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MINUTES OF A MEETING OF THE GOVERNANCE COMMITTEE Town Hall, Main Road, Romford 11 January 2017 (7.30 - 9.00 pm)

Present:

COUNCILLORS

Conservative Group Meg Davis (Chairman), Melvin Wallace (Vice-Chair), Roger Ramsey, Damian White and Osman Dervish

Residents' Group Ray Morgon, Barbara Matthews and +Stephanie Nunn

Labour Group Keith Darvill

Independent Residents Group David Durant

Apologies were received for the absence of Councillors Barry Mugglestone and Lawrence Webb.

+Substitute Member: Councillor Stephanie Nunn (for Barry Mugglestone).

Unless otherwise indicated, all decisions were taken with no votes against.

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

17 MINUTES

The minutes of the meeting of the Committee held on 31 August 2016 were agreed as a correct record and signed by the Chairman.

18 MONITORING OFFICER NO 11 AMENDMENTS TO THE CONSTITUTION

The Committee was invited to consider a report concerning proposed amendments to the Overview & Scrutiny Procedure Rules.

Following consideration the Committee recommended that proposed changes to the Overview & Scrutiny Procedure Rules (appended to these minutes) be forwarded to Council for approval.

19 EXCLUSION OF PRIOR APPROVALS FROM COUNCILLOR CALL-IN PROCESS

The report set out the process in respect of the processing of prior approval submissions. It was reported that unlike planning applications, prior approval submissions had strict timescales for determination which, if not adhered to, could result in their default approval irrespective of the Council's intended decisions.

It was noted that the matter had previously been reported to Governance Committee on 26 May 2016 and then again on 31 August 2016.

At the August meeting it was proposed, with Council's agreement, that:

- Prior approval applications cannot be called-in to Regulatory Services Committee unless an Extension of Time Agreement has been sought and agreed by the applicant;
- Prior approval applications should be included in the weekly publicity list so that ward members can better understand the nature and extent of prior approval applications;
- After a period of 3 months, the matter would be reviewed and reported to Governance Committee to assess whether introduction of a call-in arrangement would be justified. Should further changes be considered appropriate at that point, the matter would be referred to Council for final approval.

Council ratified the first point and noted the second and third points at its meeting on 14 September 2016.

The Committee resolved to confirm the approach set out within the report that prior approval submissions could not be called-in for determination by the Regulatory Services Committee unless an Extension of Time Agreement had been sought and agreed by the applicant.

The resolution was passed by 8 votes to 4. Councillors Durant, Morgon, Matthews and Nunn voted against the resolution.

20 APPOINTMENTS TO OTHER ORGANISATIONS 2016/17

The report before the Committee informed it that there were two organisations which required it to make or - confirm – appointments.

In the first – the Romford Combined Charity - the Committee was invited to reappoint Councillor Joshua Chapman as a nominative trustee. There were no other nominees.

In the second – Citizens Advice Havering – there Committee was invited to appoint up to two nominative trustees to the Board. Nominations were received and seconded for the appointment of Councillors Viddy Persaud and Ray Morgon.

The Committee RESOLVED:

1. To re-appoint Councillor Joshua Chapman as a nominative trustee of the Romford Combined Charity.
2. To appoint Councillors Viddy Persaud and Ray Morgon as nominative trustees of Citizens Advice Havering.

21 TERMS AND CONDITIONS REVIEW - PROGRESS REPORT

The report updated the Committee on the progress of the Terms and Conditions review, the consultation proposals for which ended on 9th December.

It was noted that a total of 193 items of feedback e-mailed to the Terms and Conditions inbox from staff were received during the consultation period.

There had been an analysis undertaken of the impact the proposals would have, with 74.6% of employees either seeing no change in their pay or an increase in their pay.

There would be an estimated £546k cost reduction to the General Fund budget which would meet the target to create annual savings of at least £500,000 on the Council's non-schools corporate pay bill.

Members were concerned that everything possible should be done to reduce the impact of loss of earnings on the small minority of staff affected by the proposals.

