



Haverling

L O N D O N B O R O U G H

GOVERNANCE COMMITTEE AGENDA

7.30 pm

**Wednesday
14 January 2015**

**Town Hall, Main Road,
Romford**

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 - 4)

To approve as a correct record the minutes of the Committee held on 19 November 2014, and to authorise the Chairman to sign them.

5 CHANGES TO DELEGATED POWERS - REGULATORY SERVICES (Pages 5 - 10)

The Committee is invited to recommend to Council that changes be incorporated into the Constitution relating to the Head of Regulatory Services.

6 POLLING DISTRICT REVIEW (Pages 11 - 16)

The Committee is invited to consider the report and to recommend to Council that the recommendations set out within it be accepted

7 AMENDMENTS TO THE CONSTITUTION - FINANCIAL REGULATIONS, FINANCE POLICY AND BUDGET AND POLICY FRAMEWORK (Pages 17 - 38)

Members are invited to consider the report and to recommend to Council that the revise Financial Regulations, Finance Policy and Budget and Policy Framework be adopted.

8 MONITORING OFFICER NO 04 AMENDMENTS TO THE CONSTITUTION (Pages 39 - 58)

Members are invited to note the report

Andrew Beesley
Committee Administration
Manager

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**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Town Hall, Main Road, Romford
19 November 2014 (7.30 - 7.40 pm)**

Present:

COUNCILLORS

Conservative Group Michael White (Chairman), Osman Dervish,
Roger Ramsey, Damian White and +Robert Benham

Residents' Group Ray Morgon, Stephanie Nunn and Barry Mugglestone

**East Havering
Residents' Group** Clarence Barrett (Vice-Chair) and Darren Wise

UKIP Group Ian de Wulverton

**Independent Residents
Group** +David Durant

Apologies for absence were received from Councillors Melvin Wallace, Lawrence Webb, and Jeffrey Tucker. Councillor Wallace was substituted by Councillor +Benham and Councillor Tucker, by Councillor +Durant, respectively.

There were no disclosures of pecuniary interest

Decisions were taken without division unless otherwise stated.

14 MINUTES

The minutes of the meeting held on 14 October 2014 were agreed as a true record and signed by the Chairman.

15 POLLING DISTRICT REVIEW

The Committee was reminded that under the Electoral Administration Act 2006 the Council had to undertake a polling district and polling place review by the Acting Returning Officer in 2007 and every fourth year thereafter. The previous review had been carried out in 2011 and the 2014 review was currently being undertaken. Members were reminded that the aims of the review were to:

Ensure that:-

- (a) as far as possible polling places are accessible to all.
- (b) polling places fall within the polling district wherever possible.

- (c) account be taken of justifiable complaints by electors, and any responses received from this consultation.

Members' attention was drawn to the list of those consulted, and a summary of responses as a result of the review. A Member raised concerns about one of the Polling Stations. Specifically, the use of the Methodist Church Hall situated in Hall Lane in the Cranham 5 Polling District. The Committee was provided with comparative "turn-out" figures for polling stations in the area which showed that the local turn-out at this Polling Station was significantly lower than those around it.

Members considered that there might be more appropriate alternatives and asked for that to be explored and this Polling District to be re-reviewed. The Committee was mindful that a provisional recommendation to Council had already been published and directed that the recommendation be amended.

The Committee **RESOLVED** to amend the recommendation to Council that:

The changes to the Polling Districts reviewed should be incorporated into the register published on 1 December 2014, and the alternative polling stations used at the Parliamentary elections in May 2015 in accordance with the Electoral Administration Act 2006 with the exception of CM5 Upminster Methodist Church Hall, Hall Lane for which a further review is to be undertaken and a recommendation brought back to a future meeting of the Council.

16 **APPOINTMENT TO OUTSIDE BODIES AND OTHER ORGANISATIONS 2014/15**

The Committee was reminded about the responsibility it had to approve the nomination of candidates to the Romford Combined Charity. Two former councillors' terms of office expired on 3 November and as they did not wish to be re-nominated, new nominees were sought and Councillors Wendy Brice-Thompson and Dilip Patel had been nominated to replace them.

A third trustee – former councillor Wilf Mills had resigned and his term continued until 3 November 2016. Councillor Joshua Chapman had been nominated to fill this vacancy.

The Committee was invited to either accept and endorse the three nominees or propose alternative nominees.

The Committee **confirmed** the nomination of Councillors Wendy Brice-Thompson, Dilip Patel and Joshua Chapman to be trustees of the Romford Combined Charity. Councillor Chapman until 3 November 2016 and Councillors Brice-Thompson and Patel for a full five year term until 3 November 2019:

17 **MONITORING OFFICER NO 03 AMENDMENTS TO THE CONSTITUTION**

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.

Chairman

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GOVERNANCE COMMITTEE

14 JANUARY 2015

Subject Heading:

CMT Lead:

Report Author and contact details:

Policy context:

Financial summary:

**Changes to delegated powers –
Regulatory Services**

Andrew Blake-Herbert – Group Director
Communities and Resources

Patrick Keyes – Head of Regulatory
Services x2721

Monitoring Officer Amendments to the
Constitution

The described changes to delegated powers would have no material financial implications. The reduction in reports needing to be taken to Committee and the cessation of activity for 7 day list production would produce some minor financial benefits.

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

Ensuring a clean, safe and green borough	x
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	x

SUMMARY

Following a review the Head of Regulatory Services has identified two areas of operational activity-- 7 day list of objections received and enforcement - which would benefit materially from changes to delegated powers to enable more effective and efficient service delivery.

RECOMMENDATIONS

That the Committee recommend to Council that the following changes be incorporated into Section 3.6.6 of the Constitution relating to the Head of Regulatory Services.

- 1) Section 3.6.6(e) be deleted and Section 3.6.6 (d) be altered to:

"Members 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 or the Planning Manager personally. If no such request is received by the deadline of that period the Head of Regulatory Services may approve the application.

- 2) Section 3.6.6(p) be altered to:

"To issue Enforcement Notices, Stop Notices and Listed Building Enforcement Notices".

REPORT DETAIL

As part of on-going reviews of operational efficiency the Head of Regulatory Services has identified two activities which would materially benefit from changes to delegated powers. The intended outcome is more efficient and effective service delivery as explained in the rationale beneath each of the proposed changes described below.

1. **7 Day List within the Call-in Procedure for Planning Applications**

1a) ***Existing Position***

Sections 3.6.6(d) and (e) of the Constitution cover planning applications which are intended for an officer approval under delegated powers but which have attracted objection(s) by the public. In such cases the application is included within what is known as the "7 day list". This is included within the weekly Calendar Brief. The specific purpose of this list is to notify Members about planning applications which have attracted at least one objection and which they may wish to consider calling in to be decided by Regulatory Services Committee rather than under staff delegated powers.

1b) ***Proposed Change***

It is proposed to retain the call-in process itself but to dispense with creation of the '7 day list' and its weekly publication within Calendar Brief.

1c) ***Rationale for Changes***

About 15 years ago, when the Council didn't have the current electronic and other systems available to communicate with Members, the Planning Service needed to increase levels of delegated decision-making to improve its performance on planning decisions. The performance regime at that time was less critical than it is now, especially the current considerations of impact on income and possible loss of control of decision-making of categories of application should certain performance standards not be met.

In return for increasing staff levels of delegation, the safeguard for Members at that time was that they would be able to request call-in of an application to Committee if they felt there were relevant circumstances.

The call in facility – which is embedded in the Council's Constitution and is not proposed for removal – is a valuable way for Members to ensure that the Committee decides appropriate applications. But whereas Members once used Calendar Brief's "7 day list of objections received" as the primary way of identifying applications which they may wish to call to Committee, the Service judged that most Members now instead rely on the main list of planning applications. That is issued weekly to Members and is arranged by ward so they can instantly see those applications which may, in principle, be of interest to them.

The other main way in which Members now generally decide whether to request call-in is when the level of contact from their constituents draws attention to a planning application that appears sensitive.

Despite refinements to the 7 Day List over time, this doesn't appear to have increased Members reliance on Calendar Brief as the main way of identifying applications which they wish to call-in.

The arrangements for Members to attend and explain their call-ins to the Committee are not proposed for change. However the Planning Service has to devote resources weekly in order to compile, check and issue the 7 Day List into Calendar Brief. With that in mind the suggestion came forward that the relevance of the 7 Day List itself has significantly decreased since its inception and that, given the other information routes now available to Members, any value in maintaining the 7 Day list is no longer proportionate to the efforts across the Council to identify efficiencies.

Prior to making any formal submission to this Governance Committee necessary to vary the Constitution, the Service felt it would be helpful to dip test Members to see if that perception was correct.

