



COUNCIL MEETING

7.30 pm Wednesday, 22 November 2017
At Council Chamber - Town Hall

Members of the Council of the London Borough of Havering are hereby summoned to attend a meeting of the Council at the time and place indicated for the transaction of the following business

Kathryn Robinson
Monitoring Officer

For information about the meeting please contact:
Anthony Clements tel: 01708 433065
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Webcast

Please note that this meeting will be webcast.

Members of the public who do not wish to appear in the webcast will be able to sit in the balcony, which is not in camera range.

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

1 PRAYERS

2 APOLOGIES FOR ABSENCE

To receive apologies for absence.

Apologies have been received from Councillor Julie Wilkes.

3 MINUTES (Pages 1 - 48)

To sign as a true record the minutes of the Meeting of the Council held on 13 September 2017 (attached).

4 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 an item at any time prior to the consideration of the matter.

5 ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE

To receive announcements (if any).

6 PETITIONS

Councillors Darren Wise, Ron Ower, Denis O'Flynn and Jeffrey Tucker have given notice of intention to present a petition.

To receive any other petition presented pursuant to Council Procedure Rule 23.

7 SPORT AND LEISURE MANAGEMENT (SLM) CONTRACT AND FINANCIAL IMPLICATIONS (Pages 49 - 68)

NOTE: The deadline for receipt of notice of amendments to all reports issued with the Final Agenda is midnight, Monday 20 November.

To consider a report of Cabinet on the Sport and Leisure Management (SLM) Contract and Financial Implications (attached, subject to approval by Cabinet).

8 PAY POLICY STATEMENT 2017/18 (Pages 69 - 108)

To consider a report of the Chief Executive on the Pay Policy Statement 2017/18 (attached).

9 MEMBERS' QUESTIONS (Pages 109 - 112)

Attached.

10 MOTIONS FOR DEBATE (Pages 113 - 114)

Attached.



**MINUTES OF A MEETING OF THE COUNCIL OF THE
LONDON BOROUGH OF HAVERING
Council Chamber - Town Hall
13 September 2017 (7.30 – 10.05 pm)**

Present: The Mayor (Councillor Linda Van den Hende) in the Chair

Councillors Councillors Clarence Barrett, Robert Benham, Ray Best,
Wendy Brice-Thompson, Michael Deon Burton,
Joshua Chapman, John Crowder, Philippa Crowder,
Keith Darvill, Meg Davis, Ian de Wulverton, Osman Dervish,
Nic Dodin, Alex Donald, David Durant, Brian Eagling,
Gillian Ford, Jason Frost, Jody Ganly, Linda Hawthorn,
David Johnson, Phil Martin, Barbara Matthews, Robby Misir,
Ray Morgon, Barry Mugglestone, John Mylod, Stephanie Nunn,
Denis O'Flynn, Garry Pain, Dilip Patel, Viddy Persaud,
Roger Ramsey, Keith Roberts, Patricia Rumble, Carol Smith,
Frederick Thompson, Linda Trew, Jeffrey Tucker,
Melvin Wallace, Lawrence Webb, Roger Westwood,
Damian White, Michael White, Reg Whitney, Julie Wilkes,
Graham Williamson, Darren Wise and John Wood

10 Members' guests and members of the public and a representative of the press were also present.

Apologies were received for the absence of Councillors June Alexander, John Glanville, Steven Kelly and Ron Ower.

The Mayor advised Members and the public of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

The Mayor's Official Chaplain, Reverend Susannah Brasier, Rector of St Laurence Church, Uppminster opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

42 MINUTES (agenda item 3)

The minutes of the meeting of the Council held on 12 July 2017 and of the Extraordinary Meeting of the Council held on 26 July 2017 were before the Council for approval.

RESOLVED:

That the minutes of the meeting of the Council held on 12 July 2017 and of the Extraordinary Meeting of the Council held on 26 July 2017 be signed as correct records.

43 DISCLOSURE OF INTERESTS (agenda item 4)

There were no disclosures of interest.

44 ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE (agenda item 5)

The Mayor advised that she had successfully completed a wing walk on behalf of her charities.

The text of the announcements made by the Leader of the Council is attached as appendix 1 to these minutes.

45 PETITIONS (agenda item 6)

Petitions were presented by Councillor Tucker in relation to a request for a 24-hour health centre in the Rainham & Wennington area and by Councillor Crowder in relation to traffic issues in the Havering Park ward.

46 2016/17 TREASURY MANAGEMENT ANNUAL REPORT AND PROPOSED CHANGE TO THE 2017/18 TREASURY MANAGEMENT STRATEGY STATEMENT (agenda item 7)

A report of Cabinet asked Council to approve proposed changes to the 2017/18 Treasury Management Strategy Statement to enable more flexibility in investment decisions going forward. These would enable the Authority to invest in unrated, secured corporate bonds and increase the limit on pooled fund investments.

The report was **AGREED** with division and it was **RESOLVED**:

That the proposed changes to the Treasury Management Strategy Statement, as set out in appendix 2 to these minutes, be approved.

47 CONSTITUTION UPDATE (agenda item 8)

A report of the Governance Committee sought approval by Council of changes to the Constitution regarding some amendments to the Members' Code of Conduct. These related to Disclosable Pecuniary Interests and sought to make arrangements for these clearer for Members. It was also proposed to delete paragraph 8 (3) of the Code, the effect of which would be that any personal interests arising from membership or management of bodies specified in the Code would be declared at the meeting on the same basis as other interests.

The report was **AGREED** by 45 votes to 5 (see division 1) and it was **RESOLVED**:

That the proposed changes to the Councillor Code of Conduct as shown in appendix 3 to these minutes be approved.

48 **AMENDMENTS TO THE CHIEF OFFICER APPOINTMENTS PROCESS (agenda item 9)**

A report of the Governance Committee sought approval by Council of changes to the Chief Officer appointments process for non-permanent appointments. It was also proposed that the Staff Employment Procedure Rules be simplified and standardised to replace job titles with generic terms such as 'Chief/Deputy Chief Officers and/or officers that fall under the JNC for Chief Executive Officers terms and conditions of employment'.

The report was **AGREED** by 43 votes to 5 (see division 2) and it was **RESOLVED**:

1. **That the proposals set out in paragraphs 7-9 of the report to Governance Committee for non-permanent appointments to senior posts that fall under the JNC for Chief Officers' term and conditions of employment be agreed. The proposed changes to the Staff Employment Procedure Rules are shown as track changes in the document attached as Appendix 4 to these minutes.**
2. **The amendment in terminology be agreed in Part 3, Section 1.2 of the Council's Constitution and the Staff Employment Procedure Rules in Part 4 of the Constitution to replace job titles such as Director, Assistant Director and Head of Service with the generic terms of Chief/Deputy Chief Officer and/or officers that fall under the JNC for Chief Officers terms and conditions of employment as shown in track changes in the documents attached as Appendix 4 to these minutes.**

49 **OVERVIEW AND SCRUTINY RULES - EXCEPTIONS TO THE CALL-IN (REQUISITION PROCEDURE) (agenda item 10)**

A report of the Chief Executive gave details of the one recent exception to the Call-in (requisition) procedure. This had been granted in relation to a non-key decision of the Cabinet Member for Children & Learning to waive standing orders for the award of a works contract directly to Valuegrade for an extension to the 16+ SEN facility of the Avelon Road Centre. The exception had been granted by the Chairman of the Overview and Scrutiny Board due to an urgent need to make provision for additional students between 16 and 25 with special educational needs.

The report was **AGREED** without division and it was **RESOLVED**:

That the report be noted.

50 **MEMBERS' QUESTIONS (agenda item 11)**

Twelve questions were asked and replies given. The text of all questions submitted, together with their answers, is shown as appendix 5 to these minutes.

51 **MEMBERS SPEAKING ON PLANNING APPLICATIONS (agenda item 12)**

Motion on behalf of the Independent Residents' Group

It is axiomatic that a Havering councillor should be able to speak on a Havering planning application and for two minutes, just like any resident can object, although the Constitution allows 4 minutes for a ward matter. And this has always been the customary practice.

Council wonders why Members are now being told they don't have the right to speak on planning applications outside their own ward and calls on the Governance Committee to consider recommending amendments to the constitution to provide rights for members to speak on matters anywhere in Havering, if they so wish.

Amendment on behalf of the Conservative Group

Amend to read:

This Council notes that DCLG measures the performance of a council as a Local Planning Authority in various ways and that if more than 10 % of decisions on major planning applications are reversed on appeal during a prescribed period a designation may be made the result of which is that applicants may apply directly to the planning inspectorate for planning permission without the council having the power to make a decision or charge planning fees.

It notes further that if planning permission is granted in this way the council will not in future receive the New Homes Bonus relating to these decisions.

It notes further with concern that currently 9.2% of this Council's decisions on majors have been overturned and that if 1 of 2 pending major appeals is lost by the end of December 2017 the 10% threshold will be reached.

This Council therefore requests the Governance Committee to consider its current constitutional arrangements for determining planning applications and in particular major applications in addition to reviewing the right of members other than those on the committee to speak at Regulatory Services committee meetings.

Following debate, the amendment by the Conservative Group was **CARRIED** by 27 votes to 14 (see division 3) and **AGREED** as the substantive motion by 27 votes to 16 (see division 4).

RESOLVED:

This Council notes that DCLG measures the performance of a council as a Local Planning Authority in various ways and that if more than 10 % of decisions on major planning applications are reversed on appeal during a prescribed period a designation may be made the result of which is that applicants may apply directly to the planning inspectorate for planning permission without the council having the power to make a decision or charge planning fees.

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52 **VOTING RECORD**

The record of voting decisions is attached as appendix 6 to these minutes.

Mayor

Appendix 1

Madam Mayor,

There are a number of items that I would like to update members on this evening.

Policing in the borough

I regret that I find it necessary to start my announcements on a negative note. It would seem that as we speak this evening there is in progress a public meeting here in Romford on the future of policing in the borough under proposals set out by the office of the Mayor of London Sadiq Khan for Policing and Crime. The proposals are said to include the closure of Hornchurch and Rainham police stations and of eight Safer Neighbourhood Team Offices.

Residents attending the meeting may wonder why their councillors are not at the meeting doing their job to represent them and the local community interests. Well we are of course here as we are required to be at a full council meeting. I am told that there was no consultation about the date or arrangements for the meeting and that our officers were advised that it was to be held only last week. No mention of the meeting or its subject matter was made at the Crime and Disorder Overview and Scrutiny on 29th August or at the last joint project board.

The latest proposals for our borough are part of planned London-wide cuts. However bearing in mind that we have been asked to participate in the pilot scheme project for unified borough command which had at its heart an increase in safer Neighbourhood Teams this is on the face of it for us a remarkable state of affairs. I will therefore be making representations firstly to the Deputy Mayor for Policing to whom I am to speak on Friday of this week and then in writing to the London Mayor. I shall request from him an explanation how this situation has been allowed to occur and what has happened to the balance of Olympic Levy which was withheld from our council tax payers on the basis that the extra money would be allocated to the police.

I am sure that we wish to give the strongest possible support to our valued police officers working here in the borough. They have a right to expect adequate organisation and facilities to undertake their onerous task of safeguarding our communities. We also as the democratically elected representatives of 250,000 people should be enabled to fulfil our roles in this matter.

Of course, with the population in North East London increasing and the borough being expected to sustain even higher growth, policing is also of crucial importance. Which is why the recent figures for police response times in the borough has been very disappointing. Not to mention the MPS consultation on plans to close public access points across the borough to which I have referred.

It would come as no surprise if members were now to question the value of any further involvement in the 3-borough pilot and to demand a re-think on the whole proposal. We shall clearly need to give this immediate consideration.

Local Plan and infrastructure needs

As you know, we have been consulting on the draft Local Plan. The consultation on which closes on 29 September. The Local Plan is extremely important and outlines the future development of the borough for the next 15 years. Havering is part of one of the growing areas of London. With our adjoining boroughs regeneration and housing commitments will see further growth over the coming decades. Because of this we need to work with partners and government departments, including the

NHS, to ensure we have the right infrastructure, so that residents can access what they need when they need it.

As such, I feel increasingly strongly that a strategic review of the NHS' plans to close King George's A&E department is now essential. We have already raised serious concerns with the Barking, Havering and Redbridge Clinical Commissioning Group.

Whilst recognising the financial constraints, we want to support the NHS to look again at their now out-of-date planning assumptions around the closure of King George's A&E department.

A review is critical to ensure that the NHS plans for the future needs of residents in Havering and North-East London as they are now known to be and not 7 years ago. This should include reviewing current and future capacity of, not only A&E emergency care, but also GP services and other valued NHS amenities – particularly those that help take the pressure of our busy A&E Departments – such as walk-in-centres and urgent care centres. Our residents deserve nothing less than world class health services, in the right place, at the right time - that provide quality and clinically safe services. I have written to the Secretary of State calling for such a review.

If we are expected to accommodate increased numbers of residents it is surely reasonable that adequate health resources follow that commitment whatever may be the demands of austerity.

Mayor's Draft Transport Strategy

In line with this, we are also responding to the Mayor of London's Draft Transport Strategy, which aims to reduce the need to use cars in London so that by 2041, 80 per cent of all Londoners' trips will be made on foot, by cycle or by public transport.

The draft strategy does not in my view recognise the needs of outer London boroughs such as our own and for us, in particular, it does not recognise that we have an elderly population, many of whom rely on their cars to get around the borough.

In addition, it does not include the key strategic transport infrastructure needed to support the expected future growth in the borough, the need to improve connections between the north and south of the borough, or tackle traffic management issues at Gallows Corner

We are strongly urging the London Mayor to reconsider his priorities.

Rough sleeping and begging

Now moving to Romford Town Centre. Members may have observed an increase in rough sleeping. It is important to highlight that not all who are seen to be sleeping rough are willing to accept help. And while some are genuinely homeless, some individuals carry out anti-social behaviour, including organised begging and street drinking.

Over the last year, we have worked with police to tackle this, and issued three Community Behaviour Orders and 13 Community Protection Notices.

Officers are also working with local off-licences to discourage them from selling alcohol to known street drinkers and have been consulting on a Public Space Protection Order (PSPO) to combat street drinking. This order will replace the current Designated Drinking Area in Romford which prohibits

anyone drinking of alcohol within the ring road in Romford, which ends in October. This is scheduled to come to the next Cabinet meeting.

Orchard Village

Many of you will be aware that I met with a group of residents and Clarion Housing in July to discuss the many concerns that residents of Orchard Village have been raising for some time. The meeting was welcomed by residents and it was useful in creating an effective dialogue with all involved. However, it was not possible to cover all the issues on that day. Therefore, I am in the process of convening another follow-up meeting and will update you on the outcomes of this is due course.

It should be noted however that in view of pending legal action there may well be restraints on making as much progress as would otherwise be possible.

A-Level and GCSE results

Moving on to education. Last month saw thousands of young people across the borough receive their GCSE and A-Level results. A-Level results exceeded the national rate, with Havering students achieving a 99% pass rate. And this year, we saw GCSE results in the new 1-9 grading system – with Havering's results (67%) slightly above the national average. These results show sound progress in achievement which is one of the cornerstones of our school improvement programme.

I would like to take this opportunity to thank all teachers and education staff for their continued dedication and efforts to support students across the borough.

Ofsted update

While on the topic of education, I would like to provide an update about our Children's Services Ofsted inspection last year. An improvement plan was formally submitted to Ofsted in the spring, and another visit is scheduled to take place next month to discuss the progress that has been made. Among many things, improvements have been made to streamline processes in the Multi-Agency Safeguarding Hub (MASH), to increase engagement with care leavers, to increase the proportion of permanent social care staff recruited by 20 per cent, to develop our existing workforce, and to improve the way that management information is recorded.

I will continue to update you on progress made in this important area.

