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MINUTES OF A MEETING OF THE GOVERNANCE COMMITTEE Town Hall, Main Road, Romford 9 March 2016 (7.30 - 8.10 pm)

Present:

COUNCILLORS

Conservative Group	Joshua Chapman (Chairman), Melvin Wallace (Vice-Chair), Damian White, Meg Davis, Osman Dervish and +Philippa Crowder
Residents' Group	Ray Morgon, Barbara Matthews and +Jody Ganly
East Havering Residents' Group	Clarence Barrett and Darren Wise
UKIP Group	+Patricia Rumble
Independent Residents Group	+David Durant

Apologies were received for the absence of Councillors Roger Ramsey, Barry Mugglestone, Lawrence Webb and Jeffrey Tucker.

+Substitute Members: Philippa Crowder, Jody Ganly, Patricia Rumble and David Durant (for Roger Ramsey, Barry Mugglestone, Lawrence Webb and Jeffrey Tucker respectively).

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

There were no disclosures of interest.

Decisions were taken without division unless otherwise stated.

21 MINUTES

The minutes of the meeting held on 13 January 2016 were agreed as a true record and signed by the Chairman.

22 RESPONSIBILITY FOR SCRUTINY OF ISSUES RELATING TO THE CHILDREN AND FAMILIES ACT 2014

The Committee was invited to consider a report containing details about proposals to make a minor change to the Constitution to make it clear that responsibility for scrutiny of issues related to the Children and Families Act

2014 was solely that of the Children and Learning Overview & Scrutiny Sub-Committee

This change was to add some clarifying wording to the existing text.

The Committee accordingly agreed to:

Recommend to Council that:

The section of the table in Part 3, section 1.4 of the Constitution dealing with the areas of responsibility of the Children & Learning Overview and Scrutiny Sub-Committee be amended so that the following text was added to the areas of responsibility of the Sub-Committee:

“Issues relating to the Children and Families Act 2014”

23 REVIEW OF THE OPERATION OF THE HIGHWAY ADVISORY COMMITTEE

The report before the Committee reminded Members that the Highway Advisory Committee (HAC) currently reviewed the vast majority of traffic management proposals which often resulted in those proposals being considered multiple times by that Committee. It was therefore proposed to streamline the involvement of the HAC in minor traffic management changes whilst maintaining targeted and local representation of all traffic management proposals.

Various Members raised queries about the application of the proposals and asked for clarification about how the process – if the changes were agreed – would work in practice. One member asked why there was no mention of bus stop accessibility and officers agreed that this could be included within the proposed changes. There was discussion about the involvement of Ward councillors in the “call-in” procedure and about whether non-Ward councillors could also exercise “call-in” and if so, at what stage of the process. There were observations made that the process would benefit from having a clear guide about what constituted “minor” road-works in order to assist councillors decide what course of action (if any) to adopt.

Officers reassured Members that these concerns could – and would - be addressed and also agreed to incorporate a flow-chart designed to provide a simple, schematic representation of the process which could be referred to to assist Members understand the process.

The Chairman informed the Committee that the recommendation as it appeared in the report was incorrect because the Governance Committee could not itself agree the requested changes which were properly for Council to decide.

To address this, he proposed that the wording be amended to read: *“The Committee **resolve to recommend to Council that ...**”*

In addition, as it appeared that further work on the report was needed before it could be presented to Council – and on the advice of the Legal Officer, the Chairman asked the Committee whether, if it agreed the proposals in principle, the matter be delegated to himself, the Interim Deputy Director Legal & Governance and the Committee Administration Manager to ensure that all the proposed changes to the HAC procedure rules be incorporated in the report and that the report be sent to each Member present at the meeting of the Committee for comment and Committee members not present for information before being presented to Council providing a majority of those Members present at the meeting were in agreement that the revisions made addressed their concerns.

The Committee:

- 1 **Agreed** to accept the report “in principle”. It furthermore **agreed** to delegate to the Interim Deputy Director Legal & Governance and the Committee Administration Manager in consultation with the Chairman to make the necessary changes to the procedure rules and to incorporate those elements discussed in committee.
- 2 **Agreed** that if the revisions were acceptable and so could be presented to Council, that the revised wording of the recommendation should be:

The Committee resolved to **recommend to Council** that it **approve** the amendments to the Constitution contained within the report which would permit changes to the range and scope of the Highways Advisory Committee.

