



COUNCIL MEETING

7.30 pm Wednesday, 27 January 2016
At Council Chamber - Town Hall

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

Daniel Fenwick
Monitoring Officer

For information about the meeting please contact:
Anthony Clements tel: 01708 433065
anthony.clements@oneSource.co.uk



Please note that this meeting will be webcast.

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

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

AGENDA

1 PRAYERS

2 APOLOGIES FOR ABSENCE

To receive apologies for absence (if any).

3 MINUTES (Pages 1 - 30)

To sign as a true record the minutes of the meeting of the Council held on 25 November 2015 (attached).

4 DISCLOSURE OF INTERESTS

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

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

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

To receive announcements (if any).

6 PETITIONS

Councillor Alex Donald has given notice of intention to present a petition.

To receive any petition presented pursuant to Council Procedure Rule 23.

7 LOCAL COUNCIL TAX SUPPORT SCHEME 2016/17 (Pages 31 - 84)

NOTE: THE DEADLINE FOR RECEIPT OF AMENDMENTS TO ALL REPORTS ISSUED WITH THE FINAL AGENDA IS MIDNIGHT, MONDAY 25 JANUARY.

To consider a report of Cabinet on the Local Council Tax Support Scheme 2016/17 (attached, subject to approval by Cabinet).

8 ROMFORD MARKET TRANSFORMATION PROGRAMME (Pages 85 - 116)

To consider a report of Cabinet on the Romford Market Transformation Programme (attached).

9 SEALING OF COUNCIL DOCUMENTS AND DELEGATION TO LEGAL OFFICERS
(Pages 117 - 124)

To consider a report of the Governance Committee on the Sealing of Council Documents and Delegation to Legal Officers (attached).

10 OVERVIEW AND SCRUTINY RULES: EXCEPTIONS TO THE CALL-IN PROCEDURE (Pages 125 - 128)

To consider a report of the Chief Executive on Overview and Scrutiny Rules: Exceptions to the Call-in (Requisition) Procedure (attached).

11 MEMBERS' QUESTIONS (Pages 129 - 134)

Attached.

12 MOTIONS FOR DEBATE (Pages 135 - 138)

Motions paper attached.



**MINUTES OF A MEETING OF THE COUNCIL OF THE
LONDON BOROUGH OF HAVERING
Council Chamber - Town Hall
25 November 2015 (7.30 - 10.30 pm)**

Present: The Mayor (Councillor Brian Eagling) in the Chair

Councillors Councillors June Alexander, Clarence Barrett, Robert Benham, Ray Best, Wendy Brice-Thompson, Michael Deon Burton, Joshua Chapman, John Crowder, Philippa Crowder, Keith Darvill, Meg Davis, Ian de Wulverton, Osman Dervish, Nic Dodin, Alex Donald, David Durant, Gillian Ford, Jason Frost, Jody Ganly, John Glanville, Linda Hawthorn, David Johnson, Steven Kelly, Phil Martin, Barbara Matthews, Robby Misir, Ray Morgon, John Mylod, Stephanie Nunn, Ron Ower, Garry Pain, Dilip Patel, Viddy Persaud, Roger Ramsey, Keith Roberts, Patricia Rumble, Carol Smith, Frederick Thompson, Linda Trew, Jeffrey Tucker, Linda Van den Hende, Melvin Wallace, Lawrence Webb, Roger Westwood, Damian White, Michael White, Reg Whitney, Julie Wilkes, Graham Williamson, Darren Wise and John Wood

Ten Members' guests and members of the public and a representative of the press were also present.

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

Father Roderick Hingley, of the Church of St Alban, Protomartyr, Romford opened the meeting with prayers.

The meeting closed with the singing of the National Anthem.

50 PARIS ATROCITIES

A minute's silence was held in memory of the victims of the recent terrorist attacks in Paris. The Leader of the Council conformed that he had recently passed on a message of sympathy to the Mayor of Hesdin – twin town of Havering. Several Members spoke expressing their sympathy and condolences over the recent events.

51 APOLOGIES FOR ABSENCE (agenda item 2)

Apologies for absence were received from Councillors Philip Hyde and Barry Mugglestone and from Cheryl Coppell, Chief Executive.

