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## **MINUTES OF A MEETING OF THE GOVERNANCE COMMITTEE Town Hall, Main Road, Romford 13 January 2016 (7.30 - 8.20 pm)**

**Present:**

### **COUNCILLORS**

<b>Conservative Group</b>	Joshua Chapman (Chairman), Melvin Wallace (Vice-Chair), Roger Ramsey, Damian White, Meg Davis and Osman Dervish
<b>Residents' Group</b>	Ray Morgon, June +Alexander and +Stephanie Nunn
<b>East Havering Residents' Group</b>	Clarence Barrett and Darren Wise
<b>UKIP Group</b>	Lawrence Webb
<b>Independent Residents Group</b>	+David Durant

Apologies were received for the absence of Councillors Barry Mugglestone, Barbara Matthews and Jeffrey Tucker.

+Substitute Members: Stephanie Nunn, June Alexander and David Durant (for Barry Mugglestone, Barbara Matthews and Jeffrey Tucker respectively).

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

There were no disclosures of pecuniary interest.

Decisions were taken without division unless otherwise stated.

### **16 MINUTES**

The minutes of the meeting held on 11 November 2015 were agreed as a true record and signed by the Chairman.

### **17 THE RECRUITMENT & SELECTION PROCESS FOR THE APPOINTMENT OF A NEW CHIEF EXECUTIVE AND REVIEW OF THE SALARY ATTACHED TO THE POST**

The Committee was invited to consider a report containing details about the arrangements for advertising and appointing to the post of Chief Executive and also inviting the Committee to review the salary attached to the post.

The Director of Human Resources and Organisational Development reminded Members of the procedure to be followed to ensure a smooth

transition between the retirement of the current incumbent and her successor to the post of Chief Executive. She outlined the process – from advertising the post nationally to the appointment and then explained the reasoning behind the remuneration options before them.

The Committee was then addressed by the Leader who reinforced the views expressed by the Director of HR concerning the need to ensure the appointment of a person of the right calibre and that this would come with a high price simply because there was a limited supply of people who had the requisite experience and talent and the remuneration packages being offered by other London boroughs were either similar or higher than the range being proposed for Havering.

After discussion, Members were in agreement that it would be most appropriate to recommend a salary range – between £163,920 and £170,000. The Committee noted that the lowest point was below the average Chief Officer pay level whilst the higher limit – whilst still lower than some boroughs – was closer to the average.

The Committee was clear, however, that remuneration would be determined strictly on experience with consideration to be given to whether the successful candidate was already a Chief Officer or was progressing from a Director level.

A Member continued to raise concerns about the necessity of ensuring that pay ratios were maintained and after further discussion the report's recommendations were put to the vote.

In favour of the motion to accept the recommendations as outlined in the report:

Councillors: Joshua Chapman, Roger Ramsey, Melvin Wallace, Damian White, Meg Davis, Osman Dervish, Clarence Barrett, Ray Morgon, Stephanie Nunn, Darren Wise, June Alexander and Lawrence Webb

There were no votes against the motion

Councillor David Durant abstained

The motion was **CARRIED** by twelve votes to none.

The Committee accordingly:

1. **Determined** that the salary to be applied to this post should be in the range £163,920 and £170,000,
2. **Noted** that the post would be advertised externally;
3. **Noted** the indicative timetable for the recruitment process;
4. **Noted** the executive recruitment consultants to be appointed; and
5. **Noted** that the detailed arrangements for the recruitment and selection process would be handled by the oneSource Director of HR & OD, in consultation with the Leader of the Council.

18     **SEALING OF COUNCIL DOCUMENTS AND DELEGATION TO LEGAL OFFICERS**

The report before the Committee proposed a number of minor refinements to the Constitution in respect of the procedure in relation to the sealing of Council legal documents and the delegation of legal powers to legal officers and it invited Members to recommend to Council a change in the arrangements in relation to this procedure in order to enable a more efficient management of the respective legal processes.

The Interim Deputy Director Legal and Governance explained that the current process – which involved the Mayor or the Deputy Mayor to affix the seal and add their signatures to these legal documents – was now anachronistic. She supported this assertion by referring to a survey she had just conducted which showed that none of the 14 responding London boroughs involved their Mayor or the Mayor's deputy in this process.

In addition, with the Council's legal services now having been transferred to oneSource which was located in Stratford (the better to serve both Newham and Havering), the process was even more costly and time-consuming and those parties waiting for signed and sealed contracts, were becoming frustrated with the delays the Havering system currently contained.

The Committee was assured by both the Leader and Councillor Melvin Wallace (both former mayors) that the task of signing and sealing these contracts – which in themselves only represented a small proportion of the contracts being signed on a daily basis by legal officers – was in itself time-consuming and added nothing to the legal process, especially as most of the documents for sealing were land transfers or of a complex nature and so the formality of adding the seal and their signature had only an historic significance.

The Interim Deputy Director added that this might be an appropriate time to increase the minimum sum involved from the current £100,000 – which had been in place for a long time – to a more realistic amount: £150,000. It was noted that the report contained a typographic error in the first recommendation relating to the proposed minimum value of the contract and this was amended by the Committee. The revised figure could be reviewed after a suitable period and was still modest in comparison to a number of other London boroughs.

A Member raised concerns about the removal of elected Members from the process and after further discussion the report's recommendations were put to the vote.

In favour of the motion to accept the recommendations as outlined in the report:

Councillors: Joshua Chapman, Roger Ramsey, Melvin Wallace, Damian White, Meg Davis, Osman Dervish, Clarence Barrett, Ray Morgon, Stephanie Nunn, Darren Wise, June Alexander and Lawrence Webb

There were no votes against the motion

Councillor David Durant abstained

The motion was **CARRIED** by twelve votes to none.

The Committee **resolved to recommend to Council** that:

1. The second paragraph of Article 10.4 of the Constitution be amended to read:

*“Contracts must be made under the common seal of the Council in accordance with rule 16 of the Contract Procedure Rules. Contracts under £150,000 may, in most circumstances, be signed by the Chief Executive or the appropriate Group Director, Director of Legal and Governance or Head of Service in accordance with the Contracts Procedure Rules set out in Part 4.*

2. The monetary threshold for the sealing of contracts as set out in rule 16 of the Contract Procedure Rules be raised to £150,000.

3. Article 10.5 of the Constitution be amended to read

*“The common seal of the Council may be affixed to any document on the authority of any either of the Chief Executive, a Group Director, the Director of Legal and Governance, the Deputy Director of Legal and Governance, a Principal or Senior Lawyer.*

*“The seal shall be attested by that individual and an entry of every sealing of a document shall be made and consecutively numbered in a register to be provided for the purpose and shall be signed by the person who has attested the seal.”*

## 19 **MONITORING OFFICER NO 06 AMENDMENTS TO THE CONSTITUTION**

The Committee was invited to consider a report concerning amendments made by the Monitoring Officer to the Constitution.

Following consideration the Committee **NOTED** the report.

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**Chairman**