

**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Committee Room 3A - Town Hall
7 March 2018 (7.30 - 9.35 pm)**

Present:

COUNCILLORS

Conservative Group	Melvin Wallace (Vice-Chair), Roger Ramsey, Damian White, Osman Dervish and Robby Misir
Residents' Group	Ray Morgon and Barbara Matthews
Labour Group	Keith Darvill
Independent Residents Group	David Durant
East Havering Resident's Group	Gillian Ford Darren Wise

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

13 APOLOGIES FOR ABSENCE & SUBSTITUTE MEMBERS

Councillor Robby Misir attended as substitute for Councillor Philippa Crowder and Councillor Gillian Ford attended as substitute for Councillor Clarence Barrett.

14 DISCLOSURE OF INTERESTS

There were no declarations of interest.

15 MINUTES

The minutes of the meeting of the committee held on 1st November, 2017 were agreed as a correct record subject to the amendment of the attendance record which failed to register Councillor Daren Wise as being present. The Chairman subsequently signed the minutes.

16 REVIEW OF PLANNING DECISION MAKING PROCESSES AND PROCEDURES

Mike Kiely, Planning and Development Advisor, outlined the report to members of the Committee.

The report detailed the new proposals for the governance of planning matters which had been under review following a resolution by Council in October 2017. It was noted that the regeneration and growth strategy in the Borough was an exciting challenge and as a result the Council needed a more proactive and delivery focused planning authority.

The report provided a detail of changes which would be required to the Constitution to facilitate improvements in appendices A to H.

Havering has a higher than average number of major planning applications which are determined by the Council and refused to be then subsequently allowed at appeal. This figure had been running close to 10%. It was noted that over the past two years nearly 85% of these decisions had been against the recommendation of officers. The Government uses this as an indicator to the quality of decision making and as a result the London Borough of Havering was at risk of being designated by DCLG (now known as the Ministry of Housing, Communities and Local Government).

If a Local Planning Authority lose more than 10% of these appeals in a two year period this is considered to be bad performance which can result in the designation. Havering came close to this at 9.23%.

Havering was contacted by the Planning Advisory Service (PAS) as part of the Government's programme to assist authorities risking designation and there followed a Planning Committee Review. The resulting report made a number of key recommendations:

- Members should make decisions on Borough wide issues rather than ward issues
- Planning Committee needs to operate as an enabler and facilitator for development, rather than controlling or preventing it
- All committee members need to be adequately trained and agree to attend the entire programme – failure to do so needs to be effectively enforced
- A Chief Planner needs to be in place to manage the planning service and to act as the key go between with members

In order to address these concerns the proposals set out in the subject report provided options for consideration.

There followed discussions in relation to the proposals and the Committee voted on whether to accept them. It was decided unanimously that the proposals would be followed with three voters abstaining and Councillor David Durant on record voting against.

Decision:

The Governance Committee decided to **recommend** to Full Council:

1. The setting up of a new Strategic Planning Committee to deal with strategic applications and any other strategic planning matters and a Planning Committee to deal with other planning applications and planning matters.
2. The main changes to the Constitution set out in Appendix A and the consequential minor amendments to the Constitution set out in Appendix B of the report.
3. That the following documents be included in the Constitution:
 - the Functions Delegated to Staff, in Appendix C;
 - the Functions Not the Responsibility of the Executive, in Appendix D;
 - the Planning Committee Procedure Rules, in Appendix F; and
 - the Planning Code of Good Practice, in Appendix G.
4. That these changes be implemented after the May 2018 local elections.

17 MEMBER INDUCTION PROGRAMME 2018 AND THE MEMBER LEARNING & DEVELOPMENT FRAMEWORK

Debra Marlow, Principal Democratic Services Officer outlined the report to Governance Committee. This detailed the proposed Member Induction Programme for 2018 and the Member Learning & Development Framework.

A number of meetings had taken place with the Member Development Group to devise and shape the Induction Programme. This would ensure that plans were in place to deliver a full and comprehensive series of Information Sessions to new Members following the local elections scheduled for early May.

The Induction Programme will complement the Member Learning and Development Framework which aims to promote learning and development opportunities for all Members which will put Members in a favourable position to develop their own personal plan.

