



**MINUTES OF A MEETING OF THE COUNCIL OF THE  
LONDON BOROUGH OF HAVERING  
Havering Town Hall, Romford  
25 March 2015 (7.30pm – 11.00pm)**

**Present:** The Mayor (Councillor Linda Trew) in the Chair\*.

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

\*- part of meeting. The Deputy Mayor, Councillor Barbara Matthews took the Chair for the remainder of the meeting.

Approximately forty Members' guests and members of the public were present. One representative of the press was also present.

Apologies were received for the absence of Councillors John Glanville, Linda Van den Hende and John Wood.

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 Chaplain, the Reverend Shaun Moore, Vicar, the Church of the Good Shepherd, Collier Row opened the meeting with prayers.

The meeting closed with the singing of the national anthem.

87 **PROCEDURAL MOTION**

A procedural motion that motion 14D on an Article 4 Direction be heard as the first motion for debate was **CARRIED** by 50 votes to 0 (see division 1).

88 **MINUTES (agenda item 3)**

The minutes of the meeting of the Council held on 25 February 2015 were before the Council for approval.

It was **AGREED**, without division, that the minutes be signed as a correct record.

**RESOLVED:**

**That the minutes of the meeting of the Council held on 25 February 2015, be signed as a correct record.**

89 **DISCLOSURE OF PECUNIARY INTERESTS (agenda item 4)**

There were no disclosures of interest.

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

The Mayor thanked Councillor Robert Benham for organising a successful fundraising evening for the Mayor's charity. The Mayor also thanked Councillor Jeffrey Tucker for his donation to the auction at the civic dinner.

The Leader of the Council thanked Members for the mature and responsible way in which the budget process had been conducted. Recent capital investments had included revitalising public spaces in Rainham as well as an expansion and modernisation of the Royals Youth Centre. Both these works had been undertaken with support from the Veolia North Thames Trust. Work had also recently been undertaken to improve the smaller shopping centres across Havering and investment such as this would continue where possible.

91 **PETITIONS (agenda item 6)**

Pursuant to Council Procedure Rule 23, the following petitions were presented:

From Councillor Joshua Chapman concerning tarmacking in Repton Gardens.

From Councillor Keith Darvill concerning Homes of Multiple Occupation on the Harold Hill estate.

From Councillor Michael Deon Burton concerning the relocating of a bus stop in South End Road.

From Councillor Gillian Ford concerning opposition to the introduction of car parking charges in Avon Road, Cranham.

It was **NOTED** that the petitions would be passed to Committee Administration for attention in accordance with the Council's Petitions Scheme.

92 **HOUSING REVENUE ACCOUNT CAPITAL AND REVUNUE BUDGET 2015/16 – 2017/18(agenda item 7)**

A report of the Cabinet invited Council to approve the proposed Housing Revenue Account Major Work Capital Programme 2015/16 – 2017/18, the budget for which had been agreed by Cabinet on 11 February 2015. This followed changes resulting from the introduction of the Self Financing system which allowed the planning of major works expenditure beyond one year at a time.

The recommendation of the Cabinet was **APPROVED** without division and it was **RESOLVED** that:

**Council ratifies the HRA Major Works Capital Programme as set out in appendix 1 to these minutes.**

93 **REVISION TO THE PROCEDURE FOR THE APPOINTMENT OF HONORARY FREEMEN AND HONORARY ALDERMEN (agenda item 8)**

A report of the Governance Committee asked Council to agree a revised procedure for the appointment of Honorary Freeman and Honorary Aldermen for the London Borough of Havering. This procedure would arrange for proposed nominations to be discussed initially by Group Leaders and then considered by Governance Committee, prior to being voted on at full Council.

The recommendations of the Governance Committee were **APPROVED** without division and it was **RESOLVED** that:

1. **The protocol for the nomination and appointment of Honorary Freemen and Honorary Aldermen for the London Borough of Havering attached as Appendix 2 to these minutes be approved.**
2. **That a common form for both Aldermen and Freemen be devised so that all applications could receive equal consideration.**
3. **That the Council's Monitoring Officer be authorised to make the necessary changes to the Council's Constitution.**

94 **LOCAL PENSION BOARD (agenda item 9)**

A report of the Governance Committee asked Council to agree arrangements for the establishment of a Local Pension Board as required by Regulation 106 of the Local Government Pension Scheme Regulations 2013. The Local Pension Board would be a free-standing Committee and would not be established under section 101 of the Local Government Act and hence the Member's Code of Conduct would not apply to it. As required by Regulations, administration costs of the Board would be funded entirely by the Pension Fund itself.

The recommendations of the Governance Committee were **APPROVED** without division and it was **RESOLVED** that:

1. **Additions to the Constitution be made as detailed below:**

**Changes to the Constitution: To establish this board in the Council's Constitution are as follows**

**At Part 2 Appendix (Council Bodies) add a new paragraph**

**"Havering Local Pension Board**

**Membership: to be determined in accordance with the Local Government Pension Scheme Regulations 2013, not being a body constituted under section 101 of the Local Government Act 1972."**

**At Part 3 Section 1.4 Statutory and non-statutory bodies**

**Add: Name – "Havering Local Pension Board"**

**Functions: "Assisting the scheme manager (i.e. the Council) in relation to the following matters.**

- (a) **securing compliance with the scheme regulations and other legislation relating to the governance and**

- administration of the scheme and any statutory pension scheme that is connected with it;
- (b) securing compliance with requirements imposed in relation to the scheme and any connected scheme by the Pensions Regulator;
  - (c) such other matters as the scheme regulations may specify.”

**At Part 3, Section 3.7.7 Functions of the Director of Legal and Governance**

**Add paragraph (s) and make consequential amendments to the lettering of the succeeding paragraphs:**

**“To take any necessary action to address any conflicts of interest arising in the Havering Local Pension Board.”**

2. **The attached documents as detailed in appendices 3-5 of the minutes be adopted:**
  - **Terms of Reference for the Local Pension Board**
  - **Code of Conduct for members of the Local Pension Board**
  - **Conflict of Interest Policy for members of the Local Pension Board**
3. **The power to make any further amendments to the Constitution (including oneSource delegations) as may be necessary and to revise the Terms of Reference, Code of Conduct and Conflicts of Interest policy be delegated to the Monitoring Officer, after consultation with the Council’s Section 151 Officer and the Cabinet Member for Value.**

## 95 **THE COUNCIL’S PAY POLICY 2015/16 (agenda item 10)**

A report of the Chief Executive asked Council to agree the Council’s Pay Policy 2015/16 as required under the Localism Act 2011. This showed the remuneration of the Council’s chief officers and of its lowest-paid employees as well as the relationship between the remuneration of its Chief Officers and its other employees.

The recommendation of the Chief Executive was **APPROVED** without division and it was **RESOLVED** that:

**The Pay Policy Statement, 2015/16, as shown in appendix 6 to these minutes, be approved.**

96 **RESIGNATION OF THE MEMBER CHAMPION FOR THE OVER 50s  
(agenda item 11)**

Following the resignation of Councillor Patricia Rumble as Member Champion for the Over 50s, a report of the Governance Committee invited nominations for a new Member Champion. Councillors John Mylod and Linda Van den Hende were nominated for the position and voting for the position of Member Champion for the Over 50s was as follows (see division 2).

Councillor John Mylod – 20 votes  
Councillors Linda Van den Hende – 30 votes

It was accordingly **RESOLVED** that:

**Councillor Linda Van den Hende be elected as the Member Champion for the Over 50s.**

97 **SCHEDULE OF COUNCIL MEETINGS 2015/16 (agenda item 12)**

A report of the Chief Executive asked Council to agree the dates of meetings of full Council for the municipal year 201516 and provisionally for the remainder of 2016.

The recommendation of the Chief Executive was **APPROVED** without division and it was **RESOLVED** that:

**The following future dates for Council meetings be agreed:**

**2015**

**10 June**

**15 July**

**16 September**

**25 November**

**2016**

**27 January**

**24 February (Council Tax Setting)**

**23 March**

**18 May (Annual Meeting)**

**13 July (provisional)**

**14 September (provisional)**

**23 November (provisional)**

98 **MEMBERS' QUESTIONS (agenda item 13)**

Eleven questions were asked and replies given.

The text of the questions, and their answers, are set out in **Appendix 7** to these minutes.

99 **ARTICLE 4 DIRECTION (agenda item 14D)**

**Motion on behalf of the United Kingdom Independence Party Group**

Recent months have seen a proliferation of properties being converted to HMOs (bedsits) in various places across the borough, most notably in Harold Hill. Where the property does not exceed two storeys, no prior planning application has to be made. This has led to an increase in noise, parking conflicts and a general increase in tension within the community.

This Council therefore agrees to introduce an Article 4 Direction for Harold Hill to remove permitted development rights in respect of the Harold Hill area so that planning permission is required for all developments, regardless of height.

**Amendment on behalf of the East Havering Residents' Group**

This Council requests Cabinet to consider an Article 4 Direction under the Town & Country Planning Act dealing with the change of use of a building from a dwelling house to a house of multiple occupation in respect of all or defined parts of the borough.

(Note: An amendment on behalf of the Independent Residents' Group was withdrawn prior to the start of the debate).

Following debate, the East Havering Residents' Group motion with a slight amendment agreed by that Group, was **CARRIED** without division.

**RESOLVED:**

**This Council requests Cabinet to consider as a matter of urgency an Article 4 Direction under the Town & Country Planning Act dealing with the change of use of a building from a dwelling house to a house of multiple occupation in respect of Harold Hill or any other appropriate area.**

**100 PROPOSALS FOR DUNTON GARDEN SUBURB AND A127 ENTERPRISE PARK (agenda item 14A)**

**Motion on behalf of the Conservative Group**

This Council expresses its serious concern as to the proposals for the Dunton Garden Suburb and for the Enterprise Park on the A127 contained in the Draft Brentwood Local Development Plan because of their impact on the Green Belt and on the A127 and other infrastructure within Havering especially the traffics lights at Ardleigh Green and the Gallows Corner junction.

Following debate, the motion by the Conservative Group was **CARRIED** without division.

