



Havering

LONDON BOROUGH

How your Council works



How your Council works

Havering Council was set up in 1965 by the London Government Act. It is one of the 32 London Boroughs that, with the Greater London Authority and City of London, provide local government services in London.

The Council comprises 54 elected Members (known as Councillors). The Borough is divided into 18 wards, each with an electorate of about 10,000, represented by three Councillors elected to serve for four years from May 2010. There are currently (at July 2010) 33 Conservative Councillors, 12 Residents' Group Councillors, 5 Labour Councillors and 4 Independent Residents' Group Councillors.

As a local authority, the Council is responsible for a vast range of activities that affect everyone, every day: ranging from emptying dustbins and street cleaning to providing education to looking after the most vulnerable members of society. Services are delivered by professional staff (referred to as Officers), who are employed to work on policies decided, within the law, by the democratically elected Councillors.

The democratic work of the Council is carried out by the Councillors in the Council itself, at Cabinet, and in Committees each reflecting the political balance of the Council. This leaflet briefly describes those bodies and explains their roles, and explains also how residents and other members of the public can observe what goes on and, in some cases, participate in proceedings.

Public involvement is a vital ingredient in local democracy. Local Government services cover a range of activities affecting each and every citizen, whatever their age and whatever their background. Understanding how democracy works is essential to understanding how society works.

Council

Council is the full meeting of all Councillors:

- **The Annual Meeting**, always held in late May, is when the Mayor is elected for the coming year, and at which the Council's various Committees are appointed, and their Chairmen and Vice-Chairman are elected.
- **Ordinary meetings** of the Council are held five times a year: in July, October, December, early February and late March or early April.
- **The Budget and Council Tax** for the coming financial year are set at a meeting in late February or early March.
- **Extraordinary meetings** are occasionally necessary, to deal with urgent business. Only the business specified in the agenda may be dealt with at an extraordinary meeting.

Mayor

The Mayor is the borough's First Citizen. He or she is elected from among the 54 Councillors. The role of the Mayor is to take the Chair at meetings of full Council, and to act a "Civic Ambassador" for the borough as a whole, and has no executive authority.

The Mayor appoints one of the Councillors as Deputy Mayor.

Leader of the Council

The Leader of the Council is a Councillor and heads the Council's Executive and is responsible for most day-to-day operational decisions. The Leader holds office until the Annual Meeting of the Council following the next election, in May 2014. He appoints a Cabinet of between two and nine other Councillors, who hold office for up to four years but can be replaced by the Leader at any time.

The Cabinet

The Cabinet is the Council's main decision making body. It currently consists of the Leader and nine other Conservative Councillors who are known as Cabinet Members and meets monthly, usually on the third Wednesday (although no meeting is normally held in August). The Leader is the Chairman of the Cabinet and can call additional meetings at any time.

Cabinet makes executive decisions, within frameworks set by Council on policy and financial issues and within the powers delegated to it by the Leader, about the delivery of services. Decisions are also taken by individual Cabinet Members acting under delegated powers, rather than at full Cabinet meetings.

Each Cabinet Member has a “portfolio” of services for which he or she is responsible (as Lead Member) and works within a range of responsibilities delegated to her or him by the Leader.

Overview & Scrutiny Committees

Overview & Scrutiny Committees generally scrutinise the activities of Cabinet and Cabinet Members. They also carry out reviews of service policies, make recommendations for improvements and act as a “check and balance” on executive decision making by the Cabinet.

The Council has recently reviewed its Overview & Scrutiny Committees, and aligned some of them to its five goals. The five Overview & Scrutiny Committees are:

- **Children and Learning**, which scrutinises the Council’s education service and services for children and young people
- **Environment**, scrutinising a range of Council services that deal with the environment in which people live
- **Individuals**, looking at services for vulnerable adults
- **Towns and Communities**, scrutinising a range of services that provide cultural, leisure and other community-based services
- **Value**, scrutinising the Council’s central, business and financial services

There are three other Overview & Scrutiny Committees that each deal with issues outside the Council’s own services:

- **Partnerships**, which scrutinises the operational arrangements between the Council and a wide range of other public agencies with which it works

- **Health**, which scrutinises local NHS services and
- **Crime & Disorder**, which works with other agencies including the police, to scrutinise what is being done to reduce crime and public disorder in the borough.

The Leader and Cabinet Members are not able to serve on Overview & Scrutiny Committees.

Each Overview & Scrutiny Committee normally meets six times a year.

