

COUNCIL MEETING

**7.30pm WEDNESDAY, 20 OCTOBER 2010
AT HAVERING TOWN HALL
MAIN ROAD, ROMFORD**

Members of the Council of the London Borough of Havering are hereby summoned to attend a meeting of the Council at the time and place indicated for the transaction of the following business



Democratic Services Manager

**For information about the meeting please contact:
Ian Buckmaster (01708) 432431
*ian.buckmaster@haverling.gov.uk***



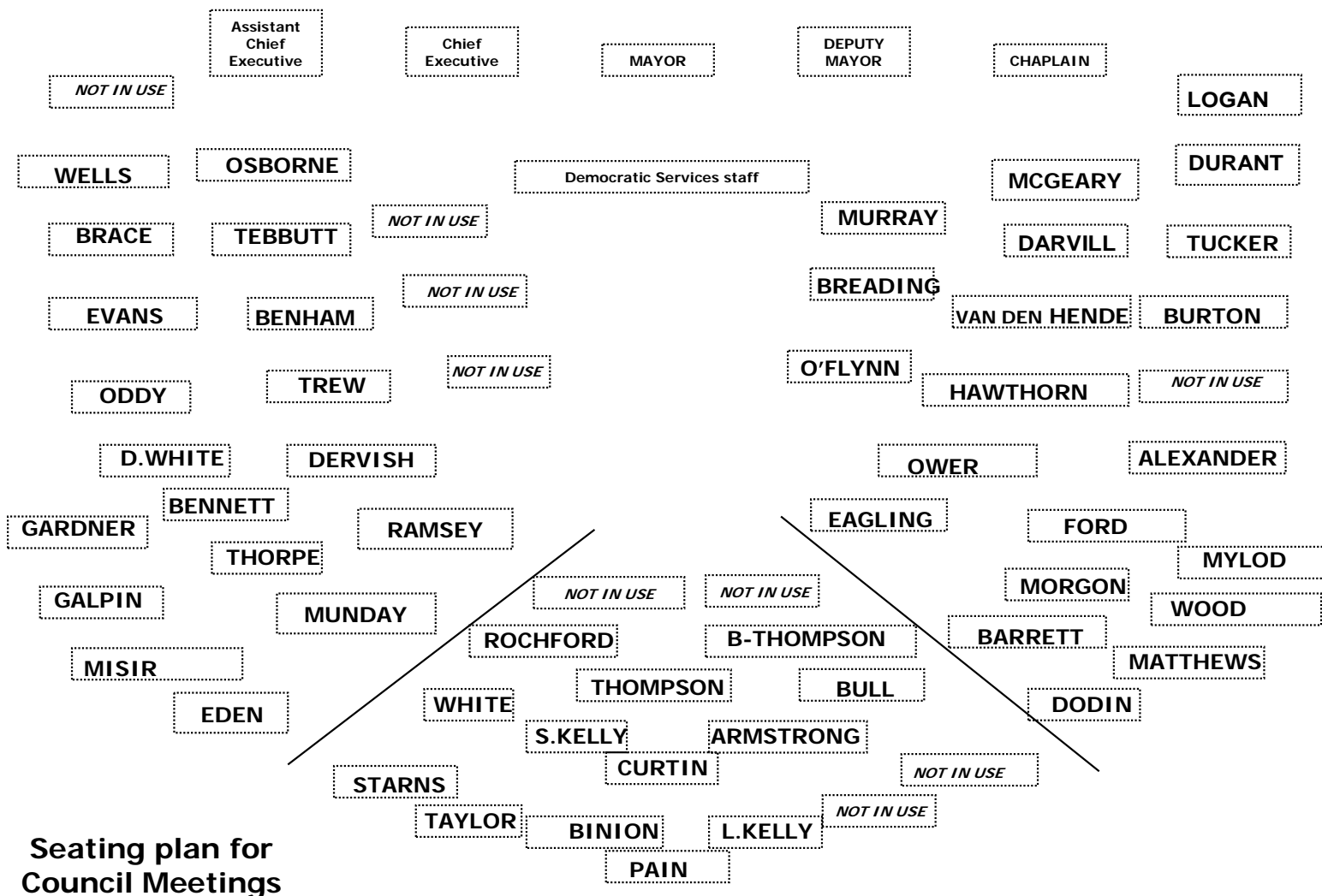
Webcast

Please note that this meeting will be webcast.

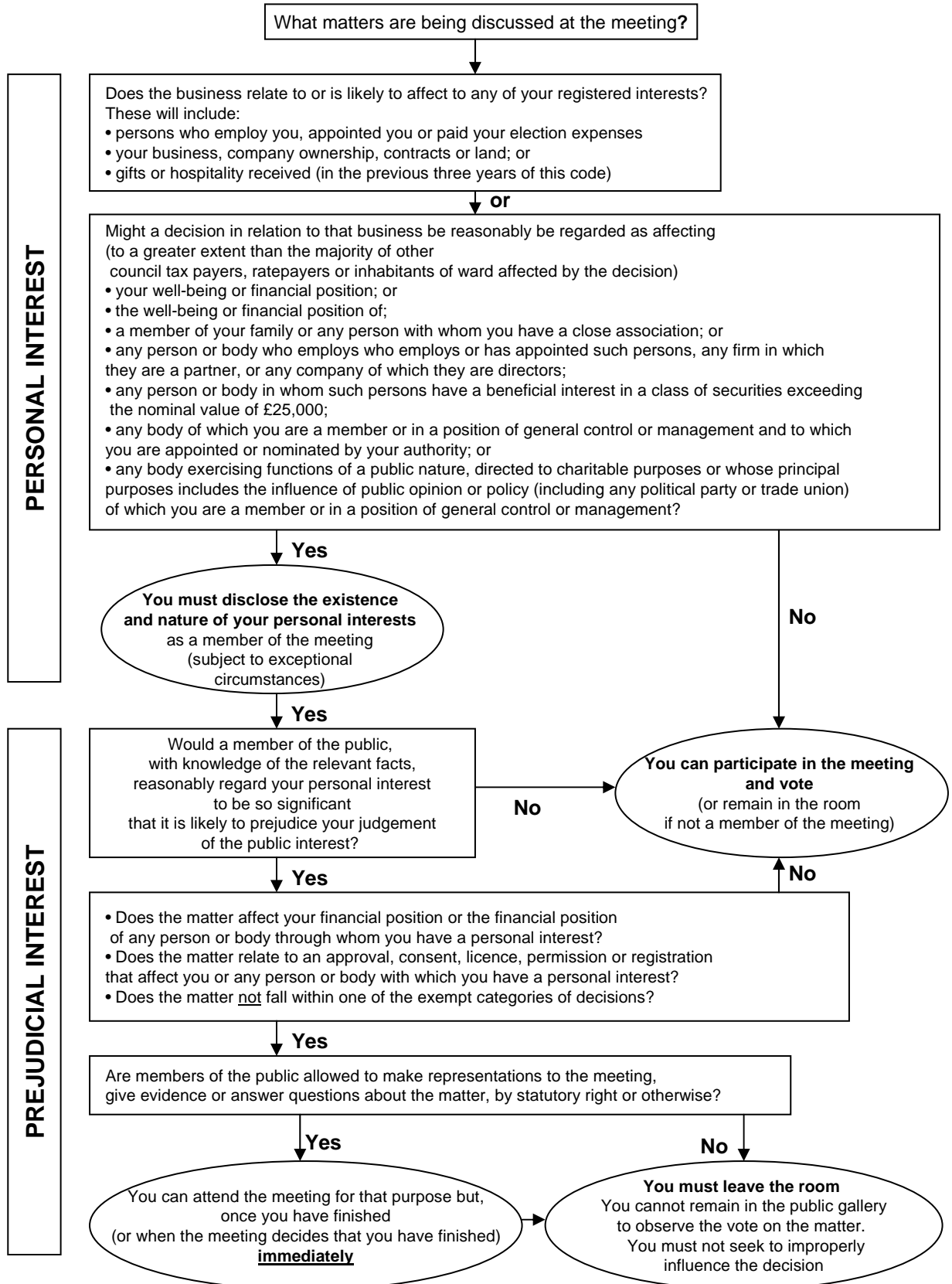
Members of the public who do not wish to appear on the webcast will be able to sit in the balcony, which is not in camera range.

Council, 20 October 2010 - agenda

Council, 20 October 2010 - Agenda



DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA

INITIAL BUSINESS

1 **PRAYERS**

2 To receive apologies for absence (if any)

3 **MINUTES**

To sign as a true record the minutes of the Meeting of the Council held on 28 July 2010

4 **DECLARATION OF INTERESTS**

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting.

Members may still declare an interest in an item at any time prior to the consideration of the matter.

ANNOUNCEMENTS

5 **ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE**

**PRESENTATION OF
PETITIONS**

6 PETITIONS

Councillors Michael Deon Burton and Pat Murray have each given notice of an intention to present a petition.

**RECOMMENDATIONS
AND REPORTS**

NOTE: The deadline for amendments is midnight, Monday 18 October 2010

7 REVISED PUBLIC ENGAGEMENT ACTIVITIES

To consider a report of the Governance Committee

8 AMENDMENTS TO THE CONSTITUTION

To consider a report of the Governance Committee

MEMBERS' QUESTIONS

9 MEMBERS' QUESTIONS

MOTIONS FOR DEBATE

10 **RESTORING LOCAL DEMOCRACY**

Motion on behalf of the Independent Residents' Group

This Council resolves to call upon the Government to restore local democracy by:

- introducing a proportional voting system for local elections
- ensuring fair funding for local government
- restoring the commercial rates to local councils
- giving councils the powers of general competence

10A **Amendment on behalf of the Labour Group**

After the words “This Council”, **delete** to the end of the motion **and replace** with the following:

welcomes steps taken by the current Coalition Government and the previous Labour Government to restore Local Democracy and calls upon Parliament to advance the pace of change by legislating for the following:-

- 1 Introducing a revised system of Local Government Funding allocating central grant on a needs based formula, inter alia, recognising changes in population, age and social deprivation that occur after Census data collected every decade;
- 2 Restoring business rates to local councils;
- 3 Adopting the draft Bill extending the powers of general competence prepared by the Local Government Association.

Note – the motion would then read:

This Council welcomes steps taken by the current Coalition Government and the previous Labour Government to restore Local Democracy and calls upon Parliament to advance the pace of change by legislating for the following:-

- 1 Introducing a revised system of Local Government Funding allocating central grant on a needs based formula, inter alia, recognising changes in population, age and social deprivation that occur after Census data collected every decade;
- 2 Restoring business rates to local councils;
- 3 Adopting the draft Bill extending the powers of general competence prepared by the Local Government Association.

10B **Amendment on behalf of the Administration**

Amend to read

This Council calls upon the government to continue its support for Localism in Havering.

11 **REVISED CODE OF RECOMMENDED PRACTICE ON LOCAL AUTHORITY PUBLICITY**

Motion on behalf of the Residents' Group

This Council welcomes the revised Code of Recommended Practice on Local Authority Publicity (as recently announced by the Communities and Local Government Secretary) and the clarity it gives regarding the publication of council newspapers such as *Living*. Furthermore, this Council endorses the proposals and agrees to respond accordingly as part of the consultation process.

11A **Amendment on behalf of the Administration**

Amend to read

This Council welcomes the popularity of its publication *Living* and will respond fully to the consultation purposed by the Communities and Local Government Secretary of State, in relation to a revised Code of Recommended Practice on Local Authority Publicity .