**RESOLVED:**

**This Council expresses its serious concern as to the proposals for the Dunton Garden Suburb and for the Enterprise Park on the A127 contained in the Draft Brentwood Local Development Plan because of their impact on the Green Belt and on the A127 and other infrastructure within Havering especially the traffics lights at Ardleigh Green and the Gallows Corner junction.**

**101 EXTENSION OF CCTV NETWORK TO RAINHAM (agenda item 14B)**

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

Following continued improvements to the CCTV network which were highlighted by Administration members in the Romford Recorder this Council agrees to extend the CCTV network to Rainham Village to complement local policing and ensure Rainham is treated equally to other areas within Havering.



**Amendment on behalf of the Conservative Group**

Following continued improvements to the CCTV network which were highlighted by Administration members in the Romford Recorder this Council agrees to extend the CCTV network to other areas within Havering when the Council is in a financial position to do so.

Following debate, the amendment by the Conservative Group was **CARRIED** by 38 votes to 8 (see division 3) and **CARRIED** as the substantive motion without division.

**RESOLVED:**

**Following continued improvements to the CCTV network which were highlighted by Administration members in the Romford Recorder this Council agrees to extend the CCTV network to other areas within Havering when the Council is in a financial position to do so.**

**102 TAX AVOIDANCE (agenda item 14C)**

**Motion on behalf of the United Kingdom Independence Party Group**

It is estimated that corporate tax avoidance in the UK costs the treasury about £5.5 billion each year.

Given that services to the residents of Havering are having to be scaled back because of a reduction in Central Government funding, this Council agrees that it will only contract or do business with those companies that pay their fair amount of UK tax as determined by Her Majesty's Revenue and Customs.

The motion by the United Kingdom Independence Party Group was **NOT CARRIED** by 36 votes to 12 (see division 4).

103 **UKRAINE CRISIS (agenda item 14E)**

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

In the interests of the wellbeing of the residents of Havering, this Council calls on our local members of Parliament to make representations to Government to seek an end to US/EU sanctions against Russia and military involvement in the Ukraine that threatens world peace, the welfare of our military and civilian residents and the UK economic recovery resulting in further deep cuts to our local government funding, in favour of a diplomatic and peaceful resolution to the Ukrainian crisis.

The motion by the Independent Residents' Group was **NOT CARRIED** by 39 votes to 5 (see division 5).

104 **VOTING RECORD**

The record of voting divisions is attached as **Appendix 8**.

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Mayor  
20 May 2015

## Appendix 1 – funded 2015/6 – 17/18 HRA Major works Capital Programme

Major Works Programme 2015-18					
		15/16	16/17	17/18	3yr Totals
<b>New Build Programme and pre-commitments in 2015/16</b>					
New Build Programme		10,508,721	13,323,987	8,947,129	32,779,837
Napier and New Plymouth improvements		873,732	-	-	873,732
Preliminaries Costs		45,000	-	-	45,000
Programme delivery fees		4,050	-	-	4,050
<b>Total</b>		<b>11,431,503</b>	<b>13,323,987</b>	<b>8,947,129</b>	<b>33,702,619</b>
Total less fees		11,427,453	13,323,987	8,947,129	33,698,569
<b>Stock Upkeep Works to maintenance standards including Major Repairs</b>					
Major Voids		600,000	500,000	600,000	1,700,000
Structural		50,000	50,000	50,000	150,000
Electrical Upgrade/Mains Supplies		150,000	150,000	150,000	450,000
Legionella		170,000	170,000	170,000	510,000
Fencing / Boundary Walls		50,000	50,000	50,000	150,000
Drainage/Sewers		50,000	50,000	50,000	150,000
Asbestos Removal/Management		120,000	120,000	120,000	360,000
External Refurbishment (xrd)		1,395,000	-	1,100,000	2,495,000
DDA Fire Protection/Mean of Escape		50,000	50,000	50,000	150,000
Careline equipment		50,000	50,000	50,000	150,000
Stock condition surveys 10%		25,000	25,000	25,000	75,000
Aids and Adaptations		500,000	350,000	350,000	1,200,000
Programme delivery fees		237,150	159,600	70,200	466,950
<b>Total</b>		<b>3,447,150</b>	<b>1,724,600</b>	<b>2,835,200</b>	<b>8,006,950</b>
Total less fees		3,210,000	1,565,000	2,765,000	7,540,000
<b>Stock Reinvestment to improve conditions including any outstanding Decent Homes works</b>					
Non Trad Houses/Flats System Build		600,000	500,000	850,000	1,950,000
Support Consultants		250,000	150,000	-	400,000
Kitchen/Bathrooms at Void stage		700,000	600,000	850,000	2,150,000
Stock Investment "Replacements"		5,737,714	4,222,683	7,100,000	17,060,397
Preliminaries Costs		570,394	425,041	715,500	1,710,936
Programme delivery fees		684,730	804,681	666,085	2,155,496
<b>Total</b>		<b>8,542,838</b>	<b>6,702,406</b>	<b>10,181,585</b>	<b>25,426,829</b>
Total less fees		7,858,109	5,897,725	9,515,500	23,271,333
<b>Stock Remodelling</b>					
Bedsit Remodelling		500,000	90,000	500,000	1,090,000

## 176C

Preliminaries Costs		45,000	8,100	45,000	98,100
Programme delivery fees		49,050	1,962	49,050	100,062
<b>Total</b>		<b>594,050</b>	<b>100,062</b>	<b>594,050</b>	<b>1,288,162</b>
Total less fees		545,000	98,100	545,000	1,188,100
<b>Future Investment</b>					
Tower Block Cladding		-	-	550,000	550,000
Preliminaries Costs		-	-	-	-
Programme delivery fees		-	-	49,500	49,500
<b>Total</b>		<b>-</b>	<b>-</b>	<b>599,500</b>	<b>599,500</b>
Total less fees		-	-	550,000	550,000
		<b>15/16</b>	<b>16/17</b>	<b>17/18</b>	<b>3yr Totals</b>
TOTAL		24,015,541	21,851,055	23,157,464	69,024,060
TOTAL works		23,040,562	20,884,812	22,322,629	66,248,002
TOTAL fees		974,980	966,243	834,835	2,776,058
CAPITAL CONTINGENCY		1,663,853	179,280	(905)	1,842,228
<b>Major Works Resources available from Business Plan</b>		<b>£25,679,394</b>	<b>£22,030,335</b>	<b>£23,156,559</b>	<b>£70,866,287</b>

## Appendix 2

### **Protocol on the nomination and appointment of Honorary Freemen and Honorary Aldermen for the London Borough of Havering**

#### **Background**

The Council may admit a person of distinction as an honorary freeman of the borough in recognition of their eminent services to the borough; or confer the title of honorary alderman upon a past member of the Council in recognition of their services to the borough. This is done in accordance with the provisions of Section 249 of the Local Government Act 1972 and in accordance with the Council's Constitution.

In recent years there has been a rapid increase in the number of nominations with an annual expectation that nominations will be made. On one occasion a motion did not achieve the required majority causing embarrassment to the nominee and his family. With the Council having now 5 groups it is desirable to have a cross-group accord to ensure that the honour is regarded as the highest accolade a Council can award and not an annual routine and that a nominee has sufficient support to command the two thirds majority. A protocol in the following form is therefore adopted in order to achieve this. Such a protocol does not remove the constitutional rights of members of the Council but signifies a process which has general support.

#### **Protocol**

1. Save for exceptional circumstances, nomination will only be made once a year at the Annual Council Meeting.
2. It will not be expected that there must be nomination every year.
3. Before a nomination for an honour is made there should be a meeting of Group Leaders to discuss and evaluate the proposal. Consideration will be given to the suitability for a Mayor's Civic Award as a suitable alternative.
4. Group Leaders will try and reach agreement if possible in order to ensure a requisite majority.
5. Once Group Leaders have discussed the matter Governance Committee shall consider the matter and be able to make a recommendation to confer the honour to Council following the receipt of a report prepared by the Committee Administration Manager.
6. The Group Leaders' discussion and the consideration of the report to Governance Committee shall be confidential out of respect for the nominees.

7. Once agreement has been reached by Group Leaders they will seek to ensure that their Groups adhere to the agreement to avert embarrassment to the nominee. In the absence of agreement from Group Leaders that makes it clear that the required majority will be achieved or, even if the required majority can be achieved, that one Group will vote or speak against the nomination, it will still be the prerogative of any Group Leader to nominate as they see fit. In such circumstances it will be the nominating Group Leader's responsibility to warn the nominee that some members of the council may speak or vote against the nomination and that it therefore may not be agreed.

## Appendix 3:

# Terms of reference for the Local Pension Board of the London Borough of Havering Pension Fund

### Terms of Reference and Delegated Authorities

#### 1) Introduction

1.1 The purpose of this document is to set out the terms of reference for the Local Pension Board of the London Borough of Havering pension fund.

#### 2) Role of the Local Pension Board

2.1 The role of the local Pension Board as defined by sections 5 (1) and (2) of the Public Service Pensions Act 2013, is to –

- Assist the London Borough of Havering Administering Authority as Scheme Manager; –
  - to secure compliance with the LGPS regulations and any other legislation relating to the governance and administration of the LGPS
  - to secure compliance with requirements imposed in relation to the LGPS by the Pensions Regulator
  - in such other matters as the LGPS regulations may specify
- Secure the effective and efficient governance and administration of the LGPS for the London Borough of Havering Pension Fund
- Provide the Scheme Manager with such information as it requires ensuring that any member of the Pension Board or person to be appointed to the Pension Board does not have a conflict of interest.

2.2 The Pension Board will ensure it effectively and efficiently complies with the code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator.

2.3 The Pension Board will also help ensure that the London Borough of Havering Pension Fund is managed and administered effectively and efficiently and complies with the code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator.

2.4 The Pension Board shall meet sufficiently regularly to discharge its duties and responsibilities effectively.

2.5 In support of its core functions the Board may make a request for information to the Pensions Committee with regard to any aspect of the Administering Authority's function. Any such request should be reasonably complied with in both scope and timing.

2.6 In support of its core functions the Board may make recommendations to the Pensions Committee which should be considered and a response made to the Board on the outcome within a reasonable period of time.

### **3) Members of the Pension Board**

3.1 The Pension Board shall consist of **4 voting** members and be constituted as follows:

- i) **2** employer representatives;
- ii) **2** scheme member representatives;

3.2 There shall be an equal number of Scheme Member and Employer Representatives.

#### **3.3 *Scheme Member representatives***

3.3.1 Scheme member representatives shall either be scheme members or have capacity to represent scheme members of the Fund.