All Members were emailed on 31 October 2014 asking which of the following applied to them. Members were advised that all replies received within 14 days would be reflected in the content of any report to Governance Committee. Responses (received from 31 out of 54 members) are shown in italics alongside:

1. ***You rely significantly on the 7 Day List within Calendar Brief as the main way of identifying planning applications which you may wish to seek to call-in to Committee. 1 Member out of 31 total replies received (3%).***
2. ***You rely only very occasionally on the 7 Day List and usually instead rely on the main planning applications list and/or feedback from constituents when considering which applications you may wish to seek to call-in. 22 Members out of 31 total replies received (71%).***
3. ***You never rely on the 7 Day List when considering potential call-ins. 6 Members out of 31 total replies received (19%).***
4. ***You rarely call applications into Committee under any circumstances. 1 Member out of 31 total replies received (3%).***

Also, one Member reply didn't specify any particular category but welcome the staff initiative. 1 Member out of 31 total replies received (3%).

Members' responses bear out staff conclusions that there is no material benefit in retaining the 7 day list within the Call-in procedure.

It is therefore requested that Section 3.6.6(e) be deleted and Section 3.6.6 (d) be altered to:

"Members 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 or the Planning Manager personally."

2. **Planning Enforcement Notices**

This is about the service of notices against breaches of planning control.

2a) ***Existing Provisions***

Section 3.6.6(p) covers Enforcement Notices and states:

"After consultation with the Director of Legal & Governance, to issue Enforcement Notices, Stop Notices and Listed Building Enforcement Notices and to take any action necessary to achieve compliance with a notice, including commencing proceedings for injunctions and demolishing buildings in the following cases.

- i) *In case of urgency.*
- ii) *Where planning permission for the unauthorised development has already been refused by the Council, or*
- iii) *Where the unauthorised development consists of:*
 - *Deposit of waste materials.*
 - *Extraction of minerals.*
 - *Erection of fixed plant and machinery."*

2b) ***Proposed Change***

It is proposed that delegated powers are extended to allow the Head of Regulatory Services to serve all forms of planning related Enforcement Notices including Stop Notices.

2c) ***Rationale for Changes***

The limited range of prevailing delegated powers for enforcement mean that many straightforward cases, where a planning permission has not already been refused for that development, need Regulatory Services Committee's authority.

A review of enforcement authority reports presented to Regulatory Services over the period January 2013 to date shows that in no instances did the Committee decline to authorise staff to initiate enforcement action.

Decisions to seek enforcement authority are made having regard to the Council's Planning Enforcement Policy and material considerations, notably the development plan framework. Any decisions to enforce under delegated powers employ the same approach and would continue.

Extending delegated powers to cover all types of enforcement case would speed up the timeframe within which notices may be created and served and the reduction in reports to Committee would create process efficiencies.

It is therefore requested that Section 3.6.6(p) be altered to:

"To issue Enforcement Notices, Stop Notices and Listed Building Enforcement Notices".

IMPLICATIONS AND RISKS

Financial implications and risks:

The described changes to delegated powers would have no material financial implications. The reduction in reports needing to be taken to Committee and the cessation of activity for 7 day list production would produce some minor financial benefits.

Legal implications and risks:

There are no material legal implications. The Planning Service would continue to seek and incorporate Legal Advice where necessary.

Human Resources implications and risks:

There are no material implications.

Equalities implications and risks:

There are no material implications as the decision does not directly impact on residents or staff.

BACKGROUND PAPERS

There are none

GOVERNANCE COMMITTEE
14 JANUARY 2015

Subject Heading:	Polling District Review
CMT Lead:	Andrew Blake-Herbert
Report Author and contact details:	Melanie Adams Acting Election Services Manager 01708 432445 melanie.adams@havering.gov.uk
Policy context:	There are no direct resource implications.
Financial summary:	There are no direct resource implications.

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 Electoral Administration Act 2006 required that a polling district and polling place review be carried out by the Acting Returning Officer in 2007 and every fourth year thereafter. The last review was carried out in 2011 and the 2014 review is now being undertaken. The aims of the review are as follows:

To ensure that:-

- (a) as far as possible polling places are accessible to all.
- (b) polling places fall within the polling district wherever possible.
- (c) account be taken of justifiable complaints by electors, and any responses received from this consultation.

The list of those consulted, and a summary of responses as a result of the review can be found under "Report Detail". The full timetable is set out in Appendix A and a copy of all responses is set out in Appendix B.

RECOMMENDATIONS

That the Committee recommend to Council that the recommendations set out in the report be accepted.

REPORT DETAIL

Consultation was undertaken as follows:

- All elected representatives, political parties and relevant stakeholders were given notification of the review.
- Copies of the proposals were available for public inspection in all libraries in Havering, PASC, and at the Town Hall, with accompanying posters to inform the public of this.
- Copies of the proposal were given to Havering Association of People with Disabilities, HAVCO, Age Concern and People First, with publicity given in their relevant newsletters or websites.
- An article publicising the review was published in Living.
- The Council's Access Officer was given a copy of the proposals

Proposals were put to Governance on 19th November 2014, where it was requested that Polling District CM5 (Cranham Ward) be looked at again to address the Ward councillor's concerns, outlined below.

Cranham Ward (Hornchurch & Upminster constituency)

CM5 Upminster Methodist Church Hall, Hall Lane

A Ward Councillor raised concerns that this polling station is too far away from the Drury Falls estate (see **Appendix A**).

During consultation, the Councillor requested an alternative polling station be found, and put forward Whittaker Hall as a possible alternative. However, this is located in Emerson Park ward and already used as a polling station for EM5. The Elections Services team were unable to find any other suitable alternative within the polling district.

At the Governance Committee meeting on 19th November 2014 some other alternatives were put forward and requested to be investigated. These were as follows:

1. Havering Sixth Form Centre, Wingletye Lane.

This building is outside of both the polling district and the ward; it is located in the St Andrews ward. Also, while we have a statutory right to use building

that receives public funding, we are aware that elections often clash with exams and therefore try to avoid using sixth forms and secondary schools where possible.

2. Europa Music Centre, The Walk and Havering Music School, The Walk.

Both of these buildings are located within the St Andrews ward and are therefore outside of the ward and polling district.

We would ask for the following be taken into consideration:

- With regards to the location of a polling station, Section 18(3) of the Electoral Administration Act states:
- *the polling place for a polling district must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district;*
- Moving to any of the proposed stations would result in approximately 55% of the electorate being required to travel further to vote in their polling station. Those in the north of the polling district would have a significant increase in how far they had to travel.
- The low turnout in this polling station was listed as a factor for changing the location. However, almost 20% of voters in this polling district have opted for a postal vote. 75% of these electors voted by post in 2014, bringing the overall turnout in CM5 to 44%, higher than the overall average turnout across the borough.
- Upminster Church Hall is fully accessible to voters with disabilities. It is also of a suitable size to house a double polling station, which is necessary as CM5 has the highest number of electors in the ward (2814).
- The Retuning Officer has to date not received any complaints directly from voters with regards to this polling station.

IMPLICATIONS AND RISKS

Legal implications and risks:

By law this review must be concluded by 31st January 2015. Any delay will put us in breach of our statutory duty. A delay will also impact on the ability to book the relevant polling station in sufficient time for the 2015 Parliamentary election.

Any person who made representation to the authority while the review was being undertaken has the right to appeal to the Electoral Commission. Their guidance on this is as follows:

Governance Committee 14 January 2015

All representations must be made in writing, either by post, e-mail or fax. The representation must be as specific as possible and should clearly state the manner in which it is alleged that the local authority has failed to properly conduct the review. There are only two grounds on which a representation may be made. These are:

- *the local authority has failed to meet the reasonable requirements of the electors in the constituency*
- *the local authority has failed to take sufficient account of accessibility to disabled persons of the polling station/ polling stations within a polling place.*

Representations based on any other premise will not be considered.

To make provision for Drury Falls estate a polling station would have to be placed outside the polling district and under the Electoral Administration Act 2006 that can only occur where there are special circumstances. The Committee must decide whether the circumstances giving rise to this request amount to special circumstances. It will be noted that if the polling station is moved to a place closer to Drury Falls estate, other residents of the polling district will thereby be disadvantaged.

Human Resources implications and risks:

Any increase in polling stations requires more staff on election day.

Equalities implications and risks:

One of the main purposes of the review is to ensure that all eligible electors can access a polling station.

BACKGROUND PAPERS

Not applicable.

Appendix A

Copy of response in full:

CM5: Upminster Methodist Church Hall

Cllr Clarence Barrett, Leader of East Havering Residents' Group

The only point I would like to make in respect of polling places is that there needs to be something on or near the Dury Falls estate for the Cranham ward. Their allocated polling place is the Upminster Methodist Church which is simply too far away.

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GOVERNANCE COMMITTEE

15 JANUARY 2015

Subject Heading:

CMT Lead:

Report Author and contact details:

Policy context:

Financial summary:

AMENDMENTS TO THE CONSTITUTION

– Financial Regulations, Finance Policy and Budget and Policy Framework

Andrew Blake-Herbert

Group Director for Communities and Resources, London Borough of Havering

Graham White

Interim Head of Legal Services

LB Havering Ext 2442

Constitutional amendments relating to the financial governance of the Council

There are no relevant financial implications; the proposed amendments are designed to achieve a single set of rules where possible across the shared services of LB Havering and LB Newham, to simplify and standardise the financial processes and decision-making .

