



Havering

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

GOVERNANCE COMMITTEE AGENDA

7.30 pm	Wednesday 8 March 2017	Town Hall, Main Road, Romford
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Members 13: Quorum 5

COUNCILLORS:

Conservative Group (5)

Meg Davis (Chairman)
Melvin Wallace (Vice-Chair)
Roger Ramsey
Damian White
Osman Dervish

Residents' Group (3)

Ray Morgon
Barbara Matthews
Barry Mugglestone

East Havering Residents' Group (2)

Clarence Barrett
Darren Wise

UKIP Group (1)

Lawrence Webb

Independent Residents' Group (1)

David Durant

Labour Group (1)

Keith Darvill

For information about the meeting please contact:

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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 INTERESTS

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

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

4 MINUTES (Pages 1 - 8)

To approve as a correct record the minutes of the Committee held on 11th January, 2017 and to authorise the Chairman to sign them.

5 APPOINTMENTS TO OTHER ORGANISATIONS, 2016/17 (Pages 9 - 12)

Andrew Beesley
Head of Democratic Services

**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Town Hall, Main Road, Romford
11 January 2017 (7.30 - 9.00 pm)**

Present:

COUNCILLORS

Conservative Group Meg Davis (Chairman), Melvin Wallace (Vice-Chair),
Roger Ramsey, Damian White and Osman Dervish

Residents' Group Ray Morgon, Barbara Matthews and +Stephanie Nunn

Labour Group Keith Darvill

Independent Residents Group David Durant

Apologies were received for the absence of Councillors Barry Mugglestone and Lawrence Webb.

+Substitute Member: Councillor Stephanie Nunn (for Barry Mugglestone).

Unless otherwise indicated, all decisions were taken with no votes against.

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

17 MINUTES

The minutes of the meeting of the Committee held on 31 August 2016 were agreed as a correct record and signed by the Chairman.

18 MONITORING OFFICER NO 11 AMENDMENTS TO THE CONSTITUTION

The Committee was invited to consider a report concerning proposed amendments to the Overview & Scrutiny Procedure Rules.

Following consideration the Committee recommended that proposed changes to the Overview & Scrutiny Procedure Rules (appended to these minutes) be forwarded to Council for approval.

19 EXCLUSION OF PRIOR APPROVALS FROM COUNCILLOR CALL-IN PROCESS

The report set out the process in respect of the processing of prior approval submissions. It was reported that unlike planning applications, prior approval submissions had strict timescales for determination which, if not adhered to, could result in their default approval irrespective of the Council's intended decisions.

It was noted that the matter had previously been reported to Governance Committee on 26 May 2016 and then again on 31 August 2016.

At the August meeting it was proposed, with Council's agreement, that:

- Prior approval applications cannot be called-in to Regulatory Services Committee unless an Extension of Time Agreement has been sought and agreed by the applicant;
- Prior approval applications should be included in the weekly publicity list so that ward members can better understand the nature and extent of prior approval applications;
- After a period of 3 months, the matter would be reviewed and reported to Governance Committee to assess whether introduction of a call-in arrangement would be justified. Should further changes be considered appropriate at that point, the matter would be referred to Council for final approval.

Council ratified the first point and noted the second and third points at its meeting on 14 September 2016.

The Committee resolved to confirm the approach set out within the report that prior approval submissions could not be called-in for determination by the Regulatory Services Committee unless an Extension of Time Agreement had been sought and agreed by the applicant.

The resolution was passed by 8 votes to 4. Councillors Durant, Morgon, Matthews and Nunn voted against the resolution.

20 APPOINTMENTS TO OTHER ORGANISATIONS 2016/17

The report before the Committee informed it that there were two organisations which required it to make or - confirm – appointments.

In the first – the Romford Combined Charity - the Committee was invited to reappoint Councillor Joshua Chapman as a nominative trustee. There were no other nominees.

In the second – Citizens Advice Havering – there Committee was invited to appoint up to two nominative trustees to the Board. Nominations were received and seconded for the appointment of Councillors Viddy Persaud and Ray Morgon.