3.3.2 Scheme member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

3.3.3 Substitutes shall not be appointed.

3.3.4 A total of 2 scheme member representatives shall be appointed from the following source:

3.3.5 Scheme member representatives shall be appointed following a transparent recruitment process which should be open to all Fund members and be approved by the Administering Authority.

#### **3.4 *Employer representatives***

3.4.1 Employer representatives shall be office holders or senior employees of employers of the Fund or have experience of representing scheme employers in a similar capacity. No officer or elected member of the Administering Authority who is responsible for the discharge of any function of the Administering Authority under the Regulations may serve as a member of the Board.

3.4.2 Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

3.4.3 Substitutes shall not be appointed.

3.4.4 2 employer representatives shall be appointed to the Board following a transparent recruitment process which should be open to all employers in the Fund and be approved by the Administering Authority.



- 3.5 Each employer representative and scheme member representative so appointed shall serve for a fixed 4 year period which can be extended for further period(s) subject to re-nomination.
- 3.6 Each Board member should endeavour to attend all Board meetings during the year and is required to attend at least 4 meetings each year, 1 of which must be the Annual Meeting. Board members are not allowed to send a substitute in their absence. In the event that a Board member fails to attend 3 consecutive meetings, that individual will automatically be disqualified, unless the failure was due to some reason approved by the Board before the date of the 3<sup>rd</sup> consecutive meeting.
- 3.7 Board membership may be terminated prior to the end of the term of office due to:
- (a) A scheme member representative appointed on the basis of their membership of the scheme no longer being a scheme member in the Fund.
  - (b) A scheme member representative no longer being a scheme member or a representative of the body on which their appointment relied.
  - (c) An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied.
  - (d) A Board member no longer being able to demonstrate to the London Borough of Havering their capacity to attend and prepare for meetings or to participate in required training.
  - (e) A Board member has a conflict of interest which cannot be managed in accordance with the Board's conflict policy.
  - (f) A Board member who is an elected member becomes a member of the Pensions Committee.
  - (g) A Board member who is an officer of the Administering Authority becomes responsible for the discharge of any function of the Administering Authority under the Regulations.
- 3.8 The Board may, with the approval of the Scheme Manager, co-opt persons who are not members of the Board to serve on sub committees, particularly where this would add skills and experience.

#### **4) Appointment of Board Members Process**

The process for selecting members of the Pension Board is set out below.

- Communications via different media will be sent to all scheme members (active, deferred and pensioners) and Employers of the fund, informing them of the creation of the board, where to find more information and how to apply for a position.
- An advert will be published on the Havering pension fund website [www.yourpension.org.uk/handr](http://www.yourpension.org.uk/handr) inviting scheme members and employers to apply

informing them of the creation of the Board, and how to be considered for appointment as a Board Member

- A short list will be prepared of those applications meeting the set out criteria
- Interviews of the short list candidates, interviews to be conducted by an interview Panel established by the scheme manager.
- Appointment of successful candidates
- The administering authority shall publish the names of the local pension board members on the Havering Pension website [www.yourpension.org.uk/handr](http://www.yourpension.org.uk/handr)

## 5) Appointment of Chair

5.1 A Chair is to be appointed by the employer and scheme member representatives of the Board from amongst their own number on a rotating basis with the term of office shared between an employer and a scheme member representative on an equal basis.

5.2 The Chair of the Board:

- (a) Shall ensure the Board delivers its purpose as set out in these Terms of Reference,
- (b) Shall ensure that meetings are productive and effective and that opportunity is provided for the views of all members to be expressed and considered, and
- (c) Shall seek to reach consensus and ensure that decisions are properly put to a vote when it cannot be reached. Instances of a failure to reach a consensus position will be recorded and published.

## 6) Quorum

6.1 The Board shall have a formal quorum of **3**. In the absence of the Chair, at any meeting, the members attending can appoint a Deputy Chair for that meeting.

6.2 Advisers and officers do not count towards the quorum

## 7) Conflicts of Interest

7.1 All members of the Board must declare to the Administering Authority on appointment and at any such time as their circumstances change, any potential conflict of interest arising as a result of their position on the Board.

7.2 A conflict of interest is defined as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Board. It does not include a financial or other interest arising merely by virtue of that person being a member of the Scheme.

7.3 On appointment to the Board and following any subsequent declaration of potential conflict by a Board member, the Administering Authority shall ensure that any potential conflict is effectively managed in line with both the internal procedures of the Board's 'Conflicts of Interest' policy and the requirements of the Code.

## **8) Standards of Conduct**

8.1 The role of Pension Board members requires the highest standards of conduct and therefore the “seven principles of public life” will be applied to all Pension Board members and embodied in their code of conduct.

These are –

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

## **9) Board Review Process**

9.1 The Board will undertake each year a formal review process to assess how well it and its committees, and the members are performing with a view to seeking continuous improvement in the Board’s performance.

## **10) Advisers to the Board**

10.1 The Board may be supported in its role and responsibilities through the appointment of advisers and shall, subject to any applicable regulation and legislation from time to time in force, consult with such advisers to the Board and on such terms as it shall see fit to help better perform its duties including:

- A Governance Adviser
- The Fund’s Actuary;
- The Fund’s Administrator;
- The Fund’s Legal Adviser;
- The Fund’s Investment Manager(s);
- The Fund’s Investment Adviser(s);
- The Fund’s Employer Covenant Adviser;
- The Scheme Manager.
- Other advisers, so approved by the Scheme Manager.
- The Pensions Regulator

10.2 The Board shall ensure that the performances of the advisers so appointed are reviewed on a regular basis.

## **11) Knowledge and Skills**

- 11.1 Knowledge and understanding must be considered in light of the role of the Board to assist the Administering Authority in line with the requirements outlined in paragraph 2 above.
- 11.2 A member of the Pension Board must be conversant with –
- 1 The legislation and associated guidance of the Local Government Pension Scheme (LGPS).
  - 2 Any document recording policy about the administration of the LGPS which is for the time being adopted by the London Borough of Havering Pension Fund.
- 11.3 A member of the Pension Board must have knowledge and understanding of –
- The law relating to pensions, and
  - Any other matters which are prescribed in regulations.
- 11.4 It is for individual Pension Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a member of the Pension Board.
- 11.5 In line with this requirement Pension Board members are required to be able to demonstrate their knowledge and understanding and to refresh and keep their knowledge up to date. Pension Board members are therefore required to maintain a written record of relevant training and development.
- 11.6 Pension Board members will undertake a personal training needs analysis and regularly review their skills, competencies and knowledge to identify gaps or weaknesses.
- 11.7 Pension Board members will comply with the Scheme Manager's training policy.

## **12) Board Meetings – Notice and Minutes**

- 12.1 The Scheme Manager shall give notice to all Pension Board members of every meeting of the Pension Board. The Scheme Manager shall ensure that a formal record of Pension Board proceedings is maintained. Following the approval of the minutes by the Chair of the Board, they shall be circulated to all members.
- 12.2 There will be **5** Pension Board meetings a year to be held per year, approximately 2 weeks after the Pensions Committee meeting, with 1 Annual meeting being held at the beginning of the committee cycle. The meetings are expected to be held during the day, in a Town Hall Committee room.

12.3 The Chair of the board with the consent of the board members may call additional meetings but not less than 5 clear working days of that meeting. .

### **13) Decision making**

13.1 Each member of the Pension Board will have one vote but it is expected the Pension Board will as far as possible reach a consensus.

### **14) Standards of Conduct**

14.1 The role of Pension Board members requires the highest standards of conduct and therefore the “seven principles of public life” will be applied to all Pension Board members and embodied in their code of conduct.

These are –

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

### **15) Publication of Pension Board information**

15.1 Scheme members and other interested parties will want to know that the London Borough of Havering Pension Fund is being efficiently and effectively managed. They will also want to be confident that the Pension Board is properly constituted, trained and competent in order to comply with scheme regulations, the governance and administration of the scheme and requirements of the Pension Regulator.

15.2 Up to date information will be posted on the London Borough of Havering Pension Fund website showing:

- The names and contact details of the Pension Board members
- The representation of scheme members and employers of the local Pension Board
- The role and responsibilities of the Pension Board
- The full terms of reference and policies of the Pension Board and how they operate
- The Pension Board appointment process
- 

15.3 The Board meetings will be open to the general public (unless there is an exemption under relevant legislation which would preclude part (or all) of the meeting from being open to the general public).

15.4 Pension Board papers, agendas and minutes of meetings will be published on the London Borough of Havering Pension Fund website, [www.yourpension.org.uk/handr](http://www.yourpension.org.uk/handr). These may at the discretion of the Scheme Manager be edited to exclude items on the grounds that they would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act and/or they represent data covered by the Data Protection Act 1998.

15.5 The Scheme Manager will also consider requests for additional information to be published or made available to individual scheme members to encourage scheme member engagement and promote a culture of openness and transparency.

## **16) Accountability**

16.1 The Pension Board will be collectively and individually accountable to the Scheme Manager.

## **17) Expense Reimbursement**

17.1 The remuneration for board members will be as follows;

- Board members will receive an allowance £117 (co-opted members amount for other committees) per meeting attended. No payment will be made for non-attendance.

## **18) Budget**

18.1 The Board is to be provided with adequate resources to fulfil its role. In doing so the budget for the Board will be met from the Havering Pension Fund and must be approved by the Section 151 Officer.

## **19) Reporting**

19.1 The Board should in the first instance report its requests, recommendations or concerns to the Pensions Committee. In support of this any member of the Board may attend a Committee meeting as an observer.

19.2 Requests and recommendations to the Pensions Committee should be reported under the provisions of paras 2.5 and 2.6 above.

19.3 The Board should report any concerns over a decision made by the Committee to the Committee subject to the agreement of at least 50% of voting Board members provided that all voting members are present. If not all voting members are present then the agreement should be of all voting members who are present, where the meeting remains quorate.

19.4 On receipt of a report under paragraph 19.3 above the Committee should, within a reasonable period, consider and respond to the Board.