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

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input type="checkbox"/>
Valuing and enhancing the lives of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

1. While the Monitoring Officer has the power to make amendments to the Constitution in certain limited circumstances, other amendments are dealt with under Part 1 Article 4.02 paragraph (a) of the Constitution, which provides that only the Council will exercise the function of adopting and changing the Constitution.
2. Part 3 Section 1 paragraph 1.2 of the Constitution provides that this Committee will
 - a. Monitor and review the operation of the Constitution to ensure that the views and principles of the Constitution are given full effect.
 - b. Make recommendations to the Council about amending the Constitution.
3. Following the establishment of the shared service between Havering and Newham Councils, officers have been reviewing the formal governance

arrangements and associated policies and procedures. The aim being to both rationalise and standardise these to make them, as far as possible, consistent. This brings a number of benefits including ease of maintenance, consistency, simplification and portability between the two councils, and should ensure that all detailed procedures, including the operation of the Oracle suite of systems, takes place in a consistent manner.

4. It is recognised that the overarching governance arrangements between the two councils do differ, and this has been reflected in carrying out this review. However, the basic principles to be applied do not currently differ in any substantive way, and this has therefore facilitated bringing two sets of rules together into a single set.
5. The areas dealt with in this report are the Financial Regulations, a new Finance Policy to provide the platform on which the Regulations will operate, and the Budget and Policy Framework. The Committee is asked to note that further work is underway on the delegations to the Joint Committee created to oversee the operations of the shared service, and a further report on this will be brought forward in due course.

RECOMMENDATIONS

That the Committee recommend to Council that the revised Financial Regulations, Finance Policy and Budget and Policy Framework be adopted.

REPORT DETAIL

1. The creation of the shared service OneSource has led to a review of the financial regulations of both LB Havering and LB Newham's constitution with the aim of achieving one integrated set of regulations. The benefits of doing so are that all finance staff, and all managerial staff, would be working to a single set of consistent rules applicable across both councils. This in turn will enable the financial systems that underpin financial management across the two councils to be standardised. The opportunity has also been taken to update and rationalise the current rules where appropriate.
2. A review of the current financial regulations has been completed across the two councils and the Committee is now invited to approve the revised version, as set out in the appendix. These comprise:
 - Financial Regulations (previously known in Havering as the Financial Procedure Rules)
 - A new Finance Policy
 - Budget and Framework Policy.

Governance Committee 14 January 2015

3. These fall within Part 4, Rules of Procedure, of the Havering constitution. The Finance Policy is intended to “front-end” the Financial Regulations of the Council.
4. The amended Financial Regulations will in most cases be the same for both Havering and Newham. The broad model used to develop the Havering set follows the standard format set down by CIPFA; although this has meant there are some changes to the format, the basic content and meaning of the Regulations does not differ substantively from the current set.
5. It is intended that the new rules would be implemented effective from 1 April 2015, to coincide with the planned implementation of the Oracle suite of systems in LB Newham. Appropriate steps are planned to communicate the proposed changes to officers and to amend the supporting procedures and protocols where necessary.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no specific financial implications

Legal implications and risks:

There are no relevant legal implications

Human Resources implications and risks:

There are no relevant HR implications

Equalities implications and risks:

There are no relevant equality implications

BACKGROUND PAPERS

There are none.

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Financial Regulations

April 2015



Who is governed by these regulations?

The regulations apply to all staff including and not limited to temporary staff, those with temporary contracts, sessional staff and contractors, however it is the responsibility of Senior Managers to make sure the regulations are implemented in their service area as appropriate. A failure to comply with the regulations could result in the Council incurring a financial loss and could impact upon the financial standing of the Council. This could be damaging to the reputation of the Council and the individual. It could also result in disciplinary action under the officers Code of Conduct.

Executive Summary

The financial regulations are for managing the Council's financial affairs and to safeguard its financial position. They are designed to protect the Council's assets.

The regulations are part of the Council's Constitution and are approved by Full Council. The regulations provide clarity for every Member and officer of the Authority. Senior Managers and Budget Managers are responsible for ensuring the regulations operate in their service area and that all staff in their area are aware of their own responsibility to implement the regulations.

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Introduction: Reasons for Financial Regulations

- 1.1 To conduct its business efficiently, a local authority needs to ensure that it has sound financial management policies in place and that they are strictly adhered to. Part of this process is the establishment of financial regulations that set out the financial policies of the Authority.
- 1.2 The financial regulations provide clarity about the financial accountabilities of individuals – cabinet members, the Chief Executive, the Monitoring Officer, the Chief Finance Officer, and Senior Managers. Each of the financial regulations sets out the overarching financial responsibilities. Senior Managers refer to Level 1 and 2 officers (Directors and heads of service) in London Borough of Newham (LBN) and Corporate Management Team (CMT) members (Group Directors) and heads of service in London Borough of Havering (LBH). A ‘Senior Manager’ for the purposes of these Regulations means the Head of Paid Service, Corporate Directors, Service Heads and Budget Managers unless otherwise specified in these regulations.
- 1.3 The Financial Regulations also link to other internal regulatory documents forming part of the Council’s Constitution. For example, Contract Standing Orders, Schemes of Delegation, the role of Overview and Scrutiny Committees and codes of conduct. There are also links to more detailed financial procedures, guidance and instructions.

Status of Financial Regulations

- 2.1. The Financial Regulations provide the framework for managing the Authority’s financial affairs and are part of the Council’s Constitution. They apply to every member and officer of the Authority and anyone acting on its behalf.
- 2.2. The Regulations identify the financial responsibilities of the Full Council, Executive and the Overview and Scrutiny Committee, the Chief Executive, the Monitoring Officer, the Chief Finance Officer and Senior Managers. Executive members and Senior Managers should maintain a written record where decision making has been delegated to members of their staff, including seconded staff. Where decisions have been delegated or devolved to other responsible officers, such as school governors, references to Senior Managers in the regulations should be read as referring to them.
- 2.3. All members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is properly authorised and achieves value for money.
- 2.4. The Chief Finance Officer is responsible for maintaining a continuous review of the Financial Regulations and submitting any additions or changes necessary to the Full Council for approval. The Chief Finance Officer is also responsible for reporting breaches of the Financial Regulations to the Council and/or to the Executive.
- 2.5. The Council’s **Financial Procedures**, (how the regulations will be implemented) are contained on the Council’s intranet pages and appended to these Financial Regulations.
- 2.6. Senior Managers are responsible for ensuring that all staff in their service area are aware of the existence and content of the Council’s Financial Regulations and other internal regulatory documents and that they comply with them.
- 2.7. The Chief Finance Officer is responsible for issuing advice and guidance to underpin the Financial Regulations that members, officers and others acting on behalf of the Council are required to follow.

Introduction

- A.1. Financial management covers all financial accountabilities in relation to the running of the Authority, including the policy and budget framework.

The Full Council

- A.2. The Full Council is responsible for adopting the Authority's Constitution and Members' Code of Conduct and for approving the budget and the policy framework within which the Executive operates. It is also responsible for approving and monitoring compliance with the Council's overall framework of accountability and control. The Full Council is also responsible for monitoring compliance with the agreed policy and related executive decisions.
- A.3. The Full Council is responsible for approving procedures for recording and reporting decisions taken by the Council and its committees. These delegations and details of who has responsibility for which decisions are set out in the Constitution.

The Executive

- A.4. Details of the roles and responsibilities of the executive are located within the constitution

Overview and Scrutiny Committee

- A.5. The Overview and Scrutiny Committee is responsible for scrutinising executive decisions before or after they have been taken and for holding the Executive to account. Overview and Scrutiny Committee is also able to analyse and comment on future policy options, general policy and the discharge of executive and non-executive functions of the Council.

Audit Board / Committee

- A.6. The Audit Board/Committee is the body charged with scrutinising the financial governance and system of internal controls of the authority. It has right of access to all the information it considers necessary and can consult directly with internal and external Auditors. The Audit Board/Committee is responsible for reviewing the external auditor's reports and the annual audit letter and internal audit's annual report. In LBH, it is responsible for approving the final Statement of Accounts of the authority for submission to the external auditor and scrutinising the treasury management report ; in LBN, approval to the accounts rests with the Investment and Accounts Committee.

The Statutory Officers

Chief Executive

- A.7. The Chief Executive is responsible for the corporate and overall strategic management of the Authority as a whole. He/she must report to and provide information for the Executive, the Full Council, the Overview and Scrutiny Committee and other committees. He/she is responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation. The Chief Executive is also responsible for the system of record keeping in relation to all of the Full Council's decisions and is the Head of Paid Service with overall responsibility for ensuring the necessary staffing resources, to carry out the Council's functions, are kept under review.

