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**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Town Hall, Main Road, Romford
14 November 2012 (7.30pm - 8.40 pm)**

Present:

COUNCILLORS

Conservative Group	Frederick Thompson (Chairman), Becky Bennett (Vice-Chair), Robert Benham, Steven Kelly, Eric Munday, Roger Ramsey and Michael White
Residents' Group	Clarence Barrett and Gillian Ford
Labour Group	Keith Darvill and Paul McGeary
Independent Residents Group	Jeffrey Tucker

Apologies were received for the absence of Councillors Ted Eden.

All decisions were taken with no votes against.

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

13 MINUTES

The minutes of the meeting held on 11 September 2012 were agreed as a true record and signed by the Chairman.

14 INGREBOURNE WAY Sustrans CONNECT2 PROJECT - PROPOSED AMENDMENT OF PLEASURE GROUND BYLAW ON CYCLING

The Committee was informed that the Ingrebourne Way Sustrans Connect2 project aimed to form a continuous, fully accessible walking and cycling route from Noak Hill to the River Thames at Rainham. As far as possible, the route would follow the River Ingrebourne, using a number of parks and open spaces, as well as highway space, on its way.

The project had been allocated an £880k BIG Lottery grant and additional funding from Veolia Havering Riverside Trust and Transport for London made the total funding for the project more than £1.5 million.

The Committee noted that current pleasure ground byelaws provided for qualified prohibition of cycling in many of the Council's parks. In order to permit cycling on signed, designated routes through parks it was now

proposed to make a single minor amendment to the existing byelaws by the Council adopting the Department for Communities & Local Government model byelaw on cycling.

If approved, the byelaw in question would provide that:

No person shall without reasonable excuse ride a cycle in the ground except in any part of the ground where there is a right of way for cycles [or on a designated route for cycling].

The Committee RESOLVED to RECOMMEND to Council:

- 1 That the new model byelaw on cycling as approved by the Department for Communities & Local Government be adopted.
- 2 That, simultaneous with the adoption of the new byelaw the current byelaw 9(ii) of the 1990 Pleasure Ground Byelaws be revoked
- 3 That the Assistant Chief Executive be authorised to take all steps necessary to secure the revocation of the existing byelaw and its replacement by the new byelaw as soon as practicable, including publication of all necessary notices and the securing of all necessary consents.

15 **PROPOSED NEW PARLIAMENTARY CONSTITUENCIES - OUTCOME OF REPRESENTATIONS**

In November 2011, the Boundary Commission for England published proposals for new Parliamentary Constituencies for Havering, two of which would be wholly within the borough, with a third partly covering Havering and parts of eastern Barking & Dagenham.

On the recommendation of the Governance Committee, the Council subsequently expressed the view to the Commission that the proposals were unacceptable as they stood, and alternatives were suggested.

The Commission, having considered the representations submitted, have prepared new proposals, broadly retaining the existing constituency boundaries (for Havering). The constituencies now proposed are as follows:

Constituency (Electorate)	Including the following Wards:
Dagenham & Rainham (75,880)	Elm Park; Rainham & Wennington; and South Hornchurch (plus 7 wards in Barking & Dagenham, from Chadwell Heath in the north to River in the south)
Hornchurch & Upminster (79,568)	Cranham; Emerson Park; Gooshays; Hacton; Harold Wood; Heaton; St Andrew's; and Upminster

Romford (79,271)	Brooklands; Havering Park; Hylands; Mawneys; Pettits; Romford Town; and Squirrels Heath (plus Eastbrook Ward in Barking & Dagenham)
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Maps of the proposed constituencies are appended to this Minute.

In general, the current constituency boundaries were retained. The adjustments were as follows:

Dagenham & Rainham - No change in the Havering portion

Hornchurch & Upminster - No change

Romford - The Havering wards were unchanged but Eastbrook ward from Barking & Dagenham – which included the Dagenham portion of Rush Green – was added to the constituency.

The Commission had commented that, of 68 constituencies in Greater London, the proposals for 51 had changed following the consultation. The new proposals were now the subject of further consultation, closing in December.

The view of the Committee was that, while not entirely ideal, the new proposals were a significant improvement upon the unacceptable initial proposals and were to be welcomed.

The Committee accordingly RESOLVED to RECOMMEND to Council that the revised proposals for the Borough's Constituencies be welcomed.

16 **REVIEW OF THE OPERATION OF THE HIGHWAYS ADVISORY COMMITTEE**

The Committee was advised that the current procedure for the consideration of traffic management proposals by the Highway Advisory Committee often resulted in the service proposal being considered multiple times by the Advisory Committee. It was proposed to streamline the work for the Advisory Committee while maintaining the consideration of representation on highway schemes.