- 19.5 Where the Board is not satisfied with the response received it may request that a notice of its concern be placed on the website and in the Fund's annual report.
- 19.6 Where the Board is satisfied that there has been a breach of regulation which has been reported to the Committee under paragraph 19.3 and has not been rectified within a reasonable period of time it is under an obligation to escalate the breach.
- 19.7 The appropriate internal route for escalation is to the Monitoring Officer and/or the Section 151 Officer (as appropriate).
- 19.8 The Board may report concerns to the LGPS Scheme Advisory Board for consideration subsequent to, but not instead of, using the appropriate internal route for escalation.
- 19.9 Board members are also subject to the requirements to report breaches of law under the Act and the Code [and the whistleblowing provisions set out in the Administering Authority's whistle blowing policy].

## **20) Review of terms of reference**

- 20.1 These Terms of Reference shall be reviewed on each material change to those part of the Regulations covering local pension boards and at least every year.
- 20.2 These Terms of Reference were [adopted/ last reviewed on [INSERT DATE]].

## **21) Definitions**

- 21.1 The undernoted terms shall have the following meaning when used in this document:

<i>"Pension Board" or "Board"</i>	Means the local Pension Board for the London Borough of Havering administering authority for the London Borough of Newham Pension Fund as required under the Public Service Pensions Act 2013
<i>"Scheme Manager"</i>	Means the London Borough of Havering as administering authority of the London Borough of Havering Pension Fund.
<i>"Chair"</i>	Means the Chair of the Pension Board
<i>"LGPS"</i>	The Local Government Pension Scheme as constituted by the Local Government Pension Scheme Regulations 2013, the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 and The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009

In Scotland;

The Local Government Pension Scheme as constituted by the Local Government Pension Scheme (Benefits, Membership and Contributions) (Scotland) Regulations 2008, the Local Government Pension Scheme Administration) (Scotland) Regulations 2008, The Local Government Pension Scheme (Transitional Provisions) (Scotland) Regulations 2008 and the The Local Government Pension Scheme (Management and Investment of Funds) (Scotland) Regulations 2010]

<i>“Scheme”</i>	Means the Local Government Pension Scheme as defined under “LGPS”
<i>“Pensions Regulator”</i>	Means the UK regulator of work-based pension schemes.
<i>‘the Committee’</i>	Means the committee which has delegated decision making powers for the Fund in accordance with Section 101 of the Local Government Act 1972.
<i>‘the Fund’</i>	Means the Fund managed and administered by the Administering Authority.

## **22) Interpretation**

22.1 Any uncertainty or ambiguity or interpretation required relating to any matters contained in this document shall be determined by the Scheme Manager.



## **Appendix 4: Code of conduct for members of the Pensions Board**

The Havering Pension Fund recognises that the time and commitment that Board members give to the role. However, the Fund and interested stakeholders are entitled to expect the highest standards of conduct from all Pensions Board members.

### **Aim of the Code**

The aim of the Code of Conduct is to provide guidelines for Board members that will help maintain and improve standards and protect Board members from misunderstanding or criticism.

### **Obligations**

In performing your duties you are expected to act with integrity, honesty, impartiality and without bias at all times.

You must not do anything which compromises or is likely to compromise the impartiality and integrity of those who work for, or on behalf of, the Havering Pension Fund.

### **Interests**

Board members must comply with the provisions of the 'Conflicts of Interest' policy.

### **Relationships with panel members, the public and officers**

It is essential to have a good working relationship with other Board members, officers and advisers supporting the Pension Board. You should show mutual respect, avoid close personal familiarity and keep relationships on a professional basis.

You are expected to act with courtesy and respect, and without bias.

### **Attendance at meetings and training**

Each Board member should endeavour to attend all Board meetings and relevant training sessions. Each Board Member is required to attend at least **4** meetings each year, 1 of which must be the Annual Meeting. Board members are not allowed to send a substitute in their absence. In the event that a Board member fails to attend 3 consecutive meetings, that individual will

automatically be disqualified, unless the failure was due to some reason approved by the Board before the date of the 3<sup>rd</sup> consecutive meeting.

**Equalities**

You must adhere to the London Borough of Havering's Equal Opportunity Policies and to Equalities and Human Rights legislation.

**Declaration:**

I ..... (Name in Capitals )

accept the requirements of the Code of Conduct.

Signed .....

Date .....

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## Appendix 5:

# Conflict of Interest Policy – Members of the London Borough of Havering Pension Fund Local Pension Board

### Status of this policy

The Public Service Pensions Act 2013 (the 2013 Act) makes it a legal requirement that members of local pension boards do not have a conflict of interest. The Local Government Pension Scheme Regulations 2013 (the 2013 Regulations) have been amended accordingly. This policy sets out the principles which members of the London Borough of Havering Pension Fund Local Pension Board are expected to follow in order to fulfil their legal obligations under the 2013 Act in identifying, monitoring and managing potential, actual or perceived conflicts of interest.

### Defining Conflicts of Interest

A conflict of interest may arise when a member of a Local Pension Board:

- must fulfil their legal duty to assist the Administering Authority; and
- at the same time has:
  - a separate personal interest (financial or otherwise); or
  - another responsibility in relation to that matter,
- giving rise to a possible conflict with their first responsibility as a Local Pension Board member.

The key issue for a member of the Local Pension Board is to consider whether they are subject to a conflict of interest which prevents them from acting entirely independently in their capacity as a member of the Local Pension Board. It is recognised that from time to time a person may have interests or responsibilities which are not aligned with their responsibilities as a member of the Local Pension Board, but these do not prevent the person from fulfilling their responsibilities as a Board member. This situation may occur when the separate interest is sufficiently immaterial and so does not conflict with the Board member's first obligation to the Local Pension Board.

### Policy Objectives

1. To ensure that all members of the London Borough of Havering Pension Fund Local Pension Board comply with their statutory requirements under The Public Service Pensions Act 2013 and associated regulations and guidance.
2. Ensure that all Local Pension Board members are aware of their duty to act independently and carry out their roles to a high ethical standard.
3. Remove any perception that the actions of Local Pension Board members are influenced by the presence of a separate responsibility or interest that conflict with their responsibilities as a Board member.
4. Maintain appropriate records of declared conflicts of interest and manage any potential conflicts to ensure they do not become actual or perceived conflicts of interest. Records will be lodged in advance of the Board Member's appointment and will be maintained by the Council's Monitoring Officer.

5. Ensure that public confidence in the governance of the London Borough of Havering Pension Fund is maintained.

### **Legislative Background**

This policy sets out how members of the London Borough of Havering Pension Fund Local Pension Board are expected to manage potential, perceived or actual conflicts of interest arising in relation to their work as a member of that Pension Board.

[Draft] Regulation 108 of the 2013 Regulations requires that;

*Each administering authority must be satisfied that any person to be appointed as a member of a local pension board does not have a conflict of interest*

Section 5(5) of the 2013 Act defines a conflict of interest as;

*A financial or other interest which is likely to prejudice the person's exercise of functions as a member of the board (but does not include a financial or other interest arising merely by virtue of membership of the scheme or any connected scheme).*

The 2013 Regulations allow for elected members to sit on a Local Pension Board. Under the Localism Act of 2011 all elected members will be covered by and subject to their own local authority's code of conduct. Nothing in this policy in any way supersedes or replaces any requirements under an elected member's own authority's code of conduct.

### **The Regulator's Code of Practice on Conflicts of Interest**

The Pensions Regulator has responsibility for regulatory oversight of the governance and administration of public service pension schemes, including the Local Government Pension Scheme and therefore by implication includes regulatory oversight of the Local Pension Board's activities. The Pensions Regulator has published guidance in the form of a Code of Practice part of which is designed to assist Scheme Managers to meet their legal duty in ensuring that Local Pension Board members do not have conflicts of interest.

### **Perception of Conflicts of Interest**

Members of the Local Pension Board should be aware that even if no actual conflict of interest exists it is important to guard against the perception among, for example, Scheme members, the Pensions Regulator, elected members or members of the public that a real conflict of interest exists.

If there is the possibility that a perceived conflict of interest may exist, it should be managed by the Local Pension Board in the same way as a real conflict of interest.

### **Confidential Information**

A member of the Local Pension Board may, by virtue of their employment by an employing authority within the London Borough of Havering Pension Fund, have access to confidential information about their employer.

A member of the Board is not obliged to reveal this information as part of their role on the Local Pension Board.

However, if an affected member considers that the information to which they are party may:

- a) adversely affect the London Borough of Havering Pension Fund or an employer within the Fund,

- b) reasonably cause the Local Pension Board to interpret a decision by the Pensions Committee differently or act in a different way were it to be known at the time and
- c) the information will not be made available to the Local Pension board through some other means within such time as the Board is able to fully act upon it,

that Local Pension Board member shall withdraw from all discussion in relation to that issue and notify the Board that a conflict of interest exists. The details of the conflict need not be disclosed.

This scenario may occur where a Board member is aware of legally confidential negotiations around, for example, the takeover of a London Borough of Havering Pension Fund employer which may radically alter that business and have a corresponding effect on its participation in the fund or the size of its liabilities.

### **Identifying and monitoring Conflicts of Interest**

#### **The Role of Individual Members of the Local Pension Board**

There is a duty on all prospective Local Pension Board members to declare interests prior to their appointment to the Board.

Members of the Local Pension Board must provide any information requested by the Administering Authority in connection with the Authority's duty to ensure that conflicts of interest do not exist.

Local Pension Board members must be conscious of the need to be open about potential and actual conflicts. Board members should be aware of their statutory obligations in this area as well as being familiar with the Pension Regulator's code of practice and this policy document.

Where a member has declared an interest which has been recorded on the Register of Member Interests it will not typically be necessary to declare that interest at subsequent Local Pension Board meetings unless the materiality of that interest changes in respect of the Board's business.

In cases of exceptional sensitivity a member of the Local Pension Board may make a notification of an interest to the Chair of the Board, rather than to the full Board.

In advance of their appointment, each Board Member will be required to complete a 'Register of Interests' document which will be maintained by the Council's Monitoring Officer.

#### **The Role of the Administering Authority**

The London Borough of Havering as the Administering Authority for the London Borough of Havering Pension Fund must be satisfied that any individual appointed to the Local Pension Board does not have a conflict of interest and must also ensure that from time to time no such conflict arises.

