitney and one vacancy	One vacancy to be filled
Havering & Brentwood Bereavement Service - 1	Councillor Julie Wilkes	
Havering Chamber of Commerce and Industry	Leader of the Council	
Havering Children's Trust	Cabinet Member for Children & Learning	
Havering Community Safety Partnership – 2	Cabinet Member for Regulatory Services and Community Safety and the Chief Executive	
Havering Joint Forum - 6	Leader of the Council, Deputy Leader of the Council, Leader of the Opposition Group, Councillor Osman Dervish, Councillor Linda Van den Hende and Councillor Lawrence Webb.	

Appointments to other Organisations 2014/2015

ORGANISATION AND NUMBER OF APPOINTEES	MEMBER APPOINTED (Non Executive Appointments)	COMMENTS AND NOTES
Havering Sports Council - 5	Cabinet Member for Culture & Community Engagement, Councillor Joshua Chapman, Councillor Jody Ganly, Councillor Linda Hawthorn and Councillor Philip Hyde	
Havering Sixth Form College - 2	Cabinet Member for Children & Learning and Councillor Wendy Brice Thompson (till September 2016)	Nomination to be confirmed by Havering 6 th Form Corporation
Havering Theatre Trust - 3	Cabinet Member for Culture & Community Engagement, Councillor Gillian Ford and Councillor Patricia Rumble	
Havering Twinning Educational Association	Councillor Stephanie Nunn	
Hornchurch Housing Trust (Nomination Trustees) - 6	Ms Pamela Freer and Mr David Williams (until February 2015) Mr Eric Munday and Mr Ted Eden (until February 2017) Mr Ivor Cameron and Mrs Peggy Munday (until February 2018)	

Appointments to other Organisations 2014/2015

ORGANISATION AND NUMBER OF APPOINTEES	MEMBER APPOINTED (Non Executive Appointments)	COMMENTS AND NOTES
Joint O&S East London Solutions	Councillor Frederick Thompson, Deputies: Councillor Julie Wilkes, Councillor Keith Roberts and Councillor Ian de Wulverton	
Local Government Association General Assembly - 4	Leader of the Council, Leader of the Opposition Councillor Michael White and Councillor Ray Morgon (Deputy Leader of the Opposition)	
City Region Board (formerly Local Government Association Urban Commission)- 2	Councillor Michael White and Councillor Clarence Barrett	
London City Airport Consultative Group (indirect appointment via nomination to London Council)	One Nomination to London Councils (until April 2015)	To be filled if required.
London Home & Water Safety Council -1	Councillor Linda Hawthorn	
London Road Safety Council - 2	Cabinet Member for the Environment and Councillor John Mylod	
London Youth Games-1	Cabinet Member for Culture & Community Engagement	
Lucas Children's Play Charity Nominative Trustees – 2	Cabinet Member for Children & Learning and Councillor Linda Hawthorn (appointed till November 2015)	

Appointments to other Organisations 2014/2015

ORGANISATION AND NUMBER OF APPOINTEES	MEMBER APPOINTED (Non Executive Appointments)	COMMENTS AND NOTES
North East London NHS Foundation Trust - 1	Head of Adult Services	
Orchard Village Neighbourhood Management Board - 4	Cabinet Member for Housing, Cabinet Member for Environment, Councillor Jeffrey Tucker and Councillor Graham Williamson	
Poyntz (a.k.a. Richard Poyntz's) and other charities	Councillor June Alexander(until March 2016) Mr David Livermore (until March 2016) and Rev. George Baisley (until March 2016)	
Relate North East - 2	Councillor Wendy Brice-Thompson and Councillor Jody Ganly	
Reserve Forces & Cadets Association -1	Councillor Barry Mugglestone	
Romford Town Centre Partnership	Leader of the Council, Chief Executive and Deputy Leader of the Council (Deputy)	
Romford Combined Charity <u>Nominative Trustees</u> – 2	Mr Michael Armstrong, and Mr Andrew Curtin (until 3.11.14) One Vacancy (until 3.11.16) and Councillor Melvin Wallace (until 25.10.15)	One vacancy to be filled
Safer Neighbourhood Board	Cabinet Member for Regulatory Services and Community Safety	