12 **HOUSING POLICIES**

Motion on behalf of the Labour Group

Council notes:

That everyone is entitled to a secure, affordable, decent home in a safe community;

That the capping of housing benefit payments and its linking to the Consumer Price Index rather than the Retail Price Index will lead to thousands of residents in Havering losing an average of £1000 a year;

That these cuts will hit vulnerable residents in private rented accommodation hardest and will cause a shortfall in the budgets of thousands of families, forcing

many to become homeless and ultimately increasing the cost to local government;

That every social tenant has a reasonable expectation of a home with a working central heating system, fitted windows and doors and a safe kitchen;

That completing the Decent Homes Programme would create or support hundreds of jobs in Havering with 17 jobs being created for every £1million of refurbishment investment;

That the security and stability of a home, be it privately rented or socially rent, is one of the most important anchors in a family's life and that security of tenure is one of the principle protections provided by social housing; and

That the end of the promise of security of tenure for social tenants will see 1.5 million Londoners living on shorter, insecure tenancies, constantly in fear of being moved on at the whim of the council into private accommodation they cannot afford.

Council resolves:

To write directly to the Housing Minister urging him to cancel the steps the Government has taken to deny families the prospect of a secure, affordable decent home.

To call on the Members of Parliament representing Havering to condemn the stigmatisation of social and private sector rented tenants.

12A **Amendment on behalf of the Administration**

Amend to read

This Council notes and condemns the damage done to current housing finance through the spending decisions of the previous Labour Government and deplores the historic failure to provide adequate funding for Havering.

Council, 20 October 2010 – Agenda



**MINUTES OF A MEETING OF THE COUNCIL OF THE
LONDON BOROUGH OF HAVERING
Havering Town Hall, Romford
28 July 2010 (7.30pm – 10.55pm)**

Present: The Mayor (Councillor Pam Light) in the Chair

Councillors: Councillors June Alexander, Michael Armstrong, Clarence Barrett, Robert Benham, Becky Bennett, Sandra Binion, Denis Breading, Wendy Brice-Thompson, Dennis Bull, Michael Deon Burton, Osman Dervish, Nic Dodin, David Durant, Brian Eagling, Ted Eden, Roger Evans, Gillian Ford, Peter Gardner, Linda Hawthorn, Lesley Kelly, Steven Kelly, Mark Logan, Barbara Matthews, Paul McGeary, Robby Misir, Ray Morgon, Eric Munday, John Mylod*, Pat Murray, Barry Oddy, Denis O'Flynn, Fred Osborne, Ron Ower, Gary Pain, Roger Ramsey, Paul Rochford, Geoffrey Starns, Billy Taylor, Barry Tebbutt, Frederick Thompson, Lynden Thorpe, Linda Trew, Jeffery Tucker, Melvin Wallace, Keith Wells, Damien White and Michael White

* for part of the meeting

Colonel Markham Bryant DL and Air Commodore Brian Batt DL were also present.

Some 30 Civic and Members' Guests, members of the public and a representative of the press also attended.

Apologies were received for the absence of Councillors Jeff Brace, Andrew Curtin, Keith Darvill, Georgina Galpin and Linda Van den Hende.

The Mayor advised Members and the public of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

The Reverend David Banting of St Peter's Church, Harold Wood opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

15 MINUTES (agenda item 3)

It was **RESOLVED:**

**That the minutes of the Annual Meeting of the Council held on
26 May 2010 be signed as a true record.**

16 **DECLARATIONS OF INTEREST (agenda item 4)**

In relation to agenda items 11 and 15 (minute 26 following), Councillors Michael Deon Burton, Roger Evans, Gillian Ford, Lesley Kelly, John Mylod, Denis O'Flynn, Frederick Osborne, Billy Taylor and Lynden Thorpe each declared a personal interest as a recipient of a Special Responsibility Allowance as Chairman of an Area Committee, and Councillor Frederick Thompson declared a personal interest as the prospective recipient of a Special Responsibility Allowance as Chairman of the Highways Advisory Committee.

17 **CONFERMENT OF FREEDOM OF THE BOROUGH
(Agenda item 5)**

The Leader of the Council (Councillor Michael White) proposed that the Honorary Freedom of the borough be conferred upon Bob Neill, MP (Parliamentary Under Secretary of State at the Department of Communities and Local Government) in recognition of his past service to the borough, particularly as a former Member of the Council and of the Greater London Council for the Romford Division, subsequently also serving on the Greater London Assembly before being elected as a Member of Parliament.

Councillor Clarence Barrett seconded the proposal

The proposal was **AGREED** unanimously (see voting division 1) and it was **RESOLVED:**

To confer upon Bob Neill, MP the Honorary Freedom of the Borough.

The Mayor then presented a certificate and medallion to Mr Neill, who suitably responded.

The Leader of the Opposition (Councillor Clarence Barrett) proposed that the Honorary Freedom of the borough be conferred upon Mrs Pat Mylod in recognition of her past service to the borough as a former Member of the Council, referring particularly to her membership of, and deep interest in, the Committees responsible for Adult and Children's Social Services and their subordinate bodies.

Councillor Michael White seconded the proposal

The proposal was **AGREED** unanimously (see voting division 2) and it was **RESOLVED:**

To confer upon Pat Mylod the Honorary Freedom of the Borough.

The Mayor then presented a certificate and medallion to Mrs Mylod, who suitably responded.

18 PRESENTATION OF CERTIFICATES OF SERVICE TO FORMER MEMBERS

A proposal that Certificates of Service be presented to former Members in recognition of their service to the Council was **AGREED** without division and it was **RESOLVED**:

That Certificates of Service be presented to former Councillors:

Gary Adams	Tom Binding
John Clark	Jonathan Coles
Chris Fox	Mark Gadd
David Grantham	Kevin Gregory
Coral Jeffrey	Andrew Mann
Pat Mylod	Mark Stewart
Steve Whittaker	Mike Winter

The Mayor then presented Certificates to former Councillors Jonathan Coles, Pat Mylod and Steve Whittaker, who were present at the meeting.

19 ANNOUNCEMENTS BY THE MAYOR (agenda item 6)

The Mayor's Announcements are attached as **Appendix 1 to these minutes**.

20 ANNOUNCEMENT BY THE LEADER OF THE COUNCIL (agenda item 6)

The Leader of the Council made the following announcement:

I wish to make an announcement on something that has been of some concern to a number of colleagues across the Chamber and that is in relation to the situation with the free swimming offer.

As you are aware, the free swimming offer is to come to an end here in Havering on Saturday 31 July. For the past sixteen months we had been able to offer to both residents and visitors to this borough, those under the age of 16 and those over the age of 60, free swimming at our leisure centres.

Despite free swimming initiatives ceasing nationally I am delighted to be able to announce this evening that through our partners in our leisure centres, that is Sports Leisure Management Limited, free swimming will be

available at our leisure centres during the summer school holidays to any young person that enrolls on a swimming course or in a sports holiday course.

21 **PETITIONS (agenda item 7)**

Pursuant to Council Procedure Rule 23, petitions were presented to the Mayor by:

- | | |
|-----------------------------|--|
| Councillor Linda Hawthorn - | from residents of Tudor Gardens, Upminster, complaining about the surface of the footway |
| Councillor Denis O'Flynn - | from residents and others opposing the proposed transfer of Romford Post Office from South Street to an alternative location |
| Councillor Pat Murray - | from shopkeepers of Hilldene Shopping Centre and Harold Hill residents expressing concern about the proposals for a new Harold Hill Library and their effects on the Shopping Centre |
| Councillor Ron Ower - | from residents of Cranston Park Avenue, Upminster, complaining about the surface of the footway |
| Councillor David Durant - | from residents of an area in Hornchurch complaining about a certain recent development |
| Councillor Jeffery Tucker - | from Rainham residents opposing the change of use of certain premises in Rainham Village to a take-away food shop |

It was noted that the petitions would be passed to the appropriate Heads of Service for attention or report to members.

22 **ANNUAL TREASURY MANAGEMENT REPORT 2009/10 (agenda item 8)**

The Audit Committee presented to the Council the Annual Treasury Management Report for 2009/10. The report was **RECEIVED** without going to a vote and it was **RESOLVED –**

That the Council receive the Annual Treasury Management Report 2009/10

23 **AMENDMENTS TO THE TREASURY MANAGEMENT STRATEGY STATEMENT (agenda item 9)**

The Cabinet had considered some minor adjustments to the Council's Treasury Management Strategy Statement, intended to make the Strategy more effective, and now recommended that the Council adopt them. The recommendations were **AGREED** without going to a vote and it was **RESOLVED –**

That the amendments to the Treasury Management Strategy Statement be approved and adopted.

24 **REPORT OF OUTER NORTH EAST LONDON JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE INTO HEALTH FOR NORTH EAST LONDON PROPOSALS (agenda item 10)**

The Council was advised of work undertaken jointly on behalf of the Health Overview & Scrutiny Committees for Barking & Dagenham, Havering, Redbridge and Waltham Forest in relation to a series of proposals for alteration in Nation Health Service provision for Outer North East London, and now noted the final report on the proposals of the Joint Health Overview & Scrutiny Committee.

The Government has subsequently required Health for North East London to undertake further work on areas including consulting with Local Authorities and ensuring support from GP commissioners. Final proposals were now expected to be brought forward around December 2010 but it was noted that the observations of the Joint Committee remained relevant to ensuring that decision makers took into account the views of local people and stakeholders on the proposals.

The report was **AGREED** without going to a vote and it was **RESOLVED –**

That the recommendations of the Outer North East London Joint Health Overview and Scrutiny Committee as now reported, be endorsed.

25 **STATUTORY PETITION SCHEME (agenda item 12)**

In accordance with section 100B(4) of the Local Government Act 1972, the Mayor had accepted this as an urgent item, as the Governance Committee had not met until after the despatch of the final Agenda for the meeting

The Local Democracy, Economic Development and Construction Act 2009 required the adoption by the Council of a Petition Scheme, setting out a range of new requirements as to the way in which local authorities handled

petitions. In particular, if the number of signatories to a petition reached pre-determined thresholds, the petition should be either be considered by the relevant Overview & Scrutiny Committee or be debated at the next available meeting of the Council.

The Committee had considered the issues arising and now proposed adoption of a Petition Scheme and of changes to the Council, Committee and Overview & Scrutiny Procedure Rules intended to facilitate compliance with the new statutory requirements.

The recommendations of the Committee were **AGREED** without going to a vote and it was **RESOLVED** –

- 1 That the numbers of petitioners that will be trigger levels be set as follows:**
 - For debate at Council meetings: 3,500 signatories**
 - For the relevant officer to answer questions at an Overview & Scrutiny Committee meeting: 2,500 signatories**
- 2 That petitioners be given opportunity to present their petitions prior to debate by the Council**
- 3 That Ward Councillors be notified of the receipt of petitions and the action to be taken to follow them up.**
- 4 That the proposed Petition Scheme set out in Appendix 2 to these minutes, be adopted.**
- 5 That the Democratic Services Manager be authorised to determine the validity of petitions under the Petition Scheme and to manage generally the petitions procedures**
- 6 That the Assistant Chief Executive Legal & Democratic Services be empowered to adjust the Council's Constitution as necessary to ensure compliance with the statutory requirements.**
- 7 That the proposed additions to the Council, Overview & Scrutiny and Committee Procedure Rules relating to the consideration of petitions as set out in the Appendix 2, be approved.**

26 **MEMBERS' QUESTIONS (agenda item 13)**

16 questions were asked under the Council Procedure Rules. The questions and answers, together with a summary of answers to supplementary questions where asked, are set out in **Appendix 3 to these minutes**.

27 **LIVING NEWSPAPER (agenda items 14/14A)**

Motion on behalf of the Independent Residents' Group

This Council urges the Cabinet to halt publication of the newspaper called *Living*.

14A **Amendment on behalf of the Administration**

Amend to read:

This Council urges the Cabinet to continue the publication of *Living*, and recognises the great success of the publication in supporting our local communities.

Following debate, the Administration amendment was **CARRIED** by 29 votes to 18 (see division 3) and the motion, as amended, was then **CARRIED** by 29 votes to 18, and it was **RESOLVED** that:

This Council urges the Cabinet to continue the publication of *Living*, and recognises the great success of the publication in supporting our local communities.

