



## COUNCIL MEETING

**7.00 pm Wednesday, 20 March 2019**  
**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.**  
**Please note revised start time.**

**Kathryn Robinson**  
**Monitoring Officer**

**For information about the meeting please contact:**  
**Anthony Clements tel: 01708 433065**  
**[anthony.clements@oneSource.co.uk](mailto:anthony.clements@oneSource.co.uk)**



**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:-

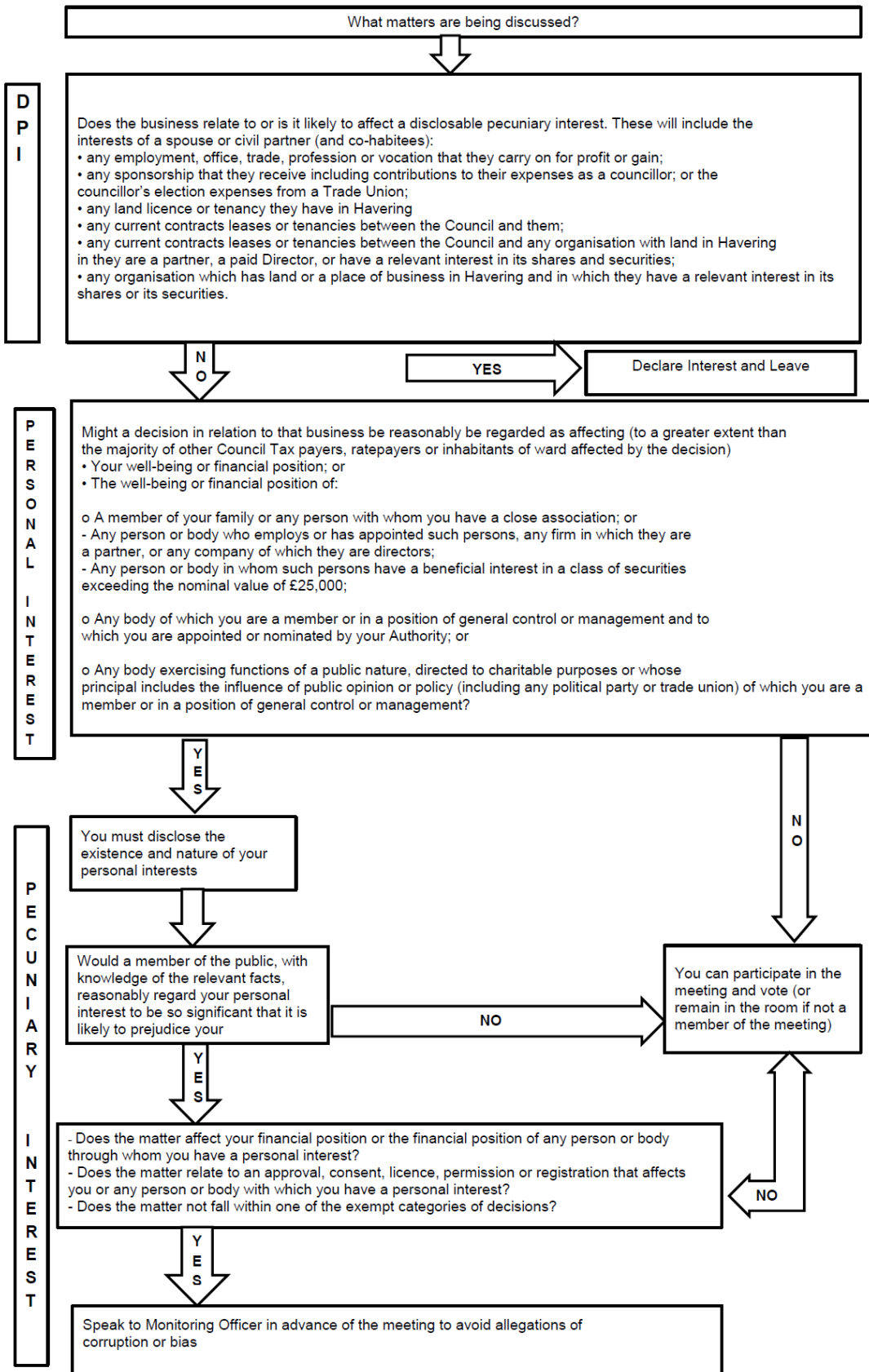
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, 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.

**DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF**



## AGENDA

**1 PRAYERS**

**2 APOLOGIES FOR ABSENCE**

Apologies have been received from Councillor John Crowder.

To receive any other apologies for absence.

**3 MINUTES** (Pages 1 - 28)

To sign as a true record the minutes of the Meeting of the Council held on 27 February 2019 (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**

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

Councillor Ryan and Durant have given notice of intention to present a petition.

**7 COUNCIL PROCEDURE RULES** (Pages 29 - 72)

Report attached.

**NOTE: The deadline for receipt of amendments to all reports published with the Council agenda is midnight, Monday 18 March.**

**Council, 20 March 2019 - Agenda**

**8 APPOINTMENT OF A NEW MONITORING OFFICER (Pages 73 - 74)**

Report attached.

**9 PAY POLICY STATEMENT 2019/20 (Pages 75 - 114)**

Report attached.

**10 SCHEDULE OF MEETINGS 2019/20 (Pages 115 - 116)**

Report attached.

**11 MEMBERS' QUESTIONS (Pages 117 - 120)**

Attached.

**12 MOTIONS FOR DEBATE (Pages 121 - 126)**

Attached.

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**MINUTES OF A MEETING OF THE COUNCIL OF THE  
LONDON BOROUGH OF HAVERING  
Council Chamber - Town Hall  
27 February 2019 (7.30 - 11.02 pm)**

**Present:** The Mayor (Councillor Dilip Patel) in the Chair

**Councillors** Councillors Robert Benham, Ray Best, Carole Beth, Michael Deon Burton, Joshua Chapman, John Crowder, Philippa Crowder, Keith Darvill, Osman Dervish, Nic Dodin, David Durant, Tony Durdin, Brian Eagling, Gillian Ford, Jason Frost, Martin Goode, Linda Hawthorn, Judith Holt, Tele Lawal, Paul McGeary, Paul Middleton, Sally Miller, Robby Misir, Ray Morgon, Barry Mugglestone, John Mylod, Stephanie Nunn, Denis O'Flynn, Gerry O'Sullivan, Ron Ower, Dilip Patel, Nisha Patel, Bob Perry, Viddy Persaud, Roger Ramsey, Timothy Ryan, Jan Sargent, Carol Smith, Christine Smith, Natasha Summers, Matt Sutton, Maggie Themistocli, Jeffrey Tucker, John Tyler, Christine Vickery, Melvin Wallace, Ciaran White, Damian White, Michael White, Reg Whitney, Christopher Wilkins, Graham Williamson and Darren Wise

Approximately 25 Members' guests and members of the public and a representative of the press were also present.

Apologies were received for the absence of Councillors Clarence Barrett.

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 David Hague, Vicar, Church of the Good Shepherd, Collier Row,7 opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

**67 MINUTES (agenda item 3)**

The minutes of the meeting of the Council held on 23 January 2019 were before the council for approval.

**RESOLVED:**

**That the minutes of the meeting of the Council held on 23 January 2019 be approved as a correct record.**

68 **DISCLOSURE OF INTERESTS (agenda item 4)**

As shown below, all Members present disclosed an interest in agenda item 7 Members' Allowances Scheme as they were in receipt of Members' Allowances and in agenda item 8 – the Council's Budget 2019/20 as they were occupiers of land with a liability for Council Tax.

The legal granting of a dispensation allowing all members to take part in the meeting and votes in such instances was **AGREED** without division.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Barry Mugglestone, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Bob Perry, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Brian Eagling, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Carol Smith, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Carole Beth, Personal, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Christine Smith, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Christine Vickery, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Christopher Wilkins, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Ciaran White, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Damian White, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Darren Wise, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor David Durant, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.



Councillor Denis O'Flynn, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Dilip Patel, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Gerry O'Sullivan, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Gillian Ford, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Graham Williamson, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Jan Sargent, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Jason Frost, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Jeffrey Tucker, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor John Crowder, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor John Mylod, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor John Tyler, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Joshua Chapman, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Judith Holt, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Keith Darvill, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Linda Hawthorn, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Maggie Themistocli, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Martin Goode, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Matt Sutton, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Melvin Wallace, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Michael Deon Burton, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Michael White, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Natasha Summers, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Nic Dodin, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Nisha Patel, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Osman Dervish, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Paul McGear, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Paul Middleton, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Philippa Crowder, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Ray Best, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Ray Morgon, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Reg Whitney, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Robby Misir, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Robert Benham, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Roger Ramsey, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Ron Ower, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Sally Miller, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Stephanie Nunn, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Tele Lawal, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Timothy Ryan, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Tony Durdin, Pecuniary, In receipt of Members' Allowance.

7. MEMBERS' ALLOWANCES SCHEME.

Councillor Viddy Persaud, Pecuniary, In receipt of Members' Allowance.

8. THE COUNCIL'S BUDGET 2019/20.

Councillor Barry Mugglestone, Pecuniary, Occupier of land with liability for Council Tax.

8. THE COUNCIL'S BUDGET 2019/20.

Councillor Bob Perry, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Brian Eagling, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Carol Smith, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Carole Beth, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Christine Smith, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Christine Vickery, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Christopher Wilkins, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Ciaran White, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Gillian Ford, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Jason Frost, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Jeffrey Tucker, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Joshua Chapman, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Judith Holt, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Melvin Wallace, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Michael Deon Burton, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Michael White, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Natasha Summers, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Nic Dodin, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Nisha Patel, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Osman Dervish, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Paul McGeary, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Sally Miller, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Stephanie Nunn, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Tele Lawal, Pecuniary, Occupier of land with liability for Council Tax.

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Councillor Timothy Ryan, Pecuniary, Occupier of land with liability for Council Tax.

8. THE COUNCIL'S BUDGET 2019/20.

Councillor Tony Durdin, Pecuniary, Occupier of land with liability for Council Tax.

8. THE COUNCIL'S BUDGET 2019/20.

Councillor Viddy Persaud, Pecuniary, Occupier of land with liability for Council Tax.

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

The Mayor passed on best wishes to Councillor Barrett who had been taken ill recently and thanked those members of Council staff who had assisted Councillor Barrett when this had occurred.

The Mayor passed on condolences to Andre Rosindell MP whose mother had recently passed away.

The Mayor had recently met with the High Commissioner of New Zealand. The Mayor also reported on his recent charity event for Burns Night and on the Mayor's variety show as well as on forthcoming events including a Danceathon.

71 **MEMBERS' ALLOWANCES SCHEME (agenda item 7)**

During debate on this item, a Procedural Motion that Councillor Tucker be not heard for the remainder of this item was **AGREED** by 27 votes to 5 (see division 1).

A report of the Chief Executive proposed the Members' Allowances Scheme 2019/20.

**Deemed motion on behalf of the Administration**

That the report be adopted and its recommendations carried into effect.

**Amendment by the Residents' Group, Independent Residents' Group and the Upminster and Cranham Residents' Associations Group**

That opposition leaders allowances be reinstated to their pre-May 2018 level namely,

Leader of the Opposition £14,418

Leader of Minority Opposition Groups £4,000

(No other changes proposed).

Following debate, the amendment on behalf of Residents, Independent Residents and Upminster and Cranham Residents' Associations Groups was **NOT AGREED** by 33 votes to 18 (see division 2) and the deemed motion on behalf of the Administration that the report be adopted and its recommendations carried into effect was **AGREED** by 33 votes to 10 (see division 3).

**RESOLVED:**

1. **That the Members' Allowances scheme, as shown in appendix 1 to these minutes, becomes effective from 1<sup>st</sup> April 2019 and the existing scheme be revoked with effect from the same date.**
2. **That there is no proposed increase in the basic allowance or SRAs.**



**72 THE COUNCIL'S BUDGET 2019/20 (agenda item 8)**

Council had before it a report of the Cabinet incorporating the budget proposals for 2019/20. This referred to reports presented to Cabinet at its meeting on 13 February 2019 which were also included in the agenda papers for the Council meeting.

**Deemed motion on behalf of the Administration**

That the report be adopted and its recommendations carried into effect.

**Amendment by the Residents' Group, Independent Residents' Group and the Upminster and Cranham Residents' Associations Group**

Alternative Budget to be amended as detailed in appendix 2 to these minutes.

Following debate, the amendment on behalf of the Residents, Independent Residents and Upminster and Cranham Residents' Associations Group was **NOT AGREED** by 29 votes to 24 and the deemed motion that the report of Cabinet be adopted, its recommendations carried into effect and the Council Tax be set was **AGREED** by 29 votes to 18.

**RESOLVED:**

1. **That the following as submitted in the report to Cabinet of 13 February 2019 be approved:**
  - **The General Fund budget for 2019/20**
  - **The Council Tax for Band D properties and for other Bands of properties, all as set out in Appendix A of the Cabinet report.**
  - **The Delegated Schools' Budget for 2019/20, as set out in section 2.5 of the Cabinet report.**
  - **The Capital Programme for 2019/20 as set out in the Capital Strategy and Programme Report reported to Cabinet on 13 February 2019.**
  - **That it pass a resolution as set out in section 11.3 of the Cabinet report to enable Council Tax discounts to be given at the 2019/20 level.**
2. **The Council delegate authority to the Chief Financial Officer to adjust the Corporate Risk Budget to account for any further variations that may arise.**

3. That, in accepting recommendation 1, Council is mindful of the advice of the Chief Finance Officer as set out in section 10 of the report to Cabinet.
4. That it be noted that under delegated powers the Chief Finance Officer has calculated the amount of 88,636 (called T in the Act and Regulations) as its Council Tax base for the year 2019/20 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) made under Section 31B of the Local Government Finance Act 1992 as amended.
5. That the amount of £124,812,783 be now calculated as the Council Tax requirement for the Council's own purposes for 2019/20, with £9,160,530 of that amount being ringfenced for Adult Social Care.
6. That the following amounts be now calculated by the Council for the year 2019/20 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended:

(a)	£501,307,261	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
(b)	(£376,494,478)	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£124,812,783	being the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
(d)	£1,408.15	being the amount at 5(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.

7. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in the table below as the amounts of Council Tax for 2019/20 for each of the categories of dwellings.