52 **MINUTES (agenda item 3)**

The minutes of the meeting held on 16 September 2015 were before the Council for approval.

It was **AGREED**, without division, that the minutes of the meeting of the Council held on 16 September 2015 be signed as a correct record, subject to the correction that the Mayor (Councillor Brian Eagling) was in the Chair.

RESOLVED:

That the minutes of the meeting of the Council held on 16 September 2015 be signed as a correct record, subject to the correction that the Mayor (Councillor Brian Eagling) was in the Chair.

53 **DISCLOSURE OF PECUNIARY OR PERSONAL INTERESTS (agenda item 4)**

Personal interests in agenda item 8 (Outline Proposals to Address Early Years, Primary, Secondary and SEN Rising Rolls – Phases 3 and 4 Expansion Programme) were disclosed by the following Councillors:

Councillor Clarence Barrett (lived in locality of school mentioned in the report)

Councillor Wendy Brice-Thompson (Governor of Royal Liberty School and Havering Sixth Form College)

Councillor Joshua Chapman (Governor of Squirrels Heath Junior School)

Councillor Meg Davis (Governor of Havering Sixth Firm College)

Councillor Ian de Wulverton (lived in locality of school mentioned in the report)

Councillor Dilip Patel (Governor of Crownfield Infant School)

Councillor Carol Smith (lived in locality of school mentioned in the report)

Councillor Frederick Thompson (Governor of Pupil Referral Unit)

Councillor Damian White (Governor of Frances Bardsley School)

Councillor Darren Wise (lived in locality of school mentioned in the report)

54 **ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE (agenda item 5)**

A minute's silence was held in memory of former Councillors Leslie Mills and Ian Wilkes, Mr Arthur Rackley, Pearly King of Upminster and Father Sean Sheils, Priest of Corpus Christi Church, Collier Row. Tributes were paid by a number of Members.

The text of the announcements given by the Leader of the Council is shown in appendix 1 to these minutes.

55 **AUTISTIC SPECTRUM DISORDER (agenda item 14B)**

Under Council Procedure Rule 7 (d) the Mayor agreed to deal with this item at an earlier stage in the agenda.

Motion on behalf of the East Havering Residents' Group

Research by the National Autistic Society suggested, of the 700,000 adults with Autism, only 15% are employed. The remaining unemployed require long-term financial support.

Havering has approximately 1,433 adults with Autism, which is profiled to rise by 12% over the next 15 years. This places increased pressures and challenges at a local level.

This Council accordingly agrees to:

- Work with Local Partners to ensure the devolved offer on skills and employment includes a strategy to support Autistic Spectrum Disorder adults with the aim of increasing the number in employment by the end of 2016.
- Lobby the government to recognise the economic benefits and under-use of skills in the workforce, and to develop programmes, promoting work opportunities for adults with ASD.

Following debate, the motion by the East Havering Residents' Group was **CARRIED** unanimously by 52 votes to 0 (see division 1).

RESOLVED:

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This Council accordingly agrees to:

- **Work with Local Partners to ensure the devolved offer on skills and employment includes a strategy to support Autistic Spectrum Disorder adults with the aim of increasing the number in employment by the end of 2016.**
- **Lobby the government to recognise the economic benefits and under-use of skills in the workforce, and to develop programmes, promoting work opportunities for adults with ASD.**

56 **PETITIONS (agenda item 6)**

Pursuant to Council Procedure Rule 23, the following petition was presented:

From Councillor Stephanie Nunn concerning the condition of the roadway in Dunningford Chase, Elm Park.

57 **HOUSING DEVELOPMENT PLAN - STRATEGIC OVERVIEW (agenda item 7)**

A report of Cabinet asked council to agree increases in the Capital Budget in order to fund the Affordable Housing Sub-Strategy of the Council's Housing Strategy 2014-17. This would ensure an increase in social housing delivery in order to meet housing pressure, expand housing option and improve property standards.