Record number of green flags

Since our last meeting, we have had news that a record 13 parks in the borough now have Green Flag status. Harrow Lodge Park and Haynes Park are the latest to be awarded a Green Flag by environmental charity Keep Britain Tidy, with the other 11 retaining their Green Flag status. They are: Bedfords, Upminster, Hylands, Lodge Farm, Cottons, Harold Wood, St Andrews, Lawns, Raphael, Central and Rise Parks.

This is well-deserved recognition of all the hard work put in by both the staff and Friends' groups to maintain and improve our parks for the benefit of the community. We know how much quality green spaces matter to residents and visitors, and these awards celebrate the dedication that goes *into* maintaining our parks to such a high standard.

Congratulations are also due to our staff also on the season's floral displays and including the floral crowns marking the Queen's Sapphire Jubilee. The photograph of the one shown on the screen at Langtons in Hornchurch was sent to me by an appreciative resident in my ward. I am told that the crown at Collier Row also attracted a great deal of interest and support.

80th birthday of the Town Hall

On another note, this year marks the 80th birthday of the Town Hall and of the Romford Borough Charter. In September 1937, the Borough Charter was granted by King George VI, and we were given our first Mayor. The Town Hall has seen some interesting things over the years and historical moments in time, and it has of course been recognised as a listed building.

Haverling Show

At this point I would like to offer my thanks to all the officers who worked hard to deliver one of the best Haverling Shows we have seen. The weather certainly had a part to play, with a record 55,000 people attending over the bank holiday weekend, however, the entire offer was very impressive. I would also like to thank the many sponsors that contribute towards the event – without their support, we would not have been able to deliver it for free yet again.

Mayors and deputies from 12 other councils attended to support you Madam Mayor and were greatly impressed by the event.

I was part of the administration when the Haverling Show started 39 years ago, and I have seen it change and grow over the years. I am sure, like me, members will all be looking forward to celebrating its 40th anniversary next year.

For the second year there has been a vox pop recording on an antique double decker bus which itself has been popular with younger visitors.

Haverling Show comments

Finally, members may remember, last year at the Haverling Show, we asked people questions on the bus about what they liked most about Haverling. This year, we asked what people liked most about the Haverling Show and what they would like to see change. So I will leave you with this short video.

Appendix 4

Changes to the 2017/18 Treasury Management Strategy Statement

4.1 In February 2017, the 2017/18 Treasury Management Strategy Statement was approved by Council as required by the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice 2011 Edition* (the CIPFA Code) and Department for Communities and Local Government (DCLG) issued revised Guidance on Local Authority Investments in March 2010 that requires the Council to approve an investment strategy before the start of each financial year.

4.2 The Treasury Management Strategy Statement fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to both the CIPFA code and DCLG guidance.

4.3 During the period since the February Council approval of the TMSS, officers have been working in consultation with the Cabinet Member for Financial Management on developing options to mitigate the adverse effect on investment income from interest rates remaining lower for longer than planned and increased CPI inflation that is set to rise to circa 3%. An option explored has been to invest in secured unrated corporate bond investments. This will require the Authority to expand the list of instruments it can invest in. Full Council approval is required make this amendment.

4.4 The changes proposed are highlighted in bold below and have been made in consultation with the Authority's external treasury adviser. Any investment in these new instruments will subject to the officers undertaking robust due diligence including specialist advice as required, compliance with the Authority's financial strategy and approval of the S151 officer in consultation with the Cabinet Member for Financial Management.

Table 1: Original Approved Investment Counterparties

Credit Rating	Banks Unsecured*	Banks Secured*	Government	Corporates	Registered Providers
UK Govt	n/a	n/a	Unlimited 50 years	n/a	n/a
AAA	£25m 5 years	£25m 20 years	£25m 50 years	£15m 20 years	£15m 20 years
AA+	£25m 5 years	£25m 10 years	£25m 25 years	£15m 10 years	£15m 10 years
AA	£25m 4 years	£25m 5 years	£25 15 years	£15m 5 years	£15m 10 years
AA-	£25m 3 years	£25m 4 years	£25m 10 years	£15m 4 years	£15m 10 years
A+	£25m 2 years	£25m 3 years	£15m 5 years	£15m 3 years	£15m 5 years
A	£25m 13 months	£25m 2 years	£15m 5 years	£15m 2 years	£15m 5 years
A-	£25m 6 months	£25m 13 months	N/A	£15m 13 months	£15m 5 years
BBB+	£15m 100 days	£15m 6 months	N/A	£10m 6 months	£10m 2 years
BBB or BBB-	£15m next day only	£15m 100 days	N/A	N/A	N/A
None	£1m 6 months	N/A	N/A	£50,000 5 years	£10m 5 years
Pooled funds	£25m per fund				

Table 2: Revised Approved Investment Counterparties

Credit Rating	Banks Unsecured*	Banks Secured*	Government	Corporates	Registered Providers
UK Govt	n/a	n/a	Unlimited 50 years	n/a	n/a
AAA	£25m 5 years	£25m 20 years	£25m 50 years	£15m 20 years	£15m 20 years
AA+	£25m 5 years	£25m 10 years	£25m 25 years	£15m 10 years	£15m 10 years
AA	£25m 4 years	£25m 5 years	£25 15 years	£15m 5 years	£15m 10 years
AA-	£25m 3 years	£25m 4 years	£25m 10 years	£15m 4 years	£15m 10 years
A+	£25m 2 years	£25m 3 years	£15m 5 years	£15m 3 years	£15m 5 years
A	£25m 13 months	£25m 2 years	£15m 5 years	£15m 2 years	£15m 5 years
A-	£25m 6 months	£25m 13 months	N/A	£15m 13 months	£15m 5 years
BBB+	£15m 100 days	£15m 6 months	N/A	£10m 6 months	£10m 2 years
BBB or BBB-	£15m next day only	£15m 100 days	N/A	N/A	N/A
None	£1m 6 months	N/A	N/A	£5m 5 years	£10m 5 years
Pooled funds	£25m per fund These include Bond Funds, Gilt Funds, Equity, Enhanced Cash Funds, Mixed Asset Funds and Money Market Funds				

MEMBERS' CODE OF CONDUCT

Members or co-opted members of the Council of the London Borough of Havering have a responsibility to represent the community and work constructively with the Council's staff and partner organisations to secure better social, economic and environmental outcomes for all.

Principles of conduct in public office

In accordance with the provisions of the Localism Act 2011, when acting in the capacity of a Member, they are committed to behaving in a manner that is consistent with the following principles to achieve best value for the Borough's residents and to maintain public confidence in the Council.

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

Personal conduct

Accordingly, Members must act solely in the public interest and:

- Never improperly confer an advantage or a disadvantage or seek financial or other material benefits for family members, friends or close associates
- Never place themselves under a financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties
- Make all decisions on merit alone
- Are accountable to the public for their decisions and must co-operate fully with whatever scrutiny is appropriate to their office
- Be open as possible about their decisions and actions, and those of the Council, be prepared to explain the reasons for those decisions and actions
- Disclose any private interests, pecuniary or non-pecuniary, that relate to their public duties and take steps to resolve any conflicts of interest that arise, including registering and declaring interests in accordance with the Council's agreed procedures
- Ensure that they do not use, nor authorise the use by others of, facilities provided by the Council for any purpose that would be improper, including for party political purposes, and must have regard to any Local Authority Code of Publicity made under the Local Government Act 1986
- Promote and support high standards of conduct when serving in their public post, in particular as characterised by the requirements of this Code, by leadership and by example

As a Member of the Council, each Member will in particular address the statutory principles of the code of conduct by:

- Championing the needs of all residents and putting those interests first.
- Dealing with representations or enquiries from residents, members of local communities and visitors fairly, appropriately and impartially.
- Not allowing other pressures, including their own financial interests or those of others connected to them, to deter them from pursuing constituents' casework, the interests of the Borough or the good governance of the Council in a proper manner.
- Exercising independent judgement and not compromising their position by placing themselves under obligations to outside individuals or

organisations who might seek to influence the way they perform their duties as members/co-opted members of the Council.

- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- Being accountable for their decisions and co-operating when scrutinised internally and externally, including by local residents.
- Contributing to making the Council's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding members to account but restricting access to information when the wider public interest or the law requires it
- Behaving in accordance with all the Council's legal obligations, alongside any requirements contained within its policies, protocols and procedures, including on the use of the Council's resources.
- Valuing colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between Members and staff that is essential to good local government.
- Always treating people with respect, including the organisations and public they engage with and those they work alongside.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within the Council.

Members will be expected to comply with the Council's policies on Equality in Employment, Equality in Service Provision and Harassment and Bullying at Work.

Interests

1 Notification of interests

~~(1) You must, within 28 days of your election or appointment to office (where that is later),~~

~~(a) notify the Monitoring Officer of your disclosable pecuniary interests that are notifiable under the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interest) Regulations 2012, for inclusion in the register of interests, and~~

- ~~(b) notify the Monitoring Officer in writing of the details of your other personal interests, where they fall within the following descriptions, for inclusion in the register of interests.~~
- ~~(2) You have a personal interest in any business of your authority where either—~~
- ~~(a) it relates to or is likely to affect—~~
- ~~(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;~~
- ~~(ii) any body—~~
- ~~(aa) exercising functions of a public nature;~~
- ~~(bb) directed to charitable purposes; or~~
- ~~(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;~~
- ~~(iii) any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.~~
- ~~(3) You must, within 28 days of becoming aware of any new interest or change to any interest registered under paragraph (1), or as a disclosable pecuniary interest notify the Monitoring Officer of the details of that new interest or change.~~

2 Disclosure of personal interests

~~(1) Subject to sub-paragraphs (2) to (5), where you have a personal interest described in paragraph 1 above or in paragraph (2) below in any business of your authority, and where you are aware or ought reasonably to be aware of the existence of the personal interest, and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.~~

~~(2) (A) You have a personal interest in any business of your authority~~

~~(i) where a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a *relevant person* to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision, or~~

~~(ii) It relates to or is likely to affect any of the interests you have registered as a disclosable pecuniary interest.~~

~~(B) In sub-paragraph (2)(A), a *relevant person* is—~~

~~(i) a member of your family or any person with whom you have a close association; or~~

~~(ii) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;~~

~~(iii) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or~~

~~(iv) any body of a type described in paragraph 1(2)(a)(i) or (ii).~~

~~(3) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 1(2)(a)(i) or 1(2)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.~~

~~(4) Where you have a personal interest but, by virtue of paragraph 4, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.~~

~~(5) Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you~~

~~must ensure that any written statement of that decision records the existence and nature of that interest.~~

3 Register of interests

~~Any interests notified to the Monitoring Officer will be included in the register of interests.~~

~~A copy of the register will be available for public inspection and will be published on the authority's website.~~

4 Sensitive interests

~~Where you consider that disclosure of the details an interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have an interest, the details of which are withheld.~~

5 Non-participation in case of pecuniary interest

~~(1) Where you have a personal interest in any business of your authority you also have a pecuniary interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business—~~

- ~~(a) affects your financial position or the financial position of a person or body described in paragraphs 1(2) or 2(2); or~~
- ~~(b) relates to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph.~~

~~(2) Subject to paragraph (3) and (4), where you have a pecuniary interest in any business of your authority—~~

- ~~(a) You may not participate in any discussion of the matter at the meeting.~~
- ~~(b) You may not participate in any vote taken on the matter at the meeting.~~
- ~~(c) If the interest is not registered, you must disclose the interest to the meeting.~~
- ~~(d) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.~~

Note: In addition Standing Order X requires you to leave the room where the meeting is held while any discussion or voting takes place.

- (3) ~~Where you have a pecuniary interest in any business of your authority, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise and you leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.~~
- (4) ~~Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a pecuniary interest that relates to the functions of your authority in respect of—~~
 - (a) ~~housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;~~
 - (b) ~~school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;~~
 - (c) ~~statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;~~
 - (d) ~~an allowance, payment or indemnity given to members;~~
 - (e) ~~any ceremonial honour given to members; and~~
 - (f) ~~setting council tax or a precept under the Local Government Finance Act 1992.~~
- (5) ~~Where, as an executive member, you may discharge a function alone, and you become aware of a pecuniary interest in a matter being dealt with, or to be dealt with by you, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter, or seek improperly to influence a decision about the matter.~~

~~6 Interests arising in relation to the Overview and Scrutiny Board or Sub-Committees~~

~~In any business before the Overview and Scrutiny Board or relevant Sub-Committee of your authority (or of a sub-committee of such a committee) where—~~

~~(a) that business relates to a decision made (whether implemented or not) or action taken by the executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and~~

~~(b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken;~~

~~You may only attend a meeting of the Overview and Scrutiny Board or relevant Sub-Committee for the purpose of answering questions or giving evidence relating to the business, and you must leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.~~

¹Disclosable pecuniary interests

This [note section](#) explains the requirements of the Localism Act 2011 (Ss 29-34) and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, in relation to disclosable pecuniary interests.

These provisions are enforced by criminal sanction. ~~They come into force on 1 July 2012.~~

1. Notification of disclosable pecuniary interests

Within 28 days of becoming a member or co-opted member, you must notify the Monitoring Officer of any 'disclosable pecuniary interests'. [You must within 28 days of becoming aware of any new disclosable pecuniary interest or a change to a disclosable pecuniary interest which is not included in the council's Register of Interests notify the Monitoring Officer.](#)

A 'disclosable pecuniary interest' is an interest of yourself or [an interest of which you are aware of](#) your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions:

(In the extracts from the Regulations below, 'M' means you and 'relevant person' means you and your partner, as above)

¹ [The provisions concerning DPIs have been moved to the start of the interests section as these are the statutory provisions and have potential criminal consequences and it is important that they are at the front of members minds when considering their interests.](#)

Subject	Prescribed description
<i>Employment, office, trade, profession or vacation</i>	<i>Any employment, office, trade, profession or vocation carried on for profit or gain.</i>
<i>Sponsorship</i>	<i>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</i>
<i>Contracts</i>	<i>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.</i>
<i>Land</i>	<i>Any beneficial interest in land which is within the area of the relevant authority.</i>
<i>Licences</i>	<i>Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.</i>
<i>Corporate tenancies</i>	<i>Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.</i>
<i>Securities</i>	<i>Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</i>

These descriptions on interests are subject to the following definitions;

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

2 Register of interests

Any interests notified to the Monitoring Officer will be included in the register of interests.

A copy of the register will be available for public inspection and will be published on the authority’s website.

3 Sensitive interests

Where you consider that disclosure of the details of a disclosable pecuniary interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have a disclosable pecuniary interest, the details of which are withheld under Section 32(2).

4 Non participation in case of disclosable pecuniary interest

- A) If you are present at a meeting of the authority, or any committee, sub-committee, joint committee or joint sub-committee of the authority, and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting,

1. You may not participate in any discussion of the matter at the meeting.
2. You may not participate in any vote taken on the matter at the meeting.
3. If the interest is not registered, you must disclose the interest to the meeting.
4. If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

~~Note: In addition, Standing Order X requires-y~~ You must leave the room where the meeting is held while any discussion or voting takes place.

- B) Where an executive member may discharge a function alone and becomes aware of a disclosable pecuniary interest in a matter being dealt with or to be dealt with by her/him, the executive member must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter.

5 Dispensations

The authority may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest. [Such applications should be made to the Monitoring Officer.](#)

6 Offences

It is a criminal offence to

- Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election
- Fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register
- Fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting
- Participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest

- As an executive member discharging a function acting alone, and having a disclosable pecuniary interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest.
- Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.

Other types of Interest that must be disclosed and may be registered

Note: the provisions in respect of Discloseable Pecuniary Interests above take precedence over the provisions below about other interests.

7 Personal Interests

(1) You have a personal interest in any business of your authority where you do not have a disclosable personal interest and ~~either—~~

(a) it relates to or is likely to affect—

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body—

~~(bb)~~(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;

- (iii) any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.

(2) You must, within 28 days of becoming a member or co-opted member, or becoming aware of any new personal interest or change to any personal interest registered under this paragraph notify the Monitoring Officer of the details of that new interest or change.