<b>Valuation Bands London Borough of Havering</b>			
	<b>Havering</b>	<b>Adult Social Care</b>	<b>Total</b>
	£ p	£ p	£ p
<b>A</b>	869.87	68.90	938.77
<b>B</b>	1,014.84	80.38	1,095.22
<b>C</b>	1,159.82	91.87	1,251.69
<b>D</b>	1,304.80	103.35	1,408.15
<b>E</b>	1,594.76	126.32	1,721.08
<b>F</b>	1,884.71	149.28	2,033.99
<b>G</b>	2,174.67	172.25	2,346.92
<b>H</b>	2,609.60	206.70	2,816.30

8. That it be noted for the year 2019/20 the major precepting authority (the GLA) has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below as proposed by the Mayor.

<b>Valuation Bands Greater London Authority</b>	
	£ p
<b>A</b>	213.67
<b>B</b>	249.29
<b>C</b>	284.90
<b>D</b>	320.51
<b>E</b>	391.73
<b>F</b>	462.96
<b>G</b>	534.18
<b>H</b>	641.02

9. That, having calculated the aggregate in each case of the amounts at 7 and 8 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2019/20 for each of the categories of dwellings shown below:

<b>Valuation Bands</b>	<b>£ p</b>
<b>A</b>	1,152.44
<b>B</b>	1,344.51
<b>C</b>	1,536.59
<b>D</b>	1,728.66
<b>E</b>	2,112.81
<b>F</b>	2,496.95
<b>G</b>	2,881.10
<b>H</b>	3,457.32

**The effect of adopting this resolution would be to set the Council Tax for a Band D property at £1,728.66**

10. That Council having considered the principles approved under the Local Government Finance Act 1992 by the Secretary of State for Communities and Local Government concludes that the Council's basic relevant amount of Council Tax for 2019/20 is not excessive.
11. That any Council Tax payer who is liable to pay an amount of Council Tax to the Authority in respect to the year ending on 31 March 2020, who is served with a demand notice under Regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 as amended and who makes payment to the Authority of the full balance of the estimated amount shown on that demand by 1 April 2019, may deduct a sum equivalent to 1.5% of and from the estimated amount and such reduced amount shall be accepted in full settlement of that estimated amount.
12. That Council approves the Housing Revenue Account (HRA) Major Works Capital Programme, detailed in Appendix 2a of the HRA Budget for 2019/2020 and HRA Major Works Capital Programme 2019/20 – 2023/24 report to Cabinet of 13 February 2019.
13. That Council approves the HRA Capital expenditure and financing for the 12 Sites Joint Venture, detailed in paragraphs 3.19.1 to 3.19.8 and Appendix 2a of the of the HRA Budget for 2019/2020 and HRA Major Works Capital Programme 2019/20 – 2023/24 report to Cabinet of 13 February 2019.
14. That Council approves the HRA Capital expenditure and financing to acquire up to 375 affordable dwellings from the Bridge Close JVLLP, detailed in paragraphs 3.20.1 to 3.20.5 and Appendix 2a of the HRA Budget for 2019/20 and HRA Major Works Capital Programme 2019/20 – 2023/24 report to Cabinet of 13 February 2019.
15. That Council approves the Treasury Management Strategy Statement, Prudential Indicators, and the Minimum Revenue Provision Statement for 2019/20 as shown in the separate report to Cabinet of 13 February 2019.
16. That Council approves the Capital Strategy and Programme for 2019/20 as shown in the separate report to Cabinet of 13 February 2019.

73 **VOTING RECORD**

The record of voting decisions is attached at appendix 3.

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**Mayor**

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## Members' Allowances Scheme

*Agreed at the meeting of the Council on 27 February 2019:*

*The new Scheme is agreed with effect from 1<sup>st</sup> April 2019 and the revocation of the Members' Allowance Scheme (2018) is effective from 31<sup>st</sup> March 2019.*

The Council of the London Borough of Havering in exercise of the powers conferred by the Local Authorities (Members Allowances) (England) Regulations 2003 hereby makes the following scheme:

- 1 This scheme may be cited as the Havering London Borough Council Members' Allowance Scheme. The new scheme shall have effect from 1<sup>st</sup> April 2019.
- 2 In this scheme, "councillor" means a councillor of the London Borough of Havering and "year" means the period ending on 31<sup>st</sup> March 2020 and any period of 12 months ending on 31<sup>st</sup> March in any year after 2020.
- 3 **Basic allowance (Schedule 1)**

Subject to paragraphs 7 and 11, for each year a basic allowance of £10,208 shall be paid to each councillor.
- 4 **Special responsibility allowance (Schedule 1)**
  - (a) For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the Council that are specified in schedule 1 to this scheme.
  - (b) Subject to paragraph 7, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.
  - (c) When a councillor would otherwise be entitled under the scheme to more than one special responsibility allowance, then the entitlement shall instead be only to one of them, being the one attracting the higher rate.
  - (d) Where a Member is also a member of another authority, that Member may not receive allowances from more than one authority in respect of the same duties.

**5 Child and dependent care allowance**

These expenses are expected to be met from the Basic Allowance.

**6 Renunciation**

A Councillor may, by notice in writing given to the Chief Finance Officer, elect to forego any part of his/her entitlement to an allowance under this scheme.

**7 Part-year entitlements**

- (a) The provisions of this paragraph shall have effect to regulate the entitlements of a councillor to basic and special responsibility where, in the course of a year, this scheme is amended or that a councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- (b) If an amendment to this scheme changes the amount to which a councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:
  - (i) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
  - (ii) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year.

The entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- (c) Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a basic allowance shall be to the payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her terms of office subsists bears to the number of days in that year.
- (d) Where this scheme is amended as mentioned in paragraph 7(b), and the term of office of a councillor does not subsist throughout the period mentioned in paragraph 7(b)(i), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that paragraph) as bears to the



whole the same proportion as the number of days during which his/her term of office as a councillor subsists bears to the number of days in that period.

- (e) Where a councillor has, during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he or she has such special responsibilities bears to the number of days in that year.
- (f) Where this scheme is amended, as mentioned in paragraph 7(b), and a councillor has, during part, but does not have throughout, the whole of any period mentioned in paragraph 7(b)(i) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

## **8 Travelling and Subsistence (Schedule 2)**

- (a) Members can claim travelling expenses for travelling outside of the Borough on official Council business as set out in Schedule 2.
- (b) Members can claim subsistence expenses on official Council business when outside of the Borough as set out in schedule 2.

## **9 Claims and payments**

- (a) Payments shall be made in respect of basic and special responsibility allowances, subject to paragraph 8(b), in instalments of one-twelfth of the amount specified in this scheme on the last working day of each month.
- (b) Where a payment of one-twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more than the amount to which, by virtue of paragraph 7, he or she is entitled, then payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.
- (c) Payments in respect of Travel and Subsistence shall be made to the councillor on receipt of a claim form with supporting

receipts/vouchers. Claims must be made within three months of the claim arising.

**10 Pension Scheme**

No Member in the scheme is entitled to apply for inclusion in the Pension Scheme.

**11 Financial Limits**

The Chief Finance Officer will arrange for the budget for members allowances to be monitored to ensure that budgetary issues are reported to Members.

**(a) Increases in Allowances**

Basic Allowances as quoted will be updated for 2019/20 by any 2019/20 increases as agreed under the annual Local Government Pay Settlement of the Joint Negotiating Committee for Chief Officers of Local Authorities or its replacement under the local pay agreement. The amounts so calculated are to be rounded up to be divisible for payment purposes.

The amended basic allowance will be found on the Internet once any annual % uplifts have been agreed.

The Travelling and Subsistence allowances will be increased in line with the increase in officer rates.

**(b) Suspension of Basic and Special Responsibility Allowance**

Where a Member is suspended, or partially suspended, from his/her responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000, or Regulations made under that part, the part of Basic and Special Responsibility allowance payable to him/her in respect of the period for which he is suspended or partially suspended will be withheld by the Authority.

**12 Mayor and Deputy**

The Mayor and Deputy Mayor's allowance covers the cost of all Mayoral activities such as clothing, personal expenses and sundry expenses – including items such as raffle tickets, sponsorship and donations.

The Mayor and Deputy Mayor will be responsible for all such payments via the SRA, which will be taxed. The Council will meet the cost of:

- Havering Civic receptions, award pins and certificates at the civic award ceremony;
- Medals, certificates and frames in the event of there being any ceremony associated with Honorary Alderman/Freeman of the Borough awards;
- Gifts given on behalf of the Council in reciprocation or gifts initiated by the Council for promotional purposes;
- Postage costs and all costs associated with the Mayoral transport, robes etc.

**13 Co-Optees and *Independent Persons*' Allowances**

The standard rate of allowance for statutory co-optees is £117 per meeting attended.

The Independent Person for standards of Members' Conduct will be paid an annual allowance of £1,000, in monthly instalments.

*Co-optees and Independent Persons* will be reimbursed for all travel costs in accordance with the above, whether the travel is within or outside the Borough, but will not be paid subsistence.

**14 Note**

- (a) The Council is required to keep a record of the payments made by it in accordance with this scheme.
- (b) The record is required to be available for inspection at all reasonable times free of charge by any local government elector for the borough who may make a copy of any part of it.
- (c) The Council is also required to arrange publication of the total sums paid in each year to each member in respect of basic and special responsibility allowances.
- (d) The Council is required to arrange publication of the Scheme when approved.

## Schedule 1: Members' Allowances

Category of Allowance	Amount Per Member £
<b>Basic Allowance</b>	10,208
<b>Special Responsibility Allowances:</b>	
Leader of the Council	45,048
Deputy Leader of the Administration	31,420
Cabinet Members	28,780
Leader of Principal Opposition	7,650
Leader of Minority Opposition Groups	2,000
Mayor	12,000
Deputy Mayor	4,000
Overview and Scrutiny Board Chairman	14,418
Overview and Scrutiny Sub-Committee Chairmen	7,650
Licensing, Strategic Planning and Planning Committee Chairmen	14,418
Strategic Planning Committee Vice-Chairman	7,650
Planning Committee Vice-Chairman	2,000
Licensing Committee Vice Chairmen	117+
Audit, Pensions, Highways and Governance Committees Chairmen	7,650
Adjudication & Review Committee Chairman	2,000
Joint Venture Working Party Chairman	7,650

+ Per meeting chaired

**NOTES:** The basic allowance will be uplifted each year in accordance with paragraph 11.

## Schedule 2: Travel and Subsistence

Travelling expenses can only be claimed for travel outside of the borough on official Council business. The rules and entitlements for reimbursement of travel outside the Borough are the same as those for officers.

Subsistence allowances are only payable for official Council business outside the borough where the duties entail an overnight stay or working outside 'normal office hours'. Members will be reimbursed actual expenditure incurred up to the maximum of the rates set for officers.

Allowances are payable on the basis of expenditure incurred and receipts must be submitted to support claims for subsistence allowances and travel costs.

Travel and subsistence arrangements for key events will be set in line with the above. Taking account of the practicalities of arrangements however, these will

be set out and documented by the Chief Finance Officer, prior to each event and be agreed with the Cabinet Member for Financial Management.

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# ALTERNATIVE BUDGET PROPOSAL 2019/20

Reference	Proposal	Description	(Saving) /Pressure £000s
AB1	<b>Administration Proposals to reverse/amend</b>		
	Parking Charges	Retention of the 30 minutes free parking proposals.	770
	<b>Total Base Budget Amendments</b>		<b>770</b>
	<b>New Savings Proposals</b>		
AB2	Reversal of Proposal to increase member and governance support Table at paragraph 3.4 in the 2019/20 Budget report.		(165)
AB3	Reversal of communications and community projects proposal Table at paragraph 3.4 in the 2019/20 Budget report. - this amends the proposed growth item from £0.261m to £0.050m	Reinstatement of the Living in Havering efficiency and removal of growth £111k Removal of growth to fund events in Romford Market £50k Reinstatement of part efficiency saving seeking alternative funding for Havering Lights £50k	(211)
AB4	Reinstatement of the 2018/19 saving in the Communications Team Table at paragraph 3.4 in the 2019/20 Budget report.		(130)
AB5	Reduction in revenue funding for borrowing for the additional Highways Investment programme.	This reduces the capital investment by £2.64m in the first year	(264)
	<b>Total Savings</b>		<b>(770)</b>

	<b>TOTAL IMPACT ON COUNCIL TAX LEVEL</b>	

<b>0</b>

Reference	One Off proposals	
AB6	<b>Revenue expenditure</b>	
	Chafford	This would fund the expenditure required to keep the Chafford sports centre open for a full year whilst the future of leisure provision in this area is clarified and evaluated. This would be funded by the one off levy reimbursement from central govt.
AB7	<b>Capital expenditure</b>	
	Contribution to capital expenditure - in light of the proposal to maintain the free parking at AB1	This would add to the Highways capital programme to compensate for the reduction in capital from the revenue funding for borrowing
	<b>Total One Off Funding Proposal</b>	

	£000s
	232
	290
	<b>522</b>

Reference	Capital Programme Impact	
AB8	<b>Highways Investment Programme</b>	
	Capital - Highways Investment Programme in roads and footways - reduction in spend	The reduction in the budget for revenue funding for borrowing at AB5 reduces the investment by £2.64m
AB9	Add capital contribution from the remainder of the one off levy reimbursement as in AB7 above	
	<b>Revised Highways Investment</b>	