The Committee also resolved to **refer to Cabinet** the **authorisation** of additional delegated powers to be given to the Head of Service necessary for approving and progressing relatively minor changes in regard to traffic management orders.

- 3 If the majority of Members present at the meeting did not support the revised report, it would not be presented to Council at this time but was to be brought back to the Committee at a future meeting for reconsideration.

24 **APPOINTMENTS TO ROMFORD TOWN MANAGEMENT PARTNERSHIP**

The Committee was invited to consider making appointments to the newly established Romford Town Management Partnership and, if it agreed with the proposed appointees, to confirm those appointments as appropriate.

Following consideration the Committee appointed the following individuals to the Romford Town Management Partnership:

- Councillor Robert Benham
- Councillor Osman Dervish
- Business Development Manager – Economic Development

- Community Safety Team Leader – Community Safety
- Market Manager – Romford Market

25 **INDEMNITIES FOR MEMBERS AND OFFICERS**

The Committee was informed that a review of the Council's current constitution and policies had failed to identify whether the Council had determined to extend member and officer indemnities by the powers granted under the Local Authorities (Indemnities for Members and Officers) Order 2004. The report before Members proposed to confirm the 2004 Order and extend the powers of the Authority to give indemnities to Members and officers in respect of liabilities arising during the course of their duties.

Following consideration the Committee:

Confirmed the Local Authorities (Indemnities for Members and Officers) Order 2004 and extended the powers of the Authority to give indemnities to Members and officers in respect of liabilities arising during the course of their duties

26 **TERMS OF REFERENCE OF GOVERNANCE COMMITTEE AND DELEGATION OF AUTHORITY FROM COUNCIL**

The report before the Committee anticipated the need for the Council to reach a decision on changes to staff terms and conditions of service in the autumn and invited Members to recommend to Council that it should delegate authority to make the necessary decisions to the Governance Committee and amend its terms of reference accordingly.

The Interim Deputy Director Legal & Governance explained to Members that the work would involve all staff below head of Service and include negotiations with unions and was, by its nature, sensitive. There was a requirement for the matter to be dealt with speedily once decisions had been made and it was considered that full Council was not an appropriate forum for this to be discussed in.

The Governance Committee already had delegated authority to consider and make appointments of Heads of Service and Group Directors, so this could be an extension of those delegated authorities. The only post which remained the responsibility of Council was the appointment of the Chief Executive and that was because it was a statutory requirement.

A Member raised asked whether it was appropriate for the Committee to make the final decision relating to all staff and should any decision be referred to Council for ratification. This was considered to be an unnecessary complication to the process and would furthermore introduce delays which the delegation of authority was designed to eliminate.

The Chairman called for a vote on whether to accept the recommendations of the report as they stood:

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

Councillors: Joshua Chapman, Melvin Wallace, Damian White, Meg Davis, Osman Dervish, Philippa Crowder, Clarence Barrett, Darren Wise, Ray Morgon, Barbara Matthews, Jody Ganly and Patricia Rumble

Against the motion: Councillor David Durant

The motion was CARRIED by twelve votes to one.

The Committee therefore resolved to:

1. **Recommend to Council**, at its meeting on 30 March 2016, that it delegate authority to the Governance Committee to approve proposals which were likely to arise from the review of employee terms and conditions and make an amendment to its terms of reference to enable this.
2. **Note** that the proposals relating to employee terms and conditions were currently being developed and would be subject to consultation with all Council staff and the recognised trades unions.

27 **APPOINTMENTS TO OTHER ORGANISATIONS, 2015/16**

The Committee was informed that there was a requirement for it to make appointments to the following bodies:

The Havering Sixth Form College and the Poyntz Trust. Both of these bodies received nominations from the Council and recommendations were confirmed by the Governance Committee.

The Committee:

1. In respect of the Havering Sixth Form College, **nominated** Councillor Wendy Brice-Thompson to be a Governor of the Havering Sixth Form College.
2. In respect of the Poyntz Charity, **re-appointed** Councillor June Alexander, Mr David Livermore and the Reverend Michael Sparrow until March 2020.

Chairman

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