The London Borough of Havering shall consider all applications from potential Local Pension Board members prior to approval in order to ensure that no conflict exists. The potential for a conflict to arise at some point in future will not in itself be reason to exclude an individual from membership of the Local Pension Board, unless the Administering Authority considers that the likelihood of a conflict arising is so high or the conflict itself is likely to arise persistently and frequently enough that it is likely to compromise an individual's ability to participate meaningfully on the Board.

The Council's Monitoring Officer will be available to advise and guide Board Members on matters concerning potential conflicts of interest, should they arise

### **The Role of the Local Pension Board**

The Local Pension Board should identify, monitor and manage dual interests and responsibilities which are or have the potential to become actual or perceived conflicts of interest. In determining how to manage conflicts of interest the Local Pension Board must comply with the 2013 Act, The 2013 Regulations, guidance from the Pensions Regulator and this policy document.

When seeking to prevent a potential conflict of interest becoming detrimental to the conduct or decisions of a Local Pension Board, the Board should consider obtaining legal advice when assessing any option.

There will be a standing agenda item at all meetings of the Local Pension Board at which members will be asked to declare any interests. The Local Pension Board will ensure that a register of member interests will be kept up to date and be included as part of the papers for each meeting of the Local Pension Board.

### **Managing Conflicts of Interest**

In the event that the Local Pension Board is of the view that a potential conflict of interest may become an actual or perceived conflict in respect of one or more of its members the Board must determine the appropriate mechanism for managing that conflict. The approach taken will depend on the nature and extent of the potential conflict. Some possible methods for the management of potential conflicts are given below.

- Requiring that the member for whom the conflict exists takes no part in discussions or does not vote in respect of the matter for which they are conflicted.
- If practical the member may relinquish or divest themselves of a personal interest which is the source of a conflict of interest with their Local Pension Board responsibilities.
- If the conflict is likely to be persistent and ongoing in such a way that it is likely to limit a member's meaningful participation in the Local Pension Board, that member should consider resigning from their position.
- The Scheme Manager may remove any individual from the Local Pension Board where they consider there is an actual conflict of interest or a potential conflict which it is impractical to manage.

### **Adviser and Officer Conflicts**

The Local Pension Board will be supported and advised by officers of the Fund in its day to day business. Similarly the Board may, if appropriate, seek independent or professional advice for example, legal advice or governance advice.

The Local Pension Board must be confident that the advice it receives from officers and advisers is independent and truly in the best interests of the London Borough of Havering Pension Fund. For this reason officers and advisers giving advice to the Local Pension Board must also declare any situation where a potential, perceived or actual conflict exists, in order that it can be appropriately managed.

## Appendix

### Relevant References

<b>2011 Act</b>	The Localism Act 2011.
<b>2013 Act</b>	The Public Service Pensions Act 2013.
<b>2013 Regulations</b>	The Local Government Pension Scheme Regulations 2013 (as amended).
<b>Scheme Manager</b>	The administering authority for the London Borough of Havering Pension Fund, the London Borough of Havering

### Examples of conflicts of interest

The following are intended to be examples of potential conflicts for illustrative purposes. The list is not exhaustive and is not intended to provide all the scenarios in which a conflict of interest may arise.

#### Example 1

There may be situations where a member of the Local Pension Board who is also an officer for the London Borough of Havering or some other employer in the London Borough of Havering Pension Fund faces conflicting priorities by virtue of their two roles. For example, as a Local Pension Board member they may make or scrutinise a decision which requires the use of greater employer resource in order to improve the administration and efficiency of the London Borough of Havering Pension Fund. However, at the same time they may be facing departmental pressure to cut budgets and spend less on pension administration matters.

#### Example 2

The Local Pension Board is reviewing a decision by the Pensions Committee to levy an additional charge under the 2013 Regulations to a group of employers whose poor performance in carrying out their statutory functions in respect of the LGPS has caused the London Borough of Havering Pension Fund additional costs. Any employer representative on the Board, who is employed by an employer who falls into this category, would need to declare their interest and the resulting conflict of interest would need to be managed.

#### Example 3

It is possible that a scheme member representative is also employed by a firm to whom the Fund's administration has been outsourced. Such a member is likely to face a conflict of interest when the performance of that company in respect of their administration performance is discussed.

### Example of where a declared interest may not constitute a conflict of interest

A representative on the Local Pension Board holds shares in a company that provides outsourced pension administration services as part of a varied portfolio. The shares are valued at a few hundred pounds and the company's value is many tens of millions. The Pension board is reviewing the decision to outsource the Fund's administration staff to that company.

In this case the Local Pension Board may consider that on grounds of materiality, no conflict of interest exists. The Local Pension Board is not responsible for the decision and the impact of the outsourcing will have no effect on the company's share price. The Local Pension Board member in question should, however, still declare their interest.

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## **Appendix 6: London Borough of Havering**

### **Pay Policy Statement 2015/16**

#### **DRAFT**

#### **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 25 March 2015. It is made available on the Council's website which also includes separately published data on salary information relating to the Council's senior management team.
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. HG1 (Chief Executive)
  2. HG2/HG2S (Group Director)
  3. HG3 (Director/Head of Service)
  4. HS1/2/3 (Other Head of Service/Assistant Director)
6. This pay policy statement excludes staff in schools.
7. The Council's next pay policy statement will be for the year 2016/17 and will be submitted to a meeting of full Council for approval by 31 March 2016.

#### **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 HG1 grade on a spot salary. As at 31 March 2014, the annual Full Time Equivalent spot salary is £163,920pa. The

value of the spot salary is increased in accordance with the Joint Negotiating Committee for Chief Executives of Local Authorities with effect from 1<sup>st</sup> April each year (any increases for effect from 1<sup>st</sup> April 2014 and 1<sup>st</sup> April 2015 have not yet been determined).

12. 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.
13. The Chief Executive role receives no other bonuses, overtime or any other additional salary payments.

14. Group Director

15. Group Director roles are paid on one of the following 2 grades comprising the following spinal points and annual Full Time Equivalent salary, as at 1 April 2015:

HG2

1. £113,750
2. £117,000
3. £120,250
4. £123,500
5. £126,750
6. £130,000

HG2S

1. £126,875
2. £130,500
3. £134,125
4. £137,750
5. £141,375
6. £145,000

16. 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<sup>st</sup> April each year.
17. Progression through the spinal points is subject to annual incremental progression.
18. The Council's statutory chief officer roles currently undertaken by Group Directors are detailed below. No additional payments are made in respect of these roles:
  - Section 151 (Finance) - Group Director: Communities & Resources

- Children's Services and Adults Social Services - Group Director: Children, Adults & Housing

19. The Group Director: Children, Adults & Housing role receives an additional Market Supplement payment equivalent to £5,000pa.
20. Group Director roles are 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.
21. Group Director roles receive no other bonuses, overtime or any other additional salary payments.
22. Director/Head of Service
23. Director and larger Head of Service roles are paid on the following grade comprising the following spinal points and annual Full Time Equivalent salaries, as at 1 April 2015:

HG3

1. £93,714
2. £96,390
3. £99,069
4. £101,745
5. £102,375
6. £105,000

24. 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.
25. Progression through the spinal points of the grade is subject to annual incremental progression.
26. The Director of Legal & Democratic Services role is the Council's Statutory Monitoring Officer. No additional payments are made in respect of this role.
27. Director/Head of Service roles are entitled if appointed for an election to receive a fee for any Deputy Returning Officer role undertaken. The approach to the setting of these fees is set out in Appendix 1.
28. Director/ Head of Service roles receive no other bonuses, overtime or any other additional salary payments.

29. Other Head of Service/Assistant Director

30. Other Head of Service/Assistant Director roles are paid on one of the following 3 grades comprising the following spinal points and annual Full Time Equivalent salaries, as at 1 April 2015:

HS3

1.	£71,529
2.	£74,175
3.	£76,827
4.	£79,479

HS2

1.	£76,863
2.	£79,710
3.	£82,554
4.	£85,401

HS1

1.	£84,606
2.	£87,744
3.	£90,867
4.	£94,005

31. 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.
32. Progression through the spinal points is subject to annual incremental progression.
33. The Head of Economic Development role receives an additional Market Supplement payment equivalent to £8,000pa.
34. Other Head of Service/Assistant Director roles are 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.
35. Other Head of Service/Assistant Director roles receive no other bonuses, overtime or any other additional salary payments.
36. **Other Remuneration for Chief Officers**
37. 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.

38. 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.
39. The Council does not operate a performance related pay scheme or other bonus schemes for Chief Officers.
40. Chief Officers are not entitled to payment for any other charges, fees or allowances.
41. Chief Officers are not entitled to any benefits in kind as a result of their office or employment.
42. **Other Remuneration for Chief Officers and the Council's Other Employees**
43. All employees who are within 3 years of retirement and have completed 25 years service within Local Government by the date of their retirement and have been continuously employed by the Council since 24 September 1997 are entitled to receive a salary plusage payment during their final 3 years employment with the Council. The payment is based on 0.2% and 0.3% of substantive salary for each year of Local Government service and each year of continuous service with the Council respectively.
44. The Council's policies regarding how the Council exercises the various employer discretions provided by the Local Government Pension Scheme (LGPS) are set out at Appendix 2. These discretions are applied equally to all employees. In general the Authority will not grant any increase or enhancement of pension entitlement as a result of its discretions policy, although each case will be determined on a case by case basis. As a result of the introduction of the new LGPS 2014 scheme all employer and Administering Authority discretions have now been reviewed and noted by Pension Committee.
45. The Council's policies regarding how the Council exercises the various employer discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 are set out at Appendix 3.