	£000,s
	10,000
	(2,640)
	290
	<b>7,650</b>



## VOTING RECORD

<i>DIVISION NUMBER:</i>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>The Mayor [Cllr. Dilip Patel]</b>	✓	✗	✓	✗	✓
The Deputy Mayor [Cllr. Michael Deon Burton]	0	✗	✓	✗	✓
<b>CONSERVATIVE GROUP</b>					
Cllr Robert Benham	✓	✗	✓	✗	✓
Cllr Ray Best	✓	✗	✓	✗	✓
Cllr Joshua Chapman	✓	✗	✓	✗	✓
Cllr John Crowder	✓	✗	✓	✗	✓
Cllr Philippa Crowder	✓	✗	✓	✗	✓
Cllr Osman Dervish	✓	✗	✓	✗	✓
Cllr Jason Frost	✓	✗	✓	✗	✓
Cllr Judith Holt	✓	✗	✓	✗	✓
Cllr Robby Misir	✓	✗	✓	✗	✓
Cllr John Mylod	✓	✗	✓	✗	✓
Cllr Nisha Patel	✓	✗	✓	✗	✓
Cllr Bob Perry	✓	✗	✓	✗	✓
Cllr Viddy Persaud	✓	✗	✓	✗	✓
Cllr Roger Ramsey	✓	✗	✓	✗	✓
Cllr Timothy Ryan	✓	✗	✓	✗	✓
Cllr Carol Smith	0	✗	✓	✗	✓
Cllr Christine Smith	✓	✗	✓	✗	✓
Cllr Matt Sutton	✓	✗	✓	✗	✓
Cllr Maggie Themistocli	✓	✗	✓	✗	✓
Cllr Christine Vickery	✓	✗	✓	✗	✓
Cllr Ciaran White	✓	✗	✓	✗	✓
Cllr Damian White	✓	✗	✓	✗	✓
Cllr Michael White	✓	✗	✓	✗	✓
<b>RESIDENTS' GROUP</b>					
Cllr Nic Dodin	0	✓	0	✓	0
Cllr Paul Middleton	0	✓	0	✓	0
Cllr Sally Miller	0	✓	0	✓	0
Cllr Raymond Morgon	0	✓	0	✓	0
Cllr Barry Mugglestone	0	✓	0	✓	✗
Cllr Stephanie Nunn	0	✓	0	✓	✗
Cllr Gerry O'Sullivan	0	✓	0	✓	0
Cllr Reg Whitney	0	✓	0	✓	0
<b>INDEPENDENT RESIDENTS' GROUP</b>					
Cllr David Durant	0	✓	✗	✓	✗
Cllr Tony Durdin	0	✓	✗	✓	✗
Cllr Jan Sargent	0	✓	✓	✓	✗
Cllr Natasha Summers	0	✓	✗	✓	✗
Cllr Jeffrey Tucker	0	✓	✗	✓	✗
Cllr Graham Williamson	0	✓	✗	✓	✗
<b>UPMINSTER &amp; CRANHAM RESIDENTS' GROUP</b>					
Cllr Clarence Barrett	A	A	A	A	A
Cllr Gillian Ford	0	✓	0	✓	✗
Cllr Linda Hawthorn	0	✓	✗	✓	✗
Cllr Ron Ower	0	✓	✗	✓	✗
Cllr John Tyler	0	0	0	✓	✗
Cllr Christopher Wilkins	0	✓	✗	✓	✗
<b>LABOUR GROUP</b>					
Cllr Carole Beth	✗	✗	✗	✓	✗
Cllr Keith Darvill	✗	✗	✓	✓	✗
Cllr Tele Lawal	✗	✗	✗	✓	✗
Cllr Paul McGeary	✗	✗	✓	✓	✗
Cllr Denis O'Flynn	✗	✗	✓	✓	✗
<b>NORTH HAVERING RESIDENTS' GROUP</b>					
Cllr Brian Eagling	✓	✗	✓	✗	✓
Cllr Martin Goode	✓	✗	✓	✗	✓
Cllr Darren Wise	✓	✗	✓	✗	✓
<b>INDEPENDENT</b>					
Cllr Melvin Wallace	✓	✗	✓	✗	✓
<b>TOTALS</b>					
✓ = YES	27	18	33	24	29
✗ = NO	5	34	10	29	18
0 = ABSTAIN/NO VOTE	21	1	10	0	6
ID = INTEREST DISCLOSED/NO VOTE	0	0	0	0	0
A = ABSENT FROM MEETING	1	1	1	1	1
	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>

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## **FULL COUNCIL, 20 March 2019**

### **REPORT OF GOVERNANCE COMMITTEE**

#### **REVIEW OF COUNCIL PROCEDURE RULES**

At its previous meeting on 23 January 2019, Full Council resolved to refer back to Governance Committee for further consideration the report on proposed amendments to procedure rules for meetings of Full Council.

Governance Committee subsequently met on 7 March 2019 and resolved to re-submit the same amendments to the council procedure rules as proposed previously. The report (attached) proposes amendments which are intended to facilitate the efficient and effective conduct of business at meetings of Full Council.

The report as presented recommends to Full Council that:

- 1. (a) The number of ordinary meetings of Council be reduced from 7 to 6 so that the pattern of meetings be:**
  - a. January**
  - b. February (Council Tax and budget)**
  - c. March**
  - d. May (the Annual Meeting)**
  - e. July**
  - f. September**
  - g. November**
- (b) The Leader's statement is to take place at the annual meeting (May), without any subsequent debate**
- (c) Consideration of Council questions (to remain at 15 allocated proportionately amongst opposition groups) will be limited to 45 minutes in duration.**
- (d) Consideration of motions will be limited to 75 minutes in duration (or such lesser time before the three hour meeting duration time permits).**
- (e) Any motions or amendments not finished in the time available, either for the duration of the meeting or in the time available for that item, will be dealt with by vote only.**
- (f) Rules of debate will be a single debate procedure in the following format (with the intermediate debate procedure being deleted):**
  - five minutes for a mover of a motion or an amendment or an amendment to a report**
  - three minutes for other speeches in any debate****Rights of reply (up to three minutes) may be exercised in the following order:**

- The Leader of the Group by which any motion, recommendation or amendment was proposed or, if the mover is not a member of a Group, that Member.
  - Where more than one Group or individual Member has proposed a motion or amendment, each shall be entitled to exercise a right of reply, in the order in which the motion or amendment(s) appears on the agenda.
  - The Leader of the Council
- (g) Every ordinary or special meeting of Full Council shall terminate after 3 hours or no later than 10:30pm whichever is earlier) provided that Full Council may decide to adjourn the meeting to a specified date on a motion to this effect being proposed and put to the vote without debate.
- (h) If there are motions or recommendations on the agenda that have not been dealt with (or withdrawn by the mover with the agreement of members) by 10.15 p.m. they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way.
- 2 To RECOMMEND that any changes to the council procedure rules commence with the 2019 Annual Meeting of Full Council.
3. To RECOMMEND to Council that the Monitoring Officer be authorised to amend the Constitution in accordance with Appendix C of the report.



## GOVERNANCE COMMITTEE

<b>Subject Heading:</b>	Revisions to Council Procedure Rules
<b>SLT Lead:</b>	Andrew Blake-Herbert
<b>Report Author and contact details:</b>	Kathryn Robinson The Council's Monitoring Officer <a href="mailto:kathryn.robinson@onesource.co.uk">kathryn.robinson@onesource.co.uk</a>
<b>Policy context:</b>	Council Constitution
<b>Financial summary:</b>	There are no direct financial implications arising from the report

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

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

### SUMMARY

At its meeting in March 2018 Full Council resolved to review the operation of its meetings. It delegated responsibility for that review to the Governance Committee.

Governance Committee will be asked to recommend its preferred changes to the council meeting procedure rules, with the final decision resting with all members at a meeting of Full Council.

There are few legal or other requirements relating to the conduct and business of Full Council, and so while there are common themes and similar content in Council Procedure Rules across the London Boroughs and within other Principal Councils, the format is largely a matter of local choice for members to decide and accordingly this report does not set out any officer recommendations.

The proposals set out in this report for discussion by Governance Committee are those of the Administration after considering the views of all the Group Leaders. Group Leaders met individually with the Council Leader and the Monitoring Officer to share their thoughts on how meetings of Full Council should operate. There are any number of different ways in which the procedure rules can be altered, it is fair to say there were as many views on options as there are Group Leaders and there was no consensus that any particular aspect be changed.

The proposals put forward are those aimed at improving the efficient and effective conduct of business transacted at meetings of Full Council within the time available.

In addition to the substantive changes there a number of minor amendments which seek to simplify the understanding and interpretation of the procedure rules, the result of which will assist in the smooth running of Full Council meetings

## RECOMMENDATIONS

- 1 To RECOMMEND to Council that, in the interests of good governance and the efficient and effective conduct of business:
  - (a) The number of ordinary meetings of Council be reduced from 7 to 6 so that the pattern of meetings be:
    - a. January
    - b. February (Council Tax and budget)
    - c. March
    - d. May (the Annual Meeting)
    - e. July
    - f. September
    - g. November
  - (b) The Leader's statement is to take place at the annual meeting (May), without any subsequent debate
  - (c) Consideration of Council questions (to remain at 15 allocated proportionately amongst opposition groups) will be limited to 45 minutes in duration.
  - (d) Consideration of motions will be limited to 75 minutes in duration (or such lesser time before the three hour meeting duration time permits).
  - (e) Any motions or amendments not finished in the time available, either for the duration of the meeting or in the time available for that item, will be dealt with by vote only.
  - (f) Rules of debate will be a single debate procedure in the following format (with the intermediate debate procedure being deleted):

- five minutes for a mover of a motion or an amendment or an amendment to a report
- three minutes for other speeches in any debate

Rights of reply (up to three minutes) may be exercised in the following order:

- The Leader of the Group by which any motion, recommendation or amendment was proposed or, if the mover is not a member of a Group, that Member.
  - Where more than one Group or individual Member has proposed a motion or amendment, each shall be entitled to exercise a right of reply, in the order in which the motion or amendment(s) appears on the agenda.
  - The Leader of the Council
- (g) Every ordinary or special meeting of Full Council shall terminate after 3 hours or no later than 10:30pm whichever is earlier) provided that Full Council may decide to adjourn the meeting to a specified date on a motion to this effect being proposed and put to the vote without debate.
- (h) If there are motions or recommendations on the agenda that have not been dealt with (or withdrawn by the mover with the agreement of members) by 10.15 p.m. they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way.

- 2 To RECOMMEND that any changes to the council procedure rules commence with the 2019 Annual Meeting of Full Council.
3. To RECOMMEND to Council that the Monitoring Officer be authorised to amend the Constitution in accordance with Appendix C

<b>REPORT DETAIL</b>
----------------------

## **BACKGROUND**

- 1 For the purposes of this report “Council” means the meeting presided over by the Mayor to which all Members are summoned. It is sometimes also referred to as “Full Council” in order to avoid confusion with other uses of the word “Council”. There are very few legal requirements and constraints on the formatting of Council meetings The Local Government Act 1972 (“the Act”) governs meetings of full Council. It requires that there be an Annual Meeting and such other meetings as are needed: in order to comply with the legislation relating to the budget and Council Tax, there must also be a meeting at which the Council Tax and budget for the following year are set. The arrangements also need to provide for certain reports and decisions to be

made where those decisions are reserved to Full Council, for example agreeing the Constitution.

- 3 It has become customary for the Council to hold six other meetings, termed “ordinary meetings”, in the course of the year at roughly two monthly intervals (August aside) and other meetings, termed “extraordinary meetings” are occasionally called.
- 4 Council meetings (other than the Council Tax/Budget meeting and the Annual Meeting) are generally divisible into four parts:
  - standard business (such as apologies, minutes and announcements)
  - consideration of reports and recommendations from Cabinet, Committees and statutory officers
  - dealing with Members’ Questions
  - debating motions

#### Meeting arrangements (the guillotine)

- 5 Council meetings customarily end at or about 10.30pm, the procedure being that once a meeting has lasted for three hours, from its starting time, unless some other arrangement is agreed at the meeting, the business then in hand will continue until finished and any other business then remaining will (unless withdrawn) be dealt with without debate and by vote only. Only very occasionally have Council meetings concluded in the time available, often to the frustration of those Members/Groups who have submitted items for debate only for such matters to go vote only or be carried over for consideration at the next Council meeting a couple of months later.

#### Members’ questions

- 6 Council questions has become a staple of Full Council meetings with many changes over the years concerning its operation. The Rules provide that questions must relate to the business of the Council.
- 7 For many years, a time restriction of 30 minutes was imposed which was considered adequate given the number of questions being submitted. However, the number of questions submitted was regularly in excess of 20 with the 30 minute time restriction considered insufficient for them all to be dealt with. The 30 minute time limitation was therefore removed and a maximum number of questions (15) introduced. Those questions are allocated proportionately to the size of opposition groups. In addition to the question included on the agenda papers, a supplementary question can also be posed at the meeting.



- 8 Consideration of the Council questions section of the agenda often exceeds 45 minutes.

### Motions and debates

- 9 There is at present no restriction on the number of motions for debate which can be submitted at any one Council meeting and no time restriction for them to be debate. . Motions are accepted on a first-come first-served basis and there have been on average 4 motions submitted per council meeting over the past year (excluding Budget and Annual Council meetings).
- 10 In the time available at the meeting usually one, on occasion two motions are debated in full. It is rarely the case that all motions on the agenda are debated. Those remaining motions not debated are either dealt with by vote (owing to the close of the meeting) or carried over at the request of the mover to the subsequent meeting of Council some two months later.
- 11 The rules of debate permit movers of a motion to have a maximum of 10 minutes to speak with general debate limited to 5 minutes per Member. Rights of reply are afforded to the mover of motion, any members who have submitted amendments, to the Leader of the Opposition, and finally to the Leader of the Council (each having up to 5 minutes). It is a regular occurrence for debates on a motion to last up to 1 hour. Intermediate debate rules which reduce the time permitted for each speaker, are rarely employed.
- 12 Dealing with Members' Questions and debating motions are not statutory business but rather have developed on the basis of customary practice and are common place in other Councils.

### Options for other approaches

- 13 Provided there are Annual and Council Tax/budget meetings and arrangements exist to ensure that all statutory and such non-statutory business as can only be discharged by the Council is dealt with, the frequency, length and content of Council meetings is a matter for Members to determine.
- 14 Arrangements for Council meetings vary greatly between Councils, although there are also many similarities. The Appendix 1 to this report sets out brief details of the arrangements made by a number of Councils.
- 15 There is scope to review the frequency of meetings. The June meeting of Council is an opportunity to consider business which would not otherwise have been considered at the Annual Meeting in May (ie. questions, motions, etc.) and to debate the Leader's speech. There is however a timetabled meeting of Council in July where such matters could be dealt with thereby reducing the overall number of meetings to 7 per year.