The current terms of reference of the Committee were:

- To advise the Council's Executive on local highway and traffic management schemes
- To consult objectors, and consider objections made to schemes
- To make recommendations to the Cabinet Member for Community Empowerment for the implementation of schemes.

The Committee Procedure Rules specific to the Committee were:

Highways Advisory Committee

- (a) *The Highways Advisory Committee will consider all parking schemes which are not subject to officer delegation.*
- (b) *Where representations have been received to a scheme, one objector and one supporter shall have an opportunity to address the Committee. The addresses shall not exceed six minutes (which means that each address shall not exceed 3 minutes) or such lesser time as the committee by resolution, either generally or in relation to a specific scheme, may agree.*
- (c) *The Chairman may use his/her discretion to allow more than one objector and/or one supporter to address the Committee.*
- (d) *A Councillor calling-in a scheme or speaking as a Ward Councillor shall be limited to four minutes in addressing the Committee.*

The Head of StreetCare had only limited delegated powers to make decisions on highway schemes. Currently the only schemes that fall within his delegation were:

- The creation, amendment and removal of disabled persons' parking bays and footway parking bays
- Minor alterations to traffic management orders to enable implementation of approved proposals or continuation of traffic management schemes
- To authorise the issue of temporary traffic orders, temporary traffic notices and temporary prohibitions of waiting and loading.

Following consultation with the Administration, the working of the Committee had been reviewed, and it had been concluded that current procedures meant that a traffic proposal could be presented up to three times before a formal decision was reached, even though proposals were often relatively localised and of limited impact. The level of Member oversight involved appeared excessive compared with almost all other decisions made by the Council which affect the physical environment, and also resulted staff time being deployed on schemes having little or no likelihood of proceeding. The role of the Committee as a forum for the public consideration of representations on proposals continued to be valuable, particularly given the ability for residents to address the Committee.

It is therefore proposed that the role and functioning of the Committee should be amended to streamline the current arrangements whilst maintaining the effective consideration of traffic schemes.

Accordingly, the Committee put forward the following proposals:

- (a) That the general practice of reporting draft schemes to the Committee prior to them being sent out for public consultation cease, but that the Head of StreetCare may refer a draft scheme to the

committee if he considers it appropriate, with a minor change to the terms of reference to reflect this.

- (b) That the Head of StreetCare be authorised to determine whether initial requests for traffic schemes proceed further or not based on criteria approved by the Cabinet Member for Community Empowerment following consultation with the Committee.
- (c) That the traffic schemes which are fully delegated to the Head of StreetCare be extended to include 'At any time' waiting restrictions at bends and junctions.
- (d) That Paragraph (a) of the Committee Procedure Rules for the Committees be amended to "*The Highway Advisory Committee will consider representations on all parking schemes which are not subject to officer delegation.*"
- (e) That Highway related matters outside the terms of the Committee are no longer considered.

The necessary changes to the Council's Constitution are set out in the Appendix to this report.

The Committee discussed and agreed the proposals, and also agreed with a suggestion put forward in discussion that members be notified weekly of all requests received for traffic schemes as part of Calendar Brief and that the Committee Procedure Rules and the Scheme of Delegation be amended accordingly.

The Committee RESOLVED to RECOMMEND to Council that the changes to the Highways Advisory Committee's Terms of Reference and Procedure Rules and to the Head of StreetCare's delegated powers set out in the attached Appendix to this Minute be approved.

17 REPORT OF THE MONITORING OFFICER (NO 13)

A review of the Council's Constitution, and recent legislation, had led to proposals for amendment of the Constitution.

The Committee NOTED the report

18 URGENT REQUEST FOR THE CONSIDERATION OF THE PROVISION OF AN SRA FOR THE CHAIRMAN OF THE ADJUDICATION & REVIEW COMMITTEE

With the permission of the Chairman, a Member reminded the Committee that prior to the Adjudication and Review Committee's status being changed to that of a sub-committee, its chairman had always received a special responsibility allowance (SRA) along with every other committee chairman.

The Member argued that withholding an SRA from a committee chairman was a discriminatory departure from the principle that all chairmen have additional responsibilities over and above those of committee members and even those chairing sub-committees. In the case of the Adjudication and Review Committee, if anything, since the reabsorption of housing – which would increase the number of complaints coming forward - along with taking on the responsibility of dealing with Member issues in the place of the old Standards Committee (where an SRA was paid for just that work alone); these factors alone should make it obvious that an SRA should be paid.