Quasi-judicial and Administrative Committees

The Council has a number of other Committees, each concerned with a specific area of activity. The **quasi-judicial** committees exercise judgement over matters that affect individuals' rights, while **administrative** committees are concerned with the internal organisation of the Council.

Quasi-judicial committees

Regulatory Services Committee

The Regulatory Services Committee deals with planning applications and other regulatory functions. It generally meets every three weeks, except during the Christmas/New Year period when timescales vary.

Licensing Committee

The Licensing Committee deals mainly with applications for alcohol, entertainment and gambling licences. Its work is carried out generally through Sub-Committees hearing individual applications, which meet when required.

Highways Advisory Committee

The Highways Advisory Committee considers a variety of highway schemes, including giving the opportunity to members of the public who wish to support or object to such schemes to address the Committee before making its recommendations.

For legal reasons, the Committee cannot make final decisions, but makes recommendations on highway schemes to the Cabinet Member for Community Engagement.

The Committee meets monthly.

Adjudication & Review Committee

The Adjudication & Review Committee deals with complaints about Council services and appeals (other than appeals that are made to other bodies, such as legal action in the courts or appeals against planning decisions).

Its work is carried out mainly through Hearings Panels, which deal with individual cases and meet when required.

Standards Committee

The Standards Committee is responsible for promoting the highest standards of ethical conduct by Councillors. It works mainly through Standards hearings Sub-Committees that investigate complaints of misconduct against Councillors and adjudicates on them.

The Committee meets quarterly and the Sub-Committees meet when required.

Administrative Committees

Governance Committee

The Governance Committee deals with constitutional matters, such as how the Council is structured and appointments to other organisations on which the Council is represented. The Committee meets six times a year.

Appointments Committee

The Appointments Committee recommends the appointment of the Chief Executive, and appoints the senior staff of the Council – Group Directors, Assistant Chief Executives and Heads of Service.

It meets when required.

Audit Committee

The Audit Committee considers reports regarding the performance of the internal and external audit processes, risk assessment procedures, anti fraud issues and the Council's accounts and management practices. It meets four or five times a year.

Pensions Committee

The Pensions Committee deals with the Council's obligations as an employer to invest wisely in order to obtain the best returns, in the interests not only of employees and former employees but in order to reduce to a minimum the cost of the mandatory pensions scheme.

It meets four or five times a year.

Special meetings

The Chairman of any Overview & Scrutiny or other Committee may call a "special" meeting of that Committee at any time. As with extraordinary meetings of the Council, only the business notified in the agenda can be dealt with at such a meeting.

Meeting places

Most meetings of the Council, Cabinet and Committees are held at the Town Hall, Romford but sometimes elsewhere.

Quorum

Meetings may only go ahead if a "quorum" is present – a minimum number of Councillors sufficient to transact the business of the meeting. The precise number varies according to the size of a Committee but is one-third of its membership, with a minimum of three.

The agenda

Formal notice of any meeting is given in the agenda, which is published about a week before the meeting is due. The agenda will indicate where a meeting is to be held and what business will be dealt with. Agendas are available from the Town Hall in hard copy before or at the meeting. They can also be viewed on the Council's website (www.havering.gov.uk) and at libraries.

The agenda will usually be a single document but, occasionally, it may consist of two or more documents bundled together. Apart from the agenda paper itself (which will include the order of business), in the agenda will be found the minutes of the previous meeting and of any special meetings held since then, and reports on which decisions are needed.

At Council meetings, in addition, Councillors debate issues of current concern (including petitions that have been signed by 3,500 or more people) through motions and amendments. Such debates are not necessarily supported by reports or other documentation.

Formal notice of each week's meetings is given on a list on the public notice board outside the Town Hall and details of forthcoming meetings are given on the Council's website.

Minutes

The Minutes of a meeting are not a word-for-word account of what is said at it but a summary of the reports submitted and any key comments made in response, and the formal record of the decisions reached.

At the meeting, the minutes of the previous meeting (and any subsequent special meetings) are confirmed as a correct record and signed by the Mayor or Chairman. If there are any errors in the minutes, they are corrected before the Chairman signs them and a note of the error is recorded in the new minutes.

Reports

Reports give the name and contact details of their author. The Council's Chief Executive, Monitoring Officer (the officer who is Chief Legal Adviser) or Chief Finance Officer (who is in charge of the Council's financial affairs) have statutory rights to report to Council, though rarely need to do so.

Reports provide the policy, technical, legal and financial information necessary to ensure that any decision complies with all relevant requirements and is properly made.

Reports include a recommendation. In most cases, this will be that a particular course of action be followed but sometimes the meeting is asked to decide on options. It is important to realise that the Councillors at a meeting are **not** obliged to accept any recommendation – they are free to decide upon a different course of action if they so wish (provided that in doing so they will not breach relevant legal or financial obligations).

Conduct of meetings

Meetings are presided over by the Mayor of Havering (as Chairman of the Council) in the case of full Council, by the Leader (as Cabinet Chairman) for Cabinet or by its Chairman in the case of each Committee.

The Councillor in the Chair is in charge of the meeting and ensures that it proceeds in an orderly fashion.

Meetings generally begin at 7.30pm but, occasionally, will begin at other times. The time a meeting is due to start is always shown on the agenda, as is the date of the meeting. Meetings normally last for no more than two and a half hours (Council meetings last for up to three hours, with a short break half-way through) but can continue beyond that time limit if those present specifically agree to do so.

Public attendance and participation

Members of the public have a right to attend all meetings, unless specifically excluded to enable some business to be considered in private (for example, because they refer to individuals' personal business, or are commercially sensitive). For meetings held at the Town Hall, staff at the reception desk will advise in which room a meeting is being held; when a meeting is held elsewhere, there will be signs to advise those attending where to go.

It should be noted, however, that although there is a right to attend meetings, there is no automatic right to participate in them by speaking or asking questions.

- **At Council meetings**, when petitions are under consideration, the petition organiser may address the Council for up to three minutes but, otherwise, members of the public are **never** allowed to participate.
- **At Cabinet meetings**, members of the public may apply in advance to speak at the meeting about an item on the agenda, but are able to speak only if the Chairman of the meeting gives permission for them to do so.
- **At Regulatory Services Committee meetings**, one person representing objectors can speak for a short time – usually two minutes – against an application (and whoever is proposing the development has a right of reply) but no one else is able to speak.
- **At Licensing Sub-Committee hearings**, people who have submitted valid representations may speak for up to 10 minutes.
- **At Highways Advisory Committee meetings**, one objector and one supporter may address the Committee for up to ten minutes when objections to a scheme are being considered.
- **At Overview & Scrutiny Committee meetings** when petitions are under consideration, the petition organiser may address the Committee for up to three minutes.

At other meetings, the Chairman has discretion to allow public participation if he or she considers that it is appropriate to do so.

The Council does not allow the making of audio or video recordings of any meeting without permission.

Members of the public whose conduct is disorderly may be asked to leave a meeting. In extreme circumstances, the Chairman has a right to ask for police assistance in dealing with disorderly conduct as disturbing a Council, Cabinet or Committee meeting can be a public order offence.

Webcasting

Meetings of the Council and of the Cabinet are webcast, that is, broadcast over the internet. Meetings' webcasts can be viewed live, as the meetings happen, or a recording viewed for a limited time afterwards. For more information, visit the Council's website **www.havering.gov.uk** and click the "**Webcasts**" link on the left hand side of the page.

You can access agendas and other information at the same time as viewing the webcast.

Viewing agenda papers

Agenda papers are open to public inspection and are generally available on the Council's website, unless they have been designated "confidential" or "exempt" and will be dealt with in private. They are published about a week before the meeting at which they will be considered with but, occasionally, some papers may only become available at shorter notice. Once published, papers are usually available on the website by close of business on the following day.

Hard copies of agenda papers are available for inspection at the Town Hall and at most Havering libraries. Area Committee agendas are only available at the library or libraries nearest to the area in question.

In addition, copies of Council, Cabinet and Area Committee agendas can be posted to residents who ask to be put on the mailing list.

There is no charge for this.

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Democratic Services

Democratic Services is one of the Council's core functions that are the Chief Executive's direct responsibility. Its staff arrange, attend and make a formal record of all meetings of the Council, the Cabinet, the various Committees and complaints and licensing hearings. Among other things, Democratic Services staff also support the Mayor, the Leader of the Council and Cabinet Members and Committee Chairmen to carry out their functions (including administering Parliamentary, European and Greater London Authority elections, as well as those for the Council).

In addition to supporting the Council's democratic processes, Democratic Services provide support to a number of other bodies including various partnerships in which the Council participates, and are secretariat for school admission and exclusion appeals. Democratic Services also acts as the contact point for complaints about the Council made to the Local Ombudsman.

Other information

Full information about current and past meetings is available from the Council's website, **www.havering.gov.uk**

You can also contact Democratic Services on 01708 433076 or by email to **committee.services@havering.gov.uk** for information either in general or about specific meetings.