- 16 In respect of Council questions, a time-limit of 45 minutes could be introduced with retention of the proportionality-based allocation of 15 questions to the opposition groups. Any remaining questions not addressed within the time available will be dealt with by way of written response circulated to all Members.
- 17 The introduction of a time limit for consideration of motions is a common theme amongst many local authorities. A **75** minute slot could be introduced with motions processed on the basis of first-come first-served as per the existing procedure and any motions or amendments not heard in the time available will be dealt with by vote only or withdrawn but only with the consent of Full Council. Deferred motions must be resubmitted for consideration at the following meeting of Full Council.
- 18 In order to facilitate the introduction of a time limit for consideration of motions, the rules of debate for Ordinary meetings of Council could be amended so that movers of a motion and any amendments have 5 minutes, with general debate moved to 3 minutes per Members. This is more in line with the intermediate debate process. Rights of reply could be limited to the Leader of the Group by which any motion or amendment was proposed and to the Leader of the Council.
- 19 The procedure rules in respect of the guillotine are complex and would benefit from simplification. It is suggested that meeting duration remain at three hours and that any business not transacted within that time is dealt with by vote only or deferred with the consent of Full Council (in the case of motions only).
- 20 To assist Members in assessing the impact of the changes outlined Appendix B sets out how the business of Council meetings would be dealt with in the time available before the meeting closes.
- 21 There are a number of other minor revisions which to seek to simplify understanding and the ability to interpret the procedure rules. It is not proposed to significantly alter the content, with amendments relating primarily to the order and language of the rules. A draft is attached as Appendix C.

## IMPLICATIONS AND RISKS

### **Financial implications and risks:**

The current cost of servicing full Council meetings is met from within existing resources. Any significant change in the make up, frequency or format of meetings may have a resource impact, which would need to be assessed following any decision.

**Legal implications and risks:**

The Council has a statutory obligation to meet in May for the Annual Meeting and in February to set the Council Tax and Budget. All other meetings are held at the Council's discretion (except where they are in response to a requisition for an extraordinary meeting).

The format and conduct of Council meetings is a matter within the Council's control subject to the administrative law principle of Wednesbury reasonableness.

**Human Resources implications and risks:**

There are no immediate HR implications arising from this report.

**Equalities implications and risks:**

There are no immediate equalities implications arising from this report.

**BACKGROUND PAPERS**

None

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## APPENDIX A

The following table indicates the arrangements made by a number of local authorities for the format of their Council meetings.

The table is followed by some brief details of the Councils' agenda arrangements.

<b>Local Authority</b>	<b>Frequency of Council Meetings</b>	<b>Members Questions &amp; Time Allocated</b>	<b>Inclusion of refreshment break</b>	<b>Individual speech times</b>	<b>Motion limitations</b>	<b>Business remaining at guillotine</b>
<b>Barking &amp; Dagenham</b>	6 per annum	2 per Member. Those not dealt with by close of business receive written reply	No	2 minutes per Member. Total of 10 minutes per motion	10 minutes maximum per motion. No limitation on numbers	Business to be completed within 2 hours of the start of the meeting. Any remaining business carried over
<b>Brent</b>	6 per annum	Up to 9 questions. 1 minute to ask question, 2 minute maximum for reply	No	3 minutes for mover and general debate. 5 minutes for Leader right of reply	Maximum of 3 per meeting (1 each per political group)	Business to be completed within 3 hours (10pm). Unless otherwise directed by procedural motion all remaining items will go straight to the vote.
<b>Bexley</b>	5 per annum	2 questions per Member 15 Minutes allocated for Members questions (15 minutes also for public questions)	No	10 minutes for mover 5 minutes for general debate and replies (Leader only).	30 minute maximum for motions. No limitation on numbers. Motions not debated will be carried over.	11pm finish (3.5 hours in total). Any remaining business put to the vote
<b>Enfield</b>	8 per annum	20 questions, up to 30 minutes	No	5 minutes to the mover of a motion and to the first	Timed agenda for each	10:15pm finish (after 3.25 hour duration). Remaining items under

				opposition speaker in response, 3 minutes to the seconder and to other speakers, 2 minutes for right of replies	meeting agreed by Leader in consultation with opposition.	discussion will go to the vote. Any motions not debate can be carried over.
<b>Islington</b>	6 per annum	30 minutes. Maximum of 2 questions per Member	No	5 minutes for mover, anyone else speaking on the motion and the right of reply up to 3 minutes.	No more than 2 per Member	3 hour meeting duration. Any business not completed by 10:30pm goes to the vote
<b>Southwark</b>	5 per annum	30 minutes (15 minutes for Leader questions and 15 minute for others)	No	5 minutes for mover, general debate and right of reply up to 3 minutes	None	3 hours after the start of the meeting. Motions not dealt with go the vote. Any other items not dealt with (eg. reports) are given 15 minute extension, after which time such matters go to the vote.

**ORDINARY MEETINGS (indicative timetable)**

<b>ITEM</b>	<b>SPEECH TIMES</b>	<b>ITEM LENGTH</b>	<b>REASON FOR CHANGE</b>
<b><u>ADMINISTRATIVE ITEMS</u></b>  Prayers Apologies for Absence Minutes Disclosures of Interest Announcements Petitions	N/A	Approx. 15 minutes	N/A
<b><u>COMMITTEE REPORTS &amp; RECOMMENDATIONS</u></b>  Governance O&S Cabinet Annual reports	Where amendments are received subject to the proposed rules of debate as set out in the report and below in 'motion' table	Approx. 15 minutes (ON AVERAGE but no specified time limit)	To ensure efficient use of time available for the meeting so that all business is transacted before the guillotine
<b><u>COUNCIL QUESTIONS</u></b>	Up to 15 questions allocated on proportionality. Supplementary questions only	45 Minutes	To improve efficiency. Council questions and answers are available in advance of the commencement of the meeting thereby enabling only the supplementary question to be posed.
<b><u>BREAK</u></b>		15 minutes (at mayor's discretion)	
<b><u>MOTIONS</u></b>	(1) Mover (motion or amendment)– 5 mins (2) General debate – 3 mins	Items duration maximum of 75 minutes, or such lesser time as the three hour meeting duration permits	To improve meeting efficiency. It is rarely the case that all motions are debated at meetings of Council. By

	(3) Replies – 3 mins		reducing debate times and imposing a time limit business will be transacted in a more efficient manner
<b><u>GUILLOTINE (10:15PM)</u></b>			Remaining business to be moved to the vote with meeting concluded by 10:30pm





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**COUNCIL PROCEDURE RULES**

**Rule CONTENTS**

1. Annual meeting of the Council
2. Ordinary meetings
3. Council Tax setting meeting
4. Extraordinary meetings
5. Time and place of meetings
6. Notice of and summons to meetings
7. Chairman of meeting
8. Quorum
9. Duration of meeting and the guillotine
10. Questions by members
11. Motions
12. Procedural motions
13. Rules of debate
14. Petitions
15. Voting
16. Minutes
17. Exclusion of public
18. Members' conduct
19. Disturbance by the public
20. Suspension and amendment of Council Procedure Rules
21. Audio-Visual aids
22. Webcasting, Broadcasting and Recording of proceedings
23. Conferment of Awards for Eminent Service
24. Interpretation

## 1. ANNUAL MEETING OF THE COUNCIL

- 1.1 In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the annual meeting will normally take place in May but may, if the Council so agrees, take place in March or April.
- 1.2 Other than in a year when there is an ordinary election of Councillors, an extraordinary meeting of the Council shall be held in accordance with Council Procedure Rule 4.3, commencing at 7:30pm, and the Annual meeting shall commence immediately following the conclusion of that extraordinary meeting. In the year of an election, there shall be no extraordinary meeting by Council Procedure Rule 2(d) shall apply.
- 1.3 The business of the Annual Meeting shall be to:
- (a) choose a Member to preside if the outgoing Mayor is not present and to receive apologies for absence;
  - (b) elect the Mayor of the Borough for the forthcoming municipal year and receive notice of the appointment of the Deputy Mayor;
  - (c) approve the minutes of the last meeting and of any subsequent extraordinary meeting;
  - (d) receive any declarations of interest from members
  - (e) receive any announcements from the Mayor and/or Chief Executive;
  - (f) in a year when there is an ordinary election of Councillors, elect the Leader of the Council, and receive notice of the appointment of the Deputy Leader of the Council and the Members of the Cabinet
  - (g) appoint the Overview and Scrutiny Board or Sub-Committees and any such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions; appoint their Chairmen and Vice Chairmen; and appoint the following seven Champions:
    - (i) for Diversity
    - (ii) for the Historic Environment
    - (iii) for the Over Fifties
    - (iv) for Standards
    - (v) for the Voluntary Sector Compact
    - (vi) for Younger Persons
    - (vii) for Armed Forces veterans

(h) To receive an annual statement by the Leader of the Council relating to any aspect of the Council policy or in respect of any issue affecting the Council or the borough.

1.4 The Initial, Revised and Final Agendas for the Annual Meeting, and any papers or other submissions for consideration at that meeting, shall be delivered in accordance with Timetable 1 appended to these Rules.

## **2. ORDINARY MEETINGS**

Ordinary meetings of the Council will take place in accordance with a programme decided by the Council at the last ordinary meeting of the preceding municipal year. Ordinary meetings will:

- (a) choose a Member to preside if the Mayor is absent and to receive apologies for absence;
- (b) approve the minutes of the last meeting and of any subsequent extraordinary meeting;
- (c) receive any declarations of interest from members;
- (d) at the first ordinary meeting after the Annual Meeting immediately following an ordinary election of Councillors, consider whether to:
  - (i) confer on any former Member who has rendered eminent service to the Council the office of Honorary Alderman;
  - (ii) to present to any other Member a certificate of service; and
  - (iii) confer on any person of distinction or who has rendered eminent service to the borough the Honorary Freedom of the Borough
- (e) receive any announcements from the Mayor, the Leader of the Council and/or the Chief Executive;
- (f) receive any petitions pursuant to rule 14;
- (g) receive and consider the following business, in the order indicated:
  - (i) recommendations from the Cabinet and the Council's committees;
  - (ii) reports of the Chief Executive, Monitoring Officer or Chief Finance Officer;
  - (iii) proposals from the Cabinet in relation to the Council's budget and policy framework;
  - (iv) reports of the Overview and Scrutiny Board and/or the Member Champions;
  - (v) any statutory or other plans submitted for the Council's approval;

- (vi) at the last ordinary meeting in the Municipal year, approve a programme of ordinary meetings of the Council for the following year;
- (vii) any motions relating to the appointment of Chairmen or Vice-Chairmen of Committees (which shall be submitted in accordance with Rule 11 following);
- (h) receive reports for the previous year from the Chairmen of the Overview and Scrutiny Committees, the Audit Committee and the Pensions Committee:
  - (i) except in the year when there are Borough Elections, at the first ordinary meeting in the Municipal Year; and
  - (ii) in the year when there are Borough Elections, at the last ordinary meeting before those elections;
- (i) at the annual meeting of each Municipal Year, receive reports for the previous year from the Member Champions;
- (j) consider questions from members submitted in accordance with Rule 10;
- (k) debate any petition exceeding the threshold of 3,500 signatories, and reach a decision on it, in accordance with the procedure set out in Rule 14
- (l) consider any motions submitted in accordance with the procedure set out in Rule 11; and
- (m) consider any other business specified in the summons to the meeting.

The Initial, Revised and Final Agendas for an ordinary meeting, and any papers or other submissions for consideration at that meeting, shall be delivered in accordance with Timetable 2 appended to these Rules.

### **3. COUNCIL TAX SETTING MEETING**

At the meeting at which the Council Tax for any year is to be set, the order of business shall be:

- (a) to choose a Member to preside if the Mayor is absent and to receive any other apologies for absence;
- (b) to approve the minutes of the last ordinary meeting of the Council and of any subsequent extraordinary meeting that may have been held;
- (c) to receive any declarations of interest from members;
- (d) to receive any announcements by the Mayor and/or the Leader of the Council;

- (e) to consider proposals from the Cabinet in relation to the Council's budget and any reports of the Overview and Scrutiny Board in respect of those proposals;
- (f) to agree the Council's budget; and
- (g) to set the council tax.

The Initial, Revised and Final Agendas for the Council Tax setting meeting, and any papers or other submissions for consideration at that meeting, shall be delivered in accordance with Timetable 3 appended to these Rules.

#### **4. EXTRAORDINARY MEETINGS**

##### **4.1 Calling extraordinary meetings**

Those listed below may request the Proper Officer to call Council meetings in addition to ordinary meetings:

- (a) the Council by resolution;
- (b) the Mayor;
- (c) the Monitoring Officer;
- (d) pursuant to statute, any five members of the Council if they have signed a requisition presented to the Mayor and he has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

The Mayor shall, at his absolute discretion, set the date and time for the extraordinary meeting (subject to the statutory right of the Members who have requisitioned a meeting to do so in the event that the Mayor fails to do so) for any time prior to the commencement of the next ordinary meeting of the Council (including the Annual Meeting and the meeting at which the Council Tax is set).

The timetable for extraordinary meetings and rules as to amendments etc., will be set by the Mayor (or by the proper officer, in the event of Members exercising their default right) when the meeting is convened.

##### **4.2 Business**

The extraordinary meeting will:

- (a) choose a Member to preside if the Mayor is absent and receive any other apologies for absence; and
- (b) consider the business specified in the summons for the meeting.

#### **4.3 Conferment of Honorary Freedom**

Immediately before the Annual Meeting of the council in any year other than when there is an ordinary election of Councillors, an extraordinary meeting shall be convened for the purpose of considering an nomination for the conferment of the Honorary Freedom of the Borough in accordance with Council Procedure Rule 23.

#### **5. TIME AND PLACE OF MEETINGS**

Meetings of the Council will be held at Havering Town Hall (or such other place that may be determined either by the Council generally or by the Mayor for a particular meeting) and begin at 7.30pm unless an earlier time is agreed in advance by the Council, or by the Mayor, and the change is notified in the summons.

#### **6. NOTICE OF AND SUMMONS TO MEETINGS**

The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least 5 clear days before a meeting, the Proper Officer will send a summons by post to every member of the Council or leave it at their usual place of residence; a Member may request the Proper Officer to make the summons, agenda and papers available by e-mail, electronic means (and the sending of which documents by electronic means on request shall be deemed to be due delivery). The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

The Proper Officer shall also circulate to Members, for their information, an Initial Agenda and a Revised Agenda before the Final Agenda is issued, but neither shall be regarded as defining the agenda for the meeting.

The Proper Officer may publish one or more supplementary agenda(s) after publication of the final agenda, where to do so is necessary in the interests of the proper conduct of the meeting.

