

**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Committee Room 3A - Town Hall
9 January 2019 (7.30 - 8.30 pm)**

Present:

COUNCILLORS

Conservative Group	Robert Benham (Vice-Chair), Michael White (Chairman), Joshua Chapman, Roger Ramsey and Damian White
Residents' Group	Ray Morgon and Barry Mugglestone
Upminster & Cranham Residents' Group	Clarence Barrett
Independent Residents Group	David Durant
Labour Group	Keith Darvill
North Havering Residents Group	Darren Wise

Councillor Ron Ower was also in attendance.

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

13 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

14 MINUTES

The minutes of the meeting for the committee held on 7 November 2018 were agreed as a correct record and signed by the Chairman.

15 COUNCIL PROCEDURE RULES

It was reported that 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 was 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.

The report explained that there were 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.

The proposals set out in the report were 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 aimed to improve the efficient and effective conduct of business transacted at meetings of Full Council within the time available.

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

In keeping with the Group Leader meetings, there were a number of contrasting views expressed regarding the proposals and how meetings of Full Council should operate. Some Members considered that meetings of Full Council were “opposition time” and the rules should be tailored to give the opposition a voice and hold the Administration to account. A contrasting view was expressed that Havering’s Procedure Rules were out of keeping with other London boroughs and that the opposition was afforded plenty of opportunity at meetings of Full Council.

A number of amendments to the recommendations were proposed and will be dealt with in turn:

1. That at each Council meeting, one question be put to the Leader from each of the political groups on Council (Proposed by Councillor Darvill, Seconded by Cllr Morgon). This amendment was lost by 6 votes to 5. Councillors Barrett, Darvill, Durant, Morgon, Mugglestone voted against the resolution.
2. That meetings of Full Council start at 7:15pm. (Proposed by Councillor Barrett, Seconded by Councillor Morgon). This amendment was lost by 6 votes to 5. Councillors Barrett, Darvill, Durant, Morgon, Mugglestone voted against the resolution.
3. That the tea break be removed. (Proposed by Councillor Barrett, Seconded by Councillor Morgon). This amendment was lost on the second and casting vote of the Chairman. Councillors Barrett, Darvill,

Durant, Morgon, Mugglestone voted against the resolution. Councillor Wise abstained from voting.

4. That the mover of a motion or amendment be given 8 minutes instead of 5, and the Leader of the Opposition be given a right of reply. This amendment was lost by 6 votes to 5. Councillors Barrett, Darvill, Durant, Morgon, Mugglestone voted against the resolution.

It was RESOLVED:

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 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 debateRights 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.

16 REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) UPDATE

The Committee was provided with the Annual Regulation of Investigatory Powers Act 2000 (RIPA) update. The committee was asked to consider and, recommend for approval, changes to the Council's Policy and Procedures on RIPA.

A review of the Policy had been undertaken and the proposed minor changes were marked up in the Policy and Procedure document which was appended to the committee report. The changes were mainly technical or presentational in nature and, more specifically:

- refer to and reflect recent legislative changes and the revised statutory codes of practice;
- refer to the IPCO (instead of the OSC);
- elaborate on what RIPA does and does not do;
- emphasise the enhanced safeguards and authorisation levels required when confidential information may be acquired;
- designate the Council's Monitoring Officer as the Senior Responsible Officer (SRO) reflecting established practical arrangements; and
- states that the SRO will report to the Leader, Lead Member and oneSource Management at least once a year (and not quarterly) to reflect the much reduced and very limited use by the Council of its RIPA powers.

Members were also asked to note the revised delegation proposals and that there had been no use of the Council's RIPA powers since the last update.

The committee RESOLVED:

1. To recommend to the Lead Member that the proposed changes to the Council's Policy and Procedures on RIPA attached as Appendix 1 be approved.

2. To Note the revised delegation proposals.
3. To Note the update on the Council's use of its RIPA powers.

Chairman