28 **AREA COMMITTEES: RESCISSION OF PREVIOUS DECISION (agenda item 15) and MEMBERS' ALLOWANCES (agenda item 11)**

In exercise of her powers under Council Procedure Rule 7(d) and in order to facilitate the proper conduct of the Council's business, the Mayor had decided that these items should be dealt with together. In view of the hour, in accordance with CPR 9.1(b), the items were dealt with by vote only.

With the consent of the Council, the amendment on behalf of the Labour Group at agenda item 15A was withdrawn.

Motion in the names of 19 Members

In accordance with Council Procedure Rule 14.1, the following motion had been submitted by Councillors Robert Benham, Roger Evans, Dennis Bull, Garry Pain, Keith Wells, Robby Misir, Linda Trew, Osman Dervish, Billy

Taylor, Barry Oddy, Rebecca Bennett, Fred Osborne, Ted Eden, Jeff Brace, Sandra Binion, Lesley Kelly, Mike Armstrong, Andrew Curtin and Paul Rochford.

That the decision of Council at the meeting on 26 May 2010 to appoint nine Area Committees and to appoint nine Area Committee Chairmen and Vice-Chairmen be rescinded.

The motion was dealt with by vote only and **CARRIED** by 30 votes to 5, and it was **RESOLVED** that:

That the decision of Council at the meeting on 26 May 2010 to appoint nine Area Committees and to appoint nine Area Committee Chairmen and Vice-Chairmen be rescinded.

The Council then had before it a report of the Group Director, Finance & Commerce on the Members' Allowances Scheme. The report was dealt with by vote only and its recommendations were **AGREED** by 29 votes to 6, and it was **RESOLVED** that:

- 1 That the Members' Allowances scheme be amended with effect from 28 July 2010 to reflect the establishment of a Highways Advisory Committee chairman's special responsibility allowance of £7,650 per annum.**
- 2 That the Members' Allowances scheme be amended with effect from 28 July 2010 to reflect the removal of the Area Committee chairmen's allowance of £4,260 per annum.**

29 **MOTIONS WITHDRAWN**

With the consent of the Council, the following motions on behalf of the Labour Group were withdrawn:

REPORT OF CABINET 14 JULY 2010 – "RESPONDING TO THE GOVERNMENT'S EMERGENCY BUDGET AND THE POLICY IMPLICATIONS OF THE COALITION AGREEMENT" (agenda item 16)

GOVERNMENT CUTS (agenda item 17)

Mayor
20 October 2010

Note: the record of voting divisions is attached as **Appendix 4 to these minutes.**

MAYOR'S ANNOUNCEMENTS

It is my great pleasure to tell you tonight that Havering has been awarded two more Green Flags by the National Standard of Excellence for Parks and Green Spaces. Lawns Park and St Andrews Park can now fly the prestigious flags – bringing our total to eight. I would like to congratulate the Parks Officers, the Grounds Maintenance teams and the Friends of parks groups for this great achievement.

Also in the award spotlight is Elm Park Library, one of the borough's greenest buildings, which has been awarded gold in the Green Apple Awards. The award means that the library will be put forward to represent the UK at the European Business Awards for the Environment in Brussels next year.

We also received a silver award for the Rainham Village Shopfront Award Scheme, to preserve Rainham's history and heritage by restoring shopfronts. And while we're thinking about the borough's heritage it's congratulations to the Havering Museum which was also awarded silver in the Architectural Heritage category.

I would now like to take this opportunity to say thank you and well done to our Emergency Planning Service. Last month the team dealt with two major incidents in the borough in one week. One incident was at Cranham Caravans where there was a serious fire which resulted in the evacuation of residents to a community rest centre. Then, just days later, another evacuation was required – this time of 400 residents from Dearsley House, and surrounding streets in Rainham, because of a gas leak.

The team expertly co-ordinated the different services including Transport, Education, Housing, Local Authority Liaison Officers and Support Officers to ensure our residents were safe and comfortable.

I know our the Ward Members would like to pass on their thanks and those of their constituents to the staff who worked so tirelessly at the two incidents. Councillor Michael Deon Burton has asked me to convey his personal appreciation to the staff who arrived promptly to attend to the residents tirelessly, with no thought for themselves, for which he gives his grateful thanks.

It has been my great privilege to attend more than thirty events where I have watched first class performances from our schoolchildren, students, guides, cadets, scouts, athletes and musicians. These talented, dedicated and hard working young people really do deserve our appreciation. One such event was the 2010 Balfour Beatty London Youth Games, where the Havering Team came third. The team members were great ambassadors for the borough, their exemplary behaviour put them in a different league.

I would like to congratulate the Havering schools that took part in the Big Dance record-breaking attempt. Not forgetting our students who took part in the borough's Science and Technology Challenge Competition. They really are a credit to us.

I was also one of the many here who celebrated Armed Forces Day with great pride. The event was extremely moving with thousands of residents applauding past and present servicemen and women as they marched through Romford Town Centre. I had the honour of presenting the members of the Royal Anglian Regiment with the Freedom of the Borough Scroll at the event. May I take this opportunity to thank everyone who took part

in, and helped organise such a great day - it was indeed a pleasure to be there. A special civic dinner is to be held to raise funds for the construction of a Regimental Memorial for the Royal Anglians on the 24th September 2010 and I hope that all Members will support this event

I would now like to thank Air Commodore Brian Batt, Havering's former Deputy Lieutenant, who has been such a good friend to the borough for many years. May I take this occasion to wish you a long and happy retirement and to thank you on behalf of the Council and our residents for your dedication in serving Havering as the Queen's ambassador and as a great envoy for the Royal Air Force.

I would like to welcome Colonel Markham Bryant, Havering's new Deputy Lieutenant. I sincerely hope that your time with us will be as enjoyable and as rewarding for you as I believe it has been for Brian. We look forward to working with you, not just as an ambassador for Her Majesty the Queen but also as a friend.

In response to the Mayor's thanks to Air Commodore Batt and welcome to Colonel Bryant, those officers responded as follows:

Air Commodore Batt

Madam Mayor, Councillors, ladies and gentlemen, good evening.

My appointment as the representative Deputy Lieutenant for the London Borough of Havering came to an end last Monday, two days ago. When you reach a certain age there is no option, you have to retire and this is after some fifteen years working in and around Havering. It has been an honour and a privilege to work closely over the years with the mayors, deputy mayors, the officials in the Town Hall.

I must pay special regard to the Mayor's secretary and the two drivers and mace bearers, Robert and Derek, who as a team do, I think, a terrific job.

One gets to meet many individuals and organisations within the borough which give so much support to everybody, the whole community, and also the DL you do get involved with some organisations outside the borough,. For example, I've been off to Canvey Island to visit Air Scouts, Ilford Air Scouts and various other places such as that. The links that I have made with the borough over the years are not all going to be broken because one or two organisations have asked me to stay on in various roles so Madam Mayor, I am afraid you will still see me around from time to time but I won't tread on my successor's feet.

You honoured me last year, last May, by making me a Freeman of the Borough. I've yet to exercise driving sheep over the River Rom, but I understand that due to budget cuts coming from the Government, I have to provide my own sheep!

Havering, no doubt, is a cracking borough, there is a terrific amount going for it and of course I wish it very well for the future.

Now my main duty this evening is to introduce my successor, Colonel Mark Bryant. It won't surprise you to know that as a young man he was an Army Cadet, however, he obviously did reasonably well because eventually he became a full Colonel and at the moment he is the Commandant of the City of London and North East Sector Army Cadet Force. In other words, he runs all the army cadets for the whole of the north east of London, including, of course, the four units that we have in Havering. He is also connected with the Outreach Project, in other words, the Life Programme with the London Fire Brigade. You know youngsters tend to throw bricks at fire engines, well there are ways of bringing them back from that sort of mischief and he is very much connected with that programme with the Fire Brigade.

He has been a member of the Territorial Army, he was with the "Black Mafia", the Royal Green Jackets Regiment. He was also a Police Officer with the Met for 25 years, a detective, he was in the Flying Squad, but eventually had to retire due to injuries received on duty.

What else has he done? Well he had a bit of spare time, so he was a Justice of the Peace, and also a member of the Youth Justice Board. He has had, as you can see, a very varied career. He lives locally, he lives in Hornchurch. He became a Deputy Lieutenant for Greater London earlier this year and on Monday he took over as the representative Deputy Lieutenant for Havering. Madam Mayor, I give you Colonel Mark Bryant.

Colonel Bryant

Madam Mayor, Secretary of State, Leader of the Council, Councillors, honoured guests, ladies and gentlemen, How do I follow that? You notice I didn't have a piece of paper because I have done so many talks before and the person that speaks before always seems to steal my thunder, but one thing I will pick up on is what Madam Mayor said about young people.

The Lieutenancy, part of its role, is to represent the Lord Lieutenant who is the Queen's representative for the first citizen of London and as one of the Deputies, it is a huge honour to take that role and my role, as Brian has done successfully for fifteen years, is the link in the Crown through the democratic process and all that's concerning that, but picking up on what Madam Mayor said, I have lived in this borough and worked in this borough since 1966. I have seen hundreds and thousands of young people and there are thousands of young people now that are doing really great stuff but if it wasn't for the volunteer that give their time freely that would not happen and that would have an effect on the cost to the local community in standards, in discipline, in good order and very often as I go through London on different committees, people forget the volunteer, we should keep those people in our minds.

My role as I see it is to encourage, to advertise the volunteer. My own children have been brought up in the borough, have been to organisations run by a volunteer and I know from my own people's experience they are losing their jobs because of their concern for young people and this I not just the Army Cadet Force, this is right throughout the country. Those of you that run businesses please remember the volunteer.

I have got huge shoes to jump into and Brian has been so helpful with me - and Jackie is on my case already, but thank you so much for the honour that has been granted me, I will not let you down and I will do my best to prove that. Thank you very much.

A. STATUTORY PETITION SCHEME

PETITION SCHEME

The Council recognises that petitions enable people to voice their concerns.

What is a petition?

The Council treats as a petition any communication which is signed by or sent to us on behalf of a number of people. For practical purposes, there must be at least 10 signatories or petitioners before we treat it as a petition.

What should a petition contain?

A petition should include –

- (a) A clear statement of the petitioners' concerns and what they want the Council to do. This must relate to something which is the responsibility of the Council, or over which the Council has some influence. Where a petition relates to a matter which is within the responsibility of another public or local authority, the petition organiser will be asked whether they would like the petition to be redirected to that other Authority. Where a petition relates to a matter over which the Council has no responsibility or influence, it will be returned to the petition organiser with an explanation for that decision
- (b) The name and contact details of the "petition-organiser" or someone to whom any correspondence about the petition should be sent. Contact details may be either a postal address or an email address;
- (c) The names of at least 10 petitioners (which can include the petition organiser). Where the petition is in paper form, this can include an actual signature from each petitioner, but actual signature is not essential. The addresses of petitioners are important to enable the Council, for example, to assess the degree of local support or opposition to a planning application, but this is not essential. For the petition to be debated at a meeting of the Council ("A Petition for Debate"), or to trigger a public meeting of an Overview and Scrutiny Committee at which a specific officer will be required to report ("A Petition to hold an Officer to Account"), the petition will need to contain a higher number of signatories or petitioners (see below);
- (d) If the petition is being submitted in response to consultation on a specific matter, the matter which it relates should be identified, so as to ensure that it is considered along with original matter.

Who should you send a petition to?

Where you submit a petition in response to consultation by the Council, please address it to the return address set out in the consultation invitation. This will ensure that it is reported at the same time as the matter to which it relates is considered.

Otherwise, please address petitions to –

Democratic Services Manager
London Borough of Havering
Havering Town Hall
Main Road
Romford
RM1 3BD

Or to petitions@haverling.gov.uk

Your petition will be acknowledged to the petition organiser and entered on the Council's petitions website (<http://www.haverling.gov.uk/petitions>). The website will be regularly updated with information on the progress of the petition.