8 Disclosure of personal interests

(1) Subject to sub-paragraphs (2) to (5), where you have a personal interest described in paragraph 7(1) above or as set out in paragraph (2A) below in any business of your authority, and where you are aware or ought

reasonably to be aware of the existence of the personal interest, and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

(2) (A) You have a personal interest in any business of your authority

(i) where a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a *relevant person* to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision, or

(B) In sub-paragraph (2)(A), a *relevant person* is—

- (i) a member of your family or any person with whom you have a close association; or
- (ii) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (iii) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (iv) any body of a type described in paragraph 47(12)(a)(i) or (ii).

~~(3) Where you have a personal interest in any business of your authority which if not a disclosable pecuniary interests and relates to or is likely to affect a person described in paragraph 1(2)(a)(i) or 1(2)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.~~

(34) Where you have a personal interest but, by virtue of paragraph 43, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

(45) Where you have a personal interest that is not a disclosable pecuniary interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

95 Non participation in case of pecuniary interest

(1) Where you have a personal interest in any business of your authority you also have a pecuniary interest in that business where the interest is one

which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business—

- (a) affects your financial position or the financial position of a person or body described in paragraphs [74\(12\)](#) or [82\(2\)](#) ;or
 - (b) relates to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph.
- (2) Subject to paragraph (3) and (4), where you have a pecuniary interest in any business of your authority—
- (a) You may not participate in any discussion of the matter at the meeting.
 - (b) You may not participate in any vote taken on the matter at the meeting.
 - (c) If the interest is not registered, you must disclose the interest to the meeting.
 - (d) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

You must leave the room where the meeting is held while any discussion or voting takes place.

- (3) Where you have a pecuniary interest in any business of your authority, and it is not a disclosable pecuniary interest, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise and you leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.
- (4) Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a pecuniary interest that is not a disclosable pecuniary interest, that relates to the functions of your authority in respect of—
- (a) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (b) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;

- (c) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (d) an allowance, payment or indemnity given to members;
 - (e) any ceremonial honour given to members; and
 - (f) setting council tax or a precept under the Local Government Finance Act 1992.
- (5) Where, as an executive member, you may discharge a function alone, and you become aware of a pecuniary interest that is not a disclosable pecuniary interest in a matter being dealt with, or to be dealt with by you, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter, or seek improperly to influence a decision about the matter.

610 Interests arising in relation to the Overview and Scrutiny Board or Sub-Committees

In any business before the Overview and Scrutiny Board or relevant Sub-Committee of your authority (or of a sub-committee of such a committee) where—

- (a) that business relates to a decision made (whether implemented or not) or action taken by the executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

~~(e)~~(b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken,

you may only attend a meeting of the Overview and Scrutiny Board or relevant Sub-Committee for the purpose of answering questions or giving evidence relating to the business, and you must leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.

STAFF EMPLOYMENT PROCEDURE RULES

Recruitment and appointment

1. Seeking support for appointment

The Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. This statement shall be included in any recruitment information.

No councillor will seek support for any person for any appointment with the Council.

2. Declarations

The Council shall ask any candidate for appointment as a member of staff to state in writing whether they are related to an existing councillor or member of council staff; or the partner of such persons. No candidate who declares such a relationship will be appointed without the authority of Director of Human Resources and/ or a [Deputy Chief Executive SLT Director](#).

3. Recruitment

Where the Council proposes to appoint a Head of Paid Service or Chief/Deputy Chief Officer and/or officers that fall under the JNC for Chief Officers term and conditions of employment Head of Paid Service, a Deputy Chief Executive Director, a Monitoring Officer, a one Source Director or a Head of Service and it is not proposed that the appointment be made exclusively from among the existing members of staff, the Council's usual recruitment procedures shall apply.

4. Appointment of Head of Paid Service

The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Appointments Committee. The Appointments Committee must include at least one Cabinet member.

5. Appointment of Chief/Deputy Chief Officer and/or officers that fall under the JNC for Chief Officers term and conditions of employment Deputy Chief Executive/Chief and Deputy Chief Officers, Chief Finance Officer, Monitoring Officer, Assistant Deputy Directors and Heads of Service¹

The Appointments Committee will appoint Chief/Deputy Chief Officer and/or officers that fall under the JNC for Chief Officers term and conditions of employment. ~~Deputy Chief Executive/SLT Directors, Chief Finance Officer, Monitoring Officer and Assistant Deputy Directors and Heads of Service, except in the case of interim appointments.~~ The committee must include at least one Cabinet member.

An offer of employment as Chief/Deputy Chief Officer and/or officers that fall under the JNC for Chief Officers term and conditions of employment an SLT Director Deputy Chief Executive, Chief Finance Officer, Monitoring Officer, Assistant/ Deputy Directors or a Head of Service (where the post is a Deputy Chief Officer post), other than in the case of an interim acting up arrangement, shall be made only where no well-founded objection from any member of the Cabinet has been received (as set out in rule 154 below).²

66- Non Permanent Appointment of Chief/Deputy Chief Officer and/or officers that fall under the JNC for Chief Officers term and conditions of employment

i) Responsibility for the appointment of such officers on a temporary basis (including 'Acting Up' or 'Secondment' arrangements), covering either a permanent or temporary post for a period of up to a maximum of 12 months is delegated to the Head of Paid Service.

ii) Any extension to the temporary arrangement beyond the initial 12 month period will require the approval of the Appointment Sub-Committee and in the case of temporary and fixed term employment contracts this will be limited to a further maximum period of 6 months.

¹ Under the Regulations relating to staff appointments, appointments to officers below deputy chief officer level may only be appointed to by members if they are political assistants as defined in section 9 of that Local Government and Housing Act 1989.

² These changes clarify the position in respect of interim appointments to reflect existing practice

iii) Responsibility for the appointment of such officers on a temporary basis (including 'Acting Up' or 'Secondment' arrangements), covering either a permanent or temporary post for a period of more than 12 months will be a matter for the Appointment Sub-Committee.

1. Appointment of Director of Public Health

The Council must in accordance with Part 3 of the National Health Service Act 2006 as amended by Section 30 of the Health and Social Care Act 2012, jointly with the Secretary of State, appoint an individual to have responsibility for all local authorities public health functions, including any conferred by regulation. The individual is to be known as an officer of the local authority and is to be known as the Director of Public Health. The appointment of the Director of Public Health shall be made by the Advisory Appointments Committee. Before terminating the appointment of the Director of Public Health the Local Authority must consult the Secretary of State

87. Appointment of oneSource Directors

The Managing Director, Directors, Assistant/Deputy Directors and Heads of Service (where they report directly to a Director) of oneSource shall be appointed pursuant to the provisions of the Inter-Authority Agreement between the London Boroughs of Havering ³ and Newham dated 1 September 2014 and the variation thereto dated 18 June 2015

98. Assistants to political groups

Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group, and in accordance with statutory regulations.

³ Removing the reference to a particular date avoids the need to update the dates mentioned in the provision should any further amendment be made to the agreement.

910. Disciplinary action

No disciplinary action in respect of the Head of Paid Service, the Monitoring Officer or the Chief Finance Officer, except action described in paragraph 1140 below, may be taken other than in accordance with a recommendation in a report made by a Panel of Appointments Sub-Committee under regulation 6 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

1140. Suspension

The Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended by the Council whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and should last no longer than two months. In exceptional circumstances, the decision to suspend may be made by a Deputy-Chief-ExecutiveSLI Director in conjunction with the Director of Human Resources and Organisational-DevelopmentChange; this decision must be notified to all councillors as soon as possible.

142. Independent person

No other disciplinary action may be taken in respect of any of the officers referred to in 109 above except in accordance with a recommendation in a report made by a Panel of the Appointments Sub-Committee

Councillors will not be involved in the disciplinary action against any officer below Head of Service level except where:

- (a) such involvement is necessary for any investigation or inquiry into alleged misconduct
- (b) the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of disciplinary action.

132. Dismissal

Councillors will not be involved in the dismissal of any officer below Head of Paid Service or Chief/Deputy Chief Officer and/or officers that fall under the JNC for Chief Officers term and conditions of employment Head of Service/Assistant Director level except where:

- (a) such involvement is necessary for any investigation or inquiry into alleged misconduct
- (b) the Council's disciplinary, capability and related procedures as adopted from time to time may allow a right of appeal to members in respect of dismissals.

143. Role of the Cabinet

Where a committee or a sub-committee of the Council is discharging, on behalf of the authority, the function of the appointment or dismissal of Head of Paid Service or Chief/Deputy Chief Officer and/or officers that fall under the JNC for Chief Officers term and conditions of employment the Head of Paid Service, a Deputy Chief Executive/SLT Director, Chief Finance Officer, Monitoring Officer or a Head of Service at least one member of the Cabinet must be a member of that committee or sub-committee.

145. Appointment process

In this paragraph, "appointor" means, in relation to the appointment of a person as a member of staff of the Council, the Council or, where a committee, sub-committee or member of staff is discharging the function of appointment on behalf of the Council, that committee, sub-committee or member of staff, as the case may be.

An offer of an appointment as Head of Paid Service or Chief/Deputy Chief Officer and/or officers that fall under the JNC for Chief Officers term and conditions of employment Head of Paid Service, Deputy Chief Executive/SLT Director, Chief Finance Officer, Monitoring Officer, Director or Assistant/Deputy Director of one Source or Head of Service must not be made by the appointor until the appropriate notification has been advised to Cabinet, in accordance with regulations and objections have been received and considered. Such appointments must be in accordance with the appropriate terms and conditions of employment

156. Dismissal process

In this paragraph, "dismissor" means, in relation to the dismissal of a member of staff of the Council, the Council or, where a committee, sub-committee or another member of staff is discharging the function of dismissal on behalf of the Council, that committee, sub-committee or other member of staff, as the case may be.

Notice of the dismissal of a Head of Paid Service, Chief/Deputy Chief Officer and/or officers that fall under the JNC for Chief Officers term and conditions of employment a Deputy Chief ExecutiveSLT Director, an Assistant Director or a Head of Service (who is a Deputy Chief Officer) or a Chief or Deputy Chief Officer within the oneSource group of services must not be given by the dismissor until the appropriate notification has been advised to Cabinet, in accordance with regulations and objections have been received and considered.

176. Dismissal of Head of Paid Service, Chief Finance Officer and Monitoring Officer

The Head of Paid Service, the Chief Finance Officer and the Monitoring Officer may not be dismissed by the Council unless the procedure set out in the following paragraphs is complied with.

187. Independent Persons

The Council must invite relevant independent persons to be considered for appointment to a Panel, being a committee appointed by the Council under Section 102(a) of the Local Government Act 1972 for the purposes of advising the Council on matters relating to the dismissal of any of the officers referred to in Paragraph 167 above with a view to appointing at least two such persons to the Committee.

A 'relevant independent person' means any independent person appointed by the Council under Section 28(7) of the Localism Act 2011 or where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the Council considers appropriate.

The Council is not required to appoint more than two relevant independent persons to its Panel but may do so if it wishes.

The Council must appoint to its Panel such relevant independent persons who have accepted an invitation issued in accordance with paragraphs above with the following priority order:

- (a) A relevant independent person who has been appointed by the Authority and who is a local government elector;
- (b) Any other relevant independent person who has been appointed by the Authority
- (c) A relevant independent person who has been appointed by another Authority or Authorities.

198 Appointment of Panel

The Council must appoint any Panel at least 20 working days before a meeting of the Council to consider whether or not to approve a proposal to dismiss any of the officers referred to in Paragraph 167 above.

2049 Determination of Proposal to Dismiss

Before the taking of a vote on whether or not to approve a dismissal, the Council must take into account in particular:

- (a) Any advice, views or recommendations of the Panel
- (b) The conclusions of any investigation into the proposed dismissal, and
- (c) Any representations from the officer the subject of the disciplinary action

210 Remuneration of Independent Persons

Any remuneration or fees paid by the Council to an independent person appointed to the Panel must not exceed the level of remuneration, allowances of fees payable to that independent person in respect of that person's role as independent person under the Localism Act 2011

242. Capability process

The process to be followed must be in accordance with the appropriate terms and conditions of employment for that member of staff and the appropriate Council employment policy/procedure

223 **Grievance process**

The process to be followed for a grievance must be in accordance with the appropriate terms and conditions of employment for that member of staff appropriate Council employment policy/procedure

234 **Bullying and Harassment process**

The process to be followed for a complaint must be in accordance with the appropriate terms and conditions of employment for that member of staff appropriate Council employment policy/procedure.

FULL COUNCIL, Wednesday 13 September 2017

MEMBERS' QUESTIONS

Fire Safety Checks on Council Owned Buildings

1) **To the Leader of the Council**
From Councillor Julie Wilkes

In light of the Grenfell Tower tragedy, would the Leader of the Council confirm that all public buildings that the Council own or are responsible for have been comprehensively checked for fire safety and what, if any, further checks will be carried out?

Answer

All corporate Council buildings have a fire risk assessment carried out on them each year, and any shortfalls are identified and corrected. All fire risk assessment documents are retained and can be inspected by Members if required.

Funding is available to deal with any issues raised. All fire equipment and fire alarm facilities within each facility are serviced annually by an approved external contractor.

Health and Safety have written to all Community Schools requesting a copy of their current Fire Risk Assessment (FRA) and asking them to complete a declaration about measures they have in place for fire safety. Follow-ups will be carried out with individual schools as required.

Sports and Leisure Management (SLM), the Council's leisure operator has robust FRAs in place for all four of the leisure facilities in the borough. These are reviewed by each site health & safety coordinator on a regular basis and also by SLM's Regional Health and safety Coordinator bi-annually. Should any incident/accident occur they would be reviewed immediately.

All HRA Housing blocks have been checked in accordance with current regulations. New Fire Risk Assessments (FRAs) have been carried out to high-risk property types and the scheduled programme of FRAs to lower-risk properties has been brought forward. The regime of daily inspections by caretakers and cleaners, and six-weekly inspections by estate surveyors will continue. A project team has been put in place to ensure that any findings from the FRAs and any recommendations which emerge from the ongoing inquiry into Grenfell Tower are addressed without delay.

In response to a supplementary question, the Leader of the Council added that there was not a single overall report covering fire safety but that all fire risk inspections for Council buildings were available for inspection.

Tri-Borough Response Times

2) **To the Leader of the Council**
From Councillor Jeffrey Tucker

Please provide an update regarding Tri-borough response times in comparison to other borough commands within London.

Answer

The highest priority calls to the police are classified as either “I” (“Immediate”) or “S” (“Significant”). The MPS aims to respond to “I” calls within 15 minutes and “S” calls within an hour.

Across the MPS, over the past 12 months, 84.8% of “I” calls and 76.2% of “S” calls have been responded to within the charter time. Within the East Area Command Unit (covering Barking & Dagenham, Redbridge and Havering), 67% of “I” calls and 56% of “S” calls were responded to within the target time.

It should be noted that the volume of calls requiring police attendance across the tri-borough was significantly higher during Quarter 1 of this financial year than it was during the same period last year. As a result, response teams were regularly challenged with an ‘outstanding calls list’ of 100+ incidents at the start of their shifts, which impacted on response times.

This is of course a pilot, and new ways of working have been implemented as areas of concern have arisen. A team of officers is now in place to deal with low risk, high volume calls on the outstanding calls list, freeing up response officers to deal with new emergency calls. Team Minimum Strengths have also been enhanced to increase resilience.. This reduced the unallocated call volume from 141 to 16 calls in its first week of operation.

Consequently, during recent weeks we have seen a vast improvement, with 90% of calls being met within the charter time on various days.

Response times continue to be monitored.

In response to a supplementary question, the Leader of the Council denied that the tri-borough Police model had been a mistake. He added that the Metropolitan Police has requested to be part of the trial and that this allowed some influence on the model. It was accepted that response times had been a failing of the model but there had been improvements in areas such as domestic violence and safeguarding. Recent announcements by the Mayor of London concerning the proposed closure of Hornchurch and Rainham police stations were a major concern and needed to be reconsidered.