Appointments to other Organisations 2014/2015

ORGANISATION AND NUMBER OF APPOINTEES	MEMBER APPOINTED (Non Executive Appointments)	COMMENTS AND NOTES
Second Chance Theatre for the People -1	Councillor Darren Wise	
Standing Advisory Council for Religious Education (SACRE) - 5	Cabinet Member for Children & Learning , Councillor Jason Frost, Councillor Gillian Ford, Councillor Dilip Patel and Councillor Alex Donald	
Tenant Management Organisations - 3	BETRA (Gooshays) – Councillor David Johnson DELTA (Squirrels Heath)- Councillor Damian White PETRA (St Andrews’) – Councillor John Mylod	
Upminster Windmill Preservation Trust – 1	Councillor Linda Hawthorn	
Veolia ES Cleanaway Havering Riverside Trust - 1	Cabinet Member for the Environment	

GOVERNANCE COMMITTEE

9 September 2014

Subject Heading:

TRANSFORMATION OF SERVICE DELIVERY – 3G connection to i-pads for Members

Report Author and contact details:

Andrew Beesley, Committee Administration & (Interim) Member Support Manager
01708 432437;
Andrew.beesley@onesource.co.uk

Policy context:

ICT Member support
Customer Services Strategy

Financial summary:

The estimated cost of 3G connection for 54 Members is £4,750k per annum

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

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

In order to support the broader programme for transforming the delivery of services, i-pads were successfully introduced for use by Members in 2011. Since then, the Council has continued to explore alternative new technologies to support its commitment to resolving customer demands more efficiently.

The channel shift towards self-service and the recent introduction of the Members Portal has placed a greater emphasis on ensuring that Members have the technological means to support this transition. The report therefore proposes that all Members who use a Council-supported I-pad be provided with 3G access.

RECOMMENDATIONS

That 3G connectivity be made available to all Members who use a Council-supported i-pad and that the costs be made available to support this.

REPORT DETAIL

Introduction and use of i-pads

1. In 2011, as part of the transformation of service delivery resulting from increased spending reductions, the Council rolled-out i-pads to Members. The aim was to move from mainly paper-based production of Council, Cabinet and Committee agendas and Executive Decisions to electronic production.
2. The introduction of i-pads complimented the Committee Process Management software (*modern.gov*) used by Committee Administration. *Modern.gov* simplifies the production of documents for meetings and also acts as the web-host for a number of meeting-related articles and documents, such as those details about Members that must be publicly available. *Modern.gov* simplified in particular the means of ensuring that relevant and necessary information is placed on the website in a timely fashion.
3. Documents produced using *Modern.gov* are particularly “user-friendly” for people who wish to access them on-line during a meeting. Users access the documents by clicking on the ‘*mod.gov*’ app on the i-pad to download the relevant documents.
4. The sourcing of all agenda electronically (with the exception of exempt information) has reduced the volume of paper production. This has been reflected in the available budget for paper production of such documents and enabled the Council to make savings. For those members who have an i-pad, paper production of Council, Cabinet and Committee agendas is no longer available. For legal reasons, however, a limited number of paper copies will still be required, to enable members of the public who attend meetings to follow the agenda.
5. The i-pad has become an essential tool in helping to support Members in carrying out their duties. Of the 54 Members on the Council, 48 have a Council-supported i-pad. Given its everyday use by Members, it is important that the functionality of the i-pad is optimized and that Members are encouraged and provided with the means to achieve this.