Following the meetings with the Member Development Group, their approval was given to the Programme and Framework and so Governance Committee were asked to note the Programme of Information and training sessions for new and re-elected members to take place during May and June after the elections.

The Induction Programme is attached at Appendix A to the report and the Member Learning & Development Programme at Appendix B.

It had been agreed that a more coordinated approach was needed to ensure new Members had as much information as possible in the first few weeks after the election. Thereafter, the programme would become more flexible and tailored to the needs of each individual Member. It was recognised that Councillors needed the freedom to achieve development plan objectives according to their own learning preferences.

The Induction Programme was set out to indicate which sessions were essential for all Members and which were essential for new Members. It was noted that some Committees required Members to have attended a training session in order to be able to take a seat on the Committee. These were, Regulatory Services (now to be proposed to Council as, Strategic Planning Committee and Planning Committee), and Licensing Committee. These were constitutional requirements. It was also noted that the training for these Committees was also mandatory for substitute Members.

Following discussion, the Governance Committee:

Noted the programme of information and training sessions for the new and re-elected Members, following the local elections in May, 2018.

18 **REPORT OF THE CROSS PARTY REVIEW OF OVERVIEW & SCRUTINY**

Andrew Beesley, Head of Democratic Services presented the Report of the Cross Party Review of Overview & Scrutiny to the Governance Committee.

At the Council meeting in June 2017, Council resolved to establish a cross party working group to review the Council's Overview and Scrutiny (O&S) arrangements.

The report presented detailed the findings of that review together with recommendations seeking to alter the current O&S governance within the Council.

The Review Group consisted of six members, one from each political group of the London Borough of Havering and was chaired by Councillor Michael White. There were six separate meetings and a number of tasks were undertaken to identify a number of key issues which were taken forward for more detailed attention. These were:

- The organisational culture and attitude towards O&S;
- Developing an O&S regime which focusses on delivery and monitoring of outcomes; including setting the O&S agenda and methods of delivery
- Clearly defined roles and responsibilities;
- Key skills required for O&S and a commitment to ongoing training and development for Members;
- O&S governance structure;
- Remuneration;
- Officer support.

The Review Group identified the most significant factor in determining the effectiveness of O&S as the organisational culture of the Council. Having a positive attitude which universally recognised that O&S could play a productive part in the decision making process, was vital.

The Review Group looked at a number of key drivers required namely:

- Overview & Scrutiny is given a high status within the local authority.
- Ensure that Members take a clear lead in deciding the overview and scrutiny programme.
- Focus on policy considerations, and not let party loyalties overwhelm discussions.
- Be pro-active, and not only be about scrutinising decisions (pre-decision and horizon-focussed scrutiny)
- Communicate effectively and openly – with the executive and the public.

The Group concluded that the number of O&S committees should be reduced. This would be offset by an increased role and work load which would go to topic groups in either “in-depth” or “rapid” reviews. It was proposed that the O&S Board would be retained. The proposed structure is detailed in a flow diagram at page 100 of the Agenda and consists of the O&S Board, two overarching Scrutiny Committees one for “Places” and one for “People”. Topic Groups would stem from all three. The areas of responsibility proposed are also set out at page 101.

The Review Group concluded that O&S in Havering required adjustment.

Discussion followed, taking account of the documentation presented in the report including a revised guide to Overview & Scrutiny.

The Leader, Councillor Roger Ramsey, expressed concerns as to how this would be taken forward to enable the statutory obligations of various Scrutiny Committees to be fulfilled.

Governance Committee:

Noted the report of the Review Group and the proposals made therein. However, it was decided this would be dealt with following the election of the new administration in May, 2018.

19 APPOINTMENTS TO OTHER ORGANISATIONS, 2017/18

Debra Marlow, Principal Democratic Services Officer, presented the report to the Committee.

The recommendations for appointments were noted.

Decision

The Governance Committee:

1. In respect of the Havering College of Further and Higher Education, made the nomination of Councillor Robert Benham to the Search and Governance Committee in order to appoint a Governor

2. In respect of the Hornchurch Hosing Trust, appointed Councillors Joshua Chapman and Nic Dodin as nominative Trustees until February, 2022.

Chairman