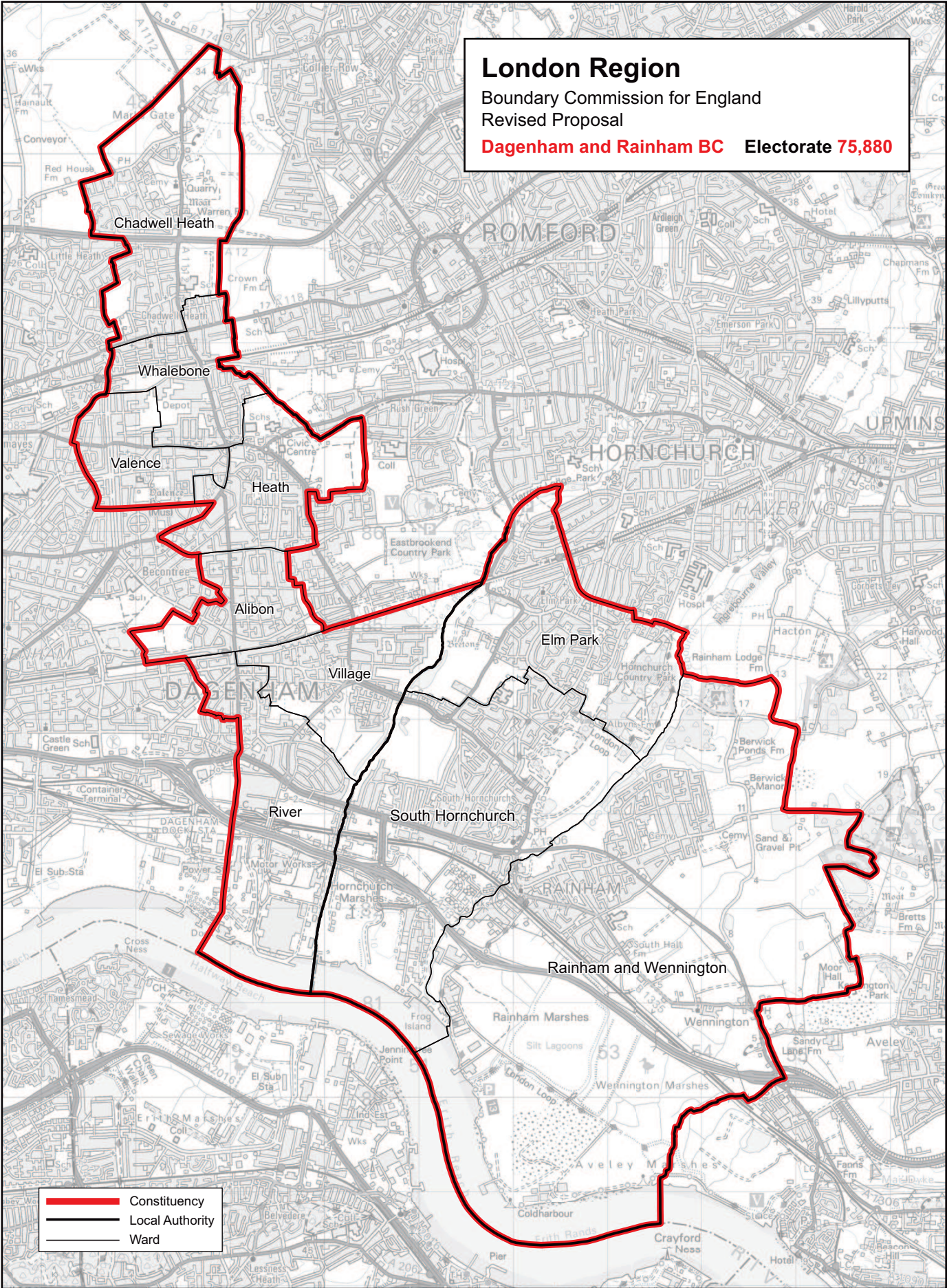
It was argued that there could be no justification for delaying the award of an SRA into the New Year especially as other committees had been set up and SRA awarded without a need for the chairmen to justify it.

Members responded by stating that there had been no decision to withhold an SRA – certainly there had been no decision to delay considering it. When the matter was discussed in September, it had been decided to monitor the activity of the committee over a period of time and assess what work was actually being dealt with.