The report was **AGREED** without division and it was **RESOLVED**:

That the following requested increase in the Capital Budget, as set out in the Cabinet report, be approved:

- **15/16 Increase of £3.000m to £13.509m**
- **16/17 Increase of £26.675m to £39.999m**
- **17/18 increase of £20.797m to £29.744m**

58 **OUTLINE PROPOSALS TO ADDRESS EARLY YEARS, PRIMARY, SECONDARY AND SEN RISING ROLLS - PHASES 3 AND 4 EXPANSION PROGRAMME (agenda item 8)**

A report of Cabinet asked Council to approve additions to the Capital Programme in order to continue the school expansion programme through its next two phases and expand the Authority's Special Education Needs provision. This need had arisen because of the recent and current rising birth rate and the statutory duty to provide every school-aged child in the borough with an education.

The report was **AGREED** without division and it was **RESOLVED**:

That the following items:

1. Be added to the 2015/16 capital programme for phase 3 expansion:
 - £16,756,152 16/17 Basic Need Grant and;
 - £282,078 interest on existing S106 education contributions
2. Be added to the 2015/16 capital programme in respect of post 16 SEN:
 - £927,000 S106 education contributions
3. Be added to the 2015/16 current Early Years capital programme:
 - £1,900,000 DSG top sliced from Early Years Capital.

59 **CHANGES TO DELEGATED POWERS - REGULATORY SERVICES (agenda item 9)**

A report of the Governance Committee asked Council to agree some amendments to the Constitution relating to the call-in procedure for planning applications and in relation to Certificates of Lawful Development for existing development.

A change to Constitution wording concerning the power to deal with deliberate concealment of planning breaches was also recommended to enable more effective and efficient service delivery.

The report was **AGREED** without division and it was **RESOLVED**:

That the following changes be incorporated into Section 3.6.6 of the Constitution relating to the Functions Delegated to the Head of Regulatory Services:

- 1) **New Section 3.6.6(dd) to read:**

“To apply to the magistrates court for a Planning Enforcement Order in accordance with Sections 171BA to 171BC of the Town and Country Planning Act 1990.”

- 2) **Section 3.6.6(b) (vi) be altered to read:**

"carry out residential development where the number of additional dwellings does not exceed two, including proposals which require prior completion of a Unilateral Undertaking committing the applicant to pay a contribution to mitigate the impact of the development on infrastructure, the latter involving

liaison during the process between Head of Regulatory Services and Head of Legal Services."

3) Section 3.6.6(u) be altered to read:

"To issue Certificates of Lawfulness for existing and proposed development and use"

60 **CHANGES TO DELEGATED POWERS - CULTURE AND LEISURE SERVICES (agenda item 10)**

A report of the Governance Committee asked Council to approve a change to the Constitution concerning the delegation of powers under the Criminal Justice & Public Order Act relating to the Control of Unauthorised Campers. It was recommended that these powers, most regularly used for action against unauthorised traveller encampments, be delegated to the Head of Culture & Leisure and in turn to the parks Manager.

The report was **AGREED** without division and it was **RESOLVED**:

That the following changes be incorporated into Sections 3.6.4 and 3.6.6(l) of the Constitution relating to the Head of Culture & Leisure and the Head of Regulatory Services:

To authorise and issue, on behalf of the Council, statutory directions requiring unauthorised campers to leave land and remove their property and vehicles

61 **HAVERING'S NEW STATEMENT OF LICENSING POLICY FOR THE LICENSING ACT 2003 (agenda item 11)**

A report of the Governance Committee asked Council to adopt the revised Statement of Licensing Policy.

As required under the Licensing Act 2003, this policy had recently been reviewed after five years of operation. A consultation exercise had recently been carried out with statutory bodies including the Chief Police Officer for the Borough, the London Fire and Emergency Planning Authority, bodies representing local holders of premises licences, Responsible Authorities as defined in the Act and local residents.

All comments received were considered in light of Government guidance and, where appropriate, incorporated into the final version of the Statement of Licensing Policy.

The report, including Equalities Impact Assessment, was **AGREED** without division and it was **RESOLVED**:

That the revised Statement of Licensing Policy be adopted.

62 **HAVERING'S NEW STATEMENT OF GAMBLING POLICY FOR THE GAMBLING ACT 2005 (agenda item 12)**

A report of the Governance Committee asked Council to adopt the revised Statement of Gambling Policy.

As required under the Gambling Act 2005, this policy had recently been reviewed after three years of operation. An on-line consultation exercise had been carried out with statutory consultees and information had also been disseminated via the Licensing Matters and Business Briefing e-mail bulletins, in the Romford Recorder and on the Council website.