#### **7. CHAIRMAN OF MEETING**

- (a) the person presiding at the meeting may exercise any power or duty of the Mayor in relation to the conduct of that meeting;
- (b) the ruling of the Mayor in relation to any aspect of the conduct of the meeting shall not be questioned;
- (c) whenever the Mayor rises during a debate, any member then speaking or standing shall be seated and the Council shall be silent.
- (d) the Mayor shall in addition to statutory and common law powers and any other powers herein, have power to govern the meeting, curtail any



debate, keep order, alter the order of business, amalgamate debates and in general organise the business of the meeting.

## **8. QUORUM**

The quorum of a meeting will be one quarter of the whole number of members. During any meeting if the Mayor counts the number of members present and declares there is not a quorum present, then the meeting will be adjourned immediately. Remaining business will be considered at a time and date fixed by the Mayor. If he does not fix a date, the remaining business will be considered at the next ordinary meeting.

## **9. DURATION OF MEETINGS AND THE GUILLOTINE**

### **9.1 Conclusion of ordinary and special meetings**

Every ordinary or special meeting of Full Council shall terminate after 3 hours or no later than 10:30pm (whichever is earlier) and the Mayor shall declare the meeting closed

If there are motions or recommendations on the agenda that have not been dealt with by 10.15 p.m. they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way.

### **9.2 Conclusion of the Annual Meeting and of the Council Tax Setting meeting**

The Annual Meeting and the Council Tax Setting Meeting shall continue until all business has been dealt with, whereupon the Mayor will declare the meeting closed.

## **10. QUESTIONS BY MEMBERS**

### **10.1 Questions on notice at full Council**

Subject to Rule 10.2, a member of the Council may ask a question on any matter relating to the business of the Council:

- (a) The Leader of the Council
- (b) A member of the Cabinet
- (c) Any Committee Chairman who is a Member of the Council
- (d) A Champion

In the absence of one of the above listed in (a) to (d), the Chairman shall arrange for another Member to respond on their behalf.

## 10.2 Notice of questions

- (a) Members may only ask questions under Rule 10.1 if either:
  - (i) They have given 11 clear days' notice in writing to the Proper Officer signed by the Member or by the Group Leader on behalf of that Member.
  - (ii) the question relates to an urgent matter of which prior notice could not, in the circumstances, have been given and the Mayor accepts the question before the start of the meeting.
- (b) The Proper Officer shall refer to the Mayor any question that appears improper. If the Mayor agrees that the question is vexatious, scurrilous, frivolous or derogatory, is contrary to any provision of any Code, protocol, guideline or convention of the Council, does not relate to the business of the Council, or is otherwise improper or inappropriate it shall not be asked and the Chief Executive shall inform the questioner accordingly.

## 10.3 Order of questions

The allocation of the total number of questions set by Rule 10.6 shall be as near as possible in accordance with the relative size of the opposition political groupings and number of members not attached to a group. The Chief Executive shall determine the allocation from time to time and shall notify the Governance Committee of the allocations.

Subject to the following provisions, questions shall be dealt with in order of receipt.

Where there are questions from more than one Member of a Group or from Members not attached to a Group, questions shall be dealt with by rounds, such that:

- (a) round one shall comprise the first of the questions asked by any of the Members of each Group or by any unattached Member(s);
- (b) subsequent rounds shall comprise successive questions in such order until a Group or unattached member(s) have used their allocation of questions.
- (c) In the event that a Group does not use its full allocation of questions the remaining allocation shall be available for use by any other Group or unattached Member who has already submitting their agreed allocation of question on a first come, first serve basis.

Where appropriate in the public interest or to facilitate the business of the meeting, the Mayor may give priority to answering one or more questions.

#### **10.4 Response**

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer shall be provided later to the questioner and included in the minutes of the meeting.

#### **10.5 Supplementary question**

- (a) A member asking a question may ask one supplementary question without notice, of the member to whom the principal question was asked. The supplementary question must arise directly out of the original question or the reply. . This is never used – but if it is to be taken out we might need to tell them
- (b) There shall be no discussion or debate on any question. Members must phrase supplementary questions appropriately and not seek to make a statement, introduce new business or initiate a debate on the matter.

#### **10.6 Number of Questions**

A maximum of 15 questions can be submitted for a Council meeting all of which together with any supplementary questions under rule 10.5 will receive an oral reply at the meeting. Any questions in excess of the maximum number that are submitted will be treated as a Member enquiry and receive a written response.

#### **10.7 Time allowed for Questions**

The time set aside for questions shall not exceed 45 minutes. Any questions which have not been put in the time available will be responded to in writing, circulated to all Members and included in the minutes of the meeting.

#### **10.8 Absence of questioner**

Where a member has given notice of a question but is absent from the meeting, the Group Leader (or another Member of the Group nominated by the Group Leader) may ask the question on the Member's behalf, otherwise the question shall be dealt with as if it had been put for written answer.

#### **10.9 Alteration of question prior to publication of final agenda**

A member asking a question, or the Leader of the Group on behalf of that member, may at any time prior to the publication of that question in the final agenda for the meeting require the Chief Executive to alter the wording of that

question in order to correct factual or typographical error. No alteration shall affect the sense of any such question, and where the Chief Executive doubts the propriety of such an alteration, the Mayor may agree that it shall not be accepted. The Mayor's ruling on the matter shall not be questioned.

#### **10.10 Withdrawal of question**

A question may be withdrawn at any time by the person who submitted the question or by the Leader of a member's Group (with that member's consent).

#### **10.11 List of Questions**

The agenda for each meeting shall include a list of the questions (indicating those for written answer) to be answered at that meeting.

The minutes of the meeting shall include:

- (a) the text of the question and answer of every question dealt with orally, in the order in which each was dealt with
- (b) a summary of any supplementary question and answer
- (c) the text of the question and answer of every question dealt with by written reply.

#### **10.12 Questions about reports**

A Member may question the Leader of the Council, a Cabinet Member, a Committee Chairman or a Member Champion, as appropriate, about the content of any report before Council. Questions:

- (a) About reports issued with the final agenda shall be submitted to the Proper Officer no later than the Monday before the meeting (but if the Monday is a Bank Holiday, the time limit will be extended to noon on the Tuesday before the meeting).
- (b) About an urgent report may, with the consent of the Mayor, be asked without notice at the time the report is considered by Council.

#### **10.13 Reports to Council and amendments**

Reports of Cabinet, Committees or officers to Council to which an amendment is proposed shall be deemed subject to a motion "that the report be adopted and its recommendations carried into effect", which shall be moved and seconded by members of the Administration or the relevant committee chairman and vice-chairman; and be subject to the rules of debate as set out in Rule 13.4.

In these Rules, "motion" includes a deemed motion in respect of a report. The provisions of Rules 11.1 and 11.2 shall not apply to a deemed motion (except insofar as section 100B(4) of the Local Government Act 1972 applies to that motion).

Amendments to any reports before Council shall be submitted to the Proper Officer as follows:

- (a) To reports issued with the final agenda, no later than the Monday before the meeting (but if the Monday is a Bank Holiday, the time limit will be extended to noon on the Tuesday before the meeting).
- (b) An amendment to an urgent report may be proposed without notice at any time before the debate on it is concluded,

## **11. MOTIONS OF WHICH NOTICE IS GIVEN**

11.1 Subject to Rule 11.2 following and except for motions which can be moved without notice under Rule 12, written notice of every motion, signed either by at least two members or by the Leader or Secretary of a Group, must be delivered to the Proper Officer not later than 10 clear days before the date of the meeting. Notice of such motions will be available for public inspection

11.2 If a member satisfies the Mayor that:

- (a) there are special circumstances of sufficient urgency to require debate by the Council but due notice could not be included on the final agenda for the meeting as the issue in question arose after the deadline provided for in Rule 11.1 and
- (b) where applicable, those reasons are sufficient to permit admission of the motion on to the agenda in exercise of the power conferred by section 100B(4) of the Local Government Act 1972

The Mayor shall have power to agree that the motion be moved as an urgent motion at the meeting notwithstanding that due notice has not been given. If possible, the Proper Officer shall include any urgent motion on the Final Agenda for a meeting but if that is not possible, shall issue a Supplementary Agenda including it.

### **11.3 Scope**

- (a) Motions must be relevant to a matter in which the Council has powers or duties or which affects the borough.
- (b) The Monitoring Officer may reject a Motion (or an amendment to a motion) if it:
  - (i) is not about a matter for which the local authority has a responsibility or which affects the borough;
  - (ii) is defamatory, derogatory, vexatious, scurrilous, frivolous or offensive
  - (iii) is substantially the same as a motion which has been put at a meeting of Full Council in the past six months;
  - (iv) requires the disclosure of confidential or exempt information;

- (v) seeks to pursue or further a complaint against a Councillor or an Officer of the Council, where other channels already exist for the determination of complaints
- (c) Where it would assist the proper or efficient conduct of the Council's business, the Mayor may direct that two or more motions relating to the same matter shall be debated together, with a separate vote on each one at the conclusion of the debate.
- (b) The Monitoring Officer shall be entitled to clarify the wording of motions and amendments with the proposer before committing the motion or amendment to the agenda and shall be entitled to amend the wording of a motion or amendment in consultation with the proposer prior to the meeting to clarify, correct, or make sense of the particular wording. The Monitoring Officer shall consult the Mayor if agreement on such clarification cannot be reached and the Mayor may direct that the motion or amendment shall not be included in the summons.

#### 11.4 **Motion set out in agenda**

Motions of which notice has been given will be listed on the agenda in the order in which notice was received and, subject to that, in the order in which the group submitting the motions expresses a preference.

#### 11.5 **Amendments to motions**

- (a) Notice of amendment (other than to an urgent motion) must be signed by at least two members or by the Leader or Secretary of a Group and must be delivered to the Proper Officer at least 6 clear days before the date of the meeting.
- (b) An amendment to an urgent motion may be proposed and seconded without notice at any time before the debate on it is concluded.
- (c) An amendment shall not be debated unless it has been moved and seconded. The mover or seconder of an amendment may not move or second any other amendment on the same motion without the consent of the Mayor.
- (d) An amendment to a motion must be relevant to the motion and will either be:
  - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
  - (ii) to leave out words;
  - (iii) to leave out words and insert or add others; or
  - (iv) to insert or add words.

provided that the effect of (ii) to (iv) is not to negate the motion.
- (e) If there is any doubt about the effect of the carrying of any amendment upon the original motion, the Mayor may direct that it be read out (or displayed, if projection equipment is available) before accepting any

further amendments, or if there is none, before a vote is taken on the substantive motion.

#### **11.6 Alteration of motion and/or amendment to a motion**

- (a) The mover of a motion or amendment, or the Leader of the Group on behalf of which a motion or amendment is proposed, may at any time prior to the publication of that motion or amendment in the final agenda for the meeting require the Proper Officer to alter the wording of that motion or amendment in order to correct factual or typographical error or to improve clarity.
- (b) At a meeting, the mover of a motion or amendment, or the Leader of the Group on behalf of which a motion or amendment is proposed or has been moved, must seek the consent of the Council to alter that motion or amendment.
- (c) No alteration under this rule shall affect the sense of any such motion or amendment, and where the Proper Officer doubts the propriety of such an alteration, upon considering such doubts the Mayor may agree that it shall not be accepted. The Mayor's ruling on that matter shall be final.
- (d) The meeting's consent will be signified without discussion and be determined by vote only.
- (e) The Mayor may accept at the request of the relevant Group Leaders and the original proposers of the motion and amendment either prior to the meeting or at the meeting, an agreed composite motion which unites the motion and amendment into one and which is capable of being placed before the meeting as an agreed composite motion.

#### **11.7 Withdrawal of motion or amendment**

A motion or amendment issued with the final agenda may be withdrawn or amended via a procedural motion (12.1(g)) but only once the meeting has commenced and at any time before the agenda item is called. The withdrawal or amendment of a motion will require the consent of Full Council. No member may speak on the motion or amendment after the mover has withdrawn it.

#### **11.8 Amendments to motions and reports at the Council Tax setting meeting**

- (a) An amendment to a motion/report at the annual Council tax setting must be submitted to the Chief Executive no later than 6 clear days before the Council tax setting meeting, and must be such that the amendment would, if passed, in the view of the Chief Finance Officer enable a robust budget to be set.
- (b) Upon receipt of such amendment, the Chief Finance Officer shall consider whether it meets the "robust budget" test, and:

- (f) If it does meet the test, the Proper Officer shall include it on the agenda for the meeting.
- (g) If it does not meet the test but the Chief Finance Officer considers that, duly altered, it will do so, that officer shall consult the proposers and, if they accept the alteration(s), the Proper Officer shall include it, as altered, on the agenda for the meeting.
- (h) If it does not meet the test and the Chief Finance Officer considers that, whether or not altered, it will not do so, that officer shall refer the amendment to the Proper Officer who shall proceed with it as an improper amendment under Rule 11(3)(b).
- (c) As it is imperative that there is a level playing field, any new base information relating to or affecting Council tax that comes to light after the Cabinet has made its Council tax recommendations will be supplied to all Groups at the same time by the Chief Finance Officer.

#### **11.9 Time allowed**

The total time for consideration of any motions or amendments for ordinary meetings shall not exceed 75 minutes. Any motion or amendment on the agenda that is not reached shall be deemed moved and seconded and/or any debate in progress shall be ceased by the Mayor and be moved to the vote without discussion.

### **12. PROCEDURAL MOTIONS**

#### **12.1 Procedural motions**

The following procedural motions may be moved and seconded at any time during the meeting, where appropriate before the conclusion of the business to which they relate, without notice and shall be voted on without discussion:

- (a) in relation to the accuracy of the minutes
- (b) to change the order of business in the agenda
- (c) to refer something to an appropriate body or individual;
- (d) to appoint a committee or member to a committee arising from an item on the summons for the meeting;
- (e) to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;
- (f) to apply to a motion (including a deemed motion relating to a report the vote only procedure (rule 13.6));



- (g) to withdraw a motion or amendment;
- (h) to clarify a motion or amendment;
- (i) to adjourn a debate to a time specified;
- (j) that the meeting continue beyond 10.30 p.m;
- (k) to suspend a particular council procedure rule in accordance with Rule 20
- (l) to exclude the public and press in accordance with s.100B of the Local Government Act 1972;
- (m) not to hear further a member named or to exclude them from the meeting under Rule 18;

## **12.2 Special procedural motions**

A member who has not previously spoken in the debate may, at the conclusion of a speech of another member, move one of the following special procedural motions:

- (a) “That the question be put”, or
- (b) “That the Council proceed to the next business”, or
- (c) “That the Council adjourn”.