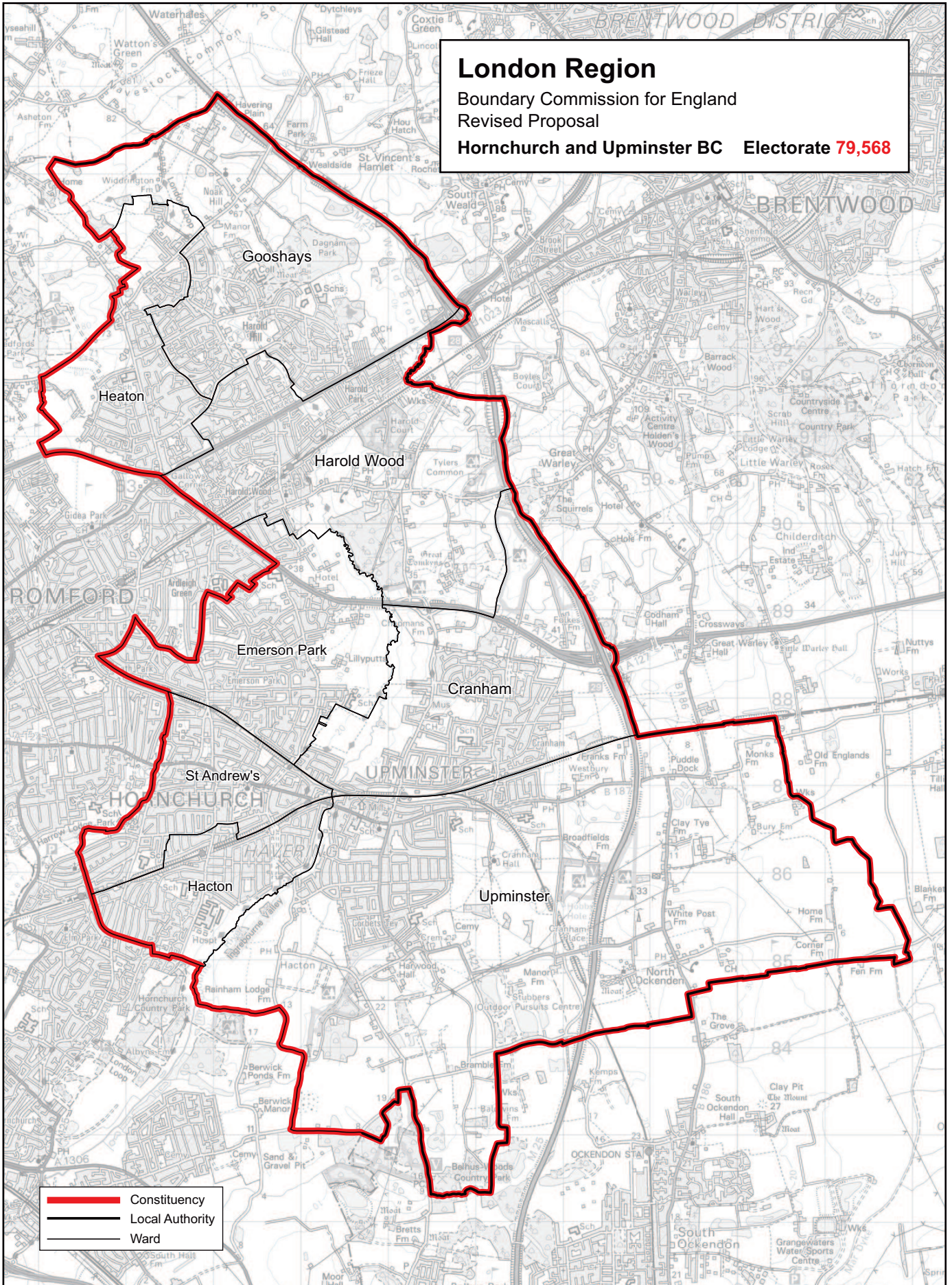
All Members were aware that there were budgetary constraints and that the Executive had to manage its funds prudently. Once the Committee had evidence one way or the other, it would decide whether an SRA should be awarded or not, for the time-being, the matter remained under review.

The Committee NOTED the concerns expressed by the Adjudication and Review Committee, but RESOLVED to continue to monitor the workload of the Committee for the time being.