The report, including Equalities Impact Assessment, was **AGREED** without division and it was **RESOLVED**:

That the revised Statement of Gambling Policy be adopted.

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

Fifteen questions were asked and replies given.

The text of the questions, and their answers are set out in **Appendix 2** to these minutes.

64 **ARTICLE 4 DIRECTION (agenda item 14A)**

Motion on behalf of the Independent Residents' Group

A developer has made extensive alterations to a property that includes erecting two 2 metre (6'6") high front boundary brick walls of an industrial appearance. The walls are immediately outside one neighbour's front door and another neighbour's front window in a road characterised by owner occupier houses with low front walls.

The Planning Department has described the two walls as arguably part "permitted development" (nearest the building) and part breach of planning rules (nearest the highway). The "permitted development" part of the wall blocks neighbours street view.

This is a very worrying development, thus Council calls on the Administration to implement an Article 4 Direction throughout the borough to restrict the height of front walls without planning permission to protect our suburban environment and community cohesion.

Amendment on behalf of the Conservative Group**Amend motion to read:**

Noting concern expressed in respect of a case where two 2 metre high front boundary walls of an industrial appearance have been erected and that the Planning Department has described the two walls as arguably part “permitted development” and part breach of planning rules and that the “permitted development” part is considered to block neighbours’ street view, this Council invites the Towns & Communities Overview & Scrutiny Sub Committee to investigate the case and to consider and recommend to Cabinet any action which the Council might take to address problems such as these.

Following debate, the amendment by the Conservative Group was **CARRIED** by 46 votes to 1 (see division 2) and **AGREED** as the substantive motion without division.

RESOLVED:

Noting concern expressed in respect of a case where two 2 metre high front boundary walls of an industrial appearance have been erected and that the Planning Department has described the two walls as arguably part “permitted development” and part breach of planning rules and that the “permitted development” part is considered to block neighbours’ street view, this Council invites the Towns & Communities Overview & Scrutiny Sub Committee to investigate the case and to consider and recommend to Cabinet any action which the Council might take to address problems such as these.

65 **LEISURE CENTRES (agenda item 14C)****Motion on behalf of the Independent Residents’ Group**

As we await the promised new Romford Leisure Centre it is still vital to maintain and enhance the existing borough wide provision of leisure facilities that serve all our residents. Presently the borough wide leisure centre contract is held by “Sports and leisure Management Limited” and operates at a loss requiring a council subsidy. To cut costs there has been a contractual variation to reduce hours and presumably improvements at Chafford, Rainham and no doubt the

Central Park, Romford and Hornchurch Leisure Centres face potential cutbacks too!

Following Academy status and a Land Tribunal Adjudication the Chafford Leisure Centre will be owned by the school when the council contract ends in Oct 1st 2016 and without financial help will close, because their priority is educational rather than leisure spending. The existing facility needs significant investment and if it were to close there is planning permission in place for a new swimming pool at Chafford when funding becomes available. But will the Council allow an existing Leisure Centre, as well as an Ice Rink, to close as we await a second and 'state of the art' leisure centre in Romford that includes a promised £2 million funding from reserves?

Thus this Council calls on the Administration to maintain and enhance the existing borough wide provision of leisure facilities at Rainham, Romford and Hornchurch Leisure Centres in the healthy interests of all Havering residents.

Amendment on behalf of the Conservative Group

Amend motion to read:

Noting with approval the imminent commencement of the construction of the Romford Leisure Centre in Romford Town Ward, the letting of the contract for the first phase of the £3 million Broxhill Sports Park in Heaton Ward, the recent opening of the Visitors Centre at Hornchurch Country Park in Elm Park Ward, the recent opening of the new library and establishment of a new park in Rainham Ward, the current construction of a new library in Gooshays Ward, the achievement of Green Flags in parks across the borough and noting that the Council's Leisure Management Contract, the negotiation of which is currently in progress, is likely to provide an enhancement of leisure facilities rather than cutbacks, this Council welcomes the Administration's intention to continue to maintain and enhance the existing borough wide provision of leisure facilities in the healthy interests of Havering residents.

This motion was withdrawn by the Independent Residents' Group and resubmitted to the next meeting of Council.