If the special procedural motion is seconded, it shall be put to the vote forthwith and, if it is carried, then:

- (i) in case (a): the rights of reply given by Rule 13.6 may be exercised. The motion before the meeting shall then be put to the vote, or
- (ii) in case (b): the motion then before the Council shall be regarded as lost and the Council shall proceed to the next item on the agenda (if any), or
- (iii) in case (c): the meeting shall stand adjourned to a date to be fixed in accordance with Rule 9.1 (c)

## **12.3 PREVIOUS DECISIONS AND MOTIONS**

### **12.3.1 Motion to rescind a previous decision**

- (a) A motion or amendment to rescind a decision made at a meeting of Council within the past six months shall not be moved unless the notice of motion is signed by at least 25 per cent of the members.

- (b) A motion to rescind may be included within a motion seeking to alter the previous decision in question and the two motions shall be treated as one matter for debate.

### **12.3.2 Motion similar to one previously rejected**

- (a) A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months shall not be moved unless the notice of motion or amendment is signed by at least 25 percent of members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.
- (b) This rule shall not apply to motions moved in respect of a report or recommendation of a committee but shall apply to amendments to such a recommendation.

## **13 RULES OF DEBATE**

### **13.1 No speeches until motion seconded**

No speeches may be made after the mover has moved a proposal until the motion has been seconded.

### **13.2 Right to require motion in writing**

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him before it is discussed and may require it to be made available to all members. The text of such a motion may be displayed using the audio-visual display system within the Council Chamber.

### **13.3 Length of speeches**

No speech may exceed the following time limits without consent of the Mayor.

- (a) five minutes for a mover of a motion or an amendment
- (b) three minutes for other speeches in any debate

Except that, at the meeting setting the council tax under rule 3, the speeches of any Group Leader (or of a member nominated to speak on behalf of a Group Leader) on any motion or amendment relating to the council tax shall not exceed twenty minutes.

At the close of each debate upon a motion or report, or after a motion "That the question be put" has been carried, rights of reply may be exercised in the following order:

- (a) The Leader of the Group by which any motion, recommendation or amendment was proposed (if not the Leader of the Council or the Leader of the Opposition), or, if the mover is not a member of a Group, that Member.

(b) Where more than one Group or individual Member has proposed a motion or amendment, each shall be entitled to exercise a right of reply, in the order in which the motion or amendment(s) appears on the agenda.

(c) The Leader of the Council

In each case the appropriate Leader may nominate another member of their Group to reply on their behalf.

#### **13.4 Vote only procedure**

Where this procedure is invoked, the Mayor shall put the matter to a vote without debate. The motion and any amendment shall be deemed to have been moved and seconded, and shall be voted upon as if there are been a full debate of the matter.

#### **13.5 Seconding a motion or amendment**

No motion or amendment shall be debated or voted upon unless it has been seconded by a Member other than its proposer. A Member seconding a motion or amendment shall do so formally, without making a speech.

#### **13.6 When a member may speak again**

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) in exercise of a right of reply;
- (b) on a point of order;
- (c) by way of personal explanation;
- (d) by way of clarification; or
- (e) on a point of information.

#### **13.7 Point of order (breach of council rules)**

A member may raise a point of order at any time. The Mayor will hear this immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the matter will be final.

#### **13.8 Personal explanation (when a member is referred to)**

A member may seek to make a personal explanation at any time during the course of another member's speech if he has been referred to by name or position, either immediately if the member speaking gives way or at the end of

the speech. A personal explanation may only relate to the statement made by the other member in their speech. The ruling of the Mayor on the admissibility of a personal explanation and the time allowed for any personal explanation will be final.

### **13.9 Clarification (of a member's own statement)**

A member may seek leave from the Mayor to clarify a point made in an earlier speech by that member if it appears from comments made in a subsequent speech that the earlier speech by the member had been misunderstood. The ruling of the Mayor on the admissibility of a clarification and the time allowed for any clarification will be final.

### **13.10 Point of Information (a question to seek clarification on a factual statement by others)**

A member may seek to make a point of information at any time but may not pursue it if the member speaking declines to give way. It shall be a simple question to clarify factual statements made during the course of a speech. It may not be a long or rhetorical question or become a cross-examination of the speaker. The ruling of the Mayor on the admissibility of, and the time allowed for, any point of information will be final.

## **14. PETITIONS**

Petitions may be presented to the Mayor by members of the Council during an ordinary Council meeting as referred to in Rule 2, subject to notice being given to the Proper Officer of the intention to present a petition at least 6 clear days before the meeting.

There will be no debate on any petition under this rule but the member presenting the petition may make a brief statement on the content of the petitions.

## **15. VOTING**

### **15.1 Majority**

Subject to any statutory requirement otherwise (notice of which shall appear in the relevant agenda), all matters before Council shall be decided by a simple majority of those members voting and present in the room at the time the question is put.

This rule shall not be suspended.

### **15.2 Chairman's casting vote**

If there are equal numbers of votes for and against, the Mayor will have a second or casting vote. There will be no restriction on how the Mayor chooses to exercise a casting vote.

### **15.3 Recording of Votes**

All votes shall be recorded.

### **15.4 Voting on appointments**

If more than two people are nominated for any position to be filled the votes will be recorded as between those nominated and the Member gaining the greatest number of votes shall be declared the nominee. In the event that there is an equality of votes then the Mayor shall exercise a casting vote.

## **16. MINUTES**

### **16.1 Signing the minutes**

- (a) The Mayor will sign the minutes of the proceedings at the next suitable meeting. The Mayor will move that the minutes of the previous meeting be signed as a correct record. The only discussion of the minutes shall be as to their accuracy.
- (b) Any other matter arising from the minutes shall be discussed only if a motion relating to the matter is moved and seconded in accordance with Rule 11.

This rule shall not be suspended.

### **16.2 No requirement to sign minutes of previous meeting at extraordinary meeting**

Minutes of previous meetings shall be signed only at ordinary meetings (including the Annual Meeting and the Council Tax Setting Meeting).

This rule shall not be suspended.

### **16.3 Form of minutes**

- (a) Subject to (b) following, Minutes will contain all motions and amendments in the exact form and order the Mayor put them.
- (b) For the purpose of ensuring the accuracy of minutes, the Proper Officer is authorised to adjust the text of the substantive motion as finally carried to reflect the sense of the meeting where, in consequence of more than one amendment being carried, the meaning is not otherwise clear.

## **17. EXCLUSION OF PUBLIC**

Members of the public and press may only be excluded either in accordance with the provisions of section 100B of the Local Government Act 1972 or Rule 19 (Disturbance by Public).

## **18. MEMBERS' CONDUCT**

### **18.1 Standing to speak**

When a member speaks at full Council they must stand (unless prevented from doing so by illness or disability) and address the meeting through the Mayor. If more than one member stands, the Mayor will ask one to speak and the others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order, clarification, a point of personal explanation or information.

### **18.2 Defamatory and unparliamentarily language**

- (a) Although Members have qualified privilege in respect of defamation at Council meetings, they must not abuse that privilege so as to make personal attacks on individuals. Officers at Council meetings are not permitted to criticise a member's personal conduct, judgement or ability and Members for their part must not criticise an officer personally at any meeting. The Mayor will take this into account in conducting the meeting.
- (b) The use in debate of unparliamentarily language is prohibited and any use of it will be considered to be offensive under rule 18.3 below.

It is considered that "unparliamentarily language" is language which offends against the conventions of politeness such as insulting or abusive language and accusations of lying, being drunk or misrepresenting another's words.

### **18.3 Member not to be heard further**

- (a) If a Member, disregarding any ruling of the Mayor, behaves in an improper or offensive manner or deliberately obstructs business, any other Member, including the Mayor, may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.
- (b) If the motion is carried, the Member named in it shall immediately be seated and be silent for the remainder of the item then under discussion.

### **18.4 Member to leave the meeting**

If the member continues to behave improperly after a motion under Rule 18.3 is carried, the Mayor may move either that the member leaves the meeting and/or that the meeting be adjourned for a specified period. If seconded, the motion will be voted on without discussion.

This rule shall not be suspended.

## **19. DISTURBANCE BY THE PUBLIC**

### **19.1 Removal of member of the public**

If a member of the public interrupts proceedings, the Mayor will warn the person concerned. If they continue to interrupt, the Mayor will order their removal from the meeting room.

### **19.2 Clearance of part of meeting room**

If there is a disturbance in any part of the meeting room open to the public, the Mayor may call for that part to be cleared.

### **19.3 General disturbance**

If there is a general disturbance making orderly business impossible, the Mayor may issue a warning and if the disturbance continues adjourn the meeting for as long as he thinks necessary. Such action shall be at the Mayor's discretion and may be taken without putting the matter to the vote.

Rules 19.1 to 19.3 shall not be suspended.

## **20. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES**

### **20.1 Suspension**

(a) Except as noted in 20.2 below, all Council Rules of Procedure may be suspended for the duration of a meeting by motion without notice.

(b) The following Rules may not be suspended:

15.1 – question to determined by majority vote

16.1 - signing of minutes - procedure

16.2 – minutes to be signed only at ordinary meetings

18 - Members' conduct

19 - Disturbance by the public

### **20.2 Amendment**

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the Governance Committee.

## **21. AUDIO-VISUAL AIDS**

A member, or person invited to address the Council may request the use of any audio-visual aids available within the Council Chamber (or other meeting place). Reasonable notice shall be given to the Chief Executive of the intended use of such facilities in order to ensure their availability when required and the availability of appropriate staff to prepare, or assist in the preparation of, such aids.

The Mayor may, however, direct that, in the circumstances of a particular meeting, such aids may not be used.

## **22. WEBCASTING, BROADCASTING AND RECORDING OF PROCEEDINGS**

### **22.1 Webcasting**

A webcast may be made of any meeting (or part thereof) of the Council (but not so as to permit the webcasting of any confidential or exempt information) but the Mayor is authorised to determine that a particular meeting, or part of a meeting, shall not be webcast.

### **22.2 Audio/ Visual Recording of Meetings**

Anyone is welcome to record meetings of Council and its committees through any audio, visual or written methods they find appropriate providing they do not disturb the conduct of the meeting.

The Chair of the meeting will have the power to rescind this permission should it prove necessary due to the nature of the meeting or if the conduct of the meeting is disturbed, for example through flash photography or intrusive camera equipment.

All those visually recording at the meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting.

If a meeting passes a motion to exclude the press and public then, in conjunction with this all rights to record the meeting are removed.

## **23. CONFERRMENT OF AWARDS FOR EMINENT SERVICE**

23.1 Other than in a year in which there is an ordinary election of Councillors, Council shall consider at an extraordinary meeting held immediately before the Annual Meeting whether to confer on any person the Honorary Freedom of the borough, in recognition of their distinction or eminent services to the borough.

23.2 In a year in which there is an ordinary election of Councillors, Council shall consider at first ordinary meeting following the Annual Meeting

- (i) whether to confer upon on any person of distinction or who has rendered eminent service to the borough the Honorary Freedom of the Borough
- (ii) whether to confer upon any former Councillor the office of Honorary Alderman, in recognition of their eminent services to the Council; or
- (iii) the presentation to any Member or former Member of a certificate in recognition of service to the Council.



- 23.3 Notwithstanding rules 23.1 and 23.2 above, the Council may by motion consider conferring Honorary Freedom or the office of Honorary Alderman on a qualifying person, or presenting a certificate to a Member, where in the circumstances it is inappropriate to await the next Annual Meeting or the meeting following it, as the case may be.
- 23.4 The mover and/or seconder of a motion to confer the Honorary Freedom or the office of Honorary Alderman shall set out, either in the text of the motion or in the course of speaking in support of it, details of the “eminent service”, or the reason for “distinction” for which the award is to be conferred, and it shall be passed if two thirds of those present and voting at the meeting vote in favour.

## **24. INTERPRETATION**

For the purposes of the Council Procedure Rules:

- (a) the term “clear days” means a normal working day, excluding:
- (i) the day on which a document is first made available
  - (ii) the day of the meeting
  - (iii) Saturday and Sunday
  - (iv) Public or bank holidays
  - (v) Other days when the Council’s offices are closed
- (b) “Proper Officer” shall include, if the Chief Executive is absent or unable to act, reference to any SLT Director or the Monitoring Officer who may from time to time be authorised to deputise for the Chief Executive for the purposes of these procedure rules
- (c) “Group” means any Group of members constituted under the statutory rules for political balance
- (d) “Group Leader” means the member notified to the Proper Officer as leader of a Group
- (e) “Deputy Group Leader” means “the other authorised representative” of the group
- (f) “Group Secretary” means the member notified to the Proper Officer as holding that office within the Group
- (g) “Leader of the Council” means the Member elected to hold that office
- (h) “Leader of the Opposition” means the Leader of the largest group not forming, or forming part of, the administration.
- (i) For the avoidance of doubt, it is declared that:
- (i) any notice required to be given in writing may validly be given in writing on paper, by fax or by e-mail provided that the e-mail is

from an address recognisably that of the person giving notice or known to be associated with him or her.

- (ii) any document required to be served upon the Proper Officer or the Chief Executive may be handed to the Head of Democratic Services or a member of their staff.
- (iii) any document required to be served upon the Mayor may be handed to the Proper Officer, Chief Executive or the Head of Democratic Services or a member of their staff on behalf of the Mayor.
- (iv) any document handed to the Proper Officer, Chief Executive, Head of Democratic Services or staff member under (b) or (c) shall be deemed served upon the person to whom it is addressed.
- (v) where more than one signature is required, each may validly be given by the member(s) in question by notice in writing, by fax or by e-mail from a recognisable e-mail address or one known to be associated with him or her and different Members may use different means of signature.

## APPENDIX

These timetables assume that the meeting of Council is held on a Wednesday. If a meeting is held on another day, the relevant timetable shall be adjusted accordingly.