Types of Petition

There are five different types of petition, as set out below. How we deal with a petition depends on which type of petition is submitted –

(a) **Ordinary Petitions**

These are petitions which do not come within any of the following specific types. Please note that petitions which raise issues of possible Councillor misconduct will be taken as complaints arising under the Local Government Act 2000 and will be reported to the Standards Initial Assessment Sub-Committee, rather than considered under this Petitions Procedure. You may be asked to comply with the relevant procedure.

(b) **Consultation Petitions**

These are petitions in response to an invitation from the Council for representations on a particular proposal or application, for example on planning or licensing applications or proposals for parking restrictions or speed limits. Consultation petitions which are received by the response date in the consultation invitation will be reported to a public meeting of the person or body which will be taking the decision on the application or proposal.

(c) **Statutory Petitions**

Particular Acts of Parliament require the Council to consider petitions, for example a petition for a directly-elected Mayor. Where a petition is submitted under such a specific statute, it will be reported to the next available relevant meeting, in accordance with the statutory requirements.

(d) **Petitions for Debate**

If the petition is to be reported to and debated at a meeting of the Council, it must contain at least 3,500 signatories or petitioners.

(e) **Petitions to Hold an Officer to Account**

If the petition is to be considered at a meeting of an Overview and Scrutiny Committee, where an officer, identified either by name or by post title, will be required to answer questions on the conduct of a particular matter, it should contain at least 2,500 signatories or petitioners. The Council has determined that such petitions must relate to the Chief Executive, a Group Director, the Assistant

Chief Executive, an Assistant Director or a Head of Service. Please note that where the petition raises issues of competence or misconduct, the petition will be dealt with under the Council's Disciplinary Procedures, and not under this Petitions Procedure.

The Petitions Website

The Council maintains a petitions website at <http://www.havering.gov.uk/petitions>.

When a petition is received, within 5 working days Democratic Services Manager will open a new public file within the website and will put in that file the subject matter of the petition, its date of receipt and the number of signatories or petitioners. The petition organiser's name and contact details will only be included on the website if s/he so requests.

As soon as it is decided who the petition will be considered by within the Council, and when that consideration will occur, this information will be entered on the website at the same time as it is sent to the petition organiser. Once the petition has been considered, the Council's decision will be notified to the petition organiser and put on the website within 5 working days of that consideration.

Petitions are presented on the petitions website in the order in which they are received, but the website can be searched for key-words to identify all petitions relating to a particular topic. All petitions are kept on the website for 2 years from the date of receipt.

The role of Ward Councillors

When a petition is received which relates to a local matter (particularly affecting specific electoral wards), the Democratic Services Manager will notify receipt of the petition to each relevant Ward Councillor at the same time as acknowledging receipt of the petition to the petition organiser.

When the petition is reported to the person or body within the Council who can take a decision on the matter to which it relates, the relevant Ward Councillors will be invited to attend and to address the decision-taker for no more than 3 minutes (or 3 minutes each), immediately after the petition organiser.

What happens when a petition is received?

Whenever a petition is received –

- (a) Within 2 working days of receipt, Democratic Services' staff will acknowledge receipt to the petition organiser.
- (b) Wherever possible, Democratic Services' staff may be able to resolve the petitioners' request directly, by getting the relevant Cabinet Member or officer to take appropriate action. Where this is done, Democratic Services' staff will ask the petition organiser whether s/he considers that the matter is resolved.
- (c) Unless the matter has been resolved to the satisfaction of the petition organiser, Democratic Services' staff will within 5 working days of receipt of the petition provide a substantive response to the petition organiser setting out who the petition will be reported to for consideration, when and where that will take place and inviting the petition organiser to attend that meeting and to address the meeting for up to 3 minutes on the issue covered by the petition. The invitation to the petition

- organiser to address the meeting is in addition to any other public speaking rights at that meeting.
- (d) Whilst we are committed to dealing with petitions promptly, a petition will normally need to be received at least 10 working days before a relevant meeting if it is to be reported to that meeting. Where it is necessary to undertake a significant amount of work to collect information and advice to enable the matter to be properly considered, it may be necessary for Democratic Services' staff to decide that the petition will be held over until the following meeting of the relevant body.
 - (e) At the same time as responding to the petition organiser, Democratic Services' staff will notify Group Leaders and Ward Councillors of receipt of the petition.
 - (f) Within 5 working days of receipt of a petition, Democratic Services' staff will open a new public file for the petition on the Council's petitions website, setting out the subject matter of the petition, the date of receipt and the number of petitioners. The petition organiser's name and contact details will only be included on the website if s/he so requests.
 - (g) At each stage of the consideration of the petition, within 5 working days of any decision, Democratic Services' staff will ensure that the petitions website is updated to ensure that petitioners can track progress of their petition.

What happens to a Consultation Petition?

Consultations Petitions are submitted in response to an invitation from the Council to submit representations on a particular proposal or application, such as a planning or licensing application or a proposed traffic regulation order.

The petition will be reported to the person or body who will take the decision on the proposal or application at the meeting when they are to take the decision on that application or proposal. The Council's Constitution defines who will take different types of decision.

Where the petition relates to a matter which is within the delegated power of an officer, s/he may decide not to exercise those delegated powers but to refer the matter to the relevant Cabinet Member for decision.

Where the petition relates to a matter which is within the delegated powers of an individual Cabinet Member, s/he may decide not to exercise those delegated powers but to refer the matter to Cabinet for decision.

What happens to a Statutory Petition?

Particular Acts of Parliament require the Council to consider petitions, for example a petition for a directly-elected Mayor. Where you submit a petition under such a specific statute, it will be reported to the next available meeting of the Council in accordance with the statutory requirements.

What happens to Petitions for Debate?

Petitions for Debate will be reported to the next convenient meeting of Council. Petitions will not be considered at the Annual Meeting of Council, at the meeting at which the Budget and Council Tax are set (unless the petition directly relates to the budget or Council Tax) or at Extraordinary Meetings of Council which are not convened to consider the subject matter of the petition.

The petition organiser will be invited to address the meeting for up to 3 minutes on the subject of the petition.

What happens to a Petition to Hold an Officer to Account?

Petitions to hold an officer to account will be reported to the next convenient meeting of the relevant Overview and Scrutiny Committee.

In advance of the Committee meeting, the petition organiser will be invited to submit a list of questions which s/he would like put to the officer at the meeting. These questions will be provided to the Chairman of the Committee, who will decide whether they are appropriate, and to the officer concerned, in advance of the meeting.

At the meeting, the Chairman will invite the petition organiser to address the Committee for a maximum of 3 minutes on the issue, and the relevant officer will then be required to report to the Committee in relation to the conduct of the subject matter of the petition. Members of the Committee may question the officer, and the Chairman may invite the petition organiser to suggest questions for him/her to put to the officer.

What happens to an Ordinary Petition?

Democratic Services' staff will arrange for each Ordinary petition to be referred to the relevant Head of Service for attention, action and reply.

How will the Council debate a petition?

Petitions will normally be debated after Members' Questions but before Members' motions are debated.

The Mayor will invite the petition organiser to address the meeting for up to 3 minutes, after which the matter will be open for debate among Members. At the end of the debate, the Council will either determine the matter, refer it for investigation and report back, or refer it to the Cabinet or a Cabinet Member.

Within 5 working days of a final decision being made on the matter, Democratic Services' staff will notify the petition organiser of the Cabinet Member's decision and advise him/her that if s/he is not satisfied with that decision, s/he may require the matter to be reported to the next convenient meeting of the appropriate Overview and Scrutiny Committee for review.

At each stage, Democratic Services' staff will enter the relevant information on the website at the same time as it is sent to the petition organiser.

Appeal to an Overview and Scrutiny Committee

If the petition organiser is not satisfied with the outcome of the Council's consideration of his/her petition, he/she may appeal to an Overview and Scrutiny Committee by notifying Democratic Services' staff of his/her intention to appeal within 20 working days of being notified of the Council's decision on the petition.

Within 5 working days of receipt of intention to appeal, Democratic Services' staff will determine which is the relevant Overview and Scrutiny Committee and will notify the petition organiser of the time, date and place of the next convenient meeting of that Overview and Scrutiny Committee and will invite the petition organiser to attend the

meeting and to address the Committee for up to 3 minutes on why he considers that the Council's decision on the petition is inadequate.

At that meeting, the Overview and Scrutiny Committee will invite the petition organiser and Ward Councillors to make their representations and to explain why s/he considers that the Cabinet Member's response was insufficient. The Overview and Scrutiny Committee may not over-ride the Cabinet Member, but the Cabinet Member must consider any recommendations made by the Overview and Scrutiny Committee.

The role of the Petition Organiser

The petition organiser will receive acknowledgement of receipt of the petition within 2 working days of its receipt by the Council.

Where the petition is not accepted for consideration, the petition organiser will be advised by Democratic Services' staff of the rejection and the grounds for such rejection.

Where the petition is accepted for consideration, the petition organiser will be advised by Democratic Services' staff within 5 working days of receipt by the Council as to who the petition will be considered by, and the date, time and place of any meeting at which it will be considered, which he/she will be invited to address for up to 3 minutes. The petition organiser may be asked questions on the subject matter of the petition.

The petition organiser may nominate another person to address the meeting and to answer any questions on the matter.

The petition organiser will be regularly informed by Democratic Services' staff of any decisions in respect of the petition and will be formally notified of the outcome of the petition's consideration within 5 working days of such decision.

The petition organiser may notify Democratic Services' staff of his/her intention to appeal to an Overview and Scrutiny Committee against the decision of the Council relating to the petition within 20 working days of being notified of that decision, and may attend and address the meeting of the Overview and Scrutiny Committee for up to 3 minutes as to why he/she considers that the Council's decision on the petition was inadequate.

Petitions which will not be reported

(a) Duplicate Petitions

Where more than one petition is received in time for a particular meeting, each supporting the same outcome on one matter, each petition organiser will be treated as an independent petition organiser, but only the petition organiser of the first petition to be received will be invited to address the relevant meeting.

(b) Repeat Petitions

Petitions will not normally be considered where they are received within 6 months of another petition being considered by the Council on the same matter.

(c) Rejected Petitions

Petitions will not be reported if in the opinion of Democratic Services' staff, they are rude, offensive, defamatory, scurrilous or time-wasting, or do not relate to something which is the responsibility of the Council, or over which the Council has some influence.

B. AMENDMENTS TO COUNCIL PROCEDURE RULES

In Council Procedure Rule 2:

Amend “rule 23” in rule (f) to read “rule 23(a)

Add after rule “(j)”, a new rule (and renumber subsequent rules accordingly):

- “(k) debate any petition exceeding the threshold of 3,500 signatories, and reach a decision on it, in accordance with the procedure set out in Rule 23;”

In Council Procedure Rule 23:

Delete the existing text

Insert:

“23.1 Petitions may be presented to the Mayor by members of the Council during an ordinary Council meeting as referred to in Rule 2 (f), subject to notice being given to the Proper Officer of the intention to present a petition at least 6 clear days before the meeting.

There will be no debate on any petition under this rule but the member presenting the petition may make a brief statement on the content of the petitions.

Subject to rules 23.2 and 23.3 following, any petitions received by the Mayor at Council or at any other time will be referred to the appropriate Head of Service for action, reply or report.

“23.2 If a petition received by the Council, whether under rule 23.1 or otherwise, has 3,500 signatories or more, it shall be debated by Council at the next available ordinary meeting in accordance with the Council’s statutory Petitions Scheme. Such debates shall take place after Members’ Questions but before motions for debate (see Rule 2(k)).

“23.3 The debate on a petition shall take place in accordance with the following rules:

- (a) The petition organiser shall have the right to address the Council for up to three minutes on the content and purpose of the petition;
- (b) Any Member may speak in support of, or opposition to, the petition for up to three minutes; and
- (c) At the end of the debate, the appropriate Cabinet Member shall have a right to speak in reply to the petition and Members’ contributions, for up to five minutes.

A maximum of 30 minutes shall be allowed for the debate of petitions. Where more than one petition is to be debated, the Mayor shall have discretion to allocate the time available between petitions.

The Mayor shall also have discretion to vary the length of petition organisers', Members' or Cabinet Members' speeches under this Rule in order to facilitate the business of the Council.