Parking Ticket Machines- Hilldene Shopping Area

3) **To the Cabinet Member for Environment and Community Safety (Councillor Osman Dervish)**

From Councillor Keith Darvill

Will the Lead Member review the labelling/notices displayed on parking ticket machines in Hilldene Shops Harold Hill which are often defaced and vandalised?

Answer

I thank the Councillor for his question and am sure he would join me in condemning anyone defacing Council property.

You will be pleased to hear that the Hilldene machines are inspected by technicians on a fortnightly basis. When collecting the cash, the officers responsible also inspect the machines and the labelling, and arrange for any missing or defaced labels to be replaced. In addition, the technicians also make visits as and when needed in response to any reports from members of the public.

In response to a supplementary question, the Cabinet Member confirmed that he was happy to review parking payment arrangements in the Hilldene shopping area.

Emergency Planning

4) **To the Leader of the Council**

From Councillor Barbara Matthews

In light of the various tragic events that have taken place in both London and Manchester this year, would the Leader of the Council confirm what steps have been taken to review the Council's emergency planning and what contingency plans are in place in the event of a major incident in the borough?

Answer

Following these tragic events, all plans have been reviewed incorporating any actions agreed after the incidents. We have excellent relations with partners and other London Boroughs and continuously review plans in the context of potential and emerging threats.

Our plans are robust. We have regular Continuity and Emergency Planning Workshops with Health, Police, Fire and the Voluntary Sector services where real-life scenarios and lessons learnt improve our forward planning. We also work closely with Romford businesses to plan for emergencies.

The Havering Borough Resilience Forum work to the agreed standards for London and our plans are rigorously assessed annually.

The Emergency Planning Service transferred to the Chief Operating Officer's Directorate this year, ensuring full integration with corporate planning and other work including Prevent.

Council, 13 September 2017

The Council's response to a major incident is contained in the Major Emergency Plan. Risks are assessed quarterly and reflected in the Council's corporate risk register and reviewed by SLT.

The Council also has a 24/7 response team, a Borough Emergency Control Centre and a Business Continuity Suite with back-up power.

Council plans deal with all potential, high risk incidents and are subject to periodic review and testing.

Andrew Blake-Herbert was London Local Authority Gold for the London Bridge incident, and for the initial part of the Grenfell Tower incident.

The Havering Borough Resilience Forum work to the agreed standards for London and our plans are rigorously assessed annually. The next is due by the 14th September 2017 and will be signed off by the Chief Executive.

In response to a supplementary question, the Leader of the Council felt it was necessary to be mindful of best practice when considering the need for any borough-wide emergency exercises etc. The Leader was satisfied that services had responded as best they could to the recent explosion incident on the A127.

Green, New Zealand Way Rainham

5) To the Cabinet Member for Housing, Councillor Damian White From Councillor Graham Williamson

The "Green" off New Zealand Way, Rainham, is a high value green space. In view of the failure to get planning permission to build on the land or follow due process, will the Administration now consider self-registering the land as an open green space or Village Green within the Local Plan?

Answer

The Council has received an application for village green status, this is being progressed but is outside of the Local Plan process and will be determined by the Council as Registration Authority.

An amendment to the proposed local plan to identify the land as open green space would require a submission during the consultation period to the Local Planning Authority for consideration.

In response to a supplementary question, the Cabinet Member added the application for village green status would be dealt with through the Council's planning policy and a decision would then be made.

Parking Review

**6) To the Cabinet Member for Environment and Community Safety (Councillor Osman Dervish)
From Councillor Jody Ganly**

A comprehensive parking review has been carried out in Havering. Would the Cabinet Member confirm the costs of the survey and the tangible benefits from it?

Answer

As part of the review, all of the borough's existing parking restrictions were surveyed; the information was collated and all traffic orders were switched from text-based to a map-based system.

The new map-based system has provided benefits by making all traffic orders and parking restrictions easy to access and understand for any resident or business that is interested, with historic paper-based traffic orders notoriously difficult for non-parking professionals to understand.

The new map-based orders are fully accessible on the internet by staff and members of the public and anyone wishing to look at the borough's parking restrictions. I would encourage you to visit <http://www.haveringtraffweb.co.uk/> if you haven't already to see for yourself.

As part of the review a cost effective way of preparing and advertising new traffic orders has been introduced. The total one-off cost for all the surveys, and the specialist software including maintenance is £122,790.

Upkeep of Open Amenity Space in Private Ownership

**7) To the Cabinet Member for Housing, Councillor Damian White
From Councillor David Durant**

Local councillors receive complaints about the condition of open land not owned by the Council which on occasion due to location has been tidied up by Environmental Services. However as this is not a long term solution what is Council policy regarding contacting owners, often management companies, to ensure they meet their responsibility to tenants and public to maintain their properties and amenity space, and in particular the open amenity space fronting the Capstan Drive Estate, by Rainham Station?

Answer

We have not received any complaints, nor have any issues been raised about Capstan Drive by members of the public, councillors or John Cruddas MP in respect of the condition of the open spaces in the area. A recent photograph, which I can

Council, 13 September 2017

provide upon request, confirms that the grass has been cut by the Management Company.

Where there are persistent or detrimental issues related to private land, the Council's enforcement team will consider issuing notice, and in most cases the threat of notice usually results in the land owner addressing the issue.

In response to a supplementary question, the Cabinet Member agreed that there were small areas of land in Havering where ownership was yet to be determined. This was an historic issue and he was happy to discuss this with Councillor Tucker outside of the Council meeting.

New Homes and the Local Plan

**8) To the Cabinet Member for Housing (Councillor Damian White)
From Councillor Ray Morgon**

The Cabinet Member for Housing sent a letter last month to the Romford Recorder in response to letters in the newspaper alleging that Havering Council plans to build 30,000 new homes. He stated that it is now conclusively established in the draft local plan that this is not the case. Would the Cabinet Member confirm that he still stands by his statement?

Answer

Yes, that remains the case. However, we did publish a copy of the At the Heart which did include in error, reference to the incorrect 30,000 homes figure. Officers would like to apologise for this error.

Web-casting of Council Meetings

**9) To the Cabinet Member for Housing Development Company & oneSource Management, Councillor Ron Ower
From Councillor Michael Deon Burton**

Due to statutory legislation and to assist with public transparency Council and Cabinet meetings are webcast. This facility should be extended to planning meetings too, which can now be lawfully recorded by members of the public. This could be managed within the existing webcast contract, except there have been problems with the delivery of this contract. Please provide an update regarding these problems and an update on how they are being resolved.

Answer

Meetings of Full Council and Cabinet have been webcast since 2009. The webcasts are available as a live feed and on playback via the Council's website. The Council's webcast provider reported a technical fault to the recording of the Full Council meeting which took place on 26 July. Although the meeting was streamed and watched live on the night, regrettably, despite attempts it was not possible to recover the recording. Members were notified of this on 1 August. The Council was not charged for the cost of the live webcast of that meeting. Initial attempts to rectify the fault proved unsuccessful with the meeting of Cabinet on 9 August unable to be webcast. The webcast provider has since attended the Town Hall to install replacement parts and I'm pleased to report that the webcast feed is now working.

In response to a supplementary question, the Cabinet Member confirmed that any problems re webcasting of Council meetings should be reported to the Head of Democratic Services.

Town Centre CCTV Cameras

**10) To the Cabinet Member for Environment and Community Safety (Councillor Osman Dervish)
From Councillor Stephanie Nunn**

Would the Cabinet Member confirm what checks are made to ensure that all Town Centre CCTV cameras are fully functional and what cost/benefit analysis is carried out to evaluate the effectiveness of cameras?

Answer

The cameras are in constant use over 24 hours, 365 days per year and faults are identified through this process. However, all cameras are proactively checked for faults every Wednesday. If any faults are identified they are recorded and reported to our CCTV maintenance contractor for investigation and or repair on our weekly maintenance schedule.

As well as deterring crime and ASB in areas where CCTV has been installed, we collate monthly statistics which show the effectiveness of the cameras. These statistics are reviewed at the monthly Antisocial Behaviour Problem Solving Meeting. They are also shared with the Community Safety Data Analyst and are available for the bi-monthly Tasking Enforcement Meeting.

In response to a supplementary question, the Cabinet Member confirmed he could, if details of location were provided, supply records of checks on a camera in Elm Park that had been kept in the same position for some months.

Parking Enforcement Policy

11) To the Cabinet Member for Environment and Community Safety (Councillor Osman Dervish)

From Councillor Reg Whitney

Would the Cabinet Member agree that the Council's parking enforcement focus on easy targets rather than apply Council policy fairly.

Answer

I certainly do not agree. The primary importance of the Council's Civil Parking Enforcement operation is to act as a deterrent, keep the roads of the borough free from congestion and safe for all highway users including motorists, pedestrians and public transport users.

Legislation, operational and statutory guidance dictate fully how the Council must manage the enforcement of both parking and moving traffic contraventions and we must adhere to those rules.

The deployment of Civil Enforcement Officers is managed according to need, in areas of high non-compliance and to manage parking in controlled parking zones. Robust enforcement is often required, especially around our schools at drop off and pick up times and also when there is illegal parking occurring which hinders residents and businesses alike. An example of this would be when residents find a car has parked in front of their driveway without their permission.

If a driver feels they have been issued a PCN for a parking offence or a moving traffic contravention incorrectly, there is a mechanism in place to appeal. The Council has a discretion policy (available on the Council's website) which is central to the enforcement and challenge process and provides a very transparent narrative against which our officers maintain the key aspects of civil parking enforcement in Havering. It supports the necessity to maintain legal compliance, fairness, transparency and consistency, and the Council's reputation.

In response to a supplementary question, the Cabinet Member stated that the locations of the CCTV car were decided by need and that previous offences would have been reported at the site at which a CCTV car was located.

Land at Haydock Close

12) To the Cabinet Member for Housing (Councillor Damian White) **From Councillor Barry Mugglestone**

Planning application number P1388.13 (land at Haydock Close) was approved in 2014 with a condition that a financial contribution of £54,000 be paid towards infrastructure costs associated with the development. Would the Cabinet Member confirm that this contribution was paid and what local infrastructure projects it was spent on?

Answer

The development built at Haydock Close was authorised by planning permission P1680.14, rather than P1388.13. The Section 106 Legal Agreement for that permission required the payment of a £30,000 infrastructure contribution which, to date, has not been received. Officers are currently pursuing payment and it is expected shortly. Once received, the monies will be allocated to an infrastructure project within the Borough.

In response to a supplementary question, the Cabinet Member added that all Section 106 payments were made according to a strict timetable. The precise way in which Section 106 money would be spent would be discussed with the planning department.

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VOTING RECORD

<i>DIVISION NUMBER:</i>	1	2	3	4
The Mayor [Cllr. Linda Van den Hende]	✓	✓	✓	✓
The Deputy Mayor [Cllr. Dilip Patel]	✓	✓	✓	✓
<u>CONSERVATIVE GROUP</u>				
Cllr Roger Ramsey	✓	✓	✓	✓
Cllr Robert Benham	✓	✓	✓	✓
Cllr Ray Best	✓	✓	✓	✓
Cllr Wendy Brice-Thompson	✓	✓	✓	✓
Cllr Joshua Chapman	✓	✓	✓	✓
Cllr John Crowder	✓	✓	✓	✓
Cllr Philippa Crowder	✓	✓	✓	✓
Cllr Meg Davis	✓	✓	✓	✓
Cllr Osman Dervish	✓	✓	✓	✓
Cllr Jason Frost	✓	✓	✓	✓
Cllr Steven Kelly	A	A	A	A
Cllr Robby Misir	✓	✓	✓	✓
Cllr Garry Pain	✓	✓	✓	✓
Cllr Viddy Persaud	✓	✓	✓	✓
Cllr Carol Smith	✓	✓	✓	✓
Cllr Frederick Thompson	✓	✓	✓	✓
Cllr Linda Trew	✓	✓	✓	✓
Cllr Melvin Wallace	✓	✓	✓	✓
Cllr Roger Westwood	✓	✓	✓	✓
Cllr Damian White	✓	✓	✓	✓
Cllr Michael White	✓	✓	✓	✓
<u>RESIDENTS' GROUP</u>				
Cllr Ray Morgon	✓	✓	O	X
Cllr June Alexander	A	A	A	A
Cllr Nic Dodin	✓	✓	X	X
Cllr Jody Ganly	✓	✓	X	X
Cllr Barbara Matthews	✓	✓	X	X
Cllr Barry Mugglestone	✓	✓	X	X
Cllr John Mylod	✓	✓	O	O
Cllr Stephanie Nunn	✓	✓	X	X
Cllr Reg Whitney	✓	✓	O	O
Cllr Julie Wilkes	✓	✓	X	X
Cllr John Wood	✓	✓	O	O
<u>EAST HAVERING RESIDENTS' GROUP</u>				
Cllr Clarence Barrett	✓	✓	✓	✓
Cllr Alex Donald	✓	✓	O	O
Cllr Brian Eagling	✓	✓	✓	✓
Cllr Gillian Ford	✓	✓	✓	✓
Cllr Linda Hawthorn	✓	✓	✓	✓
Cllr Ron Ower	A	A	A	A
Cllr Darren Wise	✓	✓	✓	✓
<u>UK INDEPENDENCE PARTY GROUP</u>				
Cllr Lawrence Webb	✓	✓	X	X
Cllr Ian De Wulverton	✓	✓	X	X
Cllr John Glanville	A	A	A	A
Cllr David Johnson	✓	O	O	O
Cllr Phil Martin	✓	O	O	X
Cllr Patricia Rumble	✓	✓	X	X
<u>INDEPENDENT LOCAL RESIDENTS' GROUP</u>				
Cllr Jeffrey Tucker	X	X	X	X
Cllr Michael Deon Burton	X	X	X	X
Cllr David Durant	X	X	X	X
Cllr Keith Roberts	X	X	X	X
Cllr Graham Williamson	X	X	X	X
<u>LABOUR GROUP</u>				
Cllr Keith Darvill	✓	✓	O	O
Cllr Denis O'Flynn	✓	✓	O	O
TOTALS				
✓ = YES	45	43	27	27
X = NO	5	5	14	16
O = ABSTAIN/NO VOTE	0	2	9	7
ID = INTEREST DISCLOSED/NO VOTE	0	0	0	0
A = ABSENT FROM MEETING	4	4	4	4
	54	54	54	54

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COUNCIL, 22 NOVEMBER 2017

REPORT OF CHIEF EXECUTIVE

UPDATE ON THE SLM CONTRACT AND FINANCIAL IMPLICATIONS

At its meeting on 15 November 2017, Cabinet was due to consider a report (attached) on an update on the SLM contract and financial implications. The report gives details of progress made in a number of areas under the contract including the building of a new Hornchurch Sports Centre, the operation of the new Sapphire Ice and Leisure Centre and investment in new health and leisure facilities at Central Park Leisure Centre. The resulting financial implications of the proposed work are also considered.

Subject to agreement by Cabinet, Council is **RECOMMENDED**:

- 1. To agree that the capital expenditure and proposed financing as set out within the Exempt Report Appendix Financial Implications in Table 5, be approved for inclusion within the Approved Capital Programme.**

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CABINET

15 November 2017

Subject Heading:

Update on the SLM Contract and financial implications.

Cabinet Member:

Councillor Melvin Wallace

SLT Lead:

Sarah Homer

Report Author and contact details:

Guy Selfe, Health and Wellbeing Manager,
guy.selfe@havering.gov.uk – 01708
433866

Policy context:

The Council's Culture Strategy 2013-2015

Financial summary:

This report details the updated financial position as at October 2017 regarding the above contract with SLM Ltd. The contract is expected to deliver net income to the Council of £13.528m over the 20 year term after meeting the Council's capital financing and operational costs of new and refurbished facilities. This achieves substantial savings to the Council given the previous arrangements would have resulted in a net cost to the Council in the region of £16.5m. This delivers savings of £1.1m a year which have been factored into the MTFS. However, there is a need to smooth operational financial performance over the period to 2022/23 until the business model reaches maturity by a total of £2.111m.