Monitoring Officer

- A.8 The Monitoring Officer is responsible for promoting and maintaining high standards of conduct. The Monitoring Officer is also responsible for reporting any actual or potential breaches of the law or maladministration to the Full Council and for ensuring that the Constitution is kept up to date and adhered to.
- A.9. The Monitoring Officer must ensure that executive decisions and the reasons for them are made public. He/she must also ensure that Council members are aware of decisions made by the Executive and of those made by officers who have delegated executive responsibility.
- A.10. The Monitoring Officer is responsible for advising all councillors about the legal implications of any decision and who has authority to take a particular decision.
- A.11. The Monitoring Officer (together with the Chief Finance Officer) is responsible for advising the Executive or Full Council about whether a decision is likely to be considered contrary or not wholly in accordance with the Budget and Policy Framework. Actions that may be 'contrary to the Budget' include:
- Initiating a new policy
 - Committing expenditure in future years above the approved budget
 - Incurring inter-service virements above authorised limits as per the scheme of virement
 - Causing the total expenditure financed from Council Tax, grants and corporately held reserves to increase, or to increase by more than a specified amount.

Chief Finance Officer

- A.12. The Chief Finance Officer has statutory duties in relation to the financial administration and stewardship of the Authority. This statutory responsibility cannot be overridden. The statutory duties arise from:
- Section 151 of the Local Government Act 1972
 - The Local Government Finance Act 1988
 - The Local Government and Housing Act 1989
 - The Accounts and Audit Regulations 1996
 - The Accounts and Audit Regulations 2003
 - The Local Government Act 2003
 - The Accounts and Audit Regulations 2011
- A.13. The Chief Finance Officer is responsible for:
- The proper administration of the Council's financial affairs, including keeping proper accounting records.
 - Setting and monitoring compliance with financial management standards.
 - Advising on the corporate financial position and on the key financial controls necessary to secure sound financial management.
 - Providing financial information in conjunction with Senior Managers.
 - Ensuring that the annual statement of accounts is prepared in accordance with International Financial Reporting Standards, the Code of Practice on Local Authority Accounting and the Service Reporting Code of Practice within the statutory deadlines.
 - Preparing the revenue budget and capital programme relating to the General Fund and the Housing Revenue Account.
 - Ensuring that reports requesting decisions of Members include appropriate statements as to the financial and use of resources and risks implications of the matter under consideration.
 - Treasury Management.

- Reporting to full Council. Executive and external auditor (under S114 of the Local Government Finance Act 1988) if the authority or one of its officers has made/about to make a decision which involves incurring unlawful expenditure, has taken or about to take an unlawful action which has resulted or would result in a loss or deficiency to the Council or about to make an unlawful entry in the authority's accounts.
- S114 of the 1988 Act requires the Chief Finance Officer to nominate a properly qualified member of staff to deputise should he/she be unable to perform the duties under S114 personally.
- Selecting accounting policies and ensuring that they are applied consistently.
- Determining the accounting procedures and records for the authority.
- Issuing advice and guidance to underpin the Financial Regulations.
- Maintaining a continuous review of the Financial Regulations and submitting any additions or changes necessary to the full Council for approval.
- In conjunction with Senior Managers, reporting breaches of the Financial Regulations to the Audit Committee.
- Preparing reports to Corporate Management Team/Corporate Leadership Team and the Executive to set the Cabinet Thresholds for reporting specific financial issues to the Executive.

A.14. Section 114 of the Local Government Finance Act 1988 requires the Chief Finance Officer to report to the Full Council, the Executive and the External Auditor if the Authority or one of its officers:

- Has made, or is about to make, a decision which involves incurring unlawful expenditure.
- Has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the Authority.
- Is about to make an unlawful entry in the Authority's accounts.

A.15. The Chief Finance Officer will nominate properly qualified members of staff to deputise for him/her in their absence on all other issues.

Senior Managers

A.16. The financial responsibilities of Senior Managers are:

- Ensuring that the Executive are advised of the financial implications of all proposals and that the financial implications have been agreed by the Chief Finance Officer.
- Exercise of budgetary control.
- Consulting with the Chief Finance Officer and seeking approval on any matter liable to affect the Council's finances materially, before any commitments are incurred.
- Ensuring that matters requiring a decision by Members are drawn to the attention of the Chief Finance Officer before any such decision is taken.

Other financial accountabilities

Virements

A.17. Budget virement is a process of transferring a revenue/capital budget from one budget heading to another. The authorisation limits of budget virements (provided within the budget framework) for both Councils vary and are specified in the financial procedures. If outside the budget framework, approval would be sought from Full Council for both councils.

A.18. Senior Managers are responsible for agreeing in-year virements within delegated limits, in accordance with the Budget and Policy Framework and any guidance issued by the Chief Finance Officer.

Treatment of Year-end Balances

A.19. The Chief Finance Officer is responsible for agreeing procedures for carrying forward under and overspendings on budget headings.

Accounting Policies

A.20. The Chief Finance Officer is responsible for selecting accounting policies and ensuring that it is applied consistently.

Accounting Records and Returns

A.21. The Chief Finance Officer is responsible for determining the accounting procedures and records for the Authority.

The Annual Statement of Accounts

A.22. The Chief Finance Officer is responsible for ensuring that the Annual Statement of Accounts is prepared in accordance with the *Code of Practice on Local Authority Accounting in the United Kingdom: a Statement of Recommended Practice* (CIPFA/LASAAC) and International Financial Reporting Standards (IFRS) where relevant. .

B: Financial Planning

Introduction

B.1. The Full Council is responsible for agreeing the Council's budget and policy framework, which will be proposed by the Executive. In terms of financial planning, the key elements are:

- The Corporate Plan or its equivalent.
- The Medium Term Budget Strategy.
- The Treasury Management Strategy.
- The Investment Strategy.

Policy Framework

B.2. The Full Council is responsible for approving the Budget and Policy Framework. The Policy Framework is made up of specific plans and strategies, these along with the rules governing the Budget and Policy Framework are set out in the constitution

B.3. The Full Council is also responsible for approving procedures for agreeing variations to approved budgets, plans and strategies forming the Policy Framework and for determining the circumstances in which a decision will be deemed to be contrary to the Budget or Policy Framework. Decisions should be referred to the Full Council by the Monitoring Officer and the Chief Finance Officer.

B.4. The Full Council is responsible for setting the level at which the Executive may reallocate budget funds from one service to another in the Virement Scheme. The Executive is responsible for taking key in-year decisions on resources and priorities in order to deliver the Budget and Policy Framework within the financial limits set by the Council.

Budgets

B.5. The process for compilation of the budget will be approved by the Executive on the advice of the Chief Finance Officer.

- B.6. The draft revenue and capital budget should include projected net expenditure on services and projects, proposed taxation and rent levels as well as any contingency funds.
- B.7. The Chief Finance Officer is responsible for ensuring that a annual revenue budget, an annual capital programme, and a Medium Term Budget Strategy are prepared on a robust basis for consideration by the Executive, before submission to the full Council. The Full Council may amend the Budget or ask the Executive to reconsider it before approving it.
- B.8. Senior Managers will ensure the proper administration of the Revenue Budgets and the Capital Programme allocated to them. They will also ensure compliance with guidance and instructions issued by the Chief Finance Officer.

Budget Monitoring and Control

- B.9. The Chief Finance Officer is responsible for providing appropriate financial information to enable budgets to be monitored effectively. He/she must monitor and control expenditure against budget allocations and report to the Executive on the overall position on a regular basis.
- B.10. It is the responsibility of Senior Managers to control income and expenditure within their area and to monitor performance, taking account of financial information provided by the Chief Finance Officer; spending must be contained within approved budgets; He/she should report on variances within their own areas. He/she should also take any action necessary to avoid exceeding their budget allocation and alert the Chief Finance Officer to any problems.

Guidelines

- B.11 Guidelines on budget preparation are issued to Senior Managers by the Chief Finance Officer.
- B.12. It is the responsibility of the Chief Finance Officer to advise the Executive and/or the Full Council on prudent levels of reserves for the Authority.

C: Risk Management and Control of Resources

Introduction

- C.1. It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant operational risks to the Authority. This should include the proactive participation of all those associated with planning and delivering services.

Risk Management

- C.2. The Chief Finance Officer is responsible for the Risk Management Strategy and responsible for ensuring the effectiveness of risk management. The Strategy is reviewed and updated annually by the Audit Board/Committee. The Audit Board/Committee receives regular reports on current and planned risk management activity to enable it to execute its assurance role.
- C.3. The Chief Finance Officer is responsible for preparing the Council's Risk Management Strategy and in conjunction with the Member Risk Management Champion/Lead Member is responsible for promoting it throughout the Authority.

Internal Control

- C.4. Internal control refers to the systems of control devised by management to help ensure that the Council's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that the Authority's assets and interests are safeguarded.
- C.5. The Chief Finance Officer is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. He/she should ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with the statutory and other authorities that govern their use.
- C.6. It is the responsibility of Senior Managers to establish sound arrangements for internal control.