At the conclusion of the debate, the Council shall determine whether:

- (a) to refer the petition to the relevant Overview & Scrutiny Committee, with or without a requirement to report back in due course;
- (b) to invite the Cabinet to consider the petition; or
- (c) to take no further action in relation to the petition."

C. AMENDMENTS TO COMMITTEE PROCEDURE RULES

In Committee Procedure Rule 7:

Add: in Rule (e) (Member of the public wishing to address the Committee) a new final paragraph:

This rule shall not apply where an Overview & Scrutiny Committee is dealing with a petition presented under the Council's petition scheme.

In "Rules for specific meetings":

Add new Rule 16 (and renumber existing rule 16 as 17):

"16 Overview & Scrutiny Committees, when considering petitions

In accordance with the Council's Petitions Scheme, an Overview & Scrutiny Committee (OSC) must consider petitions:

- (a) that have 2,500 or more signatures, and allow an officer to be questioned on the subject-matter of such a petition;
- (b) referred to it by the Council; or
- (c) at the request of the petition organiser if they consider the Council's decision on it to be inadequate.

In the case of petitions dealt with under (a) above, the petition organiser will be invited to submit a list of questions which s/he would like put to the officer at the meeting. These questions will be provided to the Chairman of the OSC, who will decide whether they are appropriate, and to the officer concerned, in advance of the meeting.

At the meeting, the Chairman will invite the petition organiser to address the Committee for a maximum of 3 minutes on the issue, and the relevant officer will then be required to report to the Committee in relation to the conduct of the subject matter of the petition. Members of the Committee may question the officer, and the Chairman may invite the petition organiser to suggest questions for him/her to put to the officer.

For the purposes of this rule, the "relevant officer" shall be the Group Director or Head of Service responsible of the function that is the subject of

the petition. The relevant officer may be accompanied by other staff who may, but shall not be obliged to, answer questions in addition to the relevant officer.

In the case of (b), a report will be submitted to the OSC about the issues addressed by the petition and in response to them. The OSC will discuss the petition as appropriate and determine what further action, if any, to take. At the discretion of the Chairman, the petitions organiser may address the OSC for up to 3 minutes.

In the case of (c), the petition organiser may address the OSC for up to 3 minutes on why he considers that the Council's decision on the petition is inadequate. Relevant Ward Councillors may also speak about the petition for up to 3 minutes.

The OSC will consider their representations and decide how to respond. The Overview and Scrutiny Committee may not over-ride the Cabinet Member, but the Cabinet Member must consider any recommendations made by the Overview and Scrutiny Committee.

D. AMENDMENTS TO OVERVIEW & SCRUTINY COMMITTEE (OSC) PROCEDURE RULES

In OSC Committee Procedure Rule 2:

Add: after rule (f), a new rule (g):

- “(g) Consider petitions referred to them by the Council following debate
- “(h) Arrange for the relevant officer to appear before them and to answer questions about a petition received by the Council that has 2,500 signatories or more, where the petitions have asked that the officer be questioned.”

In Rule 3:

Add: after rule (d) (Annual Report)

“(e) Responding to petitions

Statutory requirements and the Council's Petitions Scheme relating to petitions place obligations on OSCs:

- (i) to arrange for appropriate officers to answer questions relating to a petition, where the petition has 2,500 or more signatories;
- (ii) to consider petitions referred to them following debate at full Council; and
- (iii) to consider representations by petition organisers if they consider the Council's decision to their petition to be inadequate.”

In Rule 20:

Add: after rule (a)(iv), a new rule:

- “(iv) questioning of an officer in response to a petition submitted under the Petitions Scheme, to which there are at least 2,500 signatories
 - “(v) considering a petition referred to the OSC by the Council
 - “(vi) considering representations by petition organisers who consider the Council’s decision to their petition to be inadequate”
- and renumber the existing rule (v) as (vii).

MEMBERS' QUESTIONS AND ANSWERS

Note: Questions 1 to 15 were answered at the meeting; in accordance with Council Procedure Rule 10.6(a), the remainder were treated as if put for written answer

1 CONTINUED PUBLICATION OF *LIVING* NEWSPAPER

To the Leader of the Council (Councillor Michael White)

By Councillor Clarence Barrett

Further to the recent announcement by Secretary of State for Communities and Local Government, Eric Pickles, that 'Councils should spend less time and money on council newspapers that end up in the bin and focus more on frontline services like providing regular rubbish collections', would the Leader explain how he intends to respond to this proposal and set out the subsequent timetable for the abolition of the *Living* newspaper?

Answer:

I will tell Cllr Barrett what we have told the Secretary of State. We are spending less money on *Living* now than we did when it was produced monthly and we are also saving tens of thousands of pounds that we previously spent putting public notices in the local press. The most recent residents' survey shows that only 1 in 10 people are not satisfied with *Living*, while 6 out of 10 people say they like it. So there is no "timetable for the abolition of *Living*." We have always said that we would review the fortnightly publication when the trial period comes to an end in the autumn and that is what we'll do. In fact, we have reaffirmed this commitment already this week - in the latest edition.

Supplementary question and answer

The Leader of the Council reiterated that the current cost of £88,000 was less than the £102,000 spent on *Living* two years ago.

2 UNSUCCESSFUL STANDARDS COMPLAINT

To the Cabinet Member for Community Safety (Councillor Geoff Starns)

By Councillor Mark Logan

As an estimate, how much did the unfounded complaint by Councillor Frederick Osborne against Councillor Jeffrey Tucker cost the Council in officer time and money?

Answer:

The cost of the investigation was £6,708. This is from internal time recording information. As far as 'unfounded' is concerned the Initial Assessment Sub-Committee and the Consideration Sub-Committee of Standards concluded that the complaint was sufficient to be investigated and passed for hearing. The Hearings Panel balanced all the evidence and determined that on the balance of probabilities they could not be sure that Councillor Tucker uttered the words complained about. They did however advise Councillor Tucker to try hard to bring his emotions under control and that it is important he seeks to moderate his behaviour as this was not the first complaint made against him.

3 PRIVATE SECTOR LEASING – CONDITION OF PROPERTIES AVAILABLE TO LET

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Pat Murray

What arrangements are made by the Private Sector Leasing Department with Landlords to ensure that all properties offered to applicants are in a fit condition to occupy and meet decent homes standards?

Answer:

In order to be accepted onto the Private Sector Leasing, PSL, scheme, each property must pass a property inspection conducted by the London Borough of Havering to ensure it meets the borough's Accreditation Standards. These standards take into consideration the Housing Act 2004, Housing Health and Safety Rating System (HHSRS), Housing Decency Standards and Fuel Poverty.

When dwellings become vacant between tenancies they are again inspected and any necessary repairs or clearance works are carried out to ensure that the property continues to meet decent home standards prior to being re-let. Where any repair falls under the responsibility of the owner of the property, the keys will be returned to the owner, and fee payments will be withheld until the works are complete.

4 PUBLIC ACCESS TO DETAILS OF EXPENDITURE

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ray Morgon

Following the new Government's announcement that all council expenditure above £500 would be available for the public to view, would the Cabinet Member confirm what progress has been made on this issue?

Answer:

The Council has been liaising with other boroughs and organisations (i.e. the Audit Commission) to determine the most appropriate format, publishing channels and frequency of the expenditure information.

The Council has also been examining the current system capabilities and those that will be available following the implementation of Oracle 12. This is to ensure that the information can be produced in the most efficient manner.

The first publication will be made in due course when these factors have been fully reviewed.

Supplementary question and answer

The Cabinet Member affirmed that the information would be made as soon as practicable.

5 DEVELOPMENT AT DOVER'S CORNER

To the Leader of the Council (Councillor Michael White)

By Councillor Jeffrey Tucker

Do you agree that the Administration's support that led to the decision to allow buildings above 3-storeys high in the Rainham Village conservation area undermines the opposition to the Weston Homes (Tower City) application at Dover's Corner?

Answer:

I assume Councillor Tucker is referring to the Rainham Library development, which was recently given planning permission by the Development Corporation. The adopted LDF planning policy allows a taller building in that particular location because of the specific character of that site. By contrast the LDF policy for all the other Rainham housing sites, including Dovers Corner, is that development should be predominantly three storeys high, and we have raised the strongest possible objections to the Dovers Corner development on that basis. The two sites are completely different, and the planning policies for the two sites are completely different, which is why we support the development of a superb new library for Rainham, but oppose the gross over-development proposed by Weston Homes for Dovers Corner.

6 HAROLD HILL LEARNING VILLAGE

To the Cabinet Member for Children & Learning (Councillor Paul Rochford)

By Councillor Paul McGeary

Will the lead member make a statement about the timetable for completion of the Learning Village following recent announcements by the Coalition Government relating to Building Schools for the Future, Primary Schools Capital Funding, and Capital Funding for the Academies Programme?

Answer:

The Secretary of State made an announcement in the House of Commons which stopped the BSF programme and put into review some Academy developments, including Draper's Academy, a replacement for King's Wood.

His statement included an announcement of a review of investment plans for all schools, early years and college sectors with a plan to announce new arrangements and amount of investment by the end of the calendar year.

The Learning Village masterplan comprised a rebuilt northern campus for Havering College for Further and Higher Education, a replacement of King's Wood with an Academy, a replacement of Dycorts within the BSF programme and a replacement for Pyrgo Primary School within the Primary Capital Programme.

During the previous government the Learning and Skills Council ceased funding for the college project.

The current state of play is that none of the projects may at this stage proceed. Without further information, which will not be available until 29 July for the Academy and the end of the calendar year for the schools and college, a timetable for development of buildings cannot be established. The relationships that have been fostered during the development of the village remain strong so there will be beneficial impact but we remain disappointed that our ambition cannot yet be realised or timetabled.

The Academy is still scheduled to open in September in existing premises.

7 BUDGET REDUCTIONS: IMPACT ON VOLUNTARY GROUPS

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Gillian Ford

Would the Cabinet Member set out the impact of grants to voluntary groups as a result of the proposed budget reductions?

Answer:

The only area where we believe there could be impact from the savings on the Voluntary sector is Social Care, but with reductions in grant funding being announced all the time it is hard to know the full position.

Activities and support programmes for vulnerable groups are currently funded through the Children's Fund which, it is anticipated will cease from April 2011. In September there is to be a review of activities funded from the grant with a full evaluation of the services provided and the numbers of children supported. This will also provide an opportunity to assess the impact of the closure of any activities. It is hoped that some of these programmes will continue to be supported but at this stage it is not possible to identify which of them will have their funding withdrawn.

8 WITHDRAWAL OF STANDARDS COMPLAINTS

To the Cabinet Member for Community Safety (Councillor Geoff Starns)

By Councillor Jeffrey Tucker

Councillor Steven Kelly has apologised to Councillor Mark Logan for making a complaint against him to the Standards Committee. He said he attempted to have the complaint withdrawn, but was told by the Assistant Chief Executive that this was not possible! Is this true?

Before the Cabinet Member replied, Councillor Steven Kelly rose to a point of personal explanation and stated that, while he had sought to withdraw the complaint, he had not apologised for having made it.

Answer:

I think the wording of the question is unfortunate because it implies that an officer is not telling the truth.

Standards matters are covered by legislation, regulations and by guidance from Standards for England. There is no provision in these for the withdrawal of complaints. The Monitoring Officer contacted Standards for England whose advice was also that there is no legal procedure for withdrawing a complaint. Once a complaint has been validly made it must be considered by an initial assessment sub-committee.

Once the investigation is concluded, the matter will be reported to the Standards Consideration Sub-Committee where elected Councillors and an Independent Chairman will clearly take a sensible view as to whether the matter proceeds or not.

Supplementary question and answer

The Cabinet Member confirmed that the Government had indicated an intention to change the Standards regime but, until the legislation had been amended, the Council and the Monitoring Officer were obliged to follow current law and procedures.