46. On ceasing to be employed by the Council, all employees will only receive compensation:
  - in circumstances that are relevant (eg redundancy) and
  - that complies with the specific terms of any compromise agreement
47. Any severance package in excess of £100,000 (excluding annual pension/pension lump sum payments) will be subject of a vote by full Council.
48. All directly employed staff, whether permanent or fixed term, will be paid via the Council's payroll system and subject to deduction of tax and national insurance in accordance with PAYE regulations.
49. **Remuneration of the Council's Other Employees and the Council's Lowest Paid Employees**
50. The Council uses the following grading structures to pay its other employees:
  - NJC for Local Government Employees
  - Soulbury Committee
  - JNC for Youth & Community Workers
  - School Teachers Pay & Conditions
  - NHS Terms & Conditions of Service
51. The grades, incremental points and annual Full Time Equivalent salaries, as at 1 April 2015, associated with these grading structures are detailed at Appendix 4.
52. The remuneration of the Council's other employees also includes the payments/allowances detailed at Appendix 5.
53. For the purpose of this pay policy statement the Council's lowest paid employees are defined as those paid at Youth Support Worker 11, spinal point 4 of the JNC for Youth & Community Workers for which the annual Full Time Equivalent salary, as at 1 April 2015 is £16,077. The Council currently has 8 part-time employees at this level.
54. For the purposes of this pay policy statement the Council's median paid employee is paid at Scale 5, spinal column point 25 of the NJC for Local Government Employees for which the annual Full Time Equivalent salary, as at 1 April 2015 is £24,027.

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

56. Although the Council does not have a policy regarding the ratio between the remuneration of its top earner, its lowest paid employees and other employees, the current ratios (based upon the part-year to February 2015) are detailed below.

Top earner : Lowest Paid Employee      1 : 10.2

Top earner: Median Paid Employee      1 : 6.8

## **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 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 vary in accordance with duties and responsibilities undertaken.

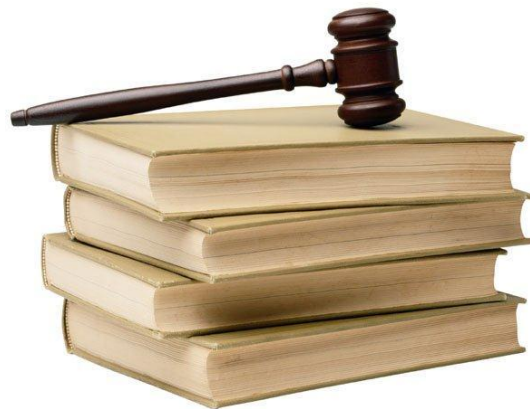




**THE LONDON BOROUGH OF HAVERING – EMPLOYING AUTHORITY DISCRETIONS**

**HYMANS ROBERTSON LLP**

**London Borough of Havering  
Employing 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 2)**

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) Consenting to the immediate payment of benefits (30(2)) (LGPS 2007) and Waiving an actuarial reduction to pension benefits on compassionate grounds (30(5)) (LGPS 2007)**

**Whether to grant application for early payment of deferred benefits on or after age 55 and before age 60. Although this discretion relates to the old scheme and will be governed by those regulations it will still apply for members who left the scheme on or before 31 March 2014.**

**Whether to waive any actuarial reduction that may apply on the early payment of deferred benefits on compassionate grounds.**

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) and 9(3)	Determination of contribution rate and how it will be determined	<p>For transferring employees on 1 April 2014 - an assessment is taken on additional hours and/or overtime payments made in previous pay periods and applied to the current pay rates to arrive at the annual rate of pay and the contribution rate relevant to that annual rate is applied.</p> <p>For new employees - Where possible a reasonable assessment is made and the contribution rate relevant to that annual rate is applied.</p> <p>A review is undertaken annually.</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 will undertaken at the end of the year.</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), 30(8) and 11(2) of the Transitional Provisions Regulations –	Flexible retirement and waiving any actuarial reduction that would apply	<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) Regulations 2014

Regulation	Description	Discretion application
3(6), 4(6)(c), 6(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 para 2 –	Applying the rule of 85	<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> <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>

		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.
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## Discretions in relation to scheme members (excluding councillor members) who ceased active membership on or after 1 April 2008 and before 1 April 2014

### Discretions in relation to the Local Government Pension Scheme (Benefits Membership and Contributions) Regulations 2007

Regulation	Description	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) and 30A(3)	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	<p>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.</p>
Regulation	Determine payment of deferred pension on health	Where the Council is required to make a determination as to

31(4) and 31(7)-	grounds. Decision whether a deferred or deferred pensioner member meets criteria for early payment due to permanent ill health	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.
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## 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.
	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.

		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
	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)*	Grant application from a post 31 March 1998 / pre 1 April 2008 leaver for early payment of benefits on or after age 55 and before age 65	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)*	Waive on compassionate grounds the actuarial reduction applied to benefits paid early for a post 31 March 1998 / pre 1 April 2008 leaver or councillor	Will be considered on a case by case basis.
34(1)(b)	Decide in the absence from a post 31 March 1998 / pre 1 April 2008 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
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**

**Note: As a result of the introduction of the new LGPS 2014 scheme all employer and Administering Authority discretions are under review. It is proposed to bring the new draft employer discretions to the Pensions Committee for noting in March 2014 and will then bring the final discretion policies to Cabinet thereafter.**

## Statement of Policy

(as amended)

(Published March 2010, effective from 1<sup>st</sup> 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 £42,265.69 (current figure, this increases in line with JNC pay awards).

### **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

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

Spinal Point	Pay	Spinal Point	Pay	Spinal Point	Pay
<b>5*</b>	£16,242	<b>27</b>	£25,506	<b>49</b>	£44,766
<b>6</b>	£16,287	<b>28</b>	£26,277	<b>50</b>	£45,690
<b>7</b>	£16,320	<b>29</b>	£27,252	<b>51</b>	£46,608
<b>8</b>	£16,422	<b>30</b>	£28,104	<b>52</b>	£47,535
<b>9</b>	£16,575	<b>31</b>	£28,935	<b>53</b>	£48,477
<b>10</b>	£16,833	<b>32</b>	£29,727	<b>54</b>	£49,452
<b>11</b>	£17,013	<b>33</b>	£30,555	<b>55</b>	£50,451
<b>12</b>	£17,334	<b>34</b>	£31,368	<b>56</b>	£51,441
<b>13</b>	£17,748	<b>35</b>	£31,986	<b>57</b>	£52,425
<b>14</b>	£18,045	<b>36</b>	£32,784	<b>58</b>	£53,406
<b>15</b>	£18,381	<b>37</b>	£33,660	<b>59</b>	£54,402
<b>16</b>	£18,783	<b>38</b>	£34,590	<b>60</b>	£55,383
<b>17</b>	£19,182	<b>39</b>	£35,655	<b>61</b>	£56,367
<b>18</b>	£19,524	<b>40</b>	£36,558	<b>62</b>	£57,363
<b>19</b>	£20,193	<b>41</b>	£37,476	<b>63</b>	£58,350
<b>20</b>	£20,856	<b>42</b>	£38,376	<b>64</b>	£59,331
<b>21</b>	£21,552	<b>43</b>	£39,297	<b>65</b>	£60,324
<b>22</b>	£22,062	<b>44</b>	£40,218	<b>66</b>	£61,590
<b>23</b>	£22,659	<b>45</b>	£41,073	<b>67</b>	£62,877
<b>24</b>	£23,334	<b>46</b>	£42,030	<b>68</b>	£64,191
<b>25</b>	£24,027	<b>47</b>	£42,951	<b>69</b>	£65,544
<b>26</b>	£24,744	<b>48</b>	£43,869	<b>70</b>	£66,915

\*Deletion of spinal point 5 with effect from 10<sup>th</sup> October 2015.

**APTC/ Senior Officer Grades**

APTC1 SP 5-11      APTC5 SP 22-25

APTC2 SP 11-13      APTC6 SP 26-28

APTC3 SP 14-17      SO1    SP 29-31

APTC4 SP18-21      SO2    SP 32-34

**Principal Officer Grades**

PO1    SP 33-36      LPO7(a)      SP 49-52      LPO8 (e)      SP 49-52

PO2    SP 35-38      LPO7(b)      SP 50-53      LPO8 (f)      SP 60-63

PO3    SP 38-41      LPO7(c)      SP 51-54      LPO8 (g)      SP 61-64

PO4    SP 41-44      LPO8(a)      SP 55-58      LPO8 (h)      SP 62-65

PO5    SP 44-47      LPO8(b)      SP 56-59      LPO8 (i)      SP 66-70

PO6    SP 46-49      LPO8(c)      SP 57-60

PO6    SP 46-49      LPO8(d)      SP 58-61

**Day Centre Officer (for people with learning disabilities) Grades**

Level 1 SP 16-24

Level 2 SP 20-26

## 2. Soulbury Committee

### Educational Improvement Professionals

Spine Point	£	Spine Point	£	Spine Point	£
1	33,396	18	53,507	35	71,458
2	34,592	19	54,676	36	72,603
3	35,721	20	55,280***	37	73,728
4	36,865	21	56,441	38	74,866
5	38,003	22	57,452	39	75,988
6	39,142	23	58,566	40	77,109
7	40,338	24	59,564	41	78,237
8	41,487*	25	60,633	42	79,362
9	42,828	26	61,674	43	80,488
10	44,023	27	62,740	44	81,619
11	45,203	28	63,819	45	82,747
12	46,346	29	64,902	46	83,876
13	47,640**	30	65,983	47	85,010
14	48,792	31	67,054	48	86,134****
15	50,066	32	68,143	49	87,262****
16	51,219	33	69,232	50	88,391****
17	52,373	34	70,347		

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

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

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

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

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

**Educational Psychologists – Scale A**

Spine Point	£	Spine Point	£
1	35,027	7	45,588
2	36,805	8	47,261
3	38,583	9	48,829*
4	40,360	10	50,398*
5	42,137	11	51,861*
6	43,914		

**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	£	Spine Point	£
1	43,914	10	55,828
2	45,588	11	56,937
3	47,261*	12	58,068
4	48,829	13	59,219
5	50,398	14	60,330**
6	51,861	15	61,495**
7	52,462	16	62,649**
8	53,584	17	63,810**
9	54,696	18	64,970**

**Notes**

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

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

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

**Trainee Educational Psychologists**

Spine Point	£
1	22,503
2	24,151
3	25,796
4	27,444
5	29,090
6	30,737

**Assistant Educational Psychologists**

Spine Point	£
1	27,662
2	28,792
3	29,922
4	31,045

**Young People's Community Service Managers**

Spine Point	£	Spine Point	£
1	34,637	13	48,135
2	35,770	14	49,269
3	36,903	15	50,404
4	38,059*	16	51,542
5	39,234	17	52,686
6	40,380	18	53,822
7	41,553**	19	54,952
8	42,885	20	56,107***
9	43,620	21	57,284***
10	44,754	22	58,487***
11	45,883	23	59,715***
12	47,013	24	60,969***

