



Haverling

LONDON BOROUGH

GOVERNANCE COMMITTEE AGENDA

7.30 pm	Thursday 28 May 2015	Town Hall, Main Road, Romford
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Members 13: Quorum 5

COUNCILLORS:

**Conservative
(5)**

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

**Residents'
(3)**

*Ray Morgon
Stephanie Nunn
Barry Mugglestone*

**East Haverling
Residents'
(2)**

*Clarence Barrett (Vice-
Chair)
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

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.

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 - 6)

To approve as a correct record the minutes of the Committee held on 30 April 2015, and to authorise the Chairman to sign them.

5 MONITORING OFFICER NO 05 AMENDMENTS TO THE CONSTITUTION (Pages 7 - 10)

6 APPOINTMENTS TO OTHER ORGANISATIONS, 2015/16 (Pages 11 - 22)

Andrew Beesley
Committee
Administration Manager

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**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Town Hall, Main Road, Romford
30 April 2015 (7.30 - 8.30 pm)**

Present:

COUNCILLORS

Conservative Group	Michael White (Chairman), Roger Ramsey, Melvin Wallace, +Joshua Chapman and +John Crowder
Residents' Group	Stephanie Nunn, Barry Mugglestone and +Barbara Matthews
East Havering Residents' Group	Clarence Barrett (Vice-Chair) and Darren Wise
UKIP Group	Lawrence Webb and Ian de Wulverton
Independent Residents Group	+David Durant

Apologies for absence were received from councillors Osman Dervish, Damian White, Ray Morgon (on other Council business) and Jeffrey Tucker who were substituted by councillors +John Crowder, +Joshua Chapman +Barbara Matthews and +David Durant respectively.

On behalf of the Chairman, the clerk reminded those present of the procedure to follow should a need arise to evacuate the building.

There were no disclosures of pecuniary interest

Decisions were taken without division unless otherwise stated.

32 MINUTES

The minutes of the meeting held on 11 March 2015 were agreed as a true record and signed by the Chairman.

33 REVISION TO THE CALL-IN PROCEDURE FOR REGULATORY SERVICES

A report had been presented at the previous meeting of the Committee on 11 March 2015 setting out proposed changes to the call-in procedure for planning applications brought before the Regulatory Services Committee.

At that meeting, Members deferred making a decision so that further thought could be given to the proposed revisions.

The revised report before Members retained the proposal for the call-in of a planning application to be restricted to the councillors for the Ward in which the planning application site was located. It was recognised however that there may be exceptional circumstances whereby non-ward councillors felt it was necessary for an application to be brought for the consideration of the Regulatory Services Committee. In such exceptional circumstances, it was proposed that approval needed to be sought in writing, setting out detailed reasons for the call in which had to be related solely to matters of material planning concern and obtained from the Head of Regulatory Services for the application to be brought before the committee.

This issue was subject to comment from various members of the Committee with the strongest objection being that some planning matters had political aspects to them and by referring them to a senior officer, that officer's political neutrality would be compromised. This was countered by reference to the fact that the process required the Member making the call-in to show that the call-in was based on planning principles alone and therefore the Head of Service's political neutrality would not be compromised.

Having discussed the matter at length, the issue of whether to accept the recommendations as set out in the report was put to the vote.

In favour of the motion: Councillors: Michael White, Roger Ramsey, Melvin Wallace, John Crowder, Joshua Chapman, Clarence Barrett, Barbara Matthews, Stephanie Nunn, Barry Mugglestone, Darren Wise and Ian de Wulverton

Against the motion: Councillor: David Durant

Lawrence Webb abstained

The motion was **CARRIED** by eleven votes to one.

The Committee **RESOLVED** to **recommend to Council** that:

1. That Committee Procedure Rule 13(e) of the Council's Constitution be revised to read as follows:
 - (e) *Only a Councillor representing the ward in which the planning application is located, or in exceptional circumstances any member of the Council, may call-in an application before the Regulatory Services Committee. Any such request for call-in must be received by the Head of Regulatory Services in writing (to include email and facsimile) and must set out detailed reasons for the call in which must be related solely to matters of material planning concern. Any Member of the planning committee calling in a matter must take care to express themselves in a manner which would not amount to bias or pre-determination should they intend to take part in the meeting.*

2. That Section 3.6.6(d) be revised to read as follows:

“Members of the Ward in which a proposal is situated may request that an application be referred to the Regulatory Services Committee for determination. Such request must be made in writing to either the Head of Regulatory Services personally. If no such request is received by the deadline of that period the Head of Regulatory Services may determine the application.

If any Member considers there are exceptional circumstances warranting the calling in of a planning application which is not situated within their Ward then they must seek and obtain approval from the Head of Regulatory Services.”

3. That the Council’s Monitoring Officer be authorised to make the necessary change to the Council’s Constitution, should the proposal be agreed by Council.