9 WHYBRIDGE PA COMMUNITY HALL

**To the Cabinet Member for Towns & Communities (Councillor Andrew Curtin) –
Answered by the Leader of the Council (Councillor Michael White)**

By Councillor Denis Breading

Will the lead member make a statement about external funding received for the Whybridge PA Community Hall and how such funds have been used in the maintenance and refurbishment of the Hall?

Answer:

All monies were monitored and reviewed and spent appropriately on a number of items including a new roof, new kitchen, toilet refurbishment and external decoration of building & hall flooring.

Supplementary question and answer

The Leader of the Council did not accept that the premises had been allowed to be deliberately run down but undertook to request the Cabinet Member for Towns & Communities to look into the matter.

10 **“THE BIG SOCIETY” : ROLE OF AREA COMMITTEES**

To the Leader of the Council (Councillor Michael White)

By Councillor Ray Morgon

Would the Leader of the Council explain the comments he made in his statement to Annual Council about the importance of the new look Area Committees in relation to the government's plan for a Big Society.

Answer:

We are committed to public consultation, however we cannot justify the £600,000 spent on Area Committees every four years, particularly when there are potentially more affordable and innovative ways of engaging with the public. The Big Society is about giving individuals and communities more control of their destinies and as a Council we are looking to personalise and target our services more, help people to help themselves and continue to support those that rely on our help and assistance. Engaging and working with the public will be integral to this work.

Supplementary question and answer

The Leader of the Council stated that the Over Fifties Forum was a good example of the sort of forum that, growing from strength to strength, showed how people could become engaged.

11 **DAMYN’S HALL AERODROME: PLANNING APPLICATIONS**

To the Chairman of the Regulatory Services Committee (Councillor Barry Oddy)

By Councillor David Durant

Why were the 6 planning applications submitted by Damyn’s Hall Aerodrome rejected by Planning Officers under delegated powers and not referred to the elected planning committee?

Answer:

It is assumed the question relates to six applications submitted in 2007 and refused under delegated powers, as follows:

P1858.07	Car park
P1859.07	Change of use from agriculture to use including agriculture and aerodrome
P1860.07	Change of use for stationing of mobile home
P1861.07	Change of use for two mobile homes
P1866.07	Change of use for double portable office unit
P1871.07	Change of use of agricultural barn for aircraft hangar and hard standing

If that is the case, it was the right of any Member, including your Group Leader, to have called these applications in before the Regulatory Services Committee. As they were not called, the applications were decided under delegated powers in accordance with the Council’s Constitution. This permits staff to refuse any application for development throughout the Borough, including the

Green Belt, which is not in accordance with the development plan and any other material legislation.

Supplementary question and answer

The Chairman declined to suggest to the Leader of the Council that he visit the Aerodrome during a forthcoming event.

12 TENANTS AND LESSEES SERVICE CHARGES

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Denis O'Flynn

When will the outcome of the most recent consultation with tenant and lessees relating to service charge be made available to members?

Answer:

The Council and Homes in Havering have agreed to jointly carry out a review of service charges to tenants and leaseholders. The timetable includes a report to members being produced at the end of October this year. This timetable enables consultation with tenants and leaseholders including discussion at Homes in Havering's Residents Conference in September.

13 EFFICIENCY SAVINGS

To the Leader of the Council (Councillor Michael White)

By Councillor Ray Morgon

In the June 2010 edition of "Living", the Leader stated that in the past five years the Council had made £26 million worth of efficiency savings. Could he confirm where these savings have been made?

Answer:

The Council has been hugely successful in delivering efficiencies. These have helped keep Council Tax rises to a minimum, whilst still enabling investment in essential services for our residents.

The efficiencies have been monitored and published through the Gershon and National Indicator 179 initiatives. They have been delivered in a variety of ways and across services within the organisation.

A large proportion relate to the achievement of MTFs savings, which are set out as part of the budget report annually. The remainder relate to a number of initiatives in areas such as procurement, invest to save and improving the efficiency of processes.

14 MITIGATING THE EFFECTS OF CLIMATE CHANGE

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor David Durant

At the Local Government Association conference in Bournemouth, Lord Lawson, the former Chancellor and now chairman of the Global Warming Policy Foundation, said Councils should take no action to mitigate the effects of climate change, which is as much due to natural factors as mankind's actions.

Is it possible for Havering Council to follow this sensible advice without financial penalty?

Answer:

The vast majority of scientists disagree with Lord Lawson, and have produced extensive evidence that human activities contribute significantly to global warming. The Coalition Government, the Mayor of London, and the Local Government Association itself, all consider that Councils should play their part in reducing CO₂ emissions and tackling the problem of climate change. This makes economic sense, because reducing our energy consumption will save us money. We also need to prepare for the CRC (Carbon Reduction Commitment) scheme which initiated in April 2010, which could result in additional financial costs on local authorities who fail to reduce their energy use. Havering Council will therefore not be following Lord Lawson's advice.

The new depot has provided savings of over 35% in CO₂ and running costs than a conventionally constructed building, and in addition saved a quarter of a million road miles.

Global surveys show that 95-98% of scientists who research weather and climate agree that climate change has been influenced by human actions. The study of global warming and climate change has been ongoing since the 1930s, when scientists first started noting warming trends dating to the late 19th Century. NASA, the Met Office and the Hadley Centre have all recorded an upward increase in global temperatures since the Industrial Revolution.

Impacts of climate change are already being experienced in many regions around the world particularly other island nations, mountainous regions (e.g. Alps, Andes), sub-Saharan Africa, extreme northern areas (e.g. Greenland, Canada). UN research published last year attributed 315,000 deaths globally to the impacts of climate change.

The Coalition government has set a target for all government departments to reduce their CO₂ emissions by 10% in the next 12 months, announced by David Cameron in May 2010. The Mayor of London has maintained the targets set by the previous Mayor, for London to reduce its CO₂ emissions by 60% by 2025. The Mayor's Climate Change Mitigation and Energy Strategy and the Mayor's Climate Change Adaptation Strategy set out plans for dealing with climate change which the GLA will implement in partnership with the London boroughs.

The Local Government Association's official stance is that Councils should take a lead on environmental issues, including climate change. A number of background and guidance documents have been published by the LGA to help local authorities address climate change. The LGA has also hosted workshops and run nation-wide local authority campaigns on climate change.

The Global Warming Policy Foundation is a thinktank established by Lord Lawson for the specific purpose of challenging government policies on climate change, which does not demonstrate a strong basis in global scientific evidence and has refused to disclose its funding sources. Thus the advice provided by Lord Lawson is not from an objective viewpoint based on the majority of scientific evidence.

The Carbon Reduction Commitment will require local authorities, large businesses and organisations to purchase 'allowances' for the amount of CO₂ produced annually. The money used to purchase the allowances will be returned to the organisation in 6 months, plus or minus an amount calculated from the organisation's position on a league table of how well they have reduced their own CO₂ emissions compared to how well other organisations have reduced CO₂.

Mitigating the effects of climate change involves sensible measures such as insulating homes, helping vulnerable people reduce their energy use and reduce fuel poverty, dealing with dry summers and flooding, reducing road congestion, reducing the amount the Council spends on energy and generating our own renewable energy. These measures will benefit Havering residents, taxpayers and the Council, financially and in their quality of life.

Supplementary question and answer

The Cabinet Member did not agree that Council ought not take a lead in dealing with climate change and reducing CO₂ omissions. Various initiatives were in hand to enable the Council to make progress with climate change issues.

15 ERECTION OF BOUNDARY FENCING OF THE GREEN OPEN SPACE ADJOINING CENTRAL PARK OFF GOOSHAYS DRIVE

To the Cabinet Member for Towns & Communities (Councillor Andrew Curtin) – Answered by the Leader of the Council (Councillor Michael White)

By Councillor Pat Murray

What is the cost of the new boundary fence erected on the land off Gooshays Drive to the rear of the Albermarle Youth Club and the Harold Hill Community Centre?

Answer:

£18,000

Supplementary question and answer

The Leader of the Council undertook to arrange for officer provide to the questioner the gross income.

16 TENANTS' CHARTER: DEALING WITH NOISY NEIGHBOURS

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Ray Morgon

Given that no additional powers are available to the Council, would the Cabinet Member confirm what the new Tenants Charter announced by the Leader of the Council will contain to more effectively deal with noisy neighbours?

Answer:

The Tenants Charter is currently under review. The Council and Homes in Havering are aware that noisy neighbours can cause significant nuisance, thus it is planned that the redrafting of the Tenants Charter will provide clearer and more detailed information on what is likely to cause a noise disturbance, including a comprehensive list of specific examples.

The aim is to ensure that tenants are fully aware of their responsibilities with respect to noise and anti-social behaviour, and fully understand the possible consequences of persistent noise disturbance. These consequences range from non-legal interventions such as mediation or an Acceptable Behaviour Contract, ABC, to legal remedies including an injunction against particular behaviour, an Anti-Social Behaviour Order, ASBO, the demotion of a secure tenancy which make gaining possession easier and takes away certain rights, such as the right-to-buy, and, finally, eviction.

17 "PITCH N' PUTT" COURSE, HALL LANE, UPMINSTER

To the Cabinet Member for Towns & Communities (Councillor Andrew Curtin) – Answered by the Leader of the Council (Councillor Michael White)

By Councillor Clarence Barrett

In respect of the Upminster Pitch n' Putt course (Hall Lane), would the Cabinet Member please set out:

- a) How the £10,000 allocated to this facility as part of the 2010/11 capital programme is to be spent?
- b) What measures will be taken to promote the facility?
- c) When will the course be open to the public?

Answer:

£3,385 has been spent on initial improvements to the greens. The remaining budget will be spent on further grounds maintenance improvements in the autumn and new tee-off mats.

A banner will be fixed to the fencing on Hall Lane. Flyers have been printed for display in libraries and parks around Upminster, and these will also be made available to the Friends of Parks Groups. A quarter page advert in "Living" and the "Recorder" has also been commissioned.

The course will be open on Monday 26 July 2010.

18 BUILDING SCHOOLS FOR THE FUTURE PROGRAMME

To the Cabinet Member for Children & Learning (Councillor Paul Rochford)

By Councillor Gillian Ford

Further to the cessation of the Building Schools for the Future (BSF) programme, would the Cabinet Member set out how much has been spent thus far on the respective schemes?

Answer:

The Council has spent or committed in the order of £320,000 this year. Last financial year spend was £391,000.

The work of staff in the Council and in our schools has generated a very healthy debate about learning vision, for which the BSF project provided a focus. That learning vision will inform a sustained approach to educational improvement within the borough, even without the capital investment which our schools sorely need.

19 DISPOSAL OF UNDERUSED GARAGE SITES

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Ron Ower

Following the Cabinet decision in September 2008 to commence the disposal of underused/vandalised garage sites, would the Cabinet Member confirm the latest position indicating how many sites have now been sold and to what value?

Answer:

To date, two sites have been sold to East Thames Housing Association so as to carry out a pilot study, the aim of which is to compare two different methods of house construction. Together, the sites generated a capital receipt of £120,000 and four 4-bedroom houses have been built.

The first two houses were completed in May 2010 and let to two local families living in overcrowded conditions. The second two houses will be let at the beginning of August 2010.

A further 71 garage sites across the borough have been identified for potential housing development. Three housing association / developer consortia have been selected to work on these sites. At this stage, the Council is hoping that the housing associations will receive Homes and Communities Agency, HCA, grant to build affordable rented homes. The national grant programme is currently under review. Officers anticipate that the HCA will not make any funding decisions until December 2010 at the earliest. Should lower than anticipated grant levels be forthcoming, the Council will discuss with the housing associations what mix of homes could be built with lesser funding.

20 **CAR PARKING CHARGES: EFFECT OF FORTHCOMING VAT-RATE CHANGE**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Clarence Barrett

Given the increase in VAT from 17.5% to 20% from January 2011, would the Cabinet Member confirm that car park charges will not be increased as a result and that corresponding hourly tariffs will remain unchanged?