Is this a Key Decision?

Yes

When should this matter be reviewed?

November 2018

Reviewing OSC:

Towns and Communities O&S

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

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input checked="" type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

SUMMARY

On 12 July 2016 following a competitive procurement process, Cabinet agreed to award the Council's Sports and Leisure Management Contract for a period of 20 years from 1st October 2016 to the company Sport and Leisure Management Ltd (SLM). The award of contract included: investment in new health and fitness facilities at Central Park Leisure Centre, the building of a new Hornchurch Sports Centre, the operation of the new Sapphire Ice and Leisure and delegated responsibilities to Officers to negotiate a variation to the contract for the operation of Chafford Sports Complex subject to the costs to the Council being mitigated as far as possible. This also included future investment in the Noak Hill Sports centre as a part of the overall contract.

This report sets out progress made during the first year of the Sports and Leisure Management Contract (October 2016 to September 2017) and the resulting financial implications.

RECOMMENDATIONS

That Cabinet:

1. Note the progress made under the new contract with SLM;
2. Note the updated revenue financial implications, for inclusion in the Medium Term Financial Strategy;
3. Note that whilst the capital investment is planned to be financed from borrowing, the capital financing costs will be met in full from the net savings to be realised across the lifespan of the contract within the leisure service budget;

4. Approve a contribution of £2.111m from the Business Risk Reserve to set up an earmarked Leisure Contract Reserve that will be utilised to support the financial performance of the service until business maturity is achieved in 2023/24;
5. Agree that all budget virements to and from Leisure Services budgets will be subject to approval by the s151 Officer or their representative for the duration of the contract to ensure the integrity of the overall financial model is maintained.
6. Recommend to Council that the capital expenditure and proposed financing as set out within the Exempt Appendix Financial Implications in Table 5, is approved for inclusion within the Approved Capital Programme.

REPORT DETAIL

1. Background

- 1.1 Following a robust tender process lasting two and a half years, Sport and Leisure Management Ltd (SLM) were awarded the Sports and Leisure Management Contract for 20 years. Theirs was the most financially advantageous bid to the Council and the bid met the quality requirements specified in the Tender documents. The identified savings assume that planning permission is secured for the major investment proposals included in the tender award. If planning permission is not granted for a new build Hornchurch Sports Centre then Cabinet agreed in principle to revert to a 10 year contract.
- 1.2 SLM commenced the contract to manage the facilities below on 1st October 2016:
 - Hornchurch Sports Centre
 - Central Park Leisure Centre
 - Noak Hill Sports Complex (from January 2017)
 - Sapphire Ice and Leisure Centre (once opened – Spring 2018)
- 1.3 Within the terms of the contract, SLM continue to manage Chafford Sports Complex albeit under the terms and conditions of the previous Sports and Leisure Management Contract (2006-2016) whilst negotiations continue that aim to secure the operation of the Chafford Sports Complex in the longer term.
- 1.4 The major investment proposals at the award of contract that are the basis of the agreed contract are:
 - A new build Hornchurch Sports Centre
 - An extension to Central Park Leisure Centre
 - Opening of the Sapphire Ice and Leisure Centre
 - Ongoing Lifecycle investments across all sites

2. Sports and Leisure Management Contract – the First Ten Months

- 2.1 Officers are pleased to report that the contract is progressing well. Attendances at the leisure centres for the first nine months of the new contract are in line with expectations. There has been a 35% increase in disability participation rates across the centres through SLM working in partnership with local disability groups. Female participation in netball has increased across the Borough with over 80 women now playing in the weekly 'Back to Netball' league. The Everyone Active Referral Scheme (EARS) is steadily increasing its referral numbers from local GP's and more patients are completing the 12 week programme and using the leisure facilities on a regular basis. SLM have also hosted a number of high profile Regional events e.g. CHKA Karate competition, Kororo Kai Ju Jitsu and Ultra-White Collar Boxing.
- 2.2 **Noak Hill** - The opening of Noak Hill Sports Complex in January 2017 was completed on time. There are no new financial implications arising from this element of the contract.
- 2.3 **Hornchurch Sports Centre** - Following contract award to SLM, Cabinet became aware of a desire, primarily from local swimming clubs, to consider a 50m swimming pool as part of the facility mix. Whilst this was under consideration, the submission of a planning application for a new Hornchurch Sports Centre was delayed.
- 2.4 The analysis of associated capital investment and operational revenue costs over the life of the contract concluded that the 50m option did not represent good value for money and is not affordable to the Council. The original proposed 25m pool will therefore progress, with an improved design based on the work done for the 50m pool. Should planning permission not be secured (decision expected January 2018) for a new 25m development resulting in the project not progressing, the contract will revert to a 10 year model, rather than the current 20 years. This would require a further review of the financial model for the contract and consideration of long term financial implications with a further report to Cabinet. The financial implications set out in this report assume this project will progress as planned.

In the event Hornchurch new build does not progress, abortive costs as set out in the exempt financial implications would need to be met from the Council's general fund revenue budget and budgetary provision would need to be identified.

- 2.5 The new Sports Centre at Hornchurch was a central part of the procurement of the Sport and Leisure Management Contract. Funding for the new Leisure Centre was factored into the evaluation of the Tenders, along with the cost of borrowing, the income to be received from SLM over the life of the contract and the savings that would be delivered.
- 2.6 SLM have submitted the tendered build costs of the proposed new Hornchurch Sports Centre. This cost is being verified by an independent quantity surveyor

appointed by the Council to review the tender returns. Once confirmed, SLM will oversee the build of a new Hornchurch Sports Centre, subject to planning permission being approved and bear the risk of any cost overrun. It should be noted that the Council will fund the agreed cost of capital investment through borrowing. Further details are included in the exempt financial implications of this report.

2.7 The revised timetable for a new build Hornchurch Sports Centre, based upon Planning consent being obtained, is:

- 2/3 October 2017 – Public and Ward Member engagement events
- 31 October 2017 – Planning application submitted
- January 2018 – Planning application outcome
- May 2018 – Construction commences of new centre (subject to planning)
- November 2019– Construction complete
- December 2019 – New centre opens/demolition commences of existing centre
- June 2020 – Demolition of existing centre complete and new car park opens

2.8 **Central Park Leisure Centre** – the extension of the gym opened in October 2017 which increased its size from 80 stations to a 140 station gym. Further work to refurbish the health and fitness changing areas for both male and female users is also complete. It should be noted that, in accordance with the agreed contract, the Council will fund the agreed cost of investment. The cost of borrowing has been factored into the financial model.

2.9 **Sapphire Ice and Leisure Centre** – the new centre in Romford is progressing well and on schedule to be handed over to SLM by Wilmott Dixon in January 2018. Following this, SLM will finalise the fit out of the facility. There will also be a period of staff training at the facility before it opens to the public. This is on target and set to take place by 1st April 2018 at the latest. It is likely that the site will open earlier than expected. However, as an opening date has not been confirmed, this has not been factored into the model. Should this occur, then the Council will receive revenue earlier than expected.

2.10 **Chafford Sports Complex** – the Complex is operated by SLM whilst discussions continue with Harris Academy Rainham (HAR) about future options for this facility. Post award of contract to SLM, it became apparent that the proposed investment and status of ownership of the site placed restrictions upon the ability of the Council to invest capital resources in improvement. Whilst it is possible to fund investment from revenue resources, this is considered unaffordable. Further, such investment may have adverse VAT implications for both HAR and the Council.

2.11 With no capital investment, SLM have indicated that there is a limited time that they would be able to operate the facility. This is due to its condition and the adverse impact to the commercial aspect of delivery, combined with the inability to maintain customer satisfaction levels.

2.12 The Chafford facility is currently the subject of further negotiations between Council Officers, SLM and the Harris Academy due to complexities of managing the VAT position of the parties and the capital investment required to be made by either the Council or the Academy to enable SLM to continue to operate the facility under the new contract. A further update will be brought to Cabinet in due course. It should be noted that the updated financial position does not take account of the longer term income and expenditure relating to the Chafford facility.

REASONS

3. Reasons for the decision:

3.1 The financial management and accounting arrangements associated with the leisure management contract awarded in accordance with the decision of July 2016 Cabinet, need to be appropriately reflected within the Council's Approved Capital Programme and financial governance arrangements.

IMPLICATIONS AND RISKS

4. Financial implications and risks:

4.1 Detailed financial implications including financial analysis of the winning bid and estimated costs of future procurement exercises in relation to capital investment are commercially sensitive and as such included in the exempt Appendix attached to this report.

5. Legal implications and risks:

5.1 The Council has entered into the SLM contract in the exercise of its statutory power to provide a wide range of recreational facilities within the Borough under section 19 of the Local Government (Miscellaneous Provisions) Act 1976.

5.2 Certain revisions have had to be made to the contract subsequent to award in October 2016, which for Procurement purposes amounts to a modification of this contract during its term. In order for such modifications to be valid, they must fall within the exceptions provided for in Regulation 72 of the Public Contracts Regulations 2015 (the "Regulations").

- 5.3 Paragraphs 2.1 – 2.12 above and items i) – viii) in the Exempt Appendix ‘Financial Implications and Risks’ detail the changes which have become necessary as a result of the issues arising with the Hornchurch Sports Centre and Chafford Sports Complex, and other relevant sites.
- 5.4 For purposes of Regulation 72, the new build Hornchurch Sports Complex were clearly anticipated and provided for in the contract and therefore fall within the scope of exemption available under Regulation 72(1) (a) of the Regulations.
- 5.5 The changes arising from the VAT implications of the Chafford Sports Complex apart from being outside the scope of consideration of this report are also not ‘substantial’ for the purposes of Regulation 72(8) and would also qualify as exempt under Regulation 72(1)(e).
- 5.6 In conclusion, as the proposed modifications to the contract would result in lower costs to the Council, do not fall outside the ambit of the leisure management contract nor qualify as substantial changes, the risk of legal challenge arising from the said modifications are very low.

6. Human Resources implications and risks:

- 6.1 There are no new human resource implications or risks associated with this report.

7. Equalities implications and risks:

- 7.1 An EIA was an Appendix to the 12 July 2016 Cabinet report and is still applicable to this report.

BACKGROUND PAPERS

None

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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REPORT OF THE CHIEF EXECUTIVE

Council, 22 November 2017

PAY POLICY STATEMENT 2017/18

The Localism Act 2011 requires the Council to prepare a pay policy statement by the 31 March each year before it comes into force. The pay policy statement must be approved by a full meeting of the Council and published on the Council's website.

The Council's pay policy statement must set out:

- The remuneration of its Chief Officers
- The remuneration of its lowest-paid employees
- The relationship between the remuneration of its Chief Officers and its other employees

Under the Localism Act 2011, Chief Officers in Havering are defined as those remunerated on the following grades:

- G18 (Chief Executive)
- G16/G17 (Director/Chief Operating Officer)
- G15 (Director/Assistant Director/Head of Service)
- G14/G13 (Director/Assistant Director/Head of Service)

The Council's draft Pay Policy Statement 2017/18 is appended.

The Chief Executive RECOMMENDS to Council that the Pay Policy Statement, 2017/18 be approved.

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London Borough of Havering

Pay Policy Statement 2017/18

1. Introduction

2. This pay policy statement is produced in accordance with Chapter 8 of the Localism Act 2011 which requires the Council to prepare a pay policy statement by the 31 March each year before it comes into force.
3. This pay policy statement was approved by a meeting of full Council on 22 March 2017, (updated on 10 November 2017 to reflect the change to terms and conditions of employment). The policy is made available on the Council's website.
4. Under the Localism Act 2011, the Council's pay policy statement must set out:
 1. the remuneration of its chief officers
 2. the remuneration of its lowest-paid employees
 3. the relationship between:
 - i. the remuneration of its chief officers and
 - ii. the remuneration of its employees who are not chief officers
5. Under the Localism Act 2011, Chief Officers in Havering are defined as those remunerated on the following grades:
 1. G18 (Chief Executive)
 2. G16/G17 (Director/Chief Operating Officer)
 3. G15 (Director/Assistant Director/Head of Service)
 4. G14/G13 (Director/Assistant Director/Head of Service)
6. This pay policy statement excludes staff in schools.
7. The Council's next pay policy statement will be for the year 2018/19 and will be submitted to a meeting of full Council for approval by 31 March 2018.
8. **Remuneration of Chief Officers**
9. Chief Executive
10. The Chief Executive role is the Council's Head of Paid Service.

11. The Chief Executive role is paid on the G18 grade comprising the following spinal points and annual Full Time Equivalent salary, as at 1 September 2017.

G18

1. £167,217
 2. £168,768
 3. £170,319
 4. £171,870
 5. £173,421
12. The values of the spinal points are increased in accordance with the Joint Negotiating Committee for Chief Executives of Local Authorities with effect from 1st April each year.
 13. Progression through the spinal points is subject to annual incremental progression
 14. The Chief Executive role is entitled to receive a separate Returning Officer fee in respect of elections. The approach to the setting of these fees is set out in Appendix 1.
 15. The Chief Executive role receives no other bonuses, overtime or any other additional salary payments.
 16. Director/Chief Operating Officer
 17. Director/Chief Operating Officer roles are paid on one of the following 2 grades comprising the following spinal points and annual Full Time Equivalent salary, as at 1 September 2017:

G16

1. £112,215
2. £116,292
3. £120,375
4. £124,455
5. £128,535

G17

1. £132,615
2. £136,698
3. £140,775
4. £144,858
5. £148,938

18. The values of the spinal points are increased in accordance with the Joint Negotiating Committee for Chief Officers of Local Authorities with effect from 1st April each year.
19. Progression through the spinal points is subject to annual incremental progression.
20. The Council's statutory chief officer roles currently undertaken by Director roles are detailed below :
 - Section 151 Officer (Finance) - attracts a market supplement of £2,385 per annum
 - Children's Services – Director of Children's Services (no additional payments)
 - Adults Social Services – Director Adult Social Care & Health (no additional payments)
21. Director/Chief Operating Officer roles may be entitled, if appointed for an election, to receive a fee for any Deputy Returning Officer role undertaken. The approach to the setting of these fees is set out in Appendix 1.
22. Director/Chief Operating Officer roles receive no other bonuses, overtime or any other additional salary payments.
23. Director/Assistant Director/Head of Service
24. Director/Assistant Director/Head of Service roles of larger services are paid on the following grade comprising the following spinal points and annual Full Time Equivalent salaries, as at 1 September 2017:
25. The following roles attract a Market Supplement of £7,664 per annum:
 - Director of Exchequer & Transactional Services
 - Director of Human Resources & Organisational Development

G15

1. £96,912
2. £98,952
3. £100,992
4. £103,035
5. £105,072

The values of the spinal points are increased in accordance with the Joint Negotiating Committee for Chief Officers of Local Authorities with effect from 1 April each year.

26. Progression through the spinal points of the grade is subject to annual incremental progression.
27. Director/Assistant Director/Head of Service roles may be entitled, if appointed for an election, to receive a fee for any Deputy Returning Officer role undertaken. The approach to the setting of these fees is set out in Appendix 1.
28. Director/Assistant Director/Head of Service roles receive no other bonuses, overtime or any other additional salary payments.
29. Director/Assistant Director/Head of Service
30. Director/Assistant Director/Head of Service roles of smaller services are paid on one of the following 2 grades comprising the following spinal points and annual Full Time Equivalent salaries, as at 1 September 2017:

G13

1. £76,509
2. £78,552
3. £80,589
4. £81,924
5. £84,672

G14

1. £86,712
2. £88,749
3. £90,792
4. £92,832
5. £94,872

31. The Head of Communications role attracts a Market Supplement of £21,192 per annum.
32. The values of the spinal points are increased in accordance with the Joint Negotiating Committee for Chief Officers of Local Authorities with effect from 1 April each year.
33. Progression through the spinal points is subject to annual incremental progression

34. The Deputy Director of Legal Services is the Council's Statutory Monitoring Officer. This post attracts an allowance of £10,000 per annum.
35. Director/Assistant Director/Head of Service roles may be entitled, if appointed for an election, to receive a fee for any Deputy Returning Officer role undertaken. The approach to the setting of these fees is set out in Appendix 1.
36. Other Assistant Director/Head of Service roles receive no other bonuses, overtime or any other additional salary payments.
37. **Other Remuneration for Chief Officers**
38. On appointment, Chief Officers will be placed on the appropriate spinal point within the appropriate grade and paid any other allowance/payment as set out in this pay policy statement, having regard to the knowledge, skills and competencies of the individual as well as their current and previous salary levels.
39. Where it is proposed, on appointment, to place a Chief Officer on a spinal point/grade or pay an allowance/payment outside of those set out in this pay policy statement, full Council will be given the opportunity to vote on the application of any salary package that exceeds £100,000pa.
40. The Council does not operate a performance related pay scheme or other bonus schemes for Chief Officers.
41. Chief Officers are not entitled to payment for any other charges, fees or allowances.
42. Chief Officers are not entitled to any benefits in kind as a result of their office or employment.
43. **Other Remuneration for Chief Officers and the Council's Other Employees**
44. The Council's policies regarding how the Council exercises the various employer discretions provided by the Local Government Pension Scheme (LGPS) are set out at Appendix 2. These discretions are applied equally to all employees. In general the Authority will not grant any increase or enhancement of pension entitlement as a result of its discretions policy, although each case will be determined on a case by case basis. As a result of the introduction of the new LGPS 2014 scheme

all employer and Administering Authority discretions have now been reviewed and noted by Pension Committee.

45. The Council's policies regarding how the Council exercises the various employer discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 are set out at Appendix 3.
46. On ceasing to be employed by the Council, all employees will only receive compensation:
 - in circumstances that are relevant (e.g. redundancy) and
 - that complies with the specific terms of any compromise agreement
47. Any severance package in excess of £100,000 (excluding annual pension/pension lump sum payments) will be subject of a vote by full Council.
48. All directly employed staff, whether permanent or fixed term, will be paid via the Council's payroll system and subject to deduction of tax and national insurance in accordance with PAYE regulations.
49. **Remuneration of the Council's Other Employees and the Council's Lowest Paid Employees**
50. The Council uses the following pay and grading structures to pay its other employees:
 - NJC for Local Government Employees (GLPC Outer London Pay Spine)
 - Soulbury Committee
 - JNC for Youth & Community Workers
 - School Teachers Pay & Conditions
51. The grades, incremental points and annual Full Time Equivalent salaries, as at 1 September 2017, associated with these pay and grading structures are detailed at Appendix 4. The values of the spinal points are increased in accordance with the respective negotiating body with effect from a variety of dates each year.
52. The remuneration of the Council's other employees also includes the payments/allowances detailed at Appendix 5.
53. For the purpose of this pay policy statement the Council's lowest paid employees are defined as those paid at G1, spinal column point 7 of the NJC for Local Government Employees (GLPC Outer London Pay Spine), for which the annual Full Time Equivalent salary, as at 1 September 2017 is £17,985.

54. For the purposes of this pay policy statement the Council's median paid employee is paid at G5, spinal column point 26 of the NJC for Local Government Employees (GLPC Outer London Pay Spine), for which the annual Full Time Equivalent salary, as at 1 September 2017 is £26,805.

55. Relationship between the remuneration of the Council's top earner, its lowest paid employees and other employees

56. Although the Council does not have a policy regarding the ratio between the remuneration of its top earner, its lowest paid employees and other employees, the current ratios are detailed below.

Top Earner : Lowest Paid Employee	1:9
Top Earner : Median Paid Employee	1:6

Approach to the Setting of Returning Officer/Deputy Returning Officer Fees

Local Elections

Returning Officer fees are paid in accordance with the scale of fees agreed by the Leaders Committee of London Councils. The fees are funded by the Council which provides a budget every fourth year for running local elections. Fees for Deputy Returning Officer roles are paid by the Returning Officer from a budget allocated for clerical assistance and vary in accordance with duties and responsibilities undertaken.

Greater London Authority Elections

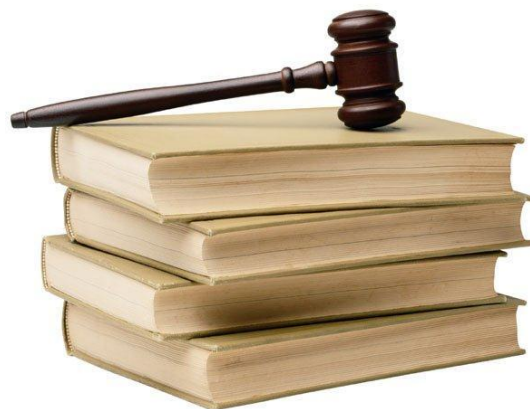
Returning Officer fees are set by the Greater London Returning Officer. The fees are funded by the Greater London Authority. Fees for Deputy Returning Officer roles are paid by the Returning Officer from a budget allocated for clerical assistance (and/or by allocation of some of the Returning Officer fee) and vary in accordance with duties and responsibilities undertaken.

European Parliamentary and Parliamentary Elections and National Referenda

Returning Officer fees are set by the Central Government usually through the publication of a Statutory Instrument. The fees are funded by Central Government. Fees for Deputy Returning Officer roles are paid by the Returning Officer from a budget allocated for clerical assistance (and/or by allocation of some of the Returning Officer fee) and vary in accordance with duties and responsibilities undertaken.



London Borough of Havering
Employing Authority Discretions and Administration
Authority Discretions
Statement of Policy



1) Determination of contribution rate and how it will be determined (9(1) and 9(3))

- The employee contribution band will be reviewed each April.
- Contributions are payable on all pay received such as non-contractual overtime or additional hours. Reductions in pay due to sickness, child related leave etc. are ignored. The salary used to determine the band will be assessed by taking into account basic salary each April plus any additional hours or overtime that were paid for in the previous financial year.

2) Funding of additional pension contributions (16(2)(e) and 16(4)(d)) (LGPS 2013)

Where APCs are to be paid by regular contributions, whether to fund in whole or in part a members additional pension contribution. The maximum additional pension which can be purchased from 1 April 2014 is £6,500. (16(2)(e))

Where APCs are to be paid by a lump sum contribution, whether to fund in whole or in part members additional pension contribution. The maximum additional pension which can be purchased from 1 April 2014 is £6,500. (16(4)(d))

The Council will generally not contribute by either regular contributions or lump sum contribution towards a members additional pension contributions but may determine on a case by case basis if there has been any operational benefit gained by the employer and if so whether the APC should be wholly or partly funded. Strike action will not be funded.

3) Flexible retirement (30(6)) (LGPS 2013)

Whether to allow an active member, who has attained the age of 55 or over, who reduces their working hours or grade, to receive immediate payment of all or part of their retirement pension to which the member is entitled to in respect of that employment, subject to an actuarial reduction.

The Council has decided to allow flexible retirement in cases where there is normally no or minimal cost to the Council on a case by case basis, ensuring the detailed merits of each individual case is taken into account. Employees can choose to draw all of their pension benefits or defer payment of all or part of their fund which has accrued since 1 April 2008. The following criteria will apply: there must be at least a 25% reduction in pay or hours; the member may not move to another promotion post with the Council and/or increase their hours following flexible retirement; will not be granted a 2nd or subsequent flexible retirement.

Flexible retirement will normally result in an actuarial reduction of pension benefits. In exceptional circumstances the Council may consider waiving the actuarial reduction where it is in the Council's interest to do so.

4) Waiving actuarial reduction (30(8)) (LGPS 2013)

Whether to waive, in whole or in part, any reduction to a members pension benefits as a result of a member who has not attained normal pension age but who has attained the age of 55 or over and has elected to receive immediate payment of a retirement pension.

There will normally be a reduction to the pension where employees retire before their normal pension age with insufficient service to qualify for a full pension, except in compassionate grounds. Compassionate is normally defined as:

- The applicant had to leave employment to care for a dependent who is suffering from long term illness/incapacity. For this purpose dependent normally includes a partner, child or parent; and
- That the dependant's need is for constant supervision for both day and night and that this is supported by confirmation from the Benefits Agency that an Attendance Allowance at the higher rate is payable; and
- That the dependant has no recourse to alternative means of support from his/her immediate family nor the financial resources to provide independent care support (for this purpose a certified statement of income and expenditure will be required); and
- That the applicant is suffering or facing severe financial hardship, that the applicant has no other significant source of income and that their personal financial circumstances are unlikely to improve. For this purpose the applicant will be required to submit a certified statement of income and expenditure covering both the applicant and any partner living with them; and
- That the applicant's opportunities for employment are severely limited by the nature of the care duties they are undertaking.

Flexible retirement will normally result in an actuarial reduction of pension benefits. In exceptional circumstances the Council may consider waiving the actuarial reduction where it is in the Council's interest to do so.

5) Award of additional pension (31) (LGPS 2013)

Whether to award additional pension up to a maximum of £6,500 to an active member or a member who was an active member who was dismissed by reason of redundancy, or business efficiency, or whose employment was terminated by mutual consent on grounds of business efficiency within 6 months of the date the member's employment ended.

The Council will not generally apply this discretion but in extreme cases consider on a case by case basis.

6) Applying the rule of 85 (Transitional 2014)

'Switch on' the 85 year rule protection, allowing a member to receive fully or partly unreduced benefits subject to the Scheme employer paying a strain cost to the Pension Fund (Schedule 2 paragraph 1 (1) (c) (Application of the 85 year rule between age 55 & 60) and that is correct).

The Council will not usually exercise discretion to fund additional costs applicable to the 85 Year Rule for 55 to 60 year olds. However in exceptional circumstances, to be considered on individual merits on a case by case basis, where this is of benefit to the Council then the Council may exercise discretion to pay the cost waiving actuarial reductions.

7) Whether to grant application for early payment of deferred benefits on or after age 55 and before age 60. NB: The rule of 85 currently applies for members for member who qualify for the rule and it cannot be turned off.

Elections made under this Regulation by members aged less than 60 are ineffective without employer consent of the employing authority or former employing authority. No employees will be permitted to receive early payment of benefits prior to age 60 except in compassionate cases. Applications may be granted on a case by case basis in circumstances where it may be considered to be to the Council's operational or financial advantage.

8) Regulation 30 (5) (Waiving of actuarial reduction)

Whether to waive, on compassionate grounds, any actuarial reduction applying to a member's deferred benefits that are paid early.

Elections made under this Regulation by members aged less than 60 are ineffective without employer consent of the employing authority or former employing authority. No employees will be permitted to receive early payment of benefits prior to age 60 except in compassionate cases. Applications may be granted on a case by case basis in circumstances where it may be considered to be to the Council's operational or financial advantage.

Local Government Pension Scheme Regulations 2013

		Discretion application
9(1)	Determination of contribution rate and how it will be determined.	<p>For new employees - Where possible a reasonable assessment is made and the contribution rate relevant to that annual rate is applied.</p> <p>The contribution policy is:</p> <p>The employee contribution band will be reviewed each April.</p> <p>Contributions are payable on all pay received such as non-contractual overtime or additional hours. Reductions in pay due to sickness, child related leave etc. are ignored. The salary used to determine your band will be assessed by taking into account basic salary each April plus any additional hours or overtime that were paid for in the previous financial year.</p> <p>A review of the initial policy is periodically undertaken to ensure a reasonable contribution collection.</p>

9(3)	To determine a revised employee contribution rate where there is a change in employment or a material change affecting the member's pensionable pay in the course of a year.	<p>Contributions are payable on all pay received such as non-contractual overtime or additional hours. Reductions in pay due to sickness, child related leave etc. are ignored. The salary used to determine your band will be assessed by taking into account basic salary each April plus any additional hours or overtime that were paid for in the previous financial year.</p> <p>We will review the banding in the event of a material change where a member requests such a review.</p>
16(2)(e) and 16(4)(d)	Whether and how much and in what circumstances to contribute to a shared cost APC/SCAPC	Generally this discretion will not be exercised but delegated authority is given to the Pensions Panel to determine on a case by case basis if there has been any operational benefit gained by the employer and if so whether the APC should be wholly or partly funded. As a general rule the Council will not contribute to a shared cost APC/SCAPC where the absence is due to an unauthorised absence such as strike action.
17(1)	Establishment of a Shared Cost AVC (SCAVC) facility	The decision taken by the Investment Committee in 2001 is still relevant, therefore for the time being the Council does not set up a shared cost AVC facility.

19(2)	Right to a refund if member left due to offence of fraudulent character or grave misconduct	In the first instance withhold the return of contributions in all cases but each situation is considered on a case by case basis with delegated powers being given to the Pensions Panel
20(1)	Specify in an employee's contract benefits to be determined as pensionable	Where the Council wishes to specify in a contract of employment that other payments or benefits may also be pensionable it is determined by the Pension Panel on a case by case basis with the appropriate business case being presented
21(5)	Determine "regular lump sum" for Assumed Pensionable Pay	Where necessary the Transactional Manager (HR, Pensions and Payroll) is given delegated authority to make a determination on a case by case basis
22(7)(b)	Extension of time limit for deferred benefits to not be aggregated (concurrent employments)	Where a decision is required delegated authority is given to the Team Leader (Pensions Administration) to take account on a case by case basis of the relevant circumstances whether or not the 12 month time limit is to be extended and that the decision is communicated in writing to the scheme member within one month of the decision being made.
22(8)(b)	Extension of time limit for deferred benefits to not be aggregated	Where a decision is required delegated authority is given to the Team Leader (Pensions Administration) to take account on a case by case basis of the relevant circumstances whether or not the 12 month time limit is to be extended and that the decision is communicated in writing to the scheme member within one month of the decision being made.
30(6), and 11(2) of the Transitional Provisions Regulations –	Flexible retirement and waiving any actuarial reduction that would apply	A business case is prepared for each request, ensuring that this includes the Fund cost and any costs of additional salaries for a new part-time post to fill the reduced capacity, as well as quantifying the benefits of agreeing to the flexible retirement. Any actuarial reduction will not be waived.

30(8)	<p>To waive in whole or in part an actuarial reduction due for a member:</p> <ul style="list-style-type: none"> • Who is allowed to take flexible retirement and is not protected by the 85 year rule • Who having reached age 55 but not yet their normal retirement age and who is no longer working in the employment in relation to their accrued benefits elects to receive early payment of their benefits* 	<p>A business case is prepared for each request, ensuring that this includes the Fund cost and any costs of additional salaries for a new part-time post to fill the reduced capacity, as well as quantifying the benefits of agreeing to the flexible retirement.</p> <p>Any actuarial reduction will not be waived.</p>
31	Power of employing authority to grant additional pension to an active member	The Council does not generally apply this discretion to award additional pension but may in extreme cases consider on a case by case basis where the full cost benefit is presented in a business case and agreed by the Pension Panel.
37(3)	Recovery of payments following date of discontinuance of third tier ill health pension entitlement	Where pension payments have continued to be paid after the date of discontinuance they should be recovered in all cases with the individual being notified of the repayment procedure and timescales.
37(7)	Subsequent determination on level of ill health benefit following review of third tier ill health award as to whether tier two ill health benefits should apply.	Where in the opinion of the medical adviser and any other relevant information available in each individual case, if the member at the time of the review of their tier 3 ill health entitlement, satisfies the requirements of a tier 2 ill health pension the Council agrees and determines to put the increased ill health pension into payment. Where the member does not satisfy the requirements of a tier 2 ill health pension all the facts of the case are presented to the Pension Panel for a final determination.

38(6)	Decision whether a deferred and deferred pensioner member meets criteria for early payment due to permanent ill health	Where the Council is required to make a determination as to agreeing to the early payment of a deferred pension on the grounds of permanent ill health once the opinion has been received from the IRMP, all the facts of the case are presented to the Pension Panel for a final determination.
91 to 93	Forfeiture of pension rights as a result of offences or misconduct	The Council will seek recovery of any loss it has suffered and any such cases are referred to the Pension Panel to be considered
95	Impact of forfeiture decision on surviving spouse or civil partner	The Council will seek recovery of any loss it has suffered and any such cases are referred to the Pension Panel to be considered.
98(1)(b)	Agreement to a bulk transfer	Each opportunity is determined on a case by case basis with delegated authority given to the Transactional Manager (Exchequer and Transactional) in consultation with the Fund actuary.
100(6)	Extension of time limit to accept a transfer value	Where discretion needs to be exercised it is determined on a case by case basis with delegated authority given to the Team Leader (Pensions Administration).

Government Pension Scheme (Transitional Provisions and Savings and Amendment) Regulations 2014

Regulation	Description	Discretion application
3(6), 4(6)(c), 8(4), 10(2)(a), 17(2) and 17(2)(b)	Agreement to member selecting final pay period for fees	Where a scheme member's final pay consists of fees then the use of a period of three years ending on 31st March in last ten will be permitted so as to have a fairer fee figure used in the calculation of benefits.
12(6)	Use of an ill health certificate produced under the 2008 scheme	Delegated authority is given to the Team Leader (Pensions Administration) to agree the use of a certificate produced under the 2008 scheme on a case by case basis.
	Continuing contribution in to a Shared Cost AVC (SCAVC) facility	The Council did not agree to the setting up of a Shared Cost AVC (SCAVC) facility so therefore this discretion does not apply.
15(1)(d)	Allow late application to convert scheme AVCs into membership credit	Where an election is received late then delegated authority is given to the Team Leader (Pensions Administration) to determine on a case by case basis.
Schedule 2 paragraph 1(1)(c)	<p>To allow the rule of 85 to apply for members (who otherwise qualify for the rule) electing to take early payment of their pension on or after age 55 and before age 60 under regulation 30(5) of the Local Regulations 2013.</p> <p>i.e. Use of the discretion waives the actuarial reduction that would otherwise arise. NB: This applies only to members who were members of the LGPS after 1 April 2014.</p>	<ul style="list-style-type: none"> If the member satisfies the 85 year rule, that part of the member's benefits accrued under the Earlier Scheme(s) which is calculated by reference to any period of membership before the 1 April 2014 is reduced by reference to the period between the date of the request and age 60.

		<ul style="list-style-type: none"> If the member does not satisfy the 85 year rule, that part of the member's benefits accrued under the Earlier Scheme(s) which is calculated by reference to any period of membership before the 1 April 2014 is reduced by reference to the period between the date of the request and the date the member would satisfy the 85 year rule, or age 60 if later. <p>Each case be dealt with on a case by case basis and although generally the 85 year rule will be applied as above, where there may be a circumstance for a different application agreement is sought from the Pension Panel.</p>
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Discretions in relation to the Local Government Pension Scheme (Benefits Membership and Contributions) Regulations 2007

Regulation	Description	Discretion Application
11(2)	Final pay period to be used where a member's pay consists of fees	Where a scheme member's final pay consists of fees then the use of a period of three years ending on 31st March in last ten will be permitted so as to have a fairer fee figure used in the calculation of benefits.
12	Increase total membership for an active member (This will be spent after 30 September 2014)	For the remaining period for which this discretion will apply that the Council will not agree to the award of increased membership.
30(2)	Consenting to the immediate payment of benefits between age 55 and 60	No applications are permitted to receive early payment of their unreduced benefits prior to age 60 except in compassionate cases. Applications may be granted on a

		case by case basis in circumstances where it may be considered to be to the Council's operational or financial advantage subject to a business case to the Pension Panel.
30(5)	Waiving an actuarial reduction to pension benefits on compassionate grounds	<p>The waiving of an actuarial reduction on compassionate grounds will be considered on a case by case basis with the following criteria taken into consideration–</p> <ul style="list-style-type: none"> Leave employment to care for dependent Dependents need for constant supervision No recourse to alternative care Suffering severe hardship Opportunity for employment severely limited <p>If all the above criteria are met the Pension Panel will consider such cases, and that any costs that are incurred are paid by the relevant service/department. Any actuarial reduction that may apply will not be waived.</p>
30A(3)	Consenting to application of payment for a suspended tier 3 ill health pension	<p>Generally applications will not be agreed but may be granted on a case by case basis with all circumstances being taken account and to be determined by the Pension Panel.</p> <p>Where the Council is required to make a determination as to agreeing to the early payment of a deferred pension on the grounds of permanent ill health that once the opinion has been received from the IRMP, all the facts of the case will be presented to the Pension Panel for a final determination.</p>
30A(5)	To waive actuarial on compassionate grounds	The Pension Panel will determine each application on a case by case basis and that it will only agree to the waiving of an actuarial reduction in extreme circumstances where the application has been enforced on the member due to unforeseen circumstances or circumstances beyond their

		control.
Regulation 31(4) and 31(7)-	Determine payment of deferred pension on health grounds. Decision whether a deferred or deferred pensioner member meets criteria for early payment due to permanent ill health	Where the Council is required to make a determination as to agreeing to the early payment of a deferred pension on the grounds of permanent ill health once the opinion has been received from the IRMP all the facts of the case are presented to the Pension Panel for a final determination.

Discretions in relation to the Local Government Pension Scheme (Administration) Regulations 2008

		Discretion application
Regulation 47(2)	Payment of a refund of contributions in misconduct cases	In the first instance the return of contributions will be withheld in all cases but each situation is considered on a case by case basis with delegated powers being given to the Pension Panel.
Regulation 72	Forfeiture of pension rights as a result of offences or misconduct	The Council seeks recovery of any loss it has suffered and any such cases are referred to the Pension Panel.

Discretions in relation to the Local Government Pension Scheme Regulations 1997 (The 1997 Pension Regulations) (some may continue to apply in relation to historical cases or councillors)

There are a number of regulations within the former 1997 Pension Regulations that apply to councillors who elect to join the LGPS. Where discretions are applicable in relation to active councillor members they should be applied as they are mirrored within the LGPS Regulations applicable from 1 April 2014.

Regulation	Description	Discretion application
22(1)(b)	Allow post 31 March 1998 / pre 1 April 2008 member to select final pay period for fees to be a period of not less than 3 or more than 5 years back from date of leaving	Delegated powers have been given to the Pension Panel
23 (4)	Issue a certificate of protection of pension benefits where eligible non-councillor member fails to apply for one (pay reduction / restrictions occurring pre 1 April 2008)	Delegated powers have been given to the Pension Panel
31(2)*	Whether to grant applications for the early payment of pension benefits on or after age 55 and before age 60. NB: The rule of 85 currently applies for members who qualify for the rule and it cannot be turned off.	No employees are permitted to receive early payment of benefits prior to age 60 except in compassionate cases, where the payment of such benefits would arise on a voluntary basis. Applications may be granted on a case by case
31(5)*	Whether to waive, on compassionate grounds, any actuarial reduction applying to a member's benefits that are paid before age 65.	Will be considered on a case by case basis.

31 (7A)	Whether to allow an employee who opted out to receive their benefits from their normal retirement date.	This to be allowed
34(1)(b)	Where a scheme member would be entitled to a pension or retirement grant under two or more regulations by reason of the same period of scheme membership, the employer can choose which benefits is to be paid if the member does not make a choice within 3 months of becoming entitled to elect.	Delegated powers have been given to the Pension Panel
71(7)(a)	Consent to a member's former employer assigning to the new employer rights under any SCAVC life assurance policy (pre 1 April 2008 non-councillor leavers)	No SCAVC payments are permitted.
88(2)	No right to return of contributions due to offence of a fraudulent character unless employer directs a total or partial refund is to be made (councillors and pre 1 April 2008 leavers)	Delegated powers have been given to the Pension Panel
92	Contribution Equivalent Premium (CEP) in excess of the Certified Amount (CA) recovered from a refund of contributions can be recovered from the Pension Fund (councillor or pre 1 April 2008 leaver)	Contribution Equivalent Premium (CEP) in excess of the Certified Amount (CA) recovered from a refund of contributions will be recovered from the Pension Fund
111(2) & (5)	Forfeiture of pension rights on issue of Secretary of State's certificate (councillors and pre 1 April 2008 leavers)	Delegated powers have been given to the Pension Panel
112(1)	Where forfeiture certificate is issued, direct interim payments out of Pension Fund until decision is taken to either apply the certificate or to pay benefits (pre 1 April 2008 leavers)	Delegated powers have been given to the Pension Panel

113(2)	Recovery from Fund of monetary obligation owed by former employee or, if less, the value of the member's benefits (other than transferred in pension rights) (pre 1 April 2008 leavers)	Delegated powers have been given to the Pension Panel
115(2) & (3)	Recovery from Fund of financial loss caused by employee, or amount of refund if less (pre 1 April 2008 leavers)	Delegated powers have been given to the Pension Panel

Discretions in relation to the Local Government Pension Scheme Regulations 1995 (the “1995 Pension Regulations”)

There are some regulations within the former 1995 Pension Regulations that still apply scheme members who ceased active membership before 1 April 1998. Where discretions are also applicable in relation to active members in the LGPS2014 Regulations they should be applied as they are mirrored within the LGPS Regulations applicable from 1 April 2014.

Regulation	Description	Discretion application
D11(2)(c)	Grant application from a pre 1 April 1998 leaver for early payment of deferred benefits on or after age 50 on compassionate grounds	Delegated powers have been given to the Pension Panel
D10	Decide in the absence from a pre 1 April 1998 leaver of an election from the member within 3 months of being able to elect, which benefit is to be paid where the member would be entitled to a pension or retirement grant under 2 or more regulations in respect of the same period of Scheme membership	Delegated powers have been given to the Pension Panel

SCHEME EMPLOYER CONFIRMATION

The Pension Committee (24 June 2014) delegated to the Group Director of Resources, the Director of Human Resources and Organisational Development, and the Council's Monitoring Officer, acting jointly, the setting of the discretion decisions and Policy Statement.

It is understood that the discretions contained within this statement of policy are applicable to all eligible members of the Scheme. The Scheme rules allow for a revised statement to be issued at least one month in advance of the date that any new policy takes effect. The revised statement must be sent to the administering authority and the employer must publish its statement as revised in a place that is accessible to all of its eligible scheme members.

The policies made above:

- Have regard to the extent to which the exercise of the discretions could lead to a serious loss of confidence in the public service;
- Will not be used for any ulterior motive;
- Will be exercised reasonably;
- Will only be used when there is a real and substantial future benefit to the employer for incurring the extra costs that may arise;
- Will be duly recorded when applied.

Agreed on behalf of the Scheme Employer by the Group Director of Resources, the Director of Human Resources and Organisational Development, and the Council's Monitoring Officer, acting jointly.

Scheme Employer's Name: The London Borough of Havering

Date: 29 July



**The Local Government (Early Termination Of Employment)
(Discretionary Compensation) (England And Wales)**

Regulations 2006

Statement of Policy

(as amended)

(Published March 2010, effective from 1st April 2010)

*The Council has made decisions under the above Regulations, which have resulted in the following policies being adopted. (Please note the above Regulations only apply to employees of the Council who are eligible to be members of the Local Government Pension Scheme (LGPS) and who have been employed for 2 years or more – **they do not apply to teachers**). All awards are subject to the Pension Scheme Regulations.*

Increase of Statutory Redundancy Payments

All redundancy payments will be based on an employee's actual weekly rate of pay.

Compensation for Redundancy: General

Employees whose employment is terminated by reason of redundancy will be paid according to the statutory redundancy table based on actual pay. Those who receive immediate pension benefits will have their redundancy payment capped at a maximum of £30,000.

Added Pension Years Award for those aged 55 and over

Employees aged 55 or over who are members of the LGPS and whose employment is terminated by reason of redundancy or in the interests of the efficient exercise of the authority's functions will be eligible for immediate payment of pension benefits. The Local Government (Early Termination Of Employment) (Discretionary Compensation) (England And Wales) Regulations 2006 do not provide for the award of compensatory added years.

Grades, Incremental Points and Annual Full Time Equivalent Salaries for the Council's Other Employees

1. NJC for Local Government Employees (with effect from 1/4/17 to 31/3/18)

Administrative, Professional, Technical, Clerical Staff & Principal Officers & Social Workers

GLPC Outer London Pay Spine (Havering Council)

Spinal Point	G1	Spinal Point	G2	Spinal Point	G3	Spinal Point	G4	Spinal Point	G5	Spinal Point	G6
7	£17,985	11	£18,357	16	£19,281	21	£21,984	26	£25,242	31	£29,517
8	£18,051	12	£18,375	17	£19,623	22	£22,506	27	£26,019	32	£30,324
9	£18,105	13	£18,396	18	£19,917	23	£23,115	28	£26,805	33	£31,170
10	£18,330	14	£18,657	19	£20,598	24	£23,802	29	£27,801	34	£31,998
11	£18,357	15	£18,936	20	£21,276	25	£24,510	30	£28,668	35	£32,628
Spinal Point	G7	Spinal Point	G8	Spinal Point	G9	Spinal Point	G10	Spinal Point	G11	Spinal Point	G12
36	£33,444	41	£38,229	46	£42,876	51	£47,544	57	£53,478	66	£62,829
37	£34,338	42	£39,147	47	£43,815	52	£48,489	58	£54,480	67	£64,140
38	£35,286	43	£40,086	48	£44,751	53	£49,452	59	£55,494	68	£65,481
39	£36,372	44	£41,025	49	£45,666	54	£50,445	61	£57,501	70	£68,259
40	£37,293	45	£41,898	50	£46,608	55	£51,465	63	£59,523	71	£70,809

GLPC Outer London Pay Spine

Spinal Point	Pay	Spinal Point	Pay	Spinal Point	Pay
		27	£26,019	49	£45,666
6	£17,961	28	£26,805	50	£46,608
7	£17,985	29	£27,801	51	£47,544
8	£18,051	30	£28,668	52	£48,489
9	£18,105	31	£29,517	53	£49,452
10	£18,330	32	£30,324	54	£50,445
11	£18,357	33	£31,170	55	£51,465
12	£18,375	34	£31,998	56	£52,476
13	£18,396	35	£32,628	57	£53,478
14	£18,657	36	£33,444	58	£54,480
15	£18,936	37	£34,338	59	£55,494
16	£19,281	38	£35,286	60	£56,496
17	£19,623	39	£36,372	61	£57,501
18	£19,917	40	£37,293	62	£58,515
19	£20,598	41	£38,229	63	£59,523

20	£21,276	42	£39,147	64	£60,525
21	£21,984	43	£40,086	65	£61,536
22	£22,506	44	£41,025	66	£62,829
23	£23,115	45	£41,898	67	£64,140
24	£23,802	46	£42,876	68	£65,481
25	£24,510	47	£43,815	69	£66,861
26	£25,242	48	£44,751	70	£68,259

2.Soulbury Committee (with effect from 1/9/17 to 31/8/18)

Educational Improvement Professionals

Spine Point	Salary	Spine Point	Salary
1	£34,067	26	£62,914
2	£35,287	27	£64,001
3	£36,439	28	£65,102
4	£37,606	29	£66,207
5	£38,767	30	£67,309
6	£39,928	31	£68,402
7	£41,148	32	£69,512
8	£42,321*	33	£70,623
9	£43,689	34	£71,761
10	£44,908	35	£72,895
11	£46,112	36	£74,062
12	£47,277	37	£75,210
13	£48,597 **	38	£76,371
14	£49,773	39	£77,515
15	£51,073	40	£78,659
16	£52,248	41	£79,809
17	£53,426	42	£80,958
18	£54,582	43	£82,106
19	£55,775	44	£83,259
20	£56,391 ***	45	£84,410
21	£57,575	46	£85,562
22	£58,607	47	£86,719
23	£59,744	48	£87,865 ****
24	£60,762	49	£89,016 ****
25	£61,851	50	£90,168 ****

Salary scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit and motivate staff.

*normal minimum point for EIP undertaking the full range of duties at this level.

**normal minimum point for senior EIP undertaking the full range of duties at this level.

***normal minimum point for leading EIP undertaking the full range of duties at this level.

****extension to range to accommodate structured professional assessments.

Educational Psychologists – Scale A

Spine Point	Salary
1	£35,731
2	£37,545
3	£39,359
4	£41,171
5	£42,984
6	£44,797
7	£46,504
8	£48,211
9	£49,810*
10	£51,411*
11	£52,903*

Notes

Salary scales to consist of six consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.

*Extension to scale to accommodate structured professional assessment points.

Senior & Principal Educational Psychologists

Spine Point	Salary
1	£44,797
2	£46,504
3	£48,211*
4	£49,810
5	£51,411
6	£52,903
7	£53,516
8	£54,661
9	£55,795
10	£56,950
11	£58,081
12	£59,235
13	£60,409
14	£61,543**

15	£62,731**
16	£63,908**
17	£65,093**
18	£66,276**

Notes

Salary scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.

*Normal minimum point for the principal educational psychologist undertaking the full range of duties at this level.

**Extension to range to accommodate discretionary scale points and structured professional assessments.

Trainee Educational Psychologists

Spine Point	Salary
1	£22,955
2	£24,636
3	£26,314
4	£27,996
5	£29,675
6	£31,355

Assistant Educational Psychologists

Spine Point	Salary
1	£28,218
2	£29,371
3	£30,523
4	£31,669

Young People's Community Service Managers

Spine Point	Salary	Spine Point	Salary
1	£35,333	13	£49,103
2	£36,489	14	£50,259
3	£37,645	15	£51,417
4	£38,824*	16	£52,578
5	£40,023	17	£53,745
6	£41,192	18	£54,904
7	£42,388**	19	£56,057
8	£43,747	20	£57,235***
9	£44,497	21	£58,435***
10	£45,654	22	£59,663***
11	£46,805	23	£60,915***

12

£47,958

24

£62,194***

Notes:

The minimum Youth and Community Service Officers' scale is 4 points.

Other salary scales to consist of not more than four consecutive points based on duties and responsibilities attaching to posts and the need to recruit retain and motivate staff.

*normal minimum point for senior youth and community service officers undertaking the full range of duties at this level.

**normal minimum point for principal youth and community service officer undertaking the full range of duties at this level.

***extension to range to accommodate discretionary scale points and structured professional assessments.

London Area Payments

With effect from 1st September 2017 staff in the London area shall receive the following:

(a) at the rate of £3,057 per annum to officers serving in the Inner area.

(b) at the £2,016 per annum to officers serving in the Outer area.

(c) at the rate of £779 per annum to officers serving in the Fringe area.

(d) officers normally serving in the London area but temporarily employed elsewhere shall continue to receive London area payments at the rate appropriate to their normal area of employment.

(e) in the case of an officer required to serve in different parts of the London areas, or partly outside that area, the officer shall be deemed to be serving in the area in which he is required to spend more than one half of his time.

(f) for the purpose of this paragraph –

The “Inner Area” means the area of the London Boroughs of: Camden, City of London, Greenwich, Hackney, Hammersmith & Fulham, Islington, Kensington & Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth, Westminster (the former Inner London Education Authority), and the London Boroughs of Barking and Dagenham, Brent, Ealing, Haringey and Merton.

The “Outer Area” means Greater London, excluding the Inner area.

The “Fringe Area” means:

Berkshire: the districts of Bracknell, Slough, Windsor and Maidenhead.

Buckinghamshire: the districts of Beaconsfield and Chiltern.

Essex: the districts of Basildon, Brentwood, Epping Forest, Harlow and Thurrock.

Hertfordshire: the districts of Broxbourne, Dacorum, East Hertfordshire, Hertsmere, St. Albans, Three Rivers, Watford and Welwyn Hatfield.

Kent: the districts of Dartford and Sevenoaks. Surrey: the whole County.

West Sussex: the district of Crawley.

The “London Area” comprises the Inner area, the Outer area and the Fringe area.

3. JNC for Youth & Community Workers (with effect from 1/9/16 to 31/8/18)

Support Worker Level

<u>Spine Point</u>	<u>1/9/16</u>	<u>1/9/17</u>
2	15,507	15,807
3	16,117	16,417
4	16,681	16,931
5	17,241	17,491
6	17,828	18,006
7	18,450	18,636
8	19,069	19,260
9	19,856	20,055
10	20,472	20,677
11	21,467	21,682
12	22,441	22,665
13	23,445	23,679
14	24,485	24,730
15	25,194	25,446
16	25,935	26,194
17	26,662	26,929

<u>Grade</u>	<u>Spine Points</u>	<u>Grade</u>	<u>Spine Points</u>	<u>Grade</u>	<u>Spine Points</u>
First Level		Second Level		Second Level (Contd.)	
YSW 11	1-4	YSW 21	7-10	YSW 25	11-14
YSW 12	2-5	YSW 22	8-11	YSW 26	12-15
YSW 13	3-6	YSW 23	9-12	YSW 27	13-16
		YSW 24	10-13	YSW 28	14-17

Professional Level

<u>Spine Point</u>	<u>1/9/16</u>	<u>1/9/17</u>
13	23,445	23,679
14	24,485	24,730
15	25,194	25,446
16	25,935	26,194
17	26,662	26,929
18	27,396	27,670
19	28,123	28,404
20	28,852	29,141
21	29,672	29,969
22	30,601	30,907

23	31,505	31,820
24	32,413	32,737
25	33,329	33,662
26	34,243	34,585
27	35,159	35,511
28	36,085	36,446
29	37,005	37,375
30	37,924	38,304
31	38,545*	38,930*
32	39,565*	39,961*

* Discretionary Points

LONDON AREA ALLOWANCE

	2016	2017
Outer	£1979	£1,999

SLEEPING IN DUTY ALLOWANCE

	2016	2017
Sleeping in Allowance	£34.34	£34.68
Disturbance Element	£19.19	£19.38

4. School Teachers Pay & Conditions

Unqualified Teachers

Spine Point	Salary
1	£19,749
2	£21,684
3	£23,618
4	£25,555
5	£27,487
6	£29,422

Main Pay Scale

Spine Point	Salary
M1	£26,662
M2	£28,315
M3	£30,067
M4	£31,929
M5	£34,637
M6	£37,645

Upper Pay Scale

Spin Point	Salary
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U1	£39,519
U2	£40,981
U3	£42,498

Lead Practitioner

Minimum	£42,498
Maximum	£62,985

Teaching and Learning Responsibility

Minimum	£529
Maximum	2,630

Additional Payments for Class Teachers

TLR 2 min	£2,667
TLR 2 max	£6,515

TLR 1 min	£7,699
TLR 1 max	£13,027

SEN min	£2,106
SEN max	£4,158

Leadership

Scale	Salary
L1	£42,498
L2	£43,486
L3	£44,490
L4	£45,525
L5	£46,582
L6	£47,667
L7	£48,870
L8	£49,924
L9	£51,090
L10	£52,325
L11	£53,597
L12	£54,766
L13	£56,059
L14	£57,370
L15	£58,720
L16	£60,202
L17	£61,515
L18	£62,985
L19	£64,469
L20	£65,988

Leadership

Scale	Salary
L21	£67,545
L22	£69,139
L23	£70,774
L24	£72,454
L25	£74,177
L26	£75,934
L27	£77,738
L28	£79,591
L29	£81,481
L30	£83,432
L31	£85,422
L32	£87,461
L33	£89,562
L34	£91,697
L35	£93,897
L36	£96,141
L37	£98,459
L38	£100,817
L39	£103,195
L40	£105,697
L41	£108,259

L42	£110,887
L43	£112,460

Additional Payments/Allowances for Other Employees

The following additional payments/allowances may be paid to employees other than Chief Officers.

Additional Allowance
Additional Hours
Additional Payments
Additional Pension
Additional Programmed Activity
Additional Statutory Paternity Pay Birth
Advance of Pay
Agreed Programme Activity (NHS)
Annual leave not taken
Bank Holiday Enhanced
Bicycle Mileage
Callout Allowance
Casual Pay
Childcare Allowance
Contractual overtime
Electoral registration
Electoral duties
Enhanced payments
Excess Leave
FE Lecturer Pay
First Aid
GTC Payment
Gritting Allowance
Holiday Pay
Honorarium
Invigilation
Keep In Touch Days Payment
Leave Not Taken
Local Authority Liaison Officer Allowance
London Allowance
London Living Wage Allowance
Market Supplement
Mileage
New Starter Arrears
Night rates
Occupational Adoption Pay
Occupational Maternity Pay
Occupational Sick Pay
On-call allowance
Out of school activity
Overtime
Pay adjustment

Pay In Lieu Of Notice
Pension
Protected rate
Redeployment payment
Relocation expenses
Session payment
Shared Parental Salary Offset
Shift payment
Sleep in allowance
Special Needs Allowance
Standby allowance
Statutory Adoption Pay
Statutory Maternity Pay
Statutory Paternity Pay
Statutory Shared Parental Pay Birth
Statutory Sick Pay
Supplement
Supply
Teaching Assistant 2 Allowance
Travel Allowance
TLR2
TLR7
Unsocial hours



FULL COUNCIL, Wednesday 22 November 2017

MEMBERS' QUESTIONS

Public Space Protection Orders around Schools

- 1) To the Cabinet Member for Environment and Community Safety (Councillor Osman Dervish)
From Councillor Reg Whitney

The Public Space Protection Order around schools was heralded as the way to deal with illegal and dangerous parking. The current Administration courted huge local and national publicity when the scheme was rolled out to four schools. Would the Cabinet Member confirm what has happened since?

Assistance for Residents when Universal Credit is Implemented

- 2) To the Cabinet Member for Housing (Councillor Damian White)
From Councillor Ian de Wulverton

During the trial period people have had to wait long periods of time for payment, causing rent arrears and destitution. Since many residents have private landlords how are we going to manage their housing needs if and when they are evicted and what provisions have the council made to assist residents when universal credit is implemented?

Update on Policing in the Borough

- 3) To the Cabinet Member for Environment & Community Safety (Councillor Osman Dervish)
From Councillor Jeffrey Tucker

Please would the Cabinet Member provide an update about the Tri-borough pilot, closure of stations and SNT bases and the Local Policing Model?

Parking Meters at Hilldene Shops

- 4) To the Cabinet Member for Environment & Community Safety (Councillor Osman Dervish)
From Councillor Keith Darvill

When will the Parking Meters at Hilldene Shops, Harold Hill be upgraded?

Removal of Dumped Vehicles in Hornchurch Town Centre

- 5) To the Cabinet Member for Environment & Community Safety, (Councillor Osman Dervish)
From Councillor John Wood

Would the Cabinet Member confirm why the Council removes dumped vehicles from some areas of private land behind shops in Hornchurch Town Centre?

Discharge Targets

- 6) To the Cabinet Member for Adult Social Services & Health (Councillor Wendy Brice-Thompson)
From Councillor Ian de Wulverton

Is Havering meeting its discharge targets for blocked beds so that we are not going to be hit by a reduction in the Better Care Fund?

Re-Development of Former Rainham Library Site

- 7) To the Cabinet Member for Housing, Councillor Damian White
From Councillor Michael Deon Burton

The Council has entered an agreement with Persimmon Homes to redevelop the old library site on Broadway, Rainham. Please would the Cabinet Member explain this agreement and whether evidence was provided they could deliver a quality development opposite listed Rainham Hall and Parish Church in the Rainham Village Conservation Area?

Solar Park Project, Dagnam Park

**8) To the Cabinet Member for Housing (Councillor Damian White)
From Councillor Barry Mugglestone**

In the September Cabinet papers, it is quoted that the Solar Park project in Dagnam Park was effectively abandoned due to Planning issues. Would the Cabinet Member confirm what these planning issues were and how they were not picked up at an earlier stage and what changed to make the site near Gerpins Lane unviable so soon after it being put forward?

Condition of Farringdon Avenue

**9) To the Cabinet Member for Environment and Community Safety, (Councillor Osman Dervish)
From Councillor Ian de Wulverton**

When was Farringdon Avenue last resurfaced, who carried out the last assessment of the road condition and when was it carried out?

Removal of Doormats, Pots and Flowers from Public Areas

**10) To the Cabinet Member for Housing (Councillor Damian White)
From Councillor David Durant**

Will the Cabinet Member for Housing review his decision to order the removal of all doormats, pots and flowers from public areas of our social housing and belatedly ask tenants whether they agree with this over-reaction to the Grenfell disaster?

New Homes in the Borough

**11) To the Cabinet Member for Housing (Councillor Damian White)
From Councillor Ray Morgon**

In a speech at July Council, the Cabinet Member for Housing indicated that the 30,000 homes quoted in an explanatory booklet handed to members at a previous council meeting was some kind of artistic licence to hook in developers. An edition of "At the Heart" magazine also quoted that the council was committed to building 30,000, a figure that he said was incorrect, although not corrected in the latest edition of "At the Heart" magazine. Would the Cabinet Member confirm whether council tenants and developers (the most to benefit from increased housing) have been misled by the 30,000 figure or that communications from the Council have been poor by providing incorrect information?

Allocation of Council Houses

**12) To the Leader of the Council, (Councillor Roger Ramsey)
From Councillor Lawrence Webb**

There has been a great deal of coverage recently about government plans to rehabilitate returning Isis fighters, part of the process being to give them a council house. Can the Leader assure this chamber and indeed the residents of Havering that no returning Jihadis will be granted a council house through the assisted bid system in preference to those already on our lengthy housing waiting list?

Profile of the Borough

**13) To the Leader of the Council (Councillor Roger Ramsey)
From Councillor John Mylod**

Would the Leader of the Council confirm what steps the Council are taking to raise the profile of Havering to attract more interest in our Borough?

The Role of Community Wardens

**14) To the Cabinet Member for Housing (Councillor Damian White)
From Councillor June Alexander**

Would the Cabinet Member for Housing confirm the role of the Community Wardens, how many incidents that they have dealt with in each of the last five years and how their value for money is assessed?

Mayor's Charities

**15) To the Leader of the Council (Councillor Roger Ramsey)
From Councillor Nic Dodin**

Would the Leader of the Council confirm when money raised by the Mayor in the last municipal year was paid over to the respective charities?

COUNCIL, 22 November 2017

A METROPOLITAN POLICE FUNDING

Motion on behalf of the Independent Residents' Group

Following Brexit this Council calls on the Executive to lobby the Government to end austerity and properly fund public services and adult social care, including a review of Metropolitan Police funding to retain operational ability to deliver on response times, ensure Designated Ward Officers remain ring fenced and to keep local police stations and Safer Neighbourhood Team bases open.

Amendment by the Conservative Group

This Council supports the Executive in continuing to lobby the Government to bring forward the Fair Funding Review for local government and to lobby the London Mayor to ensure a fair proportion of Metropolitan Police resources for Havering.

B REVIEW OF GAMING MACHINES

Motion on Behalf of the Conservative Group

This Council welcomes the Government's recent consultation and "call for evidence" relating to the Review of Gaming Machines and Social Responsibility Measures.

This Council notes that further consultation on proposals for changes to Gaming Machines restrictions opened recently.

This Council agrees that the current regulation of B2 gaming machines introduced in 2009 is inappropriate to achieve the stated objective of protecting consumers and wider communities.

This Council supports regulatory changes to the maximum stake, in order to reduce the potential for large session losses and therefore to the potentially harmful impact on the player and their wider communities.

This Council supports the "Option 4" proposal to reduce the maximum stake for B2 (Fixed Odd Betting Machines) to £2.00.

This Council agrees that the status quo on B1, B3, B3A, B4 and D machines should be maintained.

Council, 12 July 2017

This Council requests that a response to the DCLG Gambling Review Consultation should be submitted reflecting these views.