66 **VOTING RECORD**

The record of voting decisions is attached as **Appendix 3**.

Mayor

Full Council – Wednesday 25 November - Leader's statement

There are a number of items of note that I would like to make reference to today.

Firstly, I'd like to offer my sincere thanks to the Mayor, Members and the local police in particular for their participation in, and support of, Remembrance Sunday events across the borough. Not to mention the staff who worked hard to ensure that the events, which are among the most important that we hold, ran smoothly throughout the various parts of the borough where events were held.

It is vital that youngsters know and appreciate the sacrifices members of our armed forces have made for us, and that is why it was particularly heart-warming to see so many young people in attendance at the ceremonies which took place.

I mentioned at our last meeting Morrison's entered into a supplemental contract with the Council which required them to start work on demolition of the building forming part of the Western Road site by 26 October, and I'm pleased to say that they have done just that. External demolition of the office block is expected to start next week, and we are optimistic that we will be able to start work on the new leisure development by the beginning of April of next year, if not earlier.

This month, we also saw the launch of the Romford Development Framework at Fiction night club in South Street. This building when known as the Havana cinema was the place where the first borough charter for Romford was given by the Lord Mayor of London to the first mayor of the new borough on behalf of the King in September 1937. The launch was a great success and I am pleased to say that it was well-attended by over 100 developers and local business people and we hope we can move on to even bigger things for our Romford town centre.

Many of you will also have heard about the outcome of the recent judicial review in relation to our Council Tax Reduction scheme brought by former Councillor Logan. The High Court rejected Mr Logan's arguments that the scheme was discriminatory and permission to appeal the decision was refused by the judge. The Council put a lot of thought into the scheme before it was implemented to ensure that it was not discriminatory in any way, and I am glad the Court found in our favour.

The Council did, however, lose on one count with regard to our Public Sector Equality Duty, and it was decided that Equality Impact Assessment Reports must be copied in full to Cabinet, Committee and Full Council Meetings with the reports made to these bodies rather than just being available for reference on the internet, website or intranet.

The ruling gave clarification to Local Government generally as I am advised that the practice followed by Havering has been similarly used by others. That has now been established and processes have been put in place to ensure that this does not happen again. This decision indicates that councils must pay particular regard to their processes and how we ensure they are followed properly.

I sent you all an email last week announcing that health and social care partners in Havering, Barking and Dagenham and Redbridge have put forward a proposal to the Government to devolve power and resources to meet more effectively the needs of local residents. The current health and adult social care budget in the three boroughs is £1.2bn, and most of this goes on hospital care, even though we all recognise there needs to be greater focus on prevention and primary care. This is why we are exploring whether a partnership-led Accountable Care Organisation model will deliver better outcomes for our residents whilst bridging a funding gap. Our three boroughs' scheme would become a pilot for the whole of London for devolution in health services and as such is supported by our NELSA and Local London partners. I hope to be able to report further on this matter as the project progresses.

And finally, colleagues will know that we have been searching for a replacement Director of Children Adults and Housing for some time. We held an Appointments Panel last week but sadly, were unable to make an appointment. Consequently I have been discussing the option of reviewing the scope of the role and the current management structure with the Chief Executive. When these matters have been fully examined I will report to Members further. In the meantime, I am very pleased to tell you that Isobel Cattermole has agreed to stay on with us as interim Director for an extended period.



FULL COUNCIL, Wednesday 25 November

MEMBERS' QUESTIONS

1) To the Leader of the Council, Councillor Roger Ramsey

From Cllr Ray Morgon

Would the Leader of the Council confirm what specific discussions have taken place with NELSA and others in devolving more powers to Havering?

Response:

Havering Council is a member of NELSA and also of Local London. Both of these groups have been established to explore opportunities for joint working and devolution.

NELSA was re-launched during the early summer of 2015, but has been fairly quiet. Local London comprises of the following eight London Boroughs:

1. Havering
2. Newham
3. Barking and Dagenham
4. Enfield
5. Waltham Forest
6. Tower Hamlets
7. Redbridge
8. Greenwich

We have had broad discussions concerning the following six themes:

1. 1 Community Safety (Havering leads on this)
2. 2 Employment
3. 3 Education and Skills
4. 4 Business Growth
5. 5 Health and Social Care
6. 6 Housing

London Councils presented a devolution paper to the Treasury which was broadly supported by members of Local London. However, nothing specific has been requested of the Treasury.