Answer:

I can confirm that there are no plans to review parking charges as a direct result of the increase of VAT with effect January 2011; therefore the hourly rates will remain unchanged.

21 **ABANDONMENT OF COMPREHENSIVE AREA ASSESSMENT: CONSEQUENTIAL SAVINGS**

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ray Morgon

Following the Government's wise plan to scrap of the Comprehensive Area Assessment, would the Cabinet Member provide an estimate of how much this Council will save each year, together with how and where these savings will be made?

Answer:

The abolition of CAA will save the Council around £20,000p.a. in fees from the Audit Commission, who we were previously obliged to pay to carry out fieldwork as part of the 'Managing Performance' and 'Area Assessment' elements of the CAA. This fieldwork included carrying out interviews with staff and partners, as well as a desk-based assessment of our performance against the national indicator set.

We should also save around £70,000 p.a. in fees from our external auditors, Price Waterhouse Coopers, who carried out the 'Use of Resources' element of the CAA on behalf of the Audit Commission.

A review of the Council's approach to performance management is now underway and that in turn will lead to a review of staff employed to undertake this work.

22 **MEMBERS' CORRESPONDENCE: USE OF EMAIL**

To the Cabinet Member for Community Safety (Councillor Geoff Starns)

By Councillor Ray Morgon

Would the Cabinet Member confirm why various departments still send letters to members in the courier rather than e-mail them?

Answer:

I am afraid that I cannot answer the question in specific terms unless I know from whom the letters are being sent and by whom they are being received. Perhaps you will share examples with me or Democratic Services staff and they will find out for us

On the face of it I have some sympathy with officers. It has to be remembered that the better part of a dozen members never use a pc for Council business.

Furthermore, some members prefer everything they receive to be sent electronically; some want everything exclusively in hard copy; some want some items electronically, some in hard copy; some want their emails printed and sent to them. It is no wonder that some officers might habitually err

on the side of caution sending material in hard copy so as to be assured that the member will certainly get it. Until there is a consistency in the way members access their documents, there is every likelihood that there will continue to be officers sending some material in hard copy.

VOTING RECORD

<i>DIVISION NUMBER:</i>	1	2	3	4	5	6
The Mayor [Cllr. Pam Light]	✓	✓	O	O	O	O
The Deputy Mayor [Cllr. Melvin Wallace]	✓	✓	✓	✓	✓	✓
<u>CONSERVATIVE GROUP</u>						
Cllr. Michael White	✓	✓	✓	✓	✓	✓
Cllr. Michael Armstrong	✓	✓	✓	✓	✓	✓
Cllr. Robert Benham	✓	✓	✓	✓	✓	✓
Cllr. Becky Bennett	✓	✓	✓	✓	✓	✓
Cllr. Sandra Binion	✓	✓	✓	✓	✓	✓
Cllr. Jeff Brace	A	A	A	A	A	A
Cllr. Wendy Brice-Thompson	✓	✓	✓	✓	✓	✓
Cllr. Dennis Bull	✓	✓	✓	✓	✓	✓
Cllr. Andrew Curtin	A	A	A	A	A	A
Cllr. Osman Dervish	✓	✓	✓	✓	✓	✓
Cllr. Ted Eden	✓	✓	✓	✓	✓	✓
Cllr. Roger Evans	✓	✓	✓	✓	✓	✓
Cllr. Georgina Galpin	A	A	A	A	A	A
Cllr. Peter Gardner	✓	✓	✓	✓	✓	✓
Cllr. Lesley Kelly	✓	✓	✓	✓	✓	✓
Cllr. Steven Kelly	✓	✓	✓	✓	✓	✓
Cllr. Robby Misir	✓	✓	✓	✓	✓	✓
Cllr. Eric Munday	✓	✓	✓	✓	✓	✓
Cllr. Barry Oddy	✓	✓	✓	✓	✓	✓
Cllr. Frederick Osborne	✓	✓	✓	✓	✓	✓
Cllr. Gary Pain	✓	✓	✓	✓	✓	✓
Cllr. Roger Ramsey	✓	✓	✓	✓	✓	✓
Cllr. Paul Rochford	✓	✓	✓	✓	✓	✓
Cllr. Geoffrey Starns	✓	✓	✓	✓	✓	✓
Cllr. Billy Taylor	✓	✓	✓	✓	✓	✓
Cllr. Barry Tebbutt	✓	✓	✓	✓	✓	✓
Cllr. Frederick Thompson	✓	✓	✓	✓	✓	✓
Cllr. Lynden Thorpe	✓	✓	✓	✓	✓	✓
Cllr. Linda Trew	✓	✓	✓	✓	✓	✓
Cllr. Keith Wells	✓	✓	✓	✓	✓	✓
Cllr. Damien White	✓	✓	✓	✓	✓	✓
<u>RESIDENTS' GROUP</u>						
Cllr. Clarence Barrett	✓	✓	X	X	O	O
Cllr. June Alexander	✓	✓	X	X	O	O
Cllr. Nic Dodin	✓	✓	X	X	✓	X
Cllr. Brian Eagling	✓	✓	X	X	O	O
Cllr. Gillian Ford	✓	✓	X	X	O	O
Cllr. Linda Hawthorn	✓	✓	X	X	O	O
Cllr. Barbara Matthews	✓	✓	X	X	O	O
Cllr. Ray Morgon	✓	✓	X	X	O	O
Cllr. John Mylod	✓	✓	A	A	A	A
Cllr. Ron Ower	✓	✓	X	X	X	X
Cllr. Linda Van den Hende	A	A	A	A	A	A
Cllr. John Wood	✓	✓	X	X	O	O
<u>LABOUR GROUP</u>						
Cllr. Keith Darvill	A	A	A	A	A	A
Cllr. Denis Breading	✓	✓	X	X	X	X
Cllr. Paul McGeary	✓	✓	X	X	X	X
Cllr. Pat Murray	✓	✓	X	X	X	X
Cllr. Denis O'Flynn	✓	✓	X	X	X	X
<u>INDEPENDENT LOCAL RESIDENTS' GROUP</u>						
Cllr. Jeffery Tucker	✓	✓	X	X	O	O
Cllr. Michael Deon Burton	✓	✓	X	X	O	O
Cllr. David Durant	✓	✓	X	X	O	O
Cllr. Mark Logan	✓	✓	X	X	O	O
TOTALS						
YES	49	49	29	29	30	29
NO	0	0	18	18	5	6
ABSTAIN/NO VOTE	0	0	1	1	13	13
DECLARATION OF INTEREST/NO VOTE	0	0	0	0	0	0
ABSENT FROM MEETING	5	5	6	6	6	6
	54	54	54	54	54	54

IN FAVOUR ✓

AGAINST X

NOT VOTING O

ABSENT A

INTEREST DECLARED ID

GOVERNANCE COMMITTEE

7

SUBJECT: REVISED PUBLIC ENGAGEMENT ACTIVITIES

At its last meeting, the Council abolished the Area Committees. Subsequently, it had been announced that a package of alternative public engagement measures would be brought forward for consideration and the Committee now considered a range of proposals accordingly.

A package of proposed measures was now put forward as a starting point and basis for further discussion, including:

- **Public Questions to, and Answers from, Cabinet Members –**
at a Q&A session for the public with Cabinet Members, before the start of each Cabinet meeting; the details of how these sessions should be organised and day to day operational decisions should be undertaken by the Cabinet Member for Community Empowerment.
- **Living –**
the Cabinet Member for Community Empowerment will contribute regularly to *Living*, promoting opportunities for public involvement, and informing readers about decision-making processes.
- **Use of Technology –**
the suitability of ePetitions, eForums and “social media” such as blogs and Twitter would be explored
- **Member Champions –**
the Cabinet Member for Community Empowerment will meet the seven Champions three or four times a year to seek to encourage their work, to ascertain any improvements to outcomes and generally to raise the profile of these important positions
- **Meet the Cabinet –**
it is intended to increase “Meet the Cabinet” opportunities, with Cabinet Members will be available to talk to the public at planned events
- **Additional Public Meetings –**
the Council holds many consultation and involvement meetings with people, which Cabinet Members and appropriate Ward Members can attend, in addition to Members’ rights such as under the Councillor Call for Action. There may, however, be occasions where a formal public meeting should be held, where public engagement would be more likely to be

effective if it was not constrained by being a formal Council Committee. Such meetings could involve issues affecting one or more wards.

It is intended that any Member will be able to recommend such a meeting to the Leader of the Council, who will consult with other Group Leaders, and form a view about whether or not the Council should call such a meeting or if the matter can be dealt with in an existing forum.

Implementing some of these changes will require alteration of the Constitution to enable the Cabinet Member for Community Empowerment to decide the format and operation of question and answer sessions before Cabinet meetings, and for the Leader of the Council after consulting Group Leaders to decide whether additional public meetings should be held. Other proposals are covered by existing delegations.

The Committee accordingly **RECOMMENDS to the Council:**

- 1 That the Leader of the Council be recommended to delegate the power to agree the format and any other operational decisions in respect of public question and answer sessions before Cabinet meetings to the Cabinet Member for Community Empowerment;
- 2 That the power to agree that the Council should convene additional public meetings when requested by Ward Member(s) be delegated to the Leader of the Council, in consultation with Group Leaders.

GOVERNANCE COMMITTEE

8

SUBJECT: AMENDMENTS TO THE CONSTITUTION

This report invites Council to consider two relatively minor amendments to the responsibilities of this Committee and of the Audit Committee.

A. GOVERNANCE STATEMENT AND STATEMENT OF ACCOUNTS

1. Currently, Part 3, Section 1, para 1.2 of the Constitution confers on the Governance Committee the following functions:
 - To monitor and approve all aspects of Corporate Governance
 - To approve the Annual Governance Statement
2. Meanwhile, the Audit Committee has the following function:
 - To receive and approve the Annual Statement of Accounts
3. In practice the document approved by the Audit Committee forms part of the Annual Governance Statement: in other words, it is unclear where exactly the point of decision falls.
4. It would be more appropriate for the Audit Committee to take responsibility for both the Statement of Accounts and the Governance Statement; and thus also for it to deal with corporate governance issues (which are broadly about how processes support the sound administration of the Council's financial and like affairs), reporting to the Governance Committee or Council as necessary.
5. In order to put this into place, the Committee **RECOMMENDS to the Council** that the Constitution be amended as follows:

Under Audit Committee

Amend: 'To receive and approve the Annual Statement of Accounts' to read –

'To approve the Annual Statement of Accounts, including the Annual Governance Statement, and to recommend as necessary to the Governance Committee regarding that committee's responsibilities to monitor corporate governance matters generally.'

Under Governance Committee

Delete:

- To monitor and review all aspects of Corporate Governance
- To approve the Annual Governance Statement

B. AMENDMENTS TO THE COUNCIL'S ARRANGEMENTS REGARDING THE CONTROL OF DIRECTED SURVEILLANCE

6. The Human Rights Act 1998 requires the Council (and organisations working on its behalf) to respect the private and family life of citizens. However, in rare cases, it may be necessary for the Council to act covertly in ways that may interfere with an individual's rights in carrying out its investigations. The Regulation of Investigatory Powers Act 2000 ('RIPA') provides a mechanism for authorising covert surveillance and the use of "covert human intelligence sources" (CHIS), to ensure that such interference is necessary and proportionate, that the risk of collateral intrusion is minimised and that both the public interest and the human rights of individuals are protected.
7. Local authorities can only use the powers for the purpose of the *prevention or detection of crime or preventing disorder*. Approval to carry out directed surveillance can only be granted at by officers at CMT level and a small number of senior managers and officers who have received specific training on the challenges they should pose and safeguards they should ensure are in place before granting an authorisation.
8. Where external agencies are working for the Council to carry out its statutory functions, the Council remains liable for compliance with its duties. It is essential that all external agencies comply with the regulations, as they are contractually obliged to do so.
9. Failure to observe the correct procedures could lead to evidence being thrown out, or to complaints of maladministration to the Ombudsman, an adverse report by the Office of the Surveillance Commissioners, or a claim for compensation; or there could be adverse publicity which could have a serious impact on the Council's reputation.
10. Following public concern over the use of covert surveillance by local authorities, in March 2010 the then Government introduced oversight by elected Members and provided more detailed advice in revised Codes of Practice covering both covert surveillance and the use of CHIS. The Council's new *Policy and Procedures on Covert Surveillance and use of Covert Human Intelligence Sources under the Regulation of Investigatory Powers Act 2000* incorporates all of the new controls and extended advice.