The Committee RESOLVED:

1. To re-appoint Councillor Joshua Chapman as a nominative trustee of the Romford Combined Charity.
2. To appoint Councillors Viddy Persaud and Ray Morgon as nominative trustees of Citizens Advice Havering.

21 TERMS AND CONDITIONS REVIEW - PROGRESS REPORT

The report updated the Committee on the progress of the Terms and Conditions review, the consultation proposals for which ended on 9th December.

It was noted that a total of 193 items of feedback e-mailed to the Terms and Conditions inbox from staff were received during the consultation period.

There had been an analysis undertaken of the impact the proposals would have, with 74.6% of employees either seeing no change in their pay or an increase in their pay.

There would be an estimated £546k cost reduction to the General Fund budget which would meet the target to create annual savings of at least £500,000 on the Council's non-schools corporate pay bill.

Members were concerned that everything possible should be done to reduce the impact of loss of earnings on the small minority of staff affected by the proposals.

It was noted that throughout the consultation period, the Council's aim had been to try to reach a collective agreement with all 5 recognised trade unions (on behalf of all employees). As the Council was not prepared to meet a trade union request that the number of spine points at Grade 2/3 be increased, the GMB had indicated that they would not be prepared to support a collective agreement (because of their perceived potential impact on women).

The Council had emphasised that the final impact of the finalised proposals would not be known until a second equalities analyses had been undertaken and had asked the GMB to therefore reserve their position on this issue until that point. It was the view of officers however that a collective agreement was less likely to be achieved.

The Committee were informed that a report would be brought back to a future meeting which updated the position regarding the possible collective agreement and whether an implementation decision was required.

The Committee noted the report by 11 votes to 1.

Councillor Durant refused to note the report.

22 **EXCLUSION OF THE PUBLIC**

Following a motion by the Chairman, it was **RESOLVED** that members of the public be excluded from the remainder of the meeting on the grounds that it was likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during those items there would be disclosure to them of exempt information within the meaning of paragraph 5 of Schedule 12A to the Local Government Act 1972.

23 **PROPOSED TERMINATION OF THE SALARY PLUSAGE SCHEME**

It was explained that the Salary Plusage Scheme was introduced by the Council in 1965. It provides for additional salary payments to some Council employees and it would appear it may have been designed at that time as a staff retention tool and to reward long service.

Members were advised that following a detailed review of these arrangements the Scheme was no longer reasonable or justified and accordingly was no longer permissible in law and that further payments under the Scheme should cease.

The report sets out the steps that officers advice be taken by the Council.

The Committee:

1. Agreed that the Salary Plusage Scheme does not serve the purpose for which it was introduced and that continued payments under the Scheme are not legally permissible (save in the limited circumstances set out in this report).
2. Agreed the steps set out in paragraphs 13 to 18 of this report to cease payments under the Scheme.
3. Delegated authority to the Head of Paid Service to take such actions and steps incidental to 1 and 2 above as are necessary to bring an end to the Scheme, including but not limited to exercising discretion to make some extra payments in exceptional circumstances/hardship cases.

The resolution was passed by 12 votes to 1. Councillor Durant voted against the resolution.

Chairman

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SUBJECT: AMENDMENTS TO CONSTITUTION

Notification No. 11

Date 11 January 2017

Notification of amendments to the constitution

Amendments made by the Monitoring Officer

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

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

Part and article/ section	Page ref	Substance of amendment / amended wording	Reason for amendment
Part 4, Rules of Procedure. Overview & Scrutiny Rule 11		<p>Reports to Council & Cabinet Amend wording as follows:</p> <p>(a) Once it has formed recommendations on proposals for development, the Overview and Scrutiny Sub-Committees will prepare a report and submit it to (the Overview and Scrutiny Board who will then submit it to) the proper officer for consideration by the Council or by the Cabinet as appropriate.</p> <p>(b) If an Overview and Scrutiny Sub-Committee cannot agree on one single final report to the Council or Cabinet as appropriate, then up to one minority report may be prepared and submitted for consideration by the Council or Cabinet with the majority report.</p> <p>(c) As soon as possible after the Sub-Committee Overview and Scrutiny Board has prepared the report, the proper officer shall serve a copy of it upon the relevant Cabinet Member.</p> <p>(d) The Council or Cabinet must consider the report of the Overview and Scrutiny Sub-Committee Board within two months of it being submitted to the</p>	Need to revise process to ensure Overview & Scrutiny decisions are brought to the Executive in a timely manner

Part and article/ section	Page ref	Substance of amendment / amended wording	Reason for amendment
		<p>proper officer.</p> <p>(e) Reports of Overview and Scrutiny Sub-Committees Board referred to the Cabinet shall be considered by the Cabinet within two months of the meeting of the Overview and Scrutiny Sub-Committee at which its report and recommendations are agreed.</p>	



GOVERNANCE COMMITTEE

8th MARCH 2017

Subject Heading:

APPOINTMENTS TO OTHER ORGANISATIONS, 2016/17

SLT Lead:

Kathryn Robinson
Monitoring Officer
01708 432242

Report Author and contact details:

Jacqui Barr
Senior Democratic Services Support Officer
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Policy context:

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

Financial summary:

There are no significant financial implications.

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

Havering will be clean and its environment will be cared for	<input checked="" type="checkbox"/>
People will be safe, in their homes and in the community	<input type="checkbox"/>
Residents will be proud to live in Havering	<input checked="" type="checkbox"/>

SUMMARY

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

Since the new executive governance arrangements came into force, responsibility for making some appointments has passed from this Committee to the Leader of the Council but the Constitution provides that in the case of non-executive appointments, it is for this Committee to make decisions

RECOMMENDATIONS

That the Committee:

1. **Re-appoint Councillor Carol Smith** as a nominative trustee until February 2021.
2. **Appoint David Williams OR Councillor Damian White OR Councillor Barbara Matthews** as a nominative trustee until February 2021.
3. **Appoint Jeremy Munday OR Councillor Damian White OR Councillor Barbara Matthews** as a nominative trustee until February 2018.

REPORT DETAIL

1. HORNCHURCH HOUSING TRUST:

The Council appoints a number of nominative trustees to the Trust for four year terms of office expiring in sequence over each four year period.

The term of office for both Mr Eric Munday and Councillor Carol Smith expired at the end of February 2017. Councillor Smith has indicated that she wishes to be re-appointed to the Trust but Mr Munday would like to step down from his role.

In addition, Mrs Peggy Munday has resigned from the Trust and a vacancy has arisen for the term of office expiring in February 2018.

Mr David Williams has been put forward for nomination by the Trust. He was a Trustee from 1995 until 2015 and wishes to be re-appointed. Mr Williams has a legal background and the Trust feel he would represent a pool of knowledge of the Trust's history that would be invaluable to them.

Jeremy Munday is the son of Eric and Peggy Munday and thus knows about the Trust and the work involved in being a Trustee. He is a Chartered Accountant and he has professional experience in both Financial and HR management as well as in running small businesses. The Trust has put his name forward as they believe he would prove a useful addition to the Board.

In addition, the Conservative Group has nominated Councillor Damian White, Deputy Leader of the Council and Cabinet Member for Housing. This nomination

would be for the full four year term, replacing Mr Eric Munday, in the first instance or, if unsuccessful, for the one year term, replacing Mrs Peggy Munday.

Councillor Barbara Matthews has been nominated by the Residents' Group. Similarly, the nomination would be for the full four year term, replacing Mr Eric Munday, in the first instance or, if unsuccessful, for the one year term, replacing Mrs Peggy Munday.

IMPLICATIONS AND RISKS

Equalities and Social Inclusion Implications and Risks

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

Legal, Finance and Environmental Implications and Risks

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

Members who sit on outside bodies will need to consider whether (a) they are required to register their interests with the Council and, where appropriate, declare the interests at meetings and (b) seek advice when they are potentially involved in Council decisions that may affect the outside body. As there is no remuneration for the appointments, they are very unlikely to be discloseable pecuniary interests. Trustee status means that the trustee must always act in the best interests of the trust. The Monitoring Officer is available to provide advice as and when necessary.

BACKGROUND PAPERS

None

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