### 1 Annual Meeting Timetable

		<b>Day, week, and “clear days” before meeting</b>
1	Publication of INITIAL Agenda	Thursday: three weeks before <b>13</b>
2	Last date for receipt of notices of motion relating to the business to be transacted at the Annual Meeting	Tuesday: two weeks before <b>10</b>
3	Last date for receipt of nominations for the conferment of the Honorary Freedom of the borough	Tuesday: two weeks before <b>10</b>
4	Publication of REVISED Agenda	Thursday: two weeks before <b>8</b>
5	Last date for receipt of notice of amendment of any motion relating to business to be transacted at the Annual Meeting or report published with the Initial or Revised Agenda	Monday: one week before <b>6</b>
6	Publication of FINAL AGENDA incorporating all agenda papers	Tuesday: one week before <b>5</b>
7	Last date for receipt of notice of amendment to any report published with the Final Agenda	Monday: same week <b>1</b>

## 2 Ordinary Meeting Timetable

		<b>Day, week, and “clear days” before meeting</b>
1	Publication of INITIAL Agenda	Thursday: three weeks before <b>13</b>
2	Last date for receipt of questions	Monday: two week before <b>11</b>
3	Last date for receipt of notices of motion	Tuesday: two weeks before <b>10</b>
4	Last date for Mayor or Leader of the Council to give notice of arrangements for an address to the Council	Tuesday: two weeks before <b>10</b>
5	Publication of REVISED Agenda	Thursday: two weeks before <b>8</b>
6	Last date for receipt of notice of amendments to motions published in the Revised Agenda	Monday: one week before <b>6</b>
7	Last date for receipt of notice of intention to present a petition	Monday: one week before <b>6</b>
8	Issue of FINAL AGENDA incorporating all agenda papers	Tuesday: one week before <b>5</b>
9	Last date for receipt of notice of amendments to reports issued with the Final Agenda	Monday: same week <b>1</b>

### 3 Council Tax Setting Meeting Timetable

		<b>Day, week, and “clear days” before meeting</b>
1	Publication of INITIAL Agenda	Thursday: three weeks before <b>13</b>
2	<i>Cabinet meeting at which budget recommendations will be determined</i>	Wednesday: two weeks before <b>9</b>
3	Publication of REVISED Agenda	Thursday: two weeks before <b>8</b>
4	Issue of FINAL AGENDA incorporating all agenda papers (but Supplementary Agenda(s) will be published)	Tuesday: one week before <b>5</b>
5	Last date for receipt of any amendment to the Council Budget	Monday: one week before <b>6</b>





**COUNCIL, 20 March 2019**

## **REPORT OF THE CHIEF EXECUTIVE**

### **Appointment of a Monitoring Officer**

Following the interim appointment of Anne Brown, Deputy Director of Legal & Governance, arrangements are needed to secure the continued exercise of the powers and duties as the Council's Monitoring Officer.

### **RECOMMENDATIONS**

1. That the following individual be authorised to exercise the responsibilities of the statutory officer indicated:  
Monitoring Officer Anne Brown, Deputy Director Legal & Governance (oneSource), with immediate effect.
2. Pursuant to that appointment the delegations and references made to that statutory role in the Constitution be amended accordingly.
3. To note that the Monitoring Officer appoints Kathryn Robinson as Deputy Monitoring Officer, who will exercise the responsibilities of the statutory officer in her absence.

**Staff Contact:** Andy Beesley, Head of Democratic Services  
[Andrew.beesley@onesource.co.uk](mailto:Andrew.beesley@onesource.co.uk)

**Andrew Blake-Herbert**  
**Chief Executive**

### **Background Papers**

None.

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## REPORT OF THE CHIEF EXECUTIVE

**Council, 20 March 2019**

### **PAY POLICY STATEMENT 2019/20**

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/G14/G13 (Director/Assistant Director/Deputy Director)

The Council's draft Pay Policy Statement 2019/20 is appended.

**The Chief Executive RECOMMENDS to Council that the Pay Policy Statement, 2019/20 be approved.**

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## **London Borough of Havering**

### **Pay Policy Statement 2019/20**

#### **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 20 March 2019. 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 (eg Chief Executive)
  2. G16/G17 (eg Director/Chief Operating Officer)
  3. G15/G14/G13 (eg Director/Assistant Director/Deputy Director)
6. This pay policy statement excludes staff in schools.
7. The Council's next pay policy statement will be for the year 2020/21 and will be submitted to a meeting of full Council for approval by 31 March 2020.

#### **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 (effective 1 April 2019).

### G18

1. £173,976
  2. £175,590
  3. £177,204
  4. £178,815
  5. £180,432
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 1 April each year.
13. Progression through the spinal points is subject to annual performance based 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 two grades comprising the following spinal points and annual Full Time Equivalent salary (effective 1 April 2019):

### G17

1. £137,976
2. £142,224
3. £146,466
4. £150,714
5. £154,956

### G16

1. £116,754
  2. £120,993
  3. £125,241
  4. £129,486
  5. £133,731
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 1 April each year.

19. Progression through the spinal points is subject to annual performance based progression.
20. The Council's statutory chief officer roles currently undertaken by Director/Chief Operating Officer roles are detailed below :
  - Section 151 Officer – Chief Operating Officer (no additional payment)
  - Children's Services – Director of Children's Services (no additional payment)
  - Adults Social Services – Director Adult Social Care & Health (no additional payment)
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/Deputy Director
24. Director/Assistant Director/Deputy Director roles are paid on one of the three following grade comprising the following spinal points and annual Full Time Equivalent salaries (effective 1 April 2019):

G15

1. £100,833
2. £102,951
3. £105,075
4. £107,199
5. £109,320

G14

1. £90,219
2. £92,337
3. £94,464
4. £96,585
5. £98,709

G13

1. £79,605
2. £81,729
3. £83,850
4. £85,239
5. £88,095

25. 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 performance based progression.
27. The following roles attract a Market Supplement of £7,664 per annum:
  - Director of Exchequer & Transactional Services
  - Director of Human Resources & Organisational Development
  - Director of Asset Management
28. The Deputy Director of Legal Services is the Council's Statutory Monitoring Officer. This post attracts an allowance of £10,000 per annum.
29. Director/Assistant Director/Deputy Director 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.
30. Director/Assistant Director/Deputy Director roles receive no other bonuses, overtime or any other additional salary payments.
31. **Other Remuneration for Chief Officers**
32. 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.
33. 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.
34. The Council does not operate a performance related pay scheme or other bonus schemes for Chief Officers.
35. Chief Officers are not entitled to payment for any other charges, fees or allowances.

36. Chief Officers are not entitled to any benefits in kind as a result of their office or employment.
37. **Other Remuneration for Chief Officers and the Council's Other Employees**
38. 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.
39. 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.
40. 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
41. Any severance package in excess of £100,000 (excluding annual pension/pension lump sum payments) will be subject of a vote by full Council.
42. 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.
43. **Remuneration of the Council's Other Employees and the Council's Lowest Paid Employees**
44. 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

45. The grades, incremental points and annual Full Time Equivalent salaries 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.
46. The remuneration of the Council's other employees also includes the payments/allowances detailed at Appendix 5.
47. For the purpose of this pay policy statement the Council's lowest paid employees are defined as those paid at G1/2, spinal column point 1 of the NJC for Local Government Employees (GLPC Outer London Pay Spine), for which the annual Full Time Equivalent salary is £20,103.
48. For the purposes of this pay policy statement the Council's median paid employee is paid at G5, spinal column point 23 of the NJC for Local Government Employees (GLPC Outer London Pay Spine), for which the annual Full Time Equivalent salary is £29,766.
49. **Relationship between the remuneration of the Council's top earner, its lowest paid employees and other employees**
50. 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 2<sup>nd</sup> 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 <b>each April</b>.</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"> <li>• Who is allowed to take flexible retirement and is not protected by the 85 year rule</li> <li>• 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*</li> </ul>	<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"> <li>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.</li> </ul>

		<ul style="list-style-type: none"> <li>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.</li> </ul> <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"> <li>Leave employment to care for dependent</li> <li>Dependents need for constant supervision</li> <li>No recourse to alternative care</li> <li>Suffering severe hardship</li> <li>Opportunity for employment severely limited</li> </ul> <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 1/4/19 to 31/3/20)

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

GLPC Outer London Pay Spine (Havering Council)

Spinal Point	Grade 1/2	Spinal Point	Grade 3	Spinal Point	Grade 4	Spinal Point	Grade 5	Spinal Point	Grade 6
1	£20,103	5	£21,591	10	£23,607	18	£27,228	25	£30,711
2	£20,466	6	£21,981	12	£24,462	19	£27,717	26	£31,548
3	£20,835	7	£22,377	13	£24,903	20	£28,215	27	£32,430
4	£21,210	8	£22,779	14	£25,353	23	£29,766	28	£33,291
5	£21,591	9	£23,187	15	£25,809	24	£30,213	29	£33,948

Spinal Point	Grade 7	Spinal Point	Grade 8	Spinal Point	Grade 9	Spinal Point	Grade 10	Spinal Point	Grade 11	Spinal Point	Grade 12
30	£34,794	35	£39,774	40	£44,607	45	£49,464	51	£55,638	60	£65,367
31	£35,724	36	£40,728	41	£45,585	46	£50,448	52	£56,682	61	£66,732
32	£36,711	37	£41,706	42	£46,560	47	£51,450	53	£57,735	62	£68,127
33	£37,842	38	£42,684	43	£47,511	48	£52,482	55	£59,823	64	£71,016
34	£38,799	39	£43,590	44	£48,492	49	£53,544	57	£61,929	66	£73,670

**\*\*Please Note\*\***

The Spinal Points below are not in use:

**SP 11 / 16 / 17 / 21 / 22 / 50 / 54 / 56 / 58 / 59 / 63 / 65**

## **2. Soulbury Committee (with effect from 1/9/18 to 31/8/20)**

### **2.1 Educational Improvement Professionals**

<b>Spine Point</b>	<b>01.09.18</b>	<b>01.09.19</b>
1	£34749	£35444
2	£35993	£36713
3	£37168	£37912
4	£38359	£39127
5	£39543	£40334
6	£40727	£41542
7	£41971	£42811
8	£43168*	£44032*
9	£44563	£45455
10	£45807	£46724
11	£47035	£47976
12	£48223	£49188
13	£49569**	£50561**
14	£50769	£51785
15	£52095	£53137
16	£53293	£54359
17	£54495	£55585
18	£55674	£56788
19	£56891	£58029
20	£57519***	£58670***
21	£58727	£59902
22	£59780	£60976
23	£60939	£62158
24	£61978	£63218
25	£63089	£64351
26	£64173	£65457
27	£65282	£66588
28	£66405	£67734
29	£67532	£68883
30	£68656	£70030
31	£69771	£71167
32	£70903	£72322
33	£72036	£73477
34	£73197	£74661
35	£74353	£75841
36	£75544	£77055
37	£76715	£78250
38	£77899	£79457
39	£79066	£80648
40	£80233	£81838
41	£81406	£83035
42	£82578	£84230
43	£83749	£85424

44	£84925	£86624
45	£86099	£87821
46	£87274	£89020
47	£88454	£90224
48	£89623****	£91416****
49	£90797****	£92613****
50	£91972****	£93812****

**Note**

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.

**2.2 Young People's Community Service Managers**

<b>Spine Point</b>	<b>01.09.18</b>	<b>01.09.19</b>
1	£36040	£36761
2	£37219	£37964
3	£38398	£39166
4	£39601*	£40394*
5	£40824	£41641
6	£42016	£42857
7	£43236**	£44101**
8	£44622	£45515
9	£45387	£46295
10	£46568	£47500
11	£47742	£48697
12	£48918	£49897
13	£50086	£51088
14	£51265	£52291
15	£52446	£53495
16	£53630	£54703
17	£54820	£55917
18	£56003	£57124
19	£57179	£58323
20	£58380***	£59548***
21	£59604***	£60797***
22	£60857***	£62075***
23	£62134***	£63377***
24	£63438***	£64707***

**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 (see paragraph 5.6 of the Soulbury Report).

\*\*normal minimum point for principal youth and community service officer undertaking the full range of duties at this level (see paragraph 5.8 of the Soulbury Report).

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

## 2.3 Educational Psychologists

### Trainee Educational Psychologists

<b>Spine Point</b>	<b>01.09.18</b>	<b>01.09.19</b>
1	£23415	£23884
2	£25129	£25632
3	£26841	£27378
4	£28556	£29128
5	£30269	£30875
6	£31983	£32623

### Assistant Educational Psychologists

<b>Spine Point</b>	<b>01.09.18</b>	<b>01.09.19</b>
1	£28783	£29359
2	£29959	£30559
3	£31134	£31757
4	£32303	£32950

### Educational Psychologists – Scale A

<b>Spine Point</b>	<b>01.09.18</b>	<b>01.09.19</b>
1	£36,446	£37,175
2	£38,296	£39,062
3	£40,146	£40,949
4	£41,994	£42,834
5	£43,844	£44,721
6	£45,693	£46,607
7	£47,434	£48,383
8	£49,175	£50,159
9	£50,806*	£51,822*
10	£52,439*	£53,488*
11	£53,961*	£55,040*

#### 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	01.09.18	01.09.19
1	£45693	£46607
2	£47434	£48383
3	£49,175*	£50,159*
4	£50806	£51822
5	£52439	£53488
6	£53961	£55040
7	£54586	£55678
8	£55754	£56869
9	£56911	£58050
10	£58089	£59251
11	£59243	£60428
12	£60420	£61628
13	£61617	£62849
14	£62774**	£64029**
15	£63986**	£65266**
16	£65186**	£66490**
17	£66395**	£67723**
18	£67602**	£68954**

#### 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.

### London Area Payments

With effect from 1 September 2018 and 1 September 2019 staff in the London area shall receive the following:

(a) at the rate of £3119 (2018) and £3182 (2019) per annum to officers serving in the Inner area.

(b) at the £2057 (2018) and £2099 (2019) per annum to officers serving in the Outer area.

(c) at the rate of £795 (2018) and £811 (2019) 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 Merton and Newham.