11. It is proposed that the Assistant Chief Executive, Legal & Democratic Services (as the Senior Responsible Officer for the purpose of RIPA) will:
 - Report to the Governance Committee at least once a year on the use of RIPA and reviewing the Council's policy
 - Report to the Leader and Lead Member for Community Safety on at least a quarterly basis to ensure that it is being used consistently with the local authority's policy and that the policy remains fit for purpose.
 - Implement any post-inspection recommendations made by the Surveillance Commissioner.

12. To give effect to this, the Council's Constitution requires amendment and the Committee accordingly **RECOMMENDS to the Council** that the Constitution be amended as follows:

In Part 3 Section 1.2:Governance Committee

add the following under "Miscellaneous"

"To review the Council's use of the Regulation of Investigatory Powers Act 2000 and the Council's policy at least once every year and to make recommendations for changes to the policy."



COUNCIL, 20 OCTOBER 2010

9

QUESTIONS

1 PARKING PROVISION OVER CHRISTMAS/NEW YEAR

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Ron Ower

In order to stimulate local businesses over the Christmas/New Year period, would the Cabinet Member agree to reinstate free car parking in our out-of-town (Romford) sites on 24th December, 27th December and 1st January?

2 SECURITY OF TENURE OF TENANTS IN SOCIAL HOUSING.

To the Leader of the Council (Councillor Michael White)

By Councillor Keith Darvill

With which of the following statements do you agree?

- (1) "The Conservative Party has no policy to change the current or future security of tenure of tenants in social housing"
- (2) "There is a question mark over whether, in the future, should we be asking when you are given a council home, is it for a fixed period?"

Can you explain how that will affect the Administration's policies over the next four years?

3 INVESTIGATING A STANDARDS COMPLAINT

To the Cabinet Member for Community Safety (Councillor Geoffrey Starns)

By Councillor Jeffrey Tucker

As an estimate, how much did the unfounded complaint by Cllr Steven Kelly against Cllr Mark Logan cost the Council in Officers time and money?

4 **GREEN GARDEN WASTE SACKS**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Clarence Barrett

It is a concern that of the 100,000 (approx) green garden waste sacks sold each year (at £1.10 each in 2010/11) the vast majority of the contents end up in landfill. In order to improve recycling and composting rates and reduce landfill tax payments, would the Cabinet Member please set out what alternative methods of disposal are under consideration?

5 **CONNECTIONS SERVICE CUTS**

To the Cabinet Member for Children & Learning (Councillor Paul Rochford)

By Councillor Pat Murray

Will the Cabinet Member make a statement about the effects of the cuts in the Connections Service and how they will impact on the young people of the Borough?

6 **WALKWAY BETWEEN UPMINSTER ROAD SOUTH AND TESCO'S**

To the Cabinet Member for Community Engagement (Councillor Robert Benham)

By Councillor David Durant

The walkway between Upminster Road South and Tesco's is viewed as a economic lifeline by many shopkeepers and a welcome shortcut by many residents.

This walkway has now been closed for over a year! Why has it been closed for so long and when do you expect it to re-open?

7 **WEBCASTING**

To the Cabinet Member for Community Safety (Councillor Geoffrey Starns)

By Councillor Ray Morgon

Would the Cabinet Member set out how many visitors the webcasting service has received (per meeting) since its introduction?

8 HOUSING BENEFIT CHANGES – IMPACT ON HAVERING

To the Leader of the Council (Councillor Michael White)

By Councillor Denis O'Flynn

Has the Administration carried out an impact assessment on the effects on Havering of the Coalition Governments proposals in respect of Housing Benefit due to be implemented in April 2011?

9 USE OF SOLAR PANELS

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Michael Deon-Burton

I refer to the news item which appeared at the top of Page 5 of Living dated 26th July entitled 'Let the sun shine in!'

What was the gross cost of the photo-voltaic/solar panels?

Also, what was the gross cost of installation and commissioning?

10 MOBILE LIBRARY

To the Cabinet Member for Towns & Communities (Councillor Andrew Curtin)

By Linda Hawthorn

Following the Cabinet decision to discontinue the Mobile Library Service, would the Cabinet Member confirm what steps are being taken to ensure that eligible users will have the opportunity to use the house-bound service?

11 THE COUNCIL'S HOSTELS FOR HOMELESS PEOPLE

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Denis Breeding

Will the Lead Member make a statement about the future of the Councils Hostels providing emergency accommodation for homeless persons in the Borough?

12 MEETING THE DECENT HOMES STANDARD

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Mark Logan

When the ALMO was created, how many and what percentage of council homes (excluding the Mardkye estate) were below the decent homes standard - and how many and what percentage have been brought up to decent homes standard, since the creation of the ALMO?

13 STREET CLUTTER

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Barbara Matthews

Further to the government call for a 'reduction in street clutter' would the Cabinet Member please set out what arrangements have been made to reduce the borough of unnecessary street clutter (eg signs, etc)?

14 CARAVAN SITES ACT LICENCES AND MODEL STANDARDS 2008

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Mark Logan Paul McGeary

What steps are being taken by the Council to ensure that the Model Standards 2008 for Caravan Sites in England are being incorporated into the Caravan Sites Act Licences for the Boroughs Park Home Sites?

15 HAZARDOUS WASTE AND THE IMPACT ON "RAINHAM COMPASS"

To the Cabinet Member for Community Empowerment (Councillor Robert Benham)

By Councillor Jeffrey Tucker

At the 9th September Regulatory Services Committee meeting, planning officers recommended giving a hazardous waste facility in Rainham permanent planning permission.

During debate, the planning officers said a renewal of their temporary permission would be acceptable. The Conservative and other members on the committee rejected this option.

Council, 20 October 2010

Does the Administration agree that the decision to recommend to the Development Corporation that permanent planning permission be granted undermines the Council's own ambitious Rainham Compass regeneration plans?

16 COUNCIL TAX ARREARS

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Ron Ower

The 2009/10 Statement of Accounts show that residential council tax owed has increased by 15.8% (from £11.670m in 2008/09 to £13.285m in 2009/10). Would the Cabinet Member set out what measures are in place to deal with this substantial increase?

17 ADDRESSING THE SHORTFALL IN PRIMARY SCHOOL PLACES

To the Cabinet Member for Children & Learning (Councillor Paul Rochford)

By Councillor Michael Deon-Burton

As reported, following the new analysis by London Councils, which reveals there will be a shortfall in permanent primary school places across London of more than 28,000 by 2014, whilst, at the same time, London Boroughs face an explosion in demand.

Minded specifically of the London Borough of Havering's education portfolio and, given the Administration's actions and decisions over the preceding 4 years, will they, or will they not, be asking parents of any of the children we are responsible for, to accept their children's tutelage in makeshift or temporary classrooms?

18 INCOME FROM ADVERTISING

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor Clarence Barrett

Over the last two years, income from advertising on council owned assets has underachieved as follows:

	Budget	Actual	Shortfall
2008/09	£550,000	£200,000	£350,000
2009/10	£550,000	£50,000	£500,000

Would the Cabinet Member set out the projected year-end position for 2010/11?

19 TRANSFER OF FUNDS FROM HOUSING REVENUE ACCOUNT

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Mark Logan

How much money has been transferred from the Housing Revenue Account to the Council's own General Fund over the past 10 years - and how much has been transferred from the Housing Revenue Account to the Government over the past 10 years?

20 PERMANENT PLANTINGS

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Linda Hawthorn

At present only seasonal plantings are watered weekly by the council, leaving permanent planting to dry out and die during the extremely dry weather in June and July. Would the Cabinet Member advise why the permanent plantings were not added to the watering schedule during this period and how much will it cost to replace the dead permanent plantings this autumn?

21 ELECTED POLICE COMMISSIOERS

To the Leader of the Council (Councillor Michael White)

By Councillor David Durant

Does this Administration agree with Government proposals for directly elected police chiefs?

22 HOUSING RENT ARREARS

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Ron Ower

Would the Cabinet Member set out the level of Housing Rent arrears for 2008/09, 2009/10 and the latest position for 2010/11?

23 COST OF ALMO

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Jeffrey Tucker

What has been the estimated additional cost of setting up and running the ALMO and what did the forensic examination of their accounts discover?

24 HAVERING CARD

To the Cabinet Member for Value (Councillor Roger Ramsey)

By Councillor John Wood

In respect of the Havering Card, would the Cabinet Member set out :

- a) How many have been issued to date?
- b) What is the actual usage to date?
- c) How much has the initiative cost to date?

25 ELECTION RESULTS, MAY 2010

To the Leader of the Council (Councillor Michael White)

By Councillor David Durant

At the last Full Council meeting, Councillor Michael White said 130,843 residents voted Conservative in the May local elections. This figure is higher than the actual turnout. Can Councillor White explain this discrepancy?

26 CHILD PROTECTION REGISTER

To the Cabinet Member for Children & Learning (Councillor Paul Rochford)

By Councillor Ray Morgon

Would the Cabinet member confirm how many children are currently on the child protection register in Havering?

Council, 20 October 2010

27 ELECTED MEMBERS: STATUS

To the Cabinet Member for Community Safety (Councillor Geoffrey Starns)

By Councillor Jeffrey Tucker

Are Councillors elected representatives of the people or employees of the Council?

28 GRITTING OF ROADS

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Ron Ower

Would the Cabinet Member please confirm we have adequate stocks of material for salting/gritting our roads and pavements this winter?

29 AGENCY STAFF: USE OF SOLACE

To the Cabinet Member for Transformation (Councillor Michael Armstrong)

By Councillor Mark Logan

How much has been spent by using Solace Enterprise for supplying Havering with agency staff?

30 SPEED CAMERAS

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Ron Ower

Would the Cabinet Member please confirm if the speed camera located in Wingletye Lane (near Campion School) is operational?

31 SALE OF COUNCIL-OWNED DWELLINGS IN NEED OF REPAIR

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Mark Logan

Who was the Cabinet Member who decided that if a Council dwelling cost more than £25,000 to repair, it would need to be sold off?

32 **COST OF REFURBISHMENT: HOUSE IN LEAMINGTON ROAD, HAROLD HILL**

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Mark Logan

How did Havering Council come up with the figure of £96,000 as the amount needed to refurbish a 3 bedroomed home in Leamington Road, Harold Hill?

33 **USE OF COUNCIL-OWNED HOMES FOR OFFICE PURPOSES**

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Mark Logan

How many Council homes have been taken over by estate personnel and used as offices?

34 **HOUSING LIST WAITING TIME: BAND C APPLICATION**

To the Cabinet Member for Housing (Councillor Lesley Kelly)

By Councillor Mark Logan

What is the expected waiting time for a person in Band C for Council housing?

35 **HAVERING COLLEGE: FEES**

To the Cabinet Member for Children & Learning (Councillor Paul Rochford)

By Councillor Mark Logan

Who sets the college fees at Ardleigh Green College?

36 **DISPOSAL OF WASTE COLLECTED BY COMMUNITY SERVICE**

To the Cabinet Member for Environment (Councillor Barry Tebbutt)

By Councillor Mark Logan

Do the community service persons that clear away any green material, pay a charge at Havering's rubbish tip in Gerpins Lane?

Council, 20 October 2010

37 BUILDING COUNCIL HOUSES

To the Leader of the Council (Councillor Michael White)

By Councillor Mark Logan

Councillor Steven Kelly was heard to say at an Area Committee meeting, that "whilst this council is run by a Conservative Administration, there will never be any more council homes built in Havering".

Does the Leader agree, and is that the Administration's position?