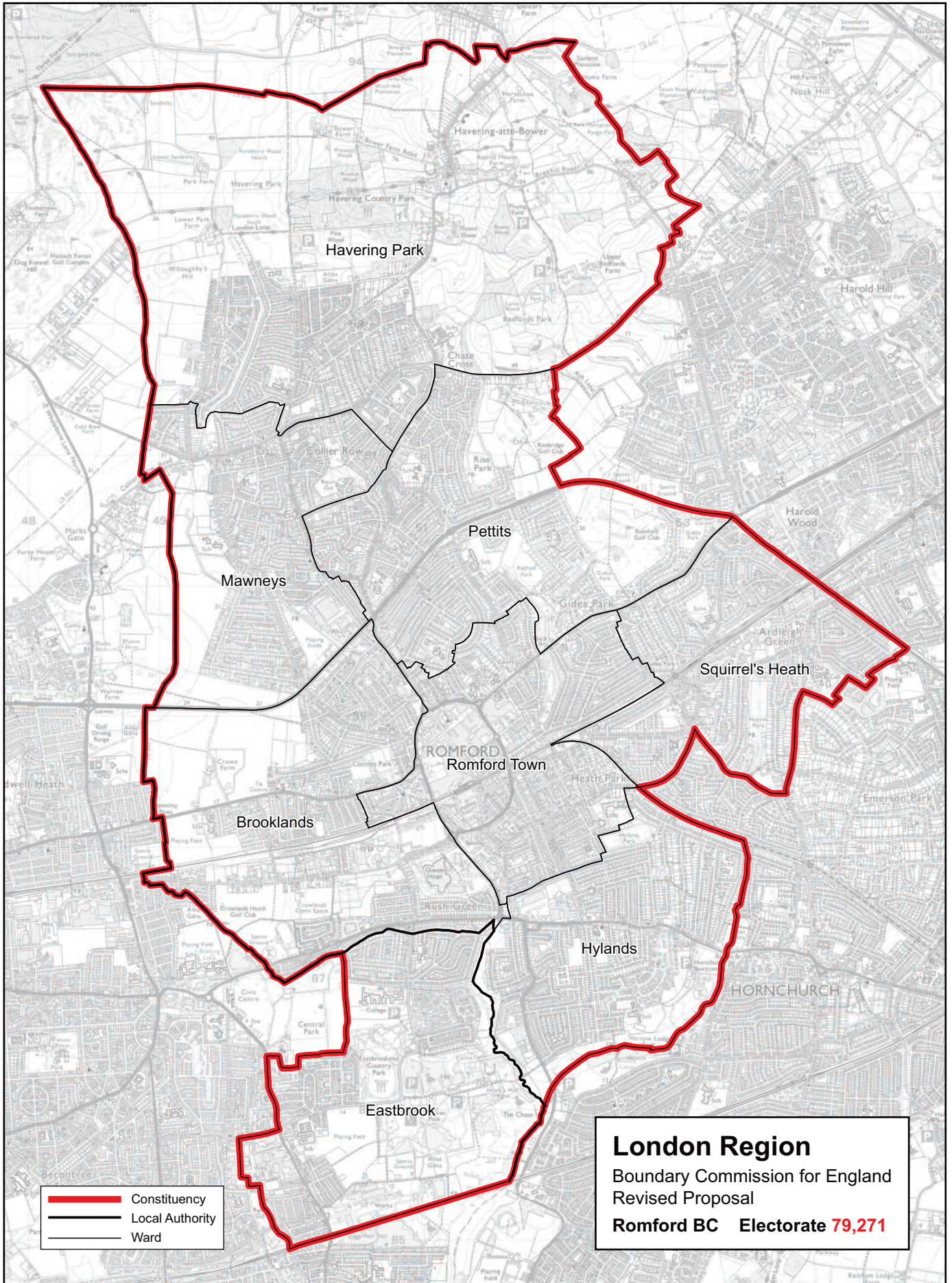
Chairman



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APPENDIX to Item 16

The Governance Committee recommended:

1. That the terms of reference of the Highway Advisory Committee be amended to:
 - To advise the Council's Executive on local highway and traffic management schemes.
 - To consider representation made as a result of public consultation to proposed schemes
 - To make recommendation to the Cabinet Member for Community Empowerment on the implementation of proposed schemes
2. That paragraph (a) of the Committee Procedure Rules specific to the Highways Advisory Committee be amended to:
 - (a) The Highway Advisory Committee will consider any proposal for a parking scheme which is referred to it by a member within 7 days of the proposal being notified to members via Calendar Brief, and all representations made on all parking schemes which are not subject to officer delegation.
3. That the delegated powers of the Head of StreetCare be amended as follows:
 - (u) To authorise the creation, amendment and removal of disabled, persons' parking bays, footway parking bays and at any time waiting restrictions at bends and road junctions.
 - (r) To approve local highway management schemes in principle for public consultation.
 - (gg) To approve or reject for further consideration proposals made to the Council for local highway management schemes in accordance with the criteria agreed from time to time by the Cabinet Member for Community Empowerment, provided that the proposal has previously been notified to members via Calendar Brief and no member has requested within 7 days of the notification that the proposal be referred to the Highways Advisory Committee for consideration

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