34 **APPOINTMENT TO OUTSIDE BODIES**

The Committee was reminded that the Governor Appointments Panel considered applications for the LA governor positions on school governing bodies and recommended individuals to the Director of Children, Adults and Housing.

The Governance Committee appointed three Members to the Panel on an annual basis and in June 2014 it appointed the Cabinet Member for Children and Learning, Councillor Gillian Ford and Councillor Lawrence Webb to serve as the Council’s representatives for the current municipal year.

On 1st April 2015, Councillor Webb resigned from the Governor Panel and the Committee was asked to note the vacancy, which would be considered with the annual appointments to Outside Bodies at the end of May meeting.

The Committee **noted** the position in respect of the Governor Appointments Panel.

35 **MONITORING OFFICER REPORT NR 05**

Members considered a report of the Monitoring Officer containing various changes to the Constitution.

The Committee **noted** the changes within the appendices to the report.

36 **NOMINATIONS FOR THE AWARD OF FREEMAN OF THE BOROUGH**

The Committee was reminded that the Council had the power under Section 249(5) of the Local Government Act 1972 to confer the title of “Freeman of

the Borough” on persons who had, in the opinion of the Council, rendered eminent services to the borough. For the purposes of the Act, ‘person’ included organisations. The Council’s Constitution (Council Procedure Rule 24) provided for Council to confer the title of Freedom of the Borough.

At the time of the meeting, the Group Leaders had been unable to reach agreement on whether there should be any nominations for the award. It was for the Governance Committee to decide whether to make a recommendation to Council in accordance with the ‘protocol on the nomination and appointment of Honorary Freemen and Honorary Aldermen for the London Borough of Havering.’

Members discussed this at some length but could reach no agreement on any names to be put forward.

The Committee **agreed** that as no-one had been put forward under the protocol it could not recommend anyone to Council, but that if any Group put forward a nomination by the closing date (May 5th) they could do so.

37 **ROLL OF HONOUR**

The Committee carefully considered the issues surrounding the setting-up of a Roll of Honour in recognition of those armed forces personnel from the Borough who had died on active service between 1 April 1965 and 1 April 2015.

The Committee **recommended to Council** that a roll of honour in recognition of Lance Corporal Kirk Redpath and Warrant Officer Class 2 Ian Fisher, both of whom died on active service between 1 April 1965 and 1 April 2015 should be created; and that any other members of the armed forces from the Borough who died on active duty during that period should be added to it as they came to the Council’s knowledge.

38 **CHANGES TO DELEGATED POWERS - REGULATORY SERVICES**

The following minute refers to a late item submitted with the agreement of the Chairman as an urgent matter pursuant to Section 100B (4) of the Local Government Act 1972

The Chairman introduced a late item concerning changes to the Constitution relating to powers delegated to the Head of Regulatory Services which had been ratified by Council at its meeting of 28 January. Council had agreed that Section 3.6.6(p) be altered to: *“To issue Enforcement Notices, Stop Notices and Listed Building Enforcement Notices.”* Due to an oversight however, the wording of the altered text should have continued to say the following words brought forward from the existing Section 3.6.6(p):

"... and to take any action necessary to achieve compliance with a notice, including commencing proceedings for injunctions and demolishing buildings."

It was therefore requested that this additional wording be noted as a supplementary alteration to the previously agreed change to Section 3.6.6(p).

The Committee agreed and **noted** the addition of wording to the original recommendation.

Chairman

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GOVERNANCE COMMITTEE

28 May 2015

Subject Heading:

MONITORING OFFICER NO 05
AMENDMENTS TO THE
CONSTITUTION

Report Author and contact details:

Graham White, Interim Director Legal &
Governance & Monitoring Officer

Policy context:

Monitoring Officer Amendments to the
Constitution

Financial summary:

These changes are purely procedural and
have no specific financial implications

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

Havering will be clean and its environment will be cared for	[X]
People will be safe, in their homes and in the community	[X]
Residents will be proud to live in Havering	[X]

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.

RECOMMENDATIONS

That this report be noted.

REPORT DETAIL

The Monitoring Officer has the ability to make limited amendments to the Constitution as set out in the summary above.

The amendments pick up legislative changes, a change in title following a restructure and typographical errors.

The meeting of this committee is the first opportunity for the reporting of the most recent amendments made and the committee is requested accordingly to note the amendments made.

IMPLICATIONS AND RISKS

*There is a **corporate** requirement to set out the implications and risks of the decision sought, in the following areas*

Financial implications and risks: None

Legal implications and risks:

The Constitution provides for the Monitoring Officer to make certain amendments to the constitution in given situations and these amendments are pursuant to and in accordance with those powers. There are no legal implications arising from this report.