Channel shift and the introduction of self-service

6. The introduction of the i-pad and the increasing use of new forms of technology compliment and reinforce the ambition of the Council's Customer Services Strategy. At the heart of that Strategy is a commitment to improve the service the Council provides to its customers and to resolve customer demands more efficiently.
7. Customer access and service delivery methods are changing. New technology is facilitating access to services 24/7 in easy ways, which promote customer self service. There is an increasing demand and capability to grow the use of the Council's website and electronic forms, as a channel for doing business with the Council.
8. The development of the Council's transactional website, combined with important, accurate, up to date and useful Council information and its promotion is at the heart of the wider channel strategy. The Council has already begun to load integrated forms onto the website and, without any prompting, customers are finding and using them.
9. This emphasis on self-service was critical in the formulation of the Members Portal. The first of its kind anywhere in the country, the Portal allows Members to report and monitor service requests at a time which is convenient to the individual, provided the Member has the technological means to do so.
10. At present, 3G access on the i-pad is provided to only a limited number of Members, namely the Leader, Cabinet Members, Group Leaders and the Mayor. With an increased emphasis on Member self-service, it is essential that all Members are fully supported in their roles. It is therefore proposed that 3G access be rolled out to all Members who use a Council-supported i-pad. 3G access will enable Members to use the Portal when Wifi connection is not available.

IMPLICATIONS AND RISKS

Financial implications and risks:

At time of reporting, the estimated cost of 3G access for Members using Council-supported i-pads would be approximately £4,750 per annum. This is the cost based on 3G connection to 54 i-pads and will be found within the overall IT budgets.

Legal implications and risks:

None arising from this report

Human Resources Implications and risks:

The roll out of 3G to all Members will be met by existing ICT resources. There will be a minor impact as each i-pad has to be registered with 3G connectivity.

Equalities implications and risks:

None arising from this report

BACKGROUND PAPERS

The Council's Customer Services Strategy

GOVERNANCE COMMITTEE

9 September 2014

Subject Heading:	APPOINTMENT TO OUTSIDE BODIES AND OTHER ORGANISATIONS 2014/15.
CMT Lead:	Andrew Blake-Herbert, Joint Managing Director oneSource
Report Author and contact details:	Jacqui Barr, Committee Administration, 01708 432439 jacqui.barr@oneSource.co.uk
Policy context:	Not applicable
Financial summary:	There are no financial implications
Has an Equality Impact Assessment (EIA) been carried out?	Not applicable

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

- Ensuring a clean, safe and green borough
- Championing education and learning for all
- Providing economic, social and cultural activity in thriving towns and villages
- Valuing and enhancing the lives of our residents
- Delivering high customer satisfaction and a stable council tax

SUMMARY

The Council makes appointments to a large number of other organisations, some statutory, others voluntary.

Since the new executive governance arrangements came into force, responsibility for making some appointments has passed from this Committee to the Leader of the Council but the Constitution provides that it is for this Committee to make recommendations to the Leader. Since the annual round of nominations was made on 26th June 2014, there have been a number of revisions to the Outside Bodies appointments and the Committee is now asked to consider these changes.

RECOMMENDATIONS

That:

- 1 (a) The Committee determine appointments to the organisations referred to in this report for the period until the meeting which deals with appointments for the municipal year, 2015/16 (or such other period as may be relevant in any specific case).
- (b) Where the appointment is executive, the Committee RECOMMEND to the Leader that the appointment be made.
- 2 Where the Council's representative (or any deputy or alternative representative where applicable) is unable to attend a particular meeting and the constitutional arrangements of the body in question so permit, that representative may mandate the Chair of the meeting to exercise a proxy vote.

REPORT DETAIL

Havering Theatre Trust

1. The Council is asked to appoint three members to the Havering Theatre Trust Board on an annual basis.
2. At the meeting of the Committee on June 26th 2014, Councillor Melvin Wallace, Councillor Gillian Ford and Councillor Patricia Rumble were appointed to serve as Havering's representative on the Board for this Municipal Year.
3. Councillor Wallace has now stepped down from this appointment as he considers it might lead to a potential conflict of interest with his role as Cabinet Member for Culture and Community Engagement.
4. It is proposed that Councillor Philippa Crowder should replace Councillor Wallace with immediate effect.

The Committee is asked to **confirm** this change of membership.

The City Regions Board

5. On 26th June, the Committee appointed Councillor White and Councillor Barrett to represent the Council on the City Regions Board.
6. The City Regions Board has taken over the work of the Local Government Association Urban Commission. New arrangements apply to the membership of the Board and local authorities no longer make direct appointments. There are only 22 places on the new Board and membership is now determined by the political groups at the LGA.
7. As a consequence of the new arrangements, the Council cannot appoint directly to the City Regions Board, but must instead make nominations through the LGA.

The Committee is asked to **note** the new arrangements.

London City Airport Consultative Group

8. There are several outside bodies which have member-level representation from London Councils. All nominations to outside bodies are made by the London Councils Leaders' Committee. Members are appointed for three years (with the exception of those for LBs Newham and Greenwich who are nominated on an annual basis). Following the Election in May 2014, the nomination has passed to the London Borough of Redbridge and Havering is therefore not required to take any further action.

The Committee is asked to **note** these arrangements

Thames Regional Flood Defence Committee:

11. Barry Tebbutt (former Cabinet Member for Environment), was appointed via London Councils Environment Committee in November 2010 for a four year period to represent the boroughs of Barking & Dagenham, Havering and Redbridge.
12. It has now been confirmed that since the political balance on London Councils has changed following the Local Council elections, the nomination will now pass to another Local Authority

The Committee is asked to **note** these arrangements

IMPLICATIONS AND RISKS

Human resources implications and risks

No implications or risks for the human resources arise from this report.

Equalities implications and risks

No implications or risks for the environment arise from this report

Financial implications and risks

No financial implications or risks arise from this report.

The Council has no financial commitment to, or responsibility for, the Charity.

Legal implications and risks

No legal implications or risks arise from this report.

BACKGROUND PAPERS

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

GOVERNANCE COMMITTEE

9 September 2014

Subject Heading:

**MONITORING OFFICER NO 1
AMENDMENTS TO THE CONSTITUTION**

The Openness of Local Government
Bodies Regulations 2014

Report Author and contact details:

Andrew Beesley
Committee Administration & (Interim)
Member Services Manager
Andrew.beesley@onesource.co.uk

Policy context:

Amendments to the Constitution

Financial summary:

These changes are procedural and have
no specific financial implications

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

Part 2 Article 11.02(c) of the Constitution authorises the Monitoring Officer to amend the Constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure.

The Constitution provides that this committee must be notified of any such amendment at the first reasonable opportunity.

The report advises of the implications for the Council following the introduction of regulations relating to the openness of Local Government Bodies and, as well as making relevant changes to the Constitution, also presents a protocol for reporting of meetings for approval which will be included within all Council, Cabinet and Committee agenda.

RECOMMENDATIONS

It is recommended that:

1. The report, including Appendix 1, be noted;
2. The protocol at Appendix 2 be approved.

REPORT DETAIL

1. On the 7 April 2014, the Secretary of State laid the Openness of Local Government Bodies Regulations 2014 (“the Regulations”) before Parliament under section 43 of the Local Audit and Accountability Act 2014. The Regulations came into force on 6 August 2014.
2. The Regulations allow reporting at meetings which are open to the public, be it the Council, Cabinet, committee or subcommittee meetings where the public are not excluded.
3. The Regulations do not require a Council to permit oral reporting or commentary on a meeting as it takes place if the person reporting or providing the commentary is present at the meeting.
4. Any person attending a meeting must, so far as is practicable, be afforded reasonable facilities for reporting and may use any communication method, including the Internet, to publish, post or otherwise share the results of their reporting activities. Publication and dissemination may take place in the meeting or afterwards.
5. Reporting means:-
 - filming, photographing or making an audio recording of proceedings at a meeting;
 - using any other means for enabling a person who is not present to see or hear proceedings at a meeting as it takes place or later; or
 - reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.
6. The Regulations also make provision for the recording of decisions. Decisions made by officers are not limited to those made under Delegation by the Executive and must be recorded, whether made by an officer or on behalf of another committee/subcommittee or joint committee, in which the authority participates where the decision has been delegated to an officer either under a

specific delegation or under a general authorisation and the effect of the decision is to:

- grant a permission or license;
 - affect the rights of an individual;
 - award a contract or incur expenditure which in either case, materially affects relevant Local Government Bodies financial position.
7. Background papers are to be made available to the public as soon as reasonably practicable after the decision is made, at all reasonable hours at the offices, on the website and by such other means the Council considers appropriate. The Regulations also contain obligations to provide copies subject to the payment, postage, copying or other necessary charges for transmission. If a request is appropriately made, a copy of the written record and any background papers must be provided.
 8. Written records must be retained and available for inspection for six years with background papers being retained for four years.
 9. The provisions relating to the provision of decisions does not affect confidential or exempt information.
 10. Anyone who has custody of a document which is required to be produced and without reasonable excuse intentionally obstructs or refuses access, commits an offence.

Implications for the Council

11. In relation to decision records, the Monitoring Officer oversees the process of posting Officer Decisions with reports on the website (if allowed under the access the Procedure Rules). To avoid the website becoming too large and difficult for the public to use, Committee Administration attach the report supporting the decision on the website and include on the database, information taken from a pro-forma "Delegated Decision" form. Any documents which are necessary as background papers should, under the procedure, be provided to Committee Administration.
12. In relation to the requirements in the Regulations to allow reporting, the Council Constitution currently does not permit filming of its meetings without the prior consent of the Mayor. The constitutional provision has to be amended so that persons attending meetings with the intention of reporting on them are afforded reasonable facilities for those reporting. The changes to the constitutional provision are attached as Appendix 1 to this report.
13. There is no definition provided as to what constitutes "reasonable facilities". It is arguably "reasonable" to facilitate reporting allowed by the Regulations without committing significant public funds and without disrupting the business of the meeting. Health and Safety considerations should also be taken into account. With these factors in mind it is proposed that the arrangements should be as follows:-
 - That persons should remain seated;

- That they be reminded that they cannot carry out oral reporting during the meeting or disrupt the meeting in any way
14. The Council webcasts meetings of Council and Cabinet (but not any other committees). The webcasting of such meetings accords with the Regulations and enables a person who is not present to see or hear proceedings at a meeting as it takes place or later if required.

IMPLICATIONS AND RISKS

Financial implications and risks:

None arising from this report

Legal implications and risks:

The legal implications are covered in the body in the report. The Council has a statutory responsibility to comply with the Regulations and the recommendations within the report seek to address them.

Human Resources implications and risks:

There will be a minor impact to resources as staff will be required to undertake some additional administrative duties to ensure that the Council is compliant with the new Regulations; this will however be met by existing resources.

Equalities implications and risks:

None arising from this report

BACKGROUND PAPERS

The Openness of Local Government Bodies Regulations 2014
'Open and Accountable Local Government': a guide for the press and public on attending and reporting meetings of local government – June 2014, Department for Communities and Local Government

SUBJECT: AMENDMENTS TO CONSTITUTION

Notification No. 1

Date 9 September 2014

Notification of amendments to the constitution

Amendments made by the Monitoring Officer

Part 2, Article 11.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

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

Part and article/ section	Page ref	Substance of amendment / amended wording	Reason for amendment
Part 4, Council Procedure Rules, Rule 22.2	242	<p>Delete 'Broadcasting' and replace with 'Audio/Visual Recording of Meetings'</p> <p>Replace the content of Rule 22.2 to read:</p> <p>"Anyone is welcome to record meetings of the Council and its committees through any audio, visual or written methods they find appropriate providing they do not disturb the conduct of the meeting.</p> <p>The Chair of the meeting will have the power to rescind this permission should it prove necessary due to the nature of the meeting or if the conduct of the meeting is disturbed, for example through flash photography or intrusive camera equipment.</p> <p>All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting.</p> <p>If a meeting passes a motion to exclude the press and public then, in conjunction with this, all rights to record the meeting are removed."</p>	Legalisation change

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Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

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