**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.

### **London Area Payments**

With effect from 1 March 2015 staff in the London area shall receive the following:

- (a) at the rate of £2,997 per annum to officers serving in the Inner area.
- (b) at the £1,976 per annum to officers serving in the Outer area.
- (c) at the rate of £763 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 (pay award pending from 1 March 2015)****Support Worker Level**

<u>Spine Point</u>	<u>£</u>	<u>Spine Point</u>	<u>£</u>
1	14,283	10	19,833
2	14,880	11	20,796
3	15,477	12	21,741
4	16,077	13	22,713
5	16,674	14	23,721
6	17,271	15	24,408
7	17,874	16	25,125
8	18,474	17	25,830
9	19,236		

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

**Professional Level**

<u>Spine Point</u>	<u>£</u>	<u>Spine Point</u>	<u>£</u>
11	20,796	21	28,746
12	21,741	22	29,646
13	22,713	23	30,522
14	23,721	24	31,401
15	24,408	25	32,289
16	25,125	26	33,174
17	25,830	27	34,062
18	26,541	28	34,959
19	27,246	29	35,850
20	27,951	30	36,741

<u>Grade</u>	<u>Spine Points</u>	<u>Grade</u>	<u>Spine Points</u>
YPR 1	11-14	YPR 10	20-23
YPR 2	12-15	YPR 11	21-24
YPR 3	13-16	YPR 12	22-25
YPR 4	14-17	YPR 13	23-26
YPR 5	15-18	YPR 14	24-27
YPR 6	16-19	YPR 15	25-28
YPR 7	17-20	YPR 16	26-29
YPR 8	18-21	YPR 17	27-30
YPR 9	19-22		



**4. School Teachers Pay & Conditions****Unqualified Teachers £**

1	19,167
2	21,044
3	22,922
4	24,801
5	26,677
6	28,555

**Main Pay Scale £**

M1	25,623
M2	27,211
M3	28,896
M4	30,685
M5	33,287
M6	35,823

**Upper Pay Scale £**

U1	38,355
U2	39,775
U3	41,247

**Lead Practitioner £**

Minimum	41,247
Maximum	61,131

**Teaching and Learning Responsibility £**

Minimum	511
Maximum	2,551

**Additional Payments for Class Teachers £**

TLR 2 min	2,587
TLR 2 max	6,322
TLR 1 min	7,471
TLR 1 max	12,643
SEN min	2,043
SEN max	4,034

## 230C

<u>Leadership Scale £</u>		<u>Leadership Scale £</u>		<u>Leadership Scale £</u>	
L1	41,247	L16	58,429	L31	82,908
L2	42,205	L17	59,703	L32	84,888
L3	43,180	L18	61,131	L33	86,927
L4	44,185	L19	62,572	L34	89,000
L5	45,210	L20	64,046	L35	91,134
L6	46,264	L21	65,557	L36	93,321
L7	47,431	L22	67,104	L37	95,562
L8	48,454	L23	68,692	L38	97,850
L9	49,587	L24	70,321	L39	100,159
L10	50,785	L25	71,994	L40	102,587
L11	52,019	L26	73,700	L41	105,074
L12	53,154	L27	75,450	L42	107,624
L13	54,408	L28	77,248	L43	110,243
L14	55,681	L29	79,084		
L15	56,992	L30	80,977		

**5. NHS (re Public Health)**

<u>Point</u>	<u>£</u>	<u>Point</u>	<u>£</u>	<u>Point</u>	<u>£</u>	<u>Point</u>	<u>£</u>
1	14294	15	21265	29	34530	43	59016
2	14653	16	21388	30	35536	44	61779
3	15013	17	22016	31	36666	45	65922
4	15432	18	22903	32	37921	46	67805
5	15851	19	23825	33	39239	47	70631
6	16271	20	24799	34	40558	48	74084
7	16811	21	25783	35	42190	49	77850
8	17425	22	26822	36	43822	50	81618
9	17794	23	27901	37	45707	51	85535
10	18285	24	28755	38	47088	52	89640
11	18838	25	29759	39	49473	53	93944
12	19268	26	30764	40	52235	54	98453
13	19947	27	31768	41	54998		
14	20638	28	32898	42	56504		

Band 1 : Points 1-3

Band 2 : Points 1-8

Band 3 : Points 6-12

Band 4 : Points 11-17

Band 5 : Points 16-23

Band 6 : Points 21-29

Band 7 : Points 26-34

Band 8A : Points 33-38

Band 8B : Points 37-42

Band 8C : Points 41-46

Band 8D : Points 45-50

Band 9 : Points 49-54

**Additional Payments/Allowances for Other Employees**

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

Accelerated Increments  
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  
Change of work base (NHS)  
Childcare Allowance  
Civil Weddings  
Contractual overtime  
Dog money  
Electoral registration  
Enhanced payments  
Essential Car Lump Sum  
Excess Leave  
FE Lecturer Pay  
Fee  
First Aid  
GTC Payment  
Gritting Allowance  
High Cost Area Supplement (NHS)  
Holiday Pay  
Honorarium  
Invigilation  
Keep In Touch Days Payment  
Laundry Allowance  
Leave Not Taken  
Lettings  
London Allowance  
Market Supplement  
New Starter Arrears  
Night rates  
Noise abatement  
Occupational Adoption Pay  
Occupational Maternity Pay

Occupational Sick Pay  
Oncall allowance  
Out of school activity  
Overtime  
Pay adjustment  
Pay In Lieu Of Notice  
Pension  
Protected rate  
Recruitment & Retention Allowance (NHS)  
Redeployment payment  
Relocation expenses  
Session payment  
Shift payment  
Sleep in allowance  
Special Needs Allowance  
Split duty  
Standby allowance  
Statutory Adoption Pay  
Statutory. Maternity Pay  
Statutory. Paternity Pay  
Statutory. Sick Pay  
Supply  
Three year plusage  
TLR2  
TLR7  
Tool allowance  
Unsocial hours

**Appendix 7**

**FULL COUNCIL,  
MEMBERS' QUESTIONS**

**1 Streetcare Contractors**

**To the Cabinet Member for the Environment, Councillor Robert Benham**

By Councillor Reg Whitney

In the Romford Recorder (6th February) there was a picture on page 7 which showed a parking bay that had a street light in the middle of it. The Cabinet Member for StreetCare is quoted as saying "This is a very silly mistake and I will be taking this up personally with contractor. This isn't the first time that common sense has been called in question, there has been a catalogue of errors".

Would the Cabinet Member confirm the outcome of the personal discussions with the contractor and confirm why he has allowed, in his words, "a catalogue of errors" to go on unchecked

**Answer:**

Firstly, to clarify, a number of the errors I referred to occurred before I took on this portfolio. I have brought this important issue up with the Streetcare service. The contractor has admitted that they've had some operational issues recently, and while they have assured us that these have been addressed, their work will continue to be monitored very closely.

As soon as these issues are brought to our attention by staff, residents or the media they are dealt with and investigated.

In response to a supplementary question, the Cabinet Member confirmed that Streetcare and highways matters were investigated as soon as they were brought to the attention of staff.

**2 A1306**

**To the Cabinet Member for the Environment, Councillor Robert Benham**

By Councillor Keith Roberts

The condition of the A1306 from Chandlers Corner towards the A13 and in particular the condition of the Wennington bridge roundabout is a disgrace. Please provide an up-date of what action the Council is taking in co-operation with local inert landfill operators and other developers/businesses/agencies to improve matters?

**Answer:**

I agree that the conditions have been unacceptable and officers have met with the Operations Manager for Ingrebourne Valley Ltd to discuss the issue of mud being brought on to the A1306. Ingrebourne Valley Ltd have agreed to arrange for three mechanical sweepers to operate throughout the day and into the evening between the roundabout, over the A13 down to Launder's Lane. The road signs and bollards are washed down every Sunday.

On a weekly basis we carry out litter picking of the area and sweeping of the A1306. Our weekly inspections show that these new arrangements are helping. We ensure that all new developments have wheel wash facilities, and we know that existing sites in the area are complying with the conditions. We have recently recommended that developers wash their whole vehicle rather than just the wheels.

In response to a supplementary question, the Cabinet Member agreed to investigate further reports of the untidy condition of the Wennington Bridge and of illegal parking at this location and to report back to the Member concerned.

**3 Free Schools**

**To the Cabinet Member for Children, Councillor M Davis**

By Councillor K Darvill

**How many organisations have expressed interest in opening Free Schools in Havering within the next two years and how many primary and secondary free schools are their likely to be?**

**Answer:**

We have not had any new expressions of interest in setting up a free school for September 2016 or 2017. However, the Drapers Maylands primary school is set to open this September and the Oasis Academy Romford is set to open in September 2016.

The Department of Education will announce whether anyone has come forward to set up a free school beyond 2017 after the General Election. No further applications for Free Schools in Havering have been received in wave 8 of applications announced in March 2015. Submissions under wave 9 will be invited from May 2015. Applicants to establish Free Schools are not required to liaise with the Local Authority.

In response to a supplementary question, the Cabinet Member agreed that proposals for Free Schools made planning for school places in Havering more difficult and added that the Council may have to look at expanding current schools and being more flexible in its approach to meet demand.

4. **Green Bins**

**To the Cabinet Member for the Environment, Cllr R Benham**  
**By Councillor Morgon**

Would the Cabinet Member confirm what procedure would be followed (including timescales) if a resident overlooks to renew their green bin service in April 2015.

**Answer:**

The rate of renewal of the green bin service has been exceptionally high so far thanks to the new online renewal option, which has been actively promoted through the email update newsletters which are issued fortnightly and now reach more than 38,000 subscribers.

As of yesterday (24 March) 62 per cent of the 23,000 residents who use the green bin service have renewed.

By the time 31 March arrives those that have not renewed will have had a personal letter through the post, as well as banner reminders on the council's website, several reminders via the email update service (for those signed up for this service) and postings on social media to remind them to renew.

If they have not renewed by 1 April they will be written to again in early April, following the Easter break, to give them a further opportunity to renew their subscription.

Those who do not renew, or do not inform officers that they no longer wish to subscribe, will be informed in early May that the bin or bins will be reclaimed, which will take place during May and early-June.

Therefore, residents will be reminded a total of three times that their subscription has expired after the deadline date before their bin is removed.

5 **Parsonage Farm Primary School**

**To the Cabinet Member for Children & Learning, Councillor Meg Davis**  
**By Councillor David Durant**

Following the decision of the planning committee to refuse a further expansion of Parsonage Farm to 4FE (that would have involved creating a super-size primary school of 840 children) can you confirm whether plans and enrolment for 4FE at Parsonage Farm have been dropped in favour of more suitable alternatives?



**Answer:**

No, we are still looking at options for Rainham since by law every local child must have school place and we especially need places in this area of the borough. However, we will not be making a final decision until much closer to National Offer day, which is April 16 this year. I would also question the description of a 4FE school as a super-size primary school as there are many larger primary schools than this that operate successfully.

In response to a supplementary question, the Cabinet Member emphasised that it was still open to question as to the number of school places that would be needed. All options would be considered once the demand level was determined and the Council had a statutory responsibility to provide education for all children in the borough.

**6 Parking Bays**

**To the Cabinet Member for the Environment, Councillor Robert Benham**  
By Councillor Barry Mugglestone

Would the Cabinet Member confirm what discussions took place between the Executive and Officers before Streetcare decided to remove parking bays to comply with parking bay regulations.

**Answer**

The decision was made on 16 May 2007 when the Cabinet approved the Parking Management Strategy. Parking bays have been taken out where they don't conform to the Department for Transport's Inclusive Mobility Guidance, which was included in the strategy.

The guidance recommends that spaces should be taken out where they are too close to street furniture, too close to other people's driveways and therefore restricting their view getting out and where the footpath is too narrow for a parking space.

However, because there are a lot of smaller cars on the roads, we have changed the minimum length of a parking space that could be provided, which means that we can now consider putting bays in smaller areas, provided that it is safe to do so and welcomed by local residents.

In response to a supplementary question, the Cabinet Member confirmed that the Council was required to use current guidelines and that it was not possible to wait for the introduction of any new regulations re parking bays.

**7 Devolution**

**To the Leader of the Council, Councillor Roger Ramsey**

By Councillor Jeffrey Tucker

Can the Council Leader provide an up-date regarding the 'combined authority' discussions, disclose all relevant correspondence and outline whether his own position has moved from observer to active participant?

**Answer:**

First let me be quite clear – we're categorically not involved in any discussion about forming a 'combined authority' or merging, which in any event, would not be possible for London borough's under legislation.

There is a discussion about devolution going on across local government. Devolution is the process of handing down extra powers and extra money to be administered at a local level – it's not about sharing existing resources. For example, colleagues will have read about proposals to hand NHS budgets in Manchester to the local councils there.

So devolution could potentially allow councils more freedom to act in the best interests of their residents. However, the devil is in the detail.

We are in discussions with eight other London Boroughs about whether a geographic grouping could add weight to a claim for more money and powers.

If we believe we can eventually get extra money and extra powers to improve the quality of life for Havering residents, then we might be interested in moving the discussions on a stage - but if it's not in our interests, we'll step away. In the meantime, it would be foolish of us not to be at the table, participating in those conversations on behalf of our Borough.

In response to a supplementary question, the Leader of the Council explained that legislation did not permit a combined authority. Any devolution was likely to be via the Mayor of London to groups of boroughs. It was hoped that more powers and money could be devolved to Havering in the future but it was premature to discuss thus at this stage.

By Councillor Jody Ganly

Would the Cabinet Member confirm Havering Council's contribution to the Lee Valley Park Authority in each of the last five years.

**Answer:**

In 1966 the Lee Valley Regional Park Act was passed by Parliament which established a levy to be paid by all London Boroughs, Essex, Hertfordshire and Thurrock. In terms of this Council's contribution, the information is on our website and available in our statement of accounts. However, for ease of reference the figures are as follows:

2015/16 £249,437.64  
2014/15 £252,415.08  
2013/14 £260,569.56  
2012/13 £258,782.52  
2011/12 £265,183.56  
2010/11 £272,109.00

In response to a supplementary question, the Cabinet Member agreed that it would be beneficial to Havering if these contributions could be reduced and the money saved spent on local parks but added that an Act of Parliament would be required in order to allow this.

9 **Scrap Metal**

**To the Cabinet Member for the Environment, Councillor R Benham**

By Councillor J Wilkes

Would the Cabinet Member confirm how many licences Havering Council have issued to scrap metal dealers since the introduction of the "Scrap Metal Dealers Act" which came into force in October 2013.

**Answer:**

The new Scrap Metal Dealers Act allows us to licence sites and collectors. We have issued 27 Site licences and 19 Collectors licences since October 2013.

In response to a supplementary question, the Cabinet Member agreed to check how many prosecutions for non-compliance had been made and to confirm this to the Member concerned.

10 **Contractors**

**To the Cabinet Member for Financial Management, Councillor Clarence Barrett**

By Councillor June Alexander

Would the Cabinet Member confirm how contractors are monitored, and how this is evidenced, in any work that they are contracted to do by Havering Council.

**Answer:**

Each head of service monitors the contracts that they hold. So for example, the Breyer group contract is monitored by the head of housing. When the contract is set there are clauses regarding non-performance and these are enforced if the contractor does not deliver the quality of work we expect. Each service has different types of contracts, which are monitored in a number of ways appropriate to each contract. This could include spot checks on the work they are carrying out, monitoring complaints, budget checking and regular meetings.

In response to a supplementary question, the Cabinet Member agreed to investigate what type of information could be provided as regards the results of monitoring of contractors.

11 **Streetlights**

**To the Cabinet Member for the Environment, Cllr Robert Benham**

By Councillor John Mylod

Given the increasing number of complaints regarding street light maintenance and installations, would the Cabinet Member confirm what steps he has taken to improve the speed and efficiency in this service.

**Answer:**

First of all, I would like to clarify that we already have a service that consistently meets their targets. The team has five working days to fix a broken street light and consistently meets this target.

99% of all street lights are in working order, and statistics show that performance has not fallen to below 98% over the duration of the contract to date.

In response to a supplementary question, the Cabinet Member agreed to establish how the maintenance and installation of street lights were monitored and to advise the Member accordingly.

<i>DIVISION NUMBER:</i>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>The Mayor [Cllr. Linda Trew]</b>	O	O	A	A	A
The Deputy Mayor [Cllr. Barbara Matthews]	✓	✓	O	O	O
<b><u>CONSERVATIVE GROUP</u></b>					
Cllr Roger Ramsey	✓	X	✓	X	X
Cllr Robert Benham	✓	X	✓	X	X
Cllr Ray Best	✓	X	✓	X	X
Cllr Wendy Brice-Thompson	✓	X	✓	X	X
Cllr Joshua Chapman	✓	X	✓	X	X
Cllr John Crowder	✓	X	✓	X	X
Cllr Phillipa Crowder	✓	X	✓	X	X
Cllr Meg Davis	✓	X	✓	X	X
Cllr Osman Dervish	✓	X	✓	X	X
Cllr Jason Frost	✓	X	✓	X	X
Cllr Steven Kelly	✓	X	✓	X	X
Cllr Robby Misir	✓	X	✓	X	X
Cllr Garry Pain	✓	X	✓	X	X
Cllr Dilip Patel	✓	X	✓	X	X
Cllr Viddy Persaud	✓	X	✓	X	X
Cllr Carol Smith	✓	X	✓	X	X
Cllr Frederick Thompson	✓	X	✓	X	X
Cllr Melvin Wallace	✓	X	✓	X	X
Cllr Roger Westwood	✓	X	✓	X	X
Cllr Damian White	✓	X	✓	X	X
Cllr Michael White	✓	X	✓	X	X
<b><u>RESIDENTS' GROUP</u></b>					
Cllr Ray Morgon	✓	✓	✓	X	X
Cllr June Alexander	✓	✓	✓	X	X
Cllr Nic Dodin	✓	✓	✓	X	X
Cllr Jody Ganly	✓	✓	✓	X	X
Cllr Barry Mugglestone	✓	✓	✓	X	X
Cllr John Mylod	✓	✓	✓	✓	X
Cllr Stephanie Nunn	✓	✓	✓	X	O
Cllr Reg Whitney	✓	✓	✓	X	X
Cllr Julie Wilkes	✓	✓	✓	X	O
Cllr John Wood	A	A	A	A	A
<b><u>EAST HAVERING RESIDENTS' GROUP</u></b>					
Cllr Clarence Barrett	✓	X	✓	X	X
Cllr Alex Donald	✓	X	✓	X	X
Cllr Brian Eagling	✓	X	✓	X	X
Cllr Gillian Ford	✓	X	✓	X	X
Cllr Linda Hawthorn	✓	X	✓	X	X
Cllr Ron Ower	✓	X	✓	X	X
Cllr Linda Van den Hende	A	A	A	A	A
Cllr Darren Wise	✓	X	✓	X	X
<b><u>UK Independence Party</u></b>					
Cllr Lawrence Webb	✓	✓	O	✓	O
Cllr Ian De Wulverton	✓	✓	O	✓	O
Cllr John Glanville	A	A	A	A	A
Cllr Phillip Hyde	✓	X	X	✓	X
Cllr David Johnson	✓	✓	X	✓	X
Cllr Phil Martin	✓	X	X	✓	X
Cllr Patricia Rumble	✓	✓	O	✓	O
<b><u>INDEPENDENT LOCAL RESIDENTS' GROUP</u></b>					
Cllr Jeffrey Tucker	✓	✓	X	✓	✓
Cllr Michael Deon Burton	✓	✓	X	✓	✓
Cllr David Durant	✓	✓	X	✓	✓
Cllr Keith Roberts	✓	✓	X	✓	✓
Cllr Graham Williamson	✓	✓	X	✓	✓
<b><u>Labour</u></b>					
Cllr Keith Darvill	✓	✓	✓	O	X
<b>TOTALS</b>					
<b>✓ = YES</b>	50	20	38	12	5
<b>X = NO</b>	0	30	8	36	39
<b>O = ABSTAIN/NO VOTE</b>	1	1	4	2	6
<b>ID = INTEREST DISCLOSED/NO VOTE</b>	0	0	0	0	0
<b>A = ABSENT FROM MEETING</b>	3	3	4	4	4
	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>	<b>54</b>