Human Resources implications and risks: None

Equalities implications and risks: None

BACKGROUND PAPERS

None

SUBJECT: AMENDMENTS TO CONSTITUTION

Notification No. 5

Date 8 May 2015

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 3, Responsibility for Functions, Appendix A		Trading Standards Add the following Enactment: <i>The Redress Scheme for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014</i>	New legislation
Part 3, Responsibility for Functions, Appendix A		Trading Standards Add the following Enactment: <i>Consumer Rights Act 1985</i>	New legislation

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GOVERNANCE COMMITTEE 28 May 2015

Subject Heading:

APPOINTMENTS TO OTHER
ORGANISATIONS, 2015/16

CMT Lead:

Andrew Blake- Herbert
Group Director of Communities and
Resources
01708 432201

Report Author and contact details:

Jacqui Barr
Research & Information Officer,
Committee Administration
jacqui.barr@havering.gov.uk
01708 432439

Policy context:

The Council appoints Members and
others to serve on a variety of other
bodies

Financial summary:

There are no significant financial
implications.

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

Havering will be clean and its environment will be cared for	[X]
People will be safe, in their homes and in the community	[X]
Residents will be proud to live in Havering	[X]

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.

RECOMMENDATIONS

That:

- 1 (a) The Committee determine appointments to the organisations referred to in this report for the period until the meeting that deals with appointments for the municipal year, 2016/17 (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.
- 3 The Council's voting rights at the General Assembly of the Local Government Association be exercised by Councillor Roger Ramsey (4 votes) and Councillor Ray Morgon (1 vote) (or their respective nominees in the event either is unable to vote in person).

REPORT DETAIL

- 1.1 The Committee is authorised to make all appointments to other organisations (other than executive appointments, which are made by the Leader). Appointments are for the period expiring at the first meeting of this Committee in the municipal year 2016/17 (probably during the last week of May 2016), except where otherwise specifically provided.
- 1.2 **Appendix 1** Executive appointments. **The Committee is asked to review the appointments and to make recommendations to the Leader.**
- 1.3 **Appendix 2** lists the appointments made by office-held and by individual member, but are not executive. **The Committee is asked to review these appointments and either confirm them or agree what changes are to be made.**
- 1.4 Appointments that do not require review or renewal for the present are shown in italics. **The Committee is asked to note these appointments.**

2. Exercise of voting rights:

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

3. Havering Twinning Educational Association

- 3.1 At the meeting of Governance Committee on 11 March, it was reported that the Havering Twinning Educational Association was to be disbanded, owing to several contributing factors.
- 3.2 In accordance with Charity Commission practice, the Trust will remain a formally constituted body until such time as the accounts have been closed, but Member appointments are no longer required.

4. Vacancies

- 4.1 At present, there is a vacancy for a representative on the Havering Bands and Majorettes Association. The organisation does not meet formally, but has indicated that it would still like to retain its link with the Council and the patronage of a Member appointment.
- 4.2 At the annual meeting of the Governance Committee last year, Councillor Lawrence Webb was appointed to serve as one of the Council's representatives on the Governor Panel. Councillor Webb resigned his position on 1st April 2015 owing to other commitments which prevented him from attending meetings. On 11th March, Governance Committee agreed to consider the vacancy together with the annual appointments to all organisations.

IMPLICATIONS AND RISKS

Equalities and Social Inclusion Implications and Risks

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

Legal, Finance and Environmental Implications and Risks

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

BACKGROUND PAPERS

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

APPOINTMENTS RECOMMENDED BY THE COUNCIL TO OTHER ORGANISATIONS, 2015/16

ORGANISATION AND NUMBER OF APPOINTEES	EXECUTIVE MEMBER APPOINTMENTS	
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	Councillor Michael White	
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, 2015/16

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 2015/2016

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 One vacancy	<i>Vacancy as of 1.4.15, following resignation of Cllr Webb</i>
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 2015/2016

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 2015/2016

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)	
Havering Theatre Trust - 3	Councillor Philippa Crowder Councillor Gillian Ford and Councillor Patricia Rumble	Cllr Crowder's appointment agreed at Governance on 9.9.14
Hornchurch Housing Trust (Nomination Trustees) - 6	Ms Pamela Freer and Councillor John Wood (until February 2019) Mr Eric Munday and Mr Ted Eden (until February 2017) Mr Ivor Cameron and Mrs Peggy Munday (until February 2018)	Ms Freer and Cllr Wood's appointments agreed at Governance on 11.3.15

Appointments to other Organisations 2015/2016

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)	
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 2015/2016

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 Poyntry'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	Councillor Melvin Wallace (until 25.10.15) Councillor Joshua Chapman (until 3.11.16) and Councillor Wendy Brice Thompson and Councillor Dilip Patel (until 3.11.18)	
Safer Neighbourhood Board	Cabinet Member for Regulatory Services and Community Safety	

Appointments to other Organisations 2015/2016

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	