Audit Requirements

- C.7. The Accounts and Audit Regulations 2011 require every local authority to maintain an adequate and effective internal audit function.
- C.8. The basic duties of the external auditor are to ensure:
- the accounts comply with the requirements of the enactments that apply to them
 - that proper practices have been observed in the preparation of the Statement of Accounts, and that the statement presents a true and fair view and
 - that the authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.
- C.8. The Authority may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenue & Customs who have statutory rights of access.

Preventing Fraud and Corruption

- C.9. The Chief Finance Officer is responsible for the development and maintenance of an anti-fraud and anti-corruption policy. Senior Managers are responsible for reporting all cases of fraud or suspicions (including money laundering) of fraud, to the Chief Finance Officer or the representative appointed by the Chief Finance Officer. Money laundering is reported directly to the Chief Finance Officer and suspicions of fraud are reported to the Head of Internal Audit.

Assets

- C.10. Senior Managers should ensure that records and assets are properly maintained and securely held. They should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

Treasury Management

- C.11. The Council has adopted CIPFA's *Treasury Management in the Public Services – Code of Practice for Chief Financial Officers*.
- C.12. The Full Council is responsible for approving the Treasury Management Policy Statement setting out the matters detailed in section 6 para 15 of the *Code of Practice*. The Policy Statement is proposed to the Full Council by the Executive. The Chief Finance Officer is responsible for implementing and monitoring the statement.
- C.13. All money in the hands of the Authority is controlled by the Officer designated for the purposes of section 151 of the Local Government Act 1972, i.e. the Chief Finance Officer.
- C.14. The Chief Finance Officer is responsible for reporting to the Executive a proposed Treasury Management Strategy in advance of the year a mid-year review and annual report by 30th September after its close. The Executive will then propose these to the full Council.

- C.15. All Executive decisions on borrowing, investment or financing shall be delegated to the Chief Finance Officer, who is required to act in accordance with CIPFA's *Code of Practice for Treasury Management in Local Authorities*.

D: Systems and Procedures

Introduction

- D.1. Sound systems and procedures are essential to an effective framework of accountability and control.

General

- D.2. The Chief Finance Officer is responsible for the operation of the Council's accounting systems, the form of accounts and the supporting financial records. Any changes made by Senior Managers to the existing financial systems or the establishment of new systems must be approved by the Chief Finance Officer to ensure that any data that impacts upon accounting systems is accurate. Senior Managers are responsible for the proper operation of financial processes in their own services including reconciliation to the council's general ledger.
- D.3. Any changes to agreed procedures by Senior Managers to meet their own specific service needs should be agreed with the Chief Finance Officer.
- D.4. Senior Managers should ensure that their staff are suitably competent to undertake their roles within the context of any guidance issued by the Chief Finance Officer on finance competencies. They should ensure that staff undergo relevant financial training that has been approved by the Chief Finance Officer.
- D.5. Senior Managers must ensure that, where appropriate, computer and other systems are registered in accordance with data protection legislation. Senior Managers must ensure that staff are aware of their responsibilities under freedom of information legislation.

Income and Expenditure

- D.6. It is the responsibility of Senior Managers to ensure that a proper scheme of delegation has been established within their area and is operating effectively. This scheme should identify staff authorised to act on the Senior Managers' behalf, or on behalf of the Executive, in respect of payments, income collection and placing orders, together with the limits of their authority. The Executive is responsible for approving procedures for writing off debts as part of the overall control framework of accountability and control.

Payments to Employees and Members

- D.7. The Chief Finance Officer is responsible for all payments to staff and for payment of allowances to members.

Taxation (Including Value Added Tax)

- D.8. The Chief Finance Officer is responsible for advising Senior Managers, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues that affect the Authority.
- D.9. The Chief Finance Officer is responsible for maintaining the Authority's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate to HM Revenue and Customs.

Alternative Ways of Service Provision

- D.10. It is the responsibility of the Chief Finance Officer to advise on the financial issues in respect of the establishment and operation of alternative ways of service provision, such as trusts, mutuals and joint ventures.

Loans to External Organisations

- D.11. While the Council does have powers to give loans to external third parties under the general power of competence pursuant to Section 1 of the Localism Act 2011, before considering loans to such bodies the statutory powers intended to be used to make such loans should be established to the satisfaction of the Director of Finance and Director of Legal and Governance.

E: Joint Arrangements

Introduction

- E.1. The Council provides a distinctive leadership role for the Community and brings together the contributions of its various stakeholders. It also seeks to achieve its Vision, via the promotion or improvement of the economic, social and environmental well-being of its area.

Partnerships

- E.2. The Executive is responsible for approving delegations, including frameworks for partnerships. The Executive is the focus for forming partnerships with other local public, private, voluntary and community sector organisations to address local needs.
- E.3. The Executive can delegate functions, including those relating to partnerships, to officers.
- E.4. The Chief Executive represents the Authority on partnership and external bodies, in accordance with the Scheme of Delegation.
- E.5. The Monitoring Officer is responsible for promoting and maintaining the same high standards of conduct and governance arrangements with regard to financial administration in partnerships that apply throughout the Authority.
- E.6. The Chief Finance Officer must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory. He/she must also consider the overall corporate governance arrangements and legal issues when arranging contracts with external bodies. He/she must ensure that the risks have been fully appraised before agreements are entered into with external bodies. He/she must also consider how these arrangements can demonstrate Value for Money and continuous improvement.
- E.7. Senior Managers are responsible for monitoring the partnership arrangements on an on-going basis. Senior Managers are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.

External Funding

- E.8. The Chief Finance Officer is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Authority's accounts.

Work for Third Parties

- E.9. The Executive is responsible for approving the contractual arrangements for any work for third parties or external bodies.

Budget and Policy Framework Procedure Rules

Contents

Rule	Subject
1	The Framework for Executive Decisions
2	Process for Developing the Framework
3	Decisions Outside the Budget or Policy Framework
4	Urgent Decisions Outside the Budget or Policy Framework
5	Virement
6	In-Year Changes to Policy Framework
7	Call-In of Decisions Outside the Budget or Policy Framework

1. THE FRAMEWORK FOR EXECUTIVE DECISIONS

- 1.1 The Council will be responsible for the adoption of its budget and policy framework. Once a budget or a policy framework is in place, it will be the responsibility of the Executive and officers to implement it.
- 1.2 The Budget and Policy Framework provides the financial basis for the implementation of the Council's policy framework and for the development of the Council's budget.
- 1.3 The Budget and Policy Framework covers:
- (a) Medium Term Financial Strategy
 - (b) Capital Strategy
 - (c) Treasury Management Strategy
- 1.4 The Chief Finance Officer will be primarily responsible for providing advice and guidance on the Budget and Policy Framework and its application, but will consult with the Monitoring Officer where appropriate.

2. PROCESS FOR DEVELOPING THE FRAMEWORK

- 2.1 The Executive will provide an initial report on its Medium Term Financial Strategy and Capital Strategy along with initial proposals for the budget and policy framework for consideration by Council. This report will be published by October.
- 2.2 The report will be available to the Overview and Scrutiny Committees and other local stakeholders who wish to express a view.
- 2.3 The Executive in conjunction with the Chief Finance Officer will decided the detailed local processes, procedures and timescales to consult on the budget proposals.
- 2.4 The Executive in conjunction with the Chief finance officer will decided the

detailed local processes, procedures and timescales to consult on the budget proposals. The Executive will issue detailed proposals for consultation having given due consideration to:

- (i) comments from Overview and Scrutiny Committees and other local stakeholders
- (ii) feedback from the consultation process
- (iii) the Government's financial announcements
- (iv) information from precepting and levying bodies
- (v) the advice of senior officers.

- 2.5 Having considered responses to the consultation on its initial detailed budget proposals, and any further information on Government funding and precepts/levies, the Executive may amend its proposals before submitting them to Council.
- 2.6 The Executive will also publish a Treasury Management Strategy which will be submitted to Council alongside its final budget proposals.
- 2.7 At any time when a report is submitted to Council on the budget the Council will consider the proposals of the Executive and may adopt them, refer them back to the Executive or substitute its own proposals in their place.
- 2.8 All Councillors and parties are actively encouraged to contribute issues and ideas into the budget process via the Overview and Scrutiny Committees.
- 2.9 Where an Executive Mayor is in place he can object to any Council decision to amend the budget. To do this he must inform the Proper Officer in writing within 5 days of the decision stating his objection and giving reasons why. In that case the Proper Officer will call a Council meeting within a further 10 days to consider the Mayor's objection and to re-consider its decision. The Council may approve the Mayor's recommendation on a simple majority or approve a different decision by a two thirds majority. The Council decision will then be made public and will take effect immediately. The timescales may be varied if this is necessary to meet statutory deadlines.

3. DECISIONS OUTSIDE THE BUDGET OR POLICY FRAMEWORK

- 3.1 The Executive, individual members of the Executive, committees of the Executive, and any officers or joint arrangements may only make decisions which are in line with the approved Budget and Policy Framework. A decision that is not relevant to or covered by the budget framework but which is in line with a plan or strategy approved by the Executive is not contrary to the Budget and Policy Framework.
- 3.2 Subject to section 4 below, if the Executive wish to make a decision which is contrary to the Budget or Policy Framework, then that decision can only be made by the council.
- 3.3 If the Executive, individual members of the Executive, committees of the Executive, and any officers or joint arrangements want to make a decision which potentially is contrary to or not wholly in accordance with the Budget and Policy Framework, they must take advice from the Chief Finance Officer or Monitoring Officer, as appropriate. If the advice is that the decision is

contrary to or not wholly in accordance with the Budget and Policy Framework then the decision must be referred to Council for decision, unless the decision is a matter of urgency, in which case paragraph 4 shall apply (urgent decisions outside the Budget and Policy Framework).

4. URGENT DECISIONS OUTSIDE THE BUDGET OR POLICY FRAMEWORK

4.1 Having consulted with the Chief Finance Officer or Monitoring Officer, as appropriate, the Executive, individual members of the Executive, committees of the Executive, and any officers or joint arrangements may take a decision which is contrary to or not wholly in accordance with the Budget and Policy Framework, or where the expenditure falls outside the approved budget, if the decision is a matter of urgency.

4.2 However, the decision may only be taken if:

- (a) it is not practical to convene a quorate meeting of the Council, and
- (b) the Chair (in the absence of the Chair, the Deputy Chair) of a relevant Overview and Scrutiny Committee accepts that the decision is a matter of urgency.

4.3 The reasons why it is not practical to convene a quorate meeting of the Council and the consent of the relevant Chair of Overview and Scrutiny Committee must be noted on the record of the decision and reported to the next available Council meeting along with a full report explaining:

- (a) the decision
- (b) the reasons for the decision
- (c) why the decision was treated as a matter of urgency.

5. VIREMENT

5.1 Steps taken by the Executive, individual members of the Executive, a committee of the Executive, or officers, or joint arrangements to implement Council policy shall not exceed those budgets allocated to each relevant budget head. However, such bodies or individuals shall be entitled to vire across budget heads within such limits as shall be laid down in the Financial Procedure Rules. Beyond those limits, approval to any virement across budget heads shall require the approval of the Full Council.

6. IN-YEAR CHANGES TO BUDGET AND POLICY FRAMEWORK.

6.1 Decisions by the Executive, individual members of the Executive, **committees of the Executive, and any officers or joint arrangements** can discharge only those Executive functions that are within the approved budget. No changes to the approved budget, except within the budget or virements rules set out in the Financial Procedures, can be made unless agreed by the Chief Finance Officer.

7. CALL-IN OF DECISIONS OUTSIDE THE BUDGET AND POLICY FRAMEWORK

7.1 Where an Overview and Scrutiny Committee is of the opinion that an Executive decision is, or if made would be, contrary to or not wholly in

accordance with the Council's Budget and Policy Framework, then it shall seek advice from the Chief Finance Officer or the Monitoring Officer, as appropriate and the Head of Paid Service.

7.2 Where that opinion relates to a decision that has already been taken and implemented, and the Chief Finance Officer considers that the decision is contrary to or not wholly in accordance with the Budget and Policy Framework, the Chief Finance Officer, or the Monitoring Officer as appropriate shall report on the matter to the Cabinet, sending a copy to every member of the Council. Regardless of whether the decision is delegated or not, the Cabinet must meet to decide what action to take in respect of the report and report on the matter to the Council.

7.3 Where that opinion relates to a decision yet to be made, or that has been made but not yet implemented, and the advice from the Chief Finance Officer or Monitoring Officer, as appropriate, is that the decision is contrary to or not wholly in accordance with the Budget and Policy Framework, the Overview and Scrutiny Committee may refer the matter to Council. In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter.

7.4 At the meeting, the Council will receive a report about the decision or proposals and the advice of the Chief Finance Officer. The Council may:

- (a) endorse a decision or proposal of the Executive as falling within the existing Budget and Policy Framework; or
- (b) amend the Budget and Policy Framework to encompass the decision or proposal and agree to the decision or proposal with immediate effect; or
- (c) if it accepts that the decision or proposal is contrary to or not wholly in accordance with the Budget and Policy Framework and does not amend the existing Budget and Policy Framework to accommodate it, require the Executive to reconsider the matter in accordance with the advice of the Chief Finance Officer or Monitoring Officer, as appropriate.

7.5 The decision of Council shall be recorded in its minutes.

8. FEES AND CHARGES

All fees & charges must be set in accordance with the corporate charging policy.

oneSource

Statement of Finance Policy Principles

Purpose

1.1 This policy (*the Finance Policy*) builds on the requirements of the Financial Regulations of the London Boroughs of Havering and Newham to ensure sound financial management practices are followed.

Objectives

1.2 The objectives of this policy are to:

- (a) ensure that the Councils' financial management is adequate and effective and that there is a sound system of internal control which facilitates the effective exercise of its functions; and
- (b) ensure that public money is safeguarded, properly accounted for, and used effectively.

Key principles

1.3 oneSource will:

- (a) ensure sound financial practices are in place which follow the fundamental principles of probity, accountability and value for money and ensure investment plans are affordable, prudent and sustainable;
- (b) ensure financial information is accurate, up-to-date and auditable; and
- (c) monitor and regularly review its financial practices, to ensure they are up-to-date and reflect current legislation, guidance and best practice.

Duties

1.4 Responsibilities for the Finance Policy are as follows:

- (a) Board/Cabinet, Chief Executive and Corporate Management Team: endorsing this policy;
- (b) S151 Officer and Director of Finance oneSource: ensuring the finance policy is fit for purpose and complies with relevant statutory obligations and other responsibilities for the proper administration of the Agency's financial affairs;
- (c) Director of Finance oneSource: ensuring this policy is regularly reviewed and updated, and advising staff where necessary, monitoring non-compliance with this policy, ensuring appropriate action is taken on any non-compliance, and reporting this internally and to the S151 officers as appropriate;
- (d) Executive/Group Directors and other Budget Holders: accountability for all financial matters in their business area including ensuring operational compliance with this policy, the Constitutions (including the Financial Regulations and Procurement Code/Procedure Rules), relevant legislation, guidance, best practice, and other standards, reporting any non-compliance to the Director of Finance oneSource and providing advice and guidance to their teams.
- (e) All staff: understanding and complying with the requirements of this policy, the Constitution (including the Financial Regulations and Procurement Code/Procedure Rules), relevant legislation, guidance and best practice.

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GOVERNANCE COMMITTEE
14 JANUARY 2015

Subject Heading:

**MONITORING OFFICER NO 04
AMENDMENTS TO THE
CONSTITUTION**

Report Author and contact details:

Graham White, Interim Head of Legal
Services / Deputy 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

- 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.

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 not 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. 4

Date 17th November 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
Contents Page	2	Remove "committee" from Overview and scrutiny committee procedure rules	

<p>Part 1 5. Overview and Scrutiny</p>	6-7	<p>Change paragraph to: There are <i>six</i> overview and scrutiny <i>sub-committees</i> which support the work of <i>the Overview and Scrutiny Board</i> the Executive and the Council as a whole. They have statutory powers to report and make recommendations which advise the Executive and the Council as a whole on its policies, budget and service delivery. Overview and scrutiny <i>sub-committees</i> also monitor the decisions of the Executive. The <i>Overview and Scrutiny Board</i> can “call-in” a decision which has been made by the Executive but not yet implemented. This enables <i>it</i> to consider whether the decision is appropriate. <i>It</i> may recommend that the Executive reconsider the decision. <i>It</i> may also be consulted by the Executive or the Council on forthcoming decisions and the development of policy.</p> <p>The overview and scrutiny <i>board</i> also deal with Councillor Calls for Action and <i>sub-committees</i> have power to scrutinise a number of partner agencies in relation to matters concerning the National Health Service <i>and</i> crime and disorder.</p>	
<p>Part 2 1.03 Definitions (b) 3.</p>	11	<p>Remove “Services” from Group Director title</p>	
<p>Part 2 2.02 (b) (iii)</p>	13	<p>Change to: For these purposes, “confidential” and “exempt” information are defined in the Access to Information <i>Procedure</i> Rules in Part 4 of this constitution.</p>	
<p>Part 2 3.02 Participation</p>	15	<p>Add to: Overview and Scrutiny <i>Sub-Committees</i> and other committees.....</p>	

Part 2 Article 6: Overview and Scrutiny	19-20	<p>Add to: 6.01 The Council will appoint the overview and scrutiny <i>sub-committee</i>....</p> <p>6.02 ...sets out the powers and functions of the overview and scrutiny <i>sub-committee and Board</i>, which..... Overview and scrutiny <i>sub-committees</i> must report annually to <i>the Overview and Scrutiny Board</i> on their workings....</p> <p>Add new sentence to end of 6.02 <i>The Board is required to report annually to full Council.</i></p> <p>6.03 Overview and scrutiny <i>sub-committee and the Board</i> will conduct their proceedings.....</p> <p>6.04 The Health Overview and Scrutiny <i>Sub-Committee</i> is authorised..... to establish together with the health overview and scrutiny committees <i>or equivalent</i> of one or more local authorities.....</p>	
Part 2 9.06 Decision making (c) and 9.08 Party Whip	23	<p>Add to (c) the overview and scrutiny <i>board and sub-committees</i> will follow the Committee and Overview and Scrutiny Procedure Rules..... Second bullet point under Party Whip</p> <ul style="list-style-type: none"> • Overview and Scrutiny <i>Board or Sub-Committee</i> 	
Part 2 Appendix	28	See new table attached	
Part 2 4. Children & Learning	30	<p>Title: Children & Learning Overview and Scrutiny <i>Sub-Committee</i></p> <p>4.1co-opt to this Overview and Scrutiny <i>Sub-Committee</i> one representative.....</p> <p>4.4 The Councillor Members of the <i>Sub-Committee</i> are....</p>	
Part 2 5. Crime & Disorder	31	<p>Title: crime & Disorder <i>Sub-Committee</i></p> <p>5.1 The Crime and Disorder (Overview and Scrutiny) Regulations 2009 confer on the <i>Sub-Committee</i> the ability..... It is for the <i>Sub-Committee</i> to determine.....</p>	

Part 3.1 Council functions 1.4	35	1.4 functions delegated to overview and scrutiny <i>sub-committee or the overview and scrutiny board</i> .	
Part 3.1 Functions delegated to general council meetings	37	Change to regulations Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as subsequently amended.	
Part 3.1 Governance	38	Change to 4th point <ul style="list-style-type: none"> To monitor and review the role of Overview and Scrutiny including numbers, operations and responsibility of <i>The Overview and Scrutiny Board and Sub – Committees</i> and their terms of reference and make recommendations. 	
Part 3.1 1.4 Functions delegated to overview and scrutiny committee	44	Title: Functions delegated to overview and scrutiny <i>board and sub committees</i> Section 21 of the Local Government Act 2000, requires that the Overview & Scrutiny <i>Sub-Committee and Board</i> be empowered to undertake the following activities: Remove from final paragraphs: “All Overview and Scrutiny Committees have powers in relation to scrutiny of the Local Area Agreement and partner bodies’ contributions to it under the Local Government & Public Involvement in Health Act 2007”	

Part 3.1 Overview and Scrutiny Committee responsibility	45-46	<p>Add “Sub” between Scrutiny and Committee in the title</p> <p>Remove from Children & Learning</p> <ul style="list-style-type: none"> • <i>School improvement(BSF)</i> • <i>14-19 Diploma</i> • <i>Scrutiny of relevant aspects of the LAA</i> <p>Remove from Environment</p> <ul style="list-style-type: none"> • <i>Scrutiny of relevant aspects of the LAA</i> <p>Remove from Individuals</p> <ul style="list-style-type: none"> • <i>Scrutiny of relevant aspects of the LAA</i> <p>Remove from Towns & Communities</p> <ul style="list-style-type: none"> • <i>Community Engagement</i> • <i>Cohesion</i> • <i>3rd Sector Compact</i> • <i>Partnership with the ALMO</i> • <i>Scrutiny of relevant aspects of the LAA</i> <p>Change Value to <i>Board</i> and move to top row of the table, then remove:</p> <ul style="list-style-type: none"> • <i>Scrutiny if relevant aspects of LAA</i> 	
Part 3.2 Housing (e)	51	<p>Remove: <i>(ii) oversight and monitoring of the ALMO Home in Havering”</i></p> <p>Renumber following paragraphs (ii) to (vii)</p>	
Part 3.2 2.5 Functions delegated to individual cabinet members by the Leader	53	<p>Change to: (f) To recommend to the Cabinet a response to reports from the overview and scrutiny <i>Board or relevant sub-Committee</i></p>	
Part 3.2 2.7 Health and Wellbeing Board	55	<p>Change date of act from 2013 to 2012</p>	
Part 3.2 (c) Shared Service Joint Committee	59	<p>Add to second paragraph The committee’s functions will be <i>with effect</i> from the 1st April 2014....</p> <p>Remove last paragraph</p>	
Part 3.3 3.5.4 Head of Learning and Achievement	71	<p>Add “Sub” between Scrutiny and Committee</p>	

Part 3.3 (aa) Committee Administration and Member Support Manager	107	Changes to (i) (b) The Audit, Governance, Pensions and Adjudication and Review Committees, <i>Overview and Scrutiny Board</i> and the Overview and Scrutiny <i>Sub-Committees</i> shall.....	
Part 3.4 Functions not to be the responsibility of the Council's Executive	143	Add to 44B "sub" between scrutiny and committee	
Part 3.6 Proper officer functions	157	The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulation 2000 Add: <i>Board or Sub-</i> between scrutiny and committee	
Part 3.6 Proper officer functions 7, 9, 11(a), 11(d), 14(b), 31	159 -160	Remove: "Committee" from title in table Add: " <i>Board or sub-</i> " between scrutiny and committee for functions	
Part 3.6 Proper officer functions	162	Functions of Scrutiny Officer Change: (n) To promote the role of the authority's overview and scrutiny <i>Board or sub-committee</i> (o) To provide support to the authority's overview and scrutiny <i>Board or sub-committee</i> (p) (iii) officers of the authority, in relation to the functions of the authority's overview and scrutiny <i>Board or sub-committees</i>	
Part 4 Access to information	168	Remove: " <i>committees</i> " from title: Change first paragraph under (a) Rights to copies to: Subject to rule 11(b) below, <i>the overview and scrutiny board and sub-committees</i> Remove (<i>including any sub committees</i>) Add under (b) Limit on rights <i>Board or sub-</i> between scrutiny and committee	

Part 4 Budget Framework	173-175 2(b), 2(c)(i), 2(h) Last para of 4. 2(d) 4(b) 5. first para: 3rd para	Add <i>Board and Sub-</i> between Scrutiny and Committee Add <i>Board</i> after Scrutiny Change: <i>Where the overview and scrutiny Board is of the opinion.....</i> Change: <i>Committee to Board</i>	
Part 4 Committees	180	Remove paragraph 5. (e)	
Part 4 Committees	181-182 7(b) 7(e)	Change: Title: <i>Committee to Board</i> Para: <i>the Overview & Scrutiny Board</i> Add: <i>“Sub –“</i> between Scrutiny and Committee	
Part 4 Contracts	194 Para 6. Last para. of 7.	Remove <i>Head of Shared Services (re pension), Head of People & Change”</i> and replace with <i>Director of Exchequer and Transactional Services</i> Add: <i>“Communities &”</i> between Director and Resources	
Part 4 Contacts	200 Lasts para of 13.	Remove Assistant Chief Executive, Legal & Democratic Services. Replace with <i>Director of Legal & Governance</i>	
Part 4 Contacts	202 Para. under Retaining copies of contracts	Remove Assistant Chief Executive, Legal & Democratic Services. Replace with <i>Director of Legal & Governance</i>	

Part 4 Contracts	204 First para of 20	Add: “Communities &” between Director and Resources	
Part 4 Contracts	210 Para under Emergency Action	Add: “Communities &” between Director and Resources	
Part 4 Council	222 1.3 (g)	Add: “Board and Sub-“ between scrutiny and committees	
Part 4 Council	223 2. (h) (iv) 224 3. (e)	Change:	
Part 4 Council	233 11.9 (b) (iii)	Change: Rule reference from Rule 11 (3) (b) to “Rule 11 (4) (b)	
Part 4 Executive	250 6. (c) and (e) 251 Para 12.	Change: committee to <i>Board</i> Add: “sub –“ between scrutiny and committee	
Part 4 Executive	254 Para. 17 (h) 255 Para 18. (b)	Add: “sub –“ between scrutiny and committee	
Part 4 Financial	257-269	Add: “Communities &” between Director and Resources	
Part 4 Financial	264 12. (b)	Remove: “Value” from before Overview and Scrutiny And Change: Committee to Board	

Part 4 Financial	269 23.	Remove: “Assistant Director/	
Part 4 O&S Cttee	271 Para.1.	Change paragraph: “All councillors (except member of the Cabinet) may be members of <i>the Overview and Scrutiny Board</i> or one of the <i>Overview and Scrutiny Sub-Committees</i> Remove: “(OSCs)	
Part 4 O&S Cttee	271-273 Para 2. and Para 3 (a) (b), (c),	Change: OSCs to “ <i>Overview and Scrutiny Board or relevant Sub-Committees</i> ”	
Part 4 O&S Cttee	273 Para 3 (d)	Change paragraph: <i>Overview and Scrutiny Sub-Committees must report annually to the Overview and Scrutiny Board, and the Board must report annually to full Council on.....</i>	
Part 4 O&S Cttee	273 Para 4	Change: OSC to <i>Overview and Scrutiny Sub-Committee</i> ” Remove: “or sub-committee”	
Part 4 O&S Cttee	274 Para 5 (a)	Change: Children’s Services OSC to <i>Children and Learning Overview and Scrutiny Sub-Committee</i>	
Part 4 O&S Cttee	274 Para 5 (a) and (b)	Change: OSC to “ <i>Overview and Scrutiny Sub-Committee</i> ”	
Part 4 O&S Cttee	274 Para 6	Add: “ <i>Sub-</i> “ between Disorder and Committee	

Part 4 O&S Cttee	274-275 Para 7 and Para 8 Para 9(a) Para 10(a) and (c)	Change: OSC to “ <i>Overview and Scrutiny Board and Overview and Scrutiny Sub-Committees</i> ”	
Part 4 O&S Cttee	275 Para 9 (b)	Add: “ <i>Sub-</i> “ between Disorder and Committee. Change final paragraph “The proper office shall include any matter referred in accordance with either (a) or (b) abotve in the agenda for a meeting of the <i>Overview and Scrutiny Board</i> or relevant <i>Sub-Committee</i> and the Chairman.....”	
Part 4 O&S Cttee	275 Para 10 (b)	Change paragraph “In relation to the development of the Council’s approach to other matters not forming part of its policy framework or budget framework, “ <i>Overview and Scrutiny Sub-Committees make proposals to the Overview and Scrutiny Board. The Overview and Scrutiny Board may make proposals to the Cabinet.....</i> ”	
Part 4 O&S Cttee	275 Para 11(a)	Change paragraph “Once it has formed recommendations on proposals for development the <i>Overview and Scrutiny Sub-Committee</i> will prepare a formal report and submit it to <i>the Overview and Scrutiny Board</i> who will then submit the formal report to the proper officer for consideration.....”	
Part 4 O&S Cttee	275-276 Para 11 (b) (c) (d) and (e)	Change: OSC to “ <i>Overview and Scrutiny Board</i> ”	
Part 4 O&S Cttee	276 Para 12, 13 (a)	Change: OSC to “ <i>Overview and Scrutiny Board or Overview and Scrutiny Sub-Committee</i> ”	
Part 4 O&S Cttee	276 Para 13 (b)	Change: OSC to “ <i>Overview and Scrutiny Board</i> ”	

Part 4 O&S Cttee	276 Para 14 (a) Para 14 (b) 277 Para 14 (b)	Change paragraph: “ <i>The Overview and Scrutiny Board or relevant sub-committee may scrutinise and review decisions made or actions taken.....</i> ” Where any member or member of staff is required to attend <i>the Overview and Scrutiny Board of relevant sub-committee</i> under this provision, the Chairman of <i>the Board or relevant sub-committee</i> will inform the proper officer..... The notice will state the nature of the item on which they are required to attend to give account and whether any papers are required to be produced for the <i>Overview and Scrutiny Board or relevant Sub-Committee</i> . Where the account to be given to the <i>Board or relevant Sub-Committee</i> will require the production of a report.....	
Part 4 O&S Cttee	277 Para 15 (a) (b)	Change paragraph: A member of the Cabinet may attend any meeting of the <i>Overview and Scrutiny Board</i> . Subject to (b) below, where a matter before the <i>Overview and Scrutiny Board or relevant sub-committee</i> relates to an issue within the portfolio of that Cabinet member, he or she may address the <i>Board of sub-committee</i> about it unless to do so would breach any provision of the Members’ Code of Conduct or any rule of law. Change “committee” in last sentence to “ <i>Board</i> ”	
Part 4 O&S Cttee	277 Para 16	Change: <i>The Overview and Scrutiny Board of relevant sub-committee may invite people other than those people referred to</i>	
Part 4 O&S Cttee	277 - 278 Para 17 (b) (c) (e) (f)	Change: “OSC” to “ <i>Overview and Scrutiny Board</i> ” Remove paragraphs (e) and (f)	

Part 4 O&S Cttee	278 Para 17 (g), (h), (h)(i), (i), (j) and (k)	Change: “committee(s)” to “ <i>Board(s)</i> ”	
Part 4 O&S Cttee	278 Para 17 (k)	Remove: Remove last paragraph “In the case of joint meetings, each Committee shall vote separately”	
Part 4 O&S Cttee	279 Para 17 (l) Para 18 (b)	Change: “relevant Committee” to “ <i>Board</i> ” Change: “of the relevant OSC or OSCs” to “ <i>Board</i> ”	
Part 4 O&S Cttee	280 Para 19, 20, 20(a) 20(a)(iv), 20(b)	Change: “OSC” to “ <i>the Overview and Scrutiny Board or relevant sub-committee</i> ”	
Part 4 O&S Cttee	280 Para 20 (a)(v)	Remove paragraph (v) and renumber remaining paragraphs	
Part 4 O&S Cttee	281 Para 21	Remove paragraph	
Part 4 Policy Rules	283-284 Para 4 (b)(ii) (c)	Add: “ <i>sub –</i> ” between scrutiny and committee	
Part 4 Policy Rules	284 Para 5 (a), (c),	Add: “ <i>Board or relevant sub-</i> ” between “scrutiny and committee	
Part 5 Members Code of Conduct	298 Para 6	Add: “ <i>Board or relevant sub-</i> ” between “scrutiny and committee	
Part 5 Member/officer protocol	319-322 Para 23 Para 25 Para 26 Para 35	Add: “ <i>Board or relevant sub-</i> ” between “scrutiny and committee	
Part 5 Member/officer protocol	320 Para 26	Change to paragraph: “The relevant Chairman of the Overview and Scrutiny <i>Board or relevant sub-</i> committee shall ensure that Members of the executive and Officer who appear before <i>it</i> are not questioned by Member of the <i>Board or sub-</i> Committee (whether through the nature, tone or language use),.....	
Part 6 Member Allowances	350	Change to schedule 1 (see attached table)	

Part 4 Contracts Schedule D	212 Para 1 Para 5	Rule 27 should read Rule 26	
Part 4 Contracts Schedule E	214 Para 1 Para 4	Rule 27 should read Rule 26	
Part 4 Contracts Schedule F	215 Para 1 Para 4	Rule 27 should read Rule 26	
Part 4 Contracts Schedule G	216 Para 1 Para 4	Rule 27 should read Rule 26	
Part 4 Contracts Schedule H	217 Para 1	Add – See Rule 26 at end of paragraph 1	
Part 4 Contracts Schedule K	220	Rule 27 should read Rule 26	
Part 3 Responsibility for Functions	42 Para 1 Para 2	General Hearings Delete “Initial Assessment Panels – to assess” insert “Member Review Panels – to review” Delete “referred to them by Initial Assessment Panels”	

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Committee	Number of Members and any special requirements
Adjudication and Review Committee <i>See annex 1</i>	10 Councillors, of whom no more than one may be an Executive Member; there is also a pool of Independent Persons who may serve on specific Hearings Panels
Appointments Sub-Committee	6 Councillors at least one of whom must be an Executive Member
Audit Committee	6 Councillors
Governance Committee	13 Councillors, at least one of whom must be an Executive Member
Licensing Committee <i>See annex 2</i>	11 Councillors
Pensions Committee <i>See annex 3</i>	7 Councillors, one co-opted Member and two non-voting observers
Regulatory Services Committee	11 Councillors, of whom only one may be an Executive Member, or two if one is acting as a substitute
Individuals Overview and Scrutiny Sub-Committee	7 Councillors
Children and Learning Overview and Scrutiny Sub-Committee <i>See annex 5</i>	9 Councillors, together with two statutorily co-opted and three voluntarily co-opted Members with voting rights, and three non-voting staff representatives
Crime & Disorder Committee <i>See annex 6</i>	6 Councillors; the Committee has statutory authority to co-opt certain individuals as required
Towns and Communities Overview & Scrutiny Sub-Committee	9 Councillors
Environment Overview and Scrutiny Sub-Committee	6 Councillors
Health Overview and Scrutiny Sub-Committee	6 Councillors
Health & Wellbeing Board	4 Councillors, 3 council officer (Chief Executive, Group Director, Social Care & Learning and Director of Public Health), 1 statutory Healthwatch representative, 3 NHS members from Havering's Clinical Commissioning Group, 1 member from the National Commissioning Board with voting rights
Overview and Scrutiny Board	16 Councillors
Highways Advisory Committee	11 Councillors

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Schedule 1: Members' allowance

Category of Allowance	Amount Per Member £
Basic Allowance	10,208
Special Responsibility Allowance	
Leader of the Council	45,048
Deputy Leader of the Administration	31,420
Cabinet Members	28,780
Leader of Principal Opposition	14,418
Leader of the Minority Opposition Groups	4,000
Mayor	12,000
Deputy Mayor	4,000
Overview and Scrutiny Board Chairman	14,418
Overview and Scrutiny Sub-Committee Chairmen	7,650
Licensing and Regulatory Services Committee Chairmen	14,418
Regulatory Services Committee Vice-Chairman	2,000
Licensing Committee Vice-Chairmen	117*
Audit, Pensions, Highways and Governance Committees Chairmen	7,650
Adjudication & Review Committee Chairman	2,000
Rainham & South Hornchurch Working Party Chairman	7,650

*- The standard rate of allowance per licensing sub-committee

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