It was noted that throughout the consultation period, the Council's aim had been to try to reach a collective agreement with all 5 recognised trade unions (on behalf of all employees). As the Council was not prepared to meet a trade union request that the number of spine points at Grade 2/3 be increased, the GMB had indicated that they would not be prepared to support a collective agreement (because of their perceived potential impact on women).

The Council had emphasised that the final impact of the finalised proposals would not be known until a second equalities analyses had been undertaken and had asked the GMB to therefore reserve their position on this issue until that point. It was the view of officers however that a collective agreement was less likely to be achieved.

The Committee were informed that a report would be brought back to a future meeting which updated the position regarding the possible collective agreement and whether an implementation decision was required.

The Committee noted the report by 11 votes to 1.

Councillor Durant refused to note the report.

22 **EXCLUSION OF THE PUBLIC**

Following a motion by the Chairman, it was **RESOLVED** that members of the public be excluded from the remainder of the meeting on the grounds that it was likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during those items there would be disclosure to them of exempt information within the meaning of paragraph 5 of Schedule 12A to the Local Government Act 1972.

23 **PROPOSED TERMINATION OF THE SALARY PLUSAGE SCHEME**

It was explained that the Salary Plusage Scheme was introduced by the Council in 1965. It provides for additional salary payments to some Council employees and it would appear it may have been designed at that time as a staff retention tool and to reward long service.

Members were advised that following a detailed review of these arrangements the Scheme was no longer reasonable or justified and accordingly was no longer permissible in law and that further payments under the Scheme should cease.

The report sets out the steps that officers advice be taken by the Council.

The Committee:

1. Agreed that the Salary Plusage Scheme does not serve the purpose for which it was introduced and that continued payments under the Scheme are not legally permissible (save in the limited circumstances set out in this report).
2. Agreed the steps set out in paragraphs 13 to 18 of this report to cease payments under the Scheme.
3. Delegated authority to the Head of Paid Service to take such actions and steps incidental to 1 and 2 above as are necessary to bring an end to the Scheme, including but not limited to exercising discretion to make some extra payments in exceptional circumstances/hardship cases.

The resolution was passed by 12 votes to 1. Councillor Durant voted against the resolution.

Chairman

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SUBJECT: AMENDMENTS TO CONSTITUTION

Notification No. 11

Date 11 January 2017

Notification of amendments to the constitution

Amendments made by the Monitoring Officer

Part 2, Article 11.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution.

Part and article/ section	Page ref	Substance of amendment / amended wording	Reason for amendment
Part 4, Rules of Procedure. Overview & Scrutiny Rule 11		<p>Reports to Council & Cabinet Amend wording as follows:</p> <p>(a) Once it has formed recommendations on proposals for development, the Overview and Scrutiny Sub-Committees will prepare a report and submit it to (the Overview and Scrutiny Board who will then submit it to) the proper officer for consideration by the Council or by the Cabinet as appropriate.</p> <p>(b) If an Overview and Scrutiny Sub-Committee cannot agree on one single final report to the Council or Cabinet as appropriate, then up to one minority report may be prepared and submitted for consideration by the Council or Cabinet with the majority report.</p> <p>(c) As soon as possible after the Sub-Committee Overview and Scrutiny Board has prepared the report, the proper officer shall serve a copy of it upon the relevant Cabinet Member.</p> <p>(d) The Council or Cabinet must consider the report of the Overview and Scrutiny Sub-Committee Board within two months of it being submitted to the</p>	Need to revise process to ensure Overview & Scrutiny decisions are brought to the Executive in a timely manner

Part and article/ section	Page ref	Substance of amendment / amended wording	Reason for amendment
		<p>proper officer.</p> <p>(e) Reports of Overview and Scrutiny Sub-Committees Board referred to the Cabinet shall be considered by the Cabinet within two months of the meeting of the Overview and Scrutiny Sub-Committee at which its report and recommendations are agreed.</p>	