Every Leader wants to obtain the very best for their Borough and residents. To date, no work committing Havering to anything has been undertaken. Should this situation change, I will of course ensure that matters are raised at Cabinet and Full Council for debate and decision.

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In response to a supplementary question, The Leader of the Council reported that London Borough of Bexley were keen to join oneSource and that he should shortly be discussing final details with the leaders of both Bexley and Newham. The introduction of Bexley into oneSource was likely to bring savings in a number of areas and the Leader hoped to make a formal announcement on this matter by the time of the next Council meeting.

2) To the Cabinet Member for Culture, Councillor Melvin Wallace

From Cllr Stephanie Nunn

Would the Cabinet Member confirm the current book fund for this year, and confirm how the council decides what books to purchase and how?

Response:

The spend on library books from the base budget will be £363,800 for 2015/16. In addition, £160k from an earmarked reserve will be spent on library books in 2015/16.

Books are purchased from a designated Library Supplier who is provided with a specification unique to Havering, detailing the book purchase (stock) requirements. This specification, which takes into consideration the specific needs of the communities in which the 10 branches are based, is drawn up using information about the borrowing of the existing book stock (using the Library Service's evidence based stock management system) and taking account of Library staff knowledge and experience.

The ordering process ensures that popular and bestselling fiction and non-fiction titles are ordered pre-publication, so that they are available for loan as soon as possible.

In addition the Library service will purchase:

- any titles for stock requested by customers within a given criteria that are not already in stock;
- additional copies of titles for which there is high demand;
- copies of titles on subjects for which there is an unforeseen demand
- replacements for missing, tatty and out of date stock.

The supplier delivers stock "shelf ready" to each branch, so it is supplied with necessary servicing and labelling, and ready to go straight on the shelves, on display or on loan.

In response to a supplementary question, the Cabinet Member agreed to supply a written response giving details of how old library books are disposed of.

3) To the Cabinet Member for the Environment, Councillor Robert Benham

From Cllr Reg Whitney

Would the Cabinet Member confirm what parking enforcement activities take place at the weekend?

Response:

On Saturday a full team is deployed to enforce all paid for parking, resident parking, (where it operates on a Saturday), waiting and loading restrictions, and 'at any time' parking prohibitions, such as pavement parking, dropped kerb and any time waiting.

On Sundays, a smaller team carries out enforcement for 'at any time' waiting or loading restrictions, pavement parking, parking across vehicle crossings, when notified by residents, and 'any time waiting' restrictions.

In addition, we have increased our operational enforcement hours from 7pm to 10pm on Thursday, Friday and Saturdays.

In response to a supplementary question, the Cabinet Member explained that there were approximately 18 traffic wardens on duty at any one time. A review of parking enforcement was currently being conducted and Groups were free to propose budget amendments to employ more traffic wardens if they wished.

4) To the Cabinet Member for Adult Social Services, Councillor Wendy Brice-Thompson

From Cllr John Wood

To ensure that only genuine users are able to use Blue Badges, would the Cabinet Member confirm what steps the council is taking to ensure that misuse of blue badges is not taking place in Havering?

Response:

Blue badges are there to help vulnerable people in our community and therefore misuse of them is unacceptable, and luckily, this form of crime in Havering is relatively low, with nine reported thefts to police from September last year until this August.

However, we want to reduce any form of theft or misuse and that is why our enforcement officers will confiscate badges they believe to be fake or out of date, or if they believe the person using it is not the genuine user.

We have also previously held exercises with the police in the Market Place targeting misuse of blue badges.

We are looking at what else we can do, and how we can continue to work in partnership with the local police, however, we must bear in mind that the low rate of this crime in

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Havering does not make it a local police priority.

In response to a supplementary question, the Cabinet Member agreed to provide further details on the matter.

5) To the Cabinet Member for Housing, Councillor Damian White

From Cllr June Alexander

Would the Cabinet Member confirm if he agrees that charging council tenants for mobile CCTV that all non-council tenants benefits from is unfair.

Response:

We are governed by the terms and conditions of our lease agreements. As such, we've contacted our solicitors for advice on the levying of CCTV charges.

We have been advised that if the property or block is located on an estate that benefits from CCTV coverage, regardless of where the cameras are situated, we can ask for a contribution towards the cost of providing this service to the estate.

I appreciate that this can be a divisive charge for a small minority of tenants but wish to report that, from my engagement throughout the wider estate, the mobile CCTV unit is a much valued service and one that would be missed if it was discontinued.

In response to a supplementary question, the Cabinet Member felt that mobile CCTV did have a significant deterrent value and had been requested by a lot of tenants. The Cabinet Member agreed to provide some statistics on the deterrent value of the service.

6) To the Cabinet Member for the Environment, Councillor Robert Benham

From Cllr Barry Mugglestone

Since the introduction of increased parking charges in April, would the Cabinet Member confirm the income received compared to each of the previous three financial years.

Response

Income from parking charges for 2012/13 was £1,076,829. For 2013/14, it was £1,222,856.97, while for 2014/15, it was £1,446,232.44. So far in the current year, we've received £1,078,943.78. It's important to remember that income raised from parking charges must be spent on improving the safety and condition of the highways.

In response to a supplementary question, the Cabinet Member confirmed that the introduction of increased parking charges had been successful in terms of increasing revenue.

7) To the Cabinet Member for the Environment, Councillor Robert Benham

From Cllr Jody Ganly

Would the Cabinet Member confirm what actions have been taken by Havering Council and other organisations on each of the rivers that run through Havering in the past 12 months.

Response:

I'm able to provide a list of works carried out across the borough's rivers over the last year to the councillor, which I'll pass on after this meeting. (Attached).

In response to a supplementary question, the Cabinet Member agreed to look into the response thus far from Thames Water to the problem of raw sewage discharging in part of Harrow Lodge Park.

8) To the Cabinet Member for Housing Company Development and oneSource Management, Councillor Ron Ower

From Cllr Graham Williamson

You will be aware of the concern over Havering's relatively high Mayoral housing target of 1,170 dwellings per year, which will have a negative impact on our existing infrastructure, amenity and services. Our target is well in excess of other similar outer-boroughs e.g. 363 for Sutton, 446 for Bexley and 599 for Hillingdon etc. Furthermore, If you remove such borough's Greenbelt land and weight the targets accordingly you will find that most of those boroughs should have targets actually in excess of ours.

These targets are the result of what the Council has identified to the GLA as potential sites for development in 2004, 2006, and 2013. Clearly Councillors, who were not part of this process, should now have oversight of these sites to understand whether officers have, unlike many similar boroughs, been over-zealous in identifying land for development and in particular whether the Green Belt Mardkye Farm has been submitted to the GLA as a potential development site.

I have requested to see the submitted list but have so far been denied access. Does the Cabinet Member agree that councillors need this information to perform their oversight and scrutiny duty and in the interests of transparency will he now authorise publication of this vital housing target information so it can be examined by Members and the Environment committee?

Response:

The Mayor's housing targets are the result of a strategic assessment of potential housing sites for development from 2015 to 2025. The focus of the GLA's London Plan

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was to identify additional land supply across the capital – taking into consideration a faster than estimated increase in population, as well as household growth.

Havering officers have worked closely with the GLA to ensure that identified sites included those that had planning permission or were allocated for development in the Council's existing planning documents and other brownfield sites. Mardyke Farm was not included in any recent or previous assessments.

Our annual housing target is 1,170, which is similar to our neighbours Barking and Dagenham (1,236) and Redbridge (1,123) – with Newham having a higher target of 1,994. The Mayor's housing targets vary across the London Boroughs due to the land availability and policy constraints within each borough, as well as other factors including the potential for growth and future development, such as London Riverside.

Havering' housing target has been derived in accordance with the Council's planning policies and has gone through an approval process by Members. The data used for the assessment is commercially sensitive – and, as such, has not been made publicly available.

In response to a supplementary question, the Cabinet Member agreed to work with Councillor Williamson and other colleagues on issues relating to the Beam Reach development.

9) To the Cabinet Member for Children and Learning, Councillor Meg Davis

From Cllr David Durant

Despite promises to reