

Public Document Pack

**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Town Hall, Main Road, Romford
14 January 2015 (7.30 - 7.50 pm)**

Present:

COUNCILLORS

Conservative Group	Michael White (Chairman), Melvin Wallace, +Ray Best, +Robert Benham and +Meg Davis
Residents' Group	Ray Morgon, Stephanie Nunn and Barry Mugglestone
East Havering Residents' Group	Clarence Barrett (Vice-Chair) and Darren Wise
UKIP Group	Ian de Wulverton and +Philip Hyde
Independent Residents Group	+David Durant

Apologies for absence were received from Councillors Roger Ramsey, Osman Dervish, Damian White, Lawrence Webb and Jeffrey Tucker who were substituted by councillors +Robert Benham, +Ray Best, +Meg Davis, +Philip Hyde and +David Durant respectively.

There were no disclosures of pecuniary interest

Decisions were taken without division unless otherwise stated.

18 MINUTES

The minutes of the meeting held on 19 November 2014 were agreed as a true record and signed by the Chairman.

19 CHANGES TO DELEGATED POWERS - REGULATORY SERVICES

The Committee was informed that following a review, the Head of Regulatory Services had identified two areas of operational activity— 7 day list of objections received and enforcement - which would benefit materially from changes to delegated powers to enable more effective and efficient service delivery.

The current position was that Sections 3.6.6(d) and (e) of the Constitution covered planning applications which were intended for an officer approval under delegated powers but which had attracted objection(s) by the public. In such cases the application was included within what was known as the "7 day list". This was included within the weekly Calendar Brief. The specific purpose of the list was to notify Members about planning applications which had

attracted at least one objection and which they might wish to consider calling in to be decided by the Regulatory Services Committee rather than under staff delegated powers.

It was proposed to retain the call-in process itself but to dispense with creation of the '7 day list' and its weekly publication within Calendar Brief as the result of a survey of all Members undertaken on 31 October 2014 which asked a series of questions concerning their perceived usefulness of the 7 Day List. The answers indicated that the majority of those Members who responded bore out officers' conclusions that there was no material benefit in retaining the 7 day list within the Call-in procedure.

Members were then informed that a similar situation existed with respect of planning enforcement notices which was specifically about the service of notices against breaches of planning control.

Members were reminded that the current position was that the limited range of prevailing delegated powers for enforcement meant that many straightforward cases, where a planning permission had not already been refused for that development, needed Regulatory Services Committee's authority.

A review of enforcement authority reports presented to Regulatory Services over the period January 2013 to date showed that in no instances did the Committee decline to authorise staff to initiate enforcement action and so extending delegated powers to cover all types of enforcement case would speed up the timeframe within which notices might be created and served and this would result in a reduction in reports to Committee which would create process efficiencies.

A Member raised a query about "stopping-up" orders and the Head of Regulatory Services explained that there was a difference between "Stop" notices and "stopping up" orders and that the amendment did not involve the latter in any way.

The Committee **recommended** to Council that the following changes be incorporated into Section 3.6.6 of the Constitution relating to the Head of Regulatory Services.

- 1) Section 3.6.6(e) be deleted and Section 3.6.6 (d) be altered to:

"Members may request that an application be referred to the Regulatory Services Committee for determination. Such request must be made in writing to either the Head of Regulatory Services or the Planning Manager personally. If no such request is received by the deadline of that period the Head of Regulatory Services may approve the application."

- 2) Section 3.6.6(p) be altered to:

"To issue Enforcement Notices, Stop Notices and Listed Building Enforcement Notices".

20 POLLING DISTRICT REVIEW

The Committee was reminded that at its meeting on 19 November 2014 a Member had raised a concern about the polling arrangements for Cranham Ward (Hornchurch & Upminster constituency) for the continued use of the Upminster Methodist Church Hall, Hall Lane as he considered that its positioning was not conducive to residents' use.

In response to this objection, a further evaluation had been undertaken to determine whether there were any viable alternative premises. Two options had been suggested:

1. Havering Sixth Form Centre, Wingletye Lane and
2. The Europa Music Centre, The Walk and Havering Music School, The Walk.

Both of these buildings were located within the St Andrews ward and were therefore outside of the ward and polling district. The review concluded that:

- With regard to the location of a polling station, Section 18(3) of the Electoral Administration Act stated that:

the polling place for a polling district must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district;

- Moving to either of the proposed stations would result in approximately 55% of the electorate being required to travel further to vote in their polling station. Those in the north of the polling district would have a significant increase in how far they had to travel.
- The low turnout in this polling station was listed as a factor for changing the location. Almost 20% of voters in this polling district had, however, opted for a postal vote. 75% of these electors voted by post in 2014 bringing the overall turnout in CM5 to 44%, higher than the overall average turnout across the borough.
- Upminster Church Hall was fully accessible to voters with disabilities. It was also of a suitable size to house a double polling station which was necessary as CM5 had the highest number of electors in the ward (2814).
- In addition, the Retuning Officer had, to date, received no complaints directly from voters with regards to this polling station.

The Committee **recommended** to Council that the polling station identified in the original report (Upminster Methodist Church Hall, Hall Lane), be retained.

21 **AMENDMENTS TO THE CONSTITUTION - FINANCIAL REGULATIONS, FINANCE POLICY AND BUDGET AND POLICY FRAMEWORK**

The Committee was reminded that following the establishment of the shared service between Havering and Newham Councils, officers had been reviewing the formal governance arrangements and associated policies and procedures. The aim of these reviews being to both rationalise and standardise them to make them, as far as possible, consistent. This brought a number of benefits including ease of maintenance, consistency, simplification and portability between the two councils, and was intended to ensure that all detailed procedures, including the operation of the Oracle suite of systems, took place in a consistent manner.

It was recognised that the overarching governance arrangements between the two councils did differ, and this had been reflected in carrying out the review. The basic principles to be applied did not currently differ in any substantive way, however, and this had therefore facilitated bringing the two sets of rules together into a single set.

The areas dealt with in the report were the Financial Regulations, a new Finance Policy to provide the platform on which the Regulations would operate and the Budget and Policy Framework. The Committee was asked to note that further work was underway on the delegations to the Joint Committee created to oversee the operations of the shared service and a further report on this would be brought forward in due course.

A Member raised a query about whether Corporate Governance had been adequately addressed in connection with audit and was informed that this had been addressed (paragraph A.6 of the Financial Regulations).

The Committee **recommended** to Council that the revised Financial Regulations, Finance Policy and Budget and Policy Framework be adopted.

22 **MONITORING OFFICER NO 04 AMENDMENTS TO THE CONSTITUTION**

Members considered a report of the Monitoring Officer containing various changes to the Constitution.

The Committee **noted** the changes within the appendices to the report.

23 **APPOINTMENTS TO OTHER ORGANISATIONS- HORNCHURCH HOUSING TRUST**

The Chairman announced that this report had been withdrawn for further consideration

Chairman