**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 1/9/18 to 31/8/20)**

Support Worker Level

Spine Point	1/9/18	1/9/19
2	16,757	-
3	17,267	18,117
4	17,681	18,431
5	18,141	18,791
6	18,556	19,106
7	19,009	19,389
8	19,645	20,038
9	20,456	20,865
10	21,090	21,512
11	22,116	22,558
12	23,118	23,580
13	24,153	24,636
14	25,225	25,729
15	25,955	26,474
16	26,718	27,252
17	27,468	28,017

<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

Spine Point	1/9/18	1/9/19
13	24,153	24,636
14	25,225	25,729
15	25,955	26,474
16	26,718	27,252
17	27,468	28,017
18	28,223	28,787
19	28,972	29,551
20	29,724	30,318
21	30,568	31,179
22	31,525	32,155
23	32,456	33,105

24	33,392	34,060
25	34,335	35,022
26	35,277	35,983
27	36,221	36,945
28	37,175	37,918
29	38,122	38,884
30	39,070	39,851
31	39,709*	40,503*
32	40,760*	41,575*

\* Discretionary Points

London Area Allowance

	2018	2019
Outer	£2,039	£2,080

Sleeping In Duty Allowance

	2018	2019
Sleeping in Allowance	£35.37	£36.08
Disturbance Element	£19.76	£20.16

#### 4. School Teachers Pay & Conditions (with effect from 1/9/18 to 31/8/19)

##### Unqualified Teachers

<b>Spine Point</b>	<b>Salary</b>
1	£20,441
2	£22,443
3	£24,445
4	£26,450
5	£28,450
6	£30,452

##### Main Pay Scale

<b>Spine Point</b>	<b>Salary</b>
M1	£27,596
M2	£29,307
M3	£31,120
M4	£33,047
M5	£35,850
M6a	£38,580
M6b	£38,963

##### Upper Pay Scale

<b>Spine Point</b>	<b>Salary</b>
UPR 1	£40,310
UPR 2	£41,801
UPR 3	£43,348

##### Lead Practitioner

Minimum	£43,348
Maximum	£64,245

##### Teaching and Learning Responsibility

Minimum	£540
Maximum	£2,683

##### Additional Payments for Class Teachers

TLR 2 min	£2,721
TLR 2 max	£6,646
TLR 1 min	£7,853
TLR 1 max	£13,288
SEN min	£2,149
SEN max	£4,242

## Leadership Scale

<b>Leadership Scale</b>	<b>Salary</b>	<b>Leadership Scale</b>	<b>Salary</b>
L1	£43,136	L21	£68,559
L2	£44,139	L22	£70,177
L3	£45,158	L23	£71,836
L4	£46,208	L24	£73,541
L5	£47,281	L25	£75,290
L6	£48,383	L26	£77,074
L7	£49,604	L27	£78,905
L8	£50,673	L28	£80,785
L9	£51,857	L29	£82,704
L10	£53,110	L30	£84,684
L11	£54,401	L31	£86,704
L12	£55,588	L32	£88,773
L13	£56,900	L33	£90,906
L14	£58,231	L34	£93,073
L15	£59,601	L35	£95,306
L16	£61,106	L36	£97,584
L17	£62,438	L37	£99,936
L18	£63,930	L38	£102,330
L19	£65,437	L39	£104,743
L20	£66,978	L40	£107,283
		L41	£109,883
		L42	£112,551
		L43	£114,147

**Additional Payments/Allowances**

The following additional payments/allowances may be paid to employees.

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

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**COUNCIL, 20 MARCH 2019**

**REPORT OF THE CHIEF EXECUTIVE**

**SUBJECT: DATES OF COUNCIL MEETINGS, 2019/20**

In accordance with the Constitution, meetings of the Council are fixed by the Council itself.

It has been the practice that dates for the whole of the Municipal Year are agreed each municipal year with dates for the balance of the following calendar year being agreed on a provisional basis for the purposes of the Council Diary.

It is proposed that the pattern of meetings for the coming year continues to follow past practice, which would mean dates of the Council would be as follows (all Wednesdays) –

- 2019**
- 15 May (Annual Meeting)
- 10 July
- 11 September
- 20 November
  
- 2020**
- 22 January
- 26 February (Council Tax Setting)
- 25 March
- 20 May (Annual Meeting)
  
- 8 July (provisional)
- 9 September (provisional)25
- 25 November (provisional)

These dates are subject to any change that may subsequently be agreed.

The meetings shall begin at the time agreed by the Council or by the Mayor, or at 7.30pm if no other time is agreed.

Dates of Cabinet and Committee meetings will be notified in due course.

There are no identified, direct **financial, legal, Human Resources or equalities implications and risks** associated with selection of these dates.

**RECOMMENDATIONS**

That the Council fixes the date of its meetings for the Municipal Year 2019/20 and, on a provisional basis, the balance of 2020.

Staff Contact:	Anthony Clements
Designation;	Principal Democratic Services Officer
Email:	Anthony.clements@onesource.co.uk

**Andrew Blake Herbert  
Chief Executive**

**Background paper List**

There are no background papers.



**FULL COUNCIL, Wednesday 20 March 2019**

## **MEMBERS' QUESTIONS**

### **Prioritisation of Road and Pavement Repairs**

- 1) **To the Cabinet Member for Environment (Councillor Osman Dervish)**  
**From Councillor Barry Mugglestone**

Given the Administration's policy of dealing with the worst roads and pavements first, would the Cabinet Member precisely confirm the process as to how the list of roads and pavements are arrived at by the Horizon system?

### **Newtons Primary use of Leisure Facilities**

- 2) **To the Cabinet Member for Education, Children & Families (Councillor Robert Benham)**  
**From Councillor Natasha Summers**

The Head Teacher of Newtons Primary School has told the Council that irrespective of the decision on Chafford Sports Complex, her pupils deserved to use the brand new facilities at Sapphire "as the school was being offered the opportunity".

Please explain what "as the school was being offered the opportunity" means and does it involve Council support regarding travel, expenses and funding to relocate from Chafford to Sapphire?

### **CCTV in the Borough**

- 3) **To the Cabinet Member for Public Protection and Safety (Councillor Viddy Persaud )**  
**From Councillor Denis O'Flynn**

Will the Lead Member set out her proposals for extending and improving CCTV in the Borough?

### **Legal Action in respect of Travellers**

- 4) **To the Cabinet Member for Environment (Councillor Osman Dervish)**  
**From Councillor Martin Goode**

Last year, we had traveller incursions on council land all over Harold Hill, Harold Wood and other parts of Havering. Could the Cabinet Member confirm the progress of the Legal Action that the Council was taking last year and what actions are being proposed to prevent this from happening again in the coming months of Spring and Summer when it seems to be the peak period for travellers?

## **Void Properties**

5) **To the Cabinet Member for Housing (Councillor Joshua Chapman)**  
**From Councillor Stephanie Nunn**

Would the Cabinet Member confirm what steps are taken to ensure that Council properties that are re-let after becoming void are fit for purpose?

## **Traveller Sites in Noak Hill**

6) **To the Leader of the Council (Councillor Damian White)**  
**From Councillor David Durant**

Has the Council Leader sought an explanation for the police raid on traveller sites in Noak Hill, including who was in charge, what forces and how many police were involved, what was it all about, what was the outcome and will he be sharing that information with Members?

## **Domestic Violence**

7) **To the Cabinet Member for Housing (Councillor Joshua Chapman)**  
**From Councillor Tele Lawal**

Are Council Housing Officers trained to identify victims of Domestic Violence?

## **Lease arrangements for Council Held Properties**

8) **To the Leader of the Council (Councillor Damian White)**  
**From Councillor Ray Morgon**

At January Council, Cllr Mugglestone asked the Leader of the Council to confirm that all council owned properties that are occupied by third parties all had current and up to date leases in place. The response was that the information could not be provided in public because of commercial sensitivity. I challenged this response on the night and I have since been advised that the response provided to the Leader was indeed incorrect. Would the Leader of the Council advise why he did not challenge the initial response provided by officers in the same way that I did?

## **Veolia Grant Funding**

9) **To the Leader of the Council (Councillor Damian White)**  
**From Councillor Jeffrey Tucker**

Please provide details of actual and promissory Veolia grant funding to Havering groups and schemes over the last 12 months and in particular details of the £50,000 payment to Queens Theatre mentioned by the Council Leader during the budget meeting.

**“Living in Havering” Magazine**

**10) To the Leader of the Council (Councillor Damian White)  
From Councillor Keith Darvill**

What arrangements are in place to ensure each publication of Living in Havering complies with the Parliaments code of recommended practice on Local Authority Publications?

**Dedicated Ward Officers**

**11) To the Leader of the Council (Councillor Damian White)  
From Councillor Reg Whitney**

This Council was advised that Dedicated Ward Officers (DWO) would only be taken out of their wards in very rare circumstances. Would the Cabinet Member advise why this Administration has allowed the regular abstraction of DWO's from their wards and explain how this keeps Havering safe?

**Knife Crime in the Borough**

**12) To the Cabinet Member for Public Protection and Safety (Councillor Viddy Persaud )  
From Councillor Jan Sargent**

In light of the recent stabbing in Harold Hill in which a beautiful young soul lost her life.

Can you please explain how the Administration will be working with the Police, Ward Members, Senior officers and the Community in addressing the youth knife crime epidemic which has now reached the front line of Havering.

**Compensation for Personal Injury and Damage to Vehicles**

**13) To the Cabinet Member for Environment (Councillor Osman Dervish )  
From Councillor Paul McGeary**

What is the total annual amount of compensation paid by the Council for the past three financial years arising from claims against the Borough as a result of personal injury and damage to vehicles caused by pot holes and poorly maintained surfaces of the Borough's footpaths and highways?

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## **COUNCIL, 20 March 2019**

### **MOTIONS**

#### **A. SIZE OF PLANNING COMMITTEES**

##### **Motion on behalf of the Independent Residents' Group**

The March 7th Governance meeting and subsequent March 21st Council approved a Governance report proposing changes to the council's planning regime. The report included a recommendation to create two planning committees, a Strategic Planning committee with 7 members and a Planning committee with 11 members, but did say the actual size of the committees (and all committees) would be a matter for Annual Council on May 23rd.

At Annual Council it was proposed to create two size 8 planning committees as part of item 9 on the Council agenda. Item 9 was approved without debate following a procedural motion to go vote only. Following the meeting the Monitoring Officer advised the creation of size 8 committees was to "assist with proportionality", except it doesn't and neither does the Planning Advisory Service provide specific advice on size of committees.

Due to the quasi-judicial importance of planning committees, the overall creation of two new planning committee positions is welcome, however this motion calls upon Council to agree to change the size of the two planning committees from size 8 to size 7 (strategic) and 11 (planning) as recommended in the approved March 7th Governance Committee report, subject to approval at 20th March Council.

Council is further asked to agree to increase the total number of seats on committee to 136 (from 134), and to ensure political balance rules are adhered to, agrees to the allocation of seats as set out in the appendix to this motion.

##### **Amendment on behalf of the Conservative Group**

This Council notes the decision taken by full council on 23<sup>rd</sup> May this year to establish the committees of the authority having regard to political balance.

#### **B. IMPACT OF PARKING CHARGES ON TOWN CENTRES**

##### **Motion on behalf of the Residents' Group**

In light of the Administration's decision to negatively affect the health of our Town Centres by the large jump in parking charges, removal of free parking including evenings, overnight and on Sundays, this council calls for there to be an immediate

## **Council, 20 March 2019**

assessment on the likely impact this will have on the vibrancy of our valued Town Centres, together with ways that this can be mitigated.

### **Amendment on behalf of the Conservative Group**

This Council notes that vibrancy of town centres is determined by a range of factors, including external environmental improvements, and welcomes the commitment of the Administration to bring forward plans to support our town centres as a destination of choice.

## **C. OFSTED INSPECTON – IMPROVEMENT PROGRAMME**

### **Motion on behalf of the Conservative Group**

Seven months after the recent inspection by Ofsted that rated our Children Service as Good, this Council welcomes the improvement programme launched by the Administration to embed that progress and its aspiration to reach Good with outstanding features

## **D. KNIFE CRIME AND SERIOUS YOUTH VIOLENCE**

### **Motion on behalf of the Labour Group**

This Council urges the Executive to urgently review its provision of Youth Services as part of a multifaceted approach with its strategic partners to address and reduce the level of knife crime and serious youth violence in the Borough including the adoption of a public health model in the medium and long term

### **Amendment on behalf of the Independent Residents' Group**

This Council agrees an emergency multi-agency summit meeting be held, composing senior councillors, officers and representatives from various outside bodies including Police, Youth Services, Voluntary Services and others, similar to the debrief meeting held following the raid on Travellers sites in Noak Hill, to address the violent street crime menace by identifying the reasons why this is happening and to propose local solutions as appropriate.

### **Amendment on behalf of the Conservative Group**

This Council notes the progress made in driving improvements within children's services as well as the Administration's firm proposals to offer an enhanced youth provision aimed at further education, employment and training for our younger residents.



Council, 20 March 2019

**Motion A – Size of Planning Committees**

**APPENDIX**

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MOTION A APPENDIX		CONSERVATIVE		RESIDENTS		UPM & CM		LABOUR		IRG		NTH HAVERING	
Governance	11	5.19	5	1.66	2	1.25	1	1.04	1	1.25	1	0.62	1
Licensing	11	5.19	5	1.66	2	1.25	1	1.04	1	1.25	1	0.62	1
Planning	11	5.19	6	1.66	2	1.25	1	1.04	1	1.25	1	0.62	0
Strat. Planning	7	3.30	3	1.06	1	0.79	1	0.66	1	0.79	1	0.40	0
Adjudication	8	3.77	4	1.21	1	0.91	1	0.75	1	0.91	1	0.45	0
Highways	8	3.77	4	1.21	1	0.91	1	0.75	0	0.91	1	0.45	1
Pensions	7	3.30	3	1.06	1	0.79	1	0.66	1	0.79	0	0.40	1
Audit	6	2.83	3	0.91	1	0.68	1	0.57	0	0.68	0	0.34	1
Children's	9	4.25	4	1.36	2	1.02	1	0.85	1	1.02	1	0.51	0
Crime	6	2.83	3	0.91	0	0.68	1	0.57	1	0.68	1	0.34	0
Towns	9	4.25	4	1.36	2	1.02	1	0.85	1	1.02	1	0.51	0
Environment	6	2.83	2	0.91	1	0.68	0	0.57	1	0.68	1	0.34	1
Health	6	2.83	3	0.91	1	0.68	0	0.57	0	0.68	1	0.34	1
Individuals	7	3.30	3	1.06	1	0.79	1	0.66	1	0.79	1	0.40	0
Board	16	7.55	8	2.42	2	1.81	2	1.51	1	1.81	2	0.91	1
JV WP	8	3.77	4	1.21	1	0.91	1	0.75	1	0.91	1	0.45	0
Seats allocated	136.00		64.00		21.00		15.00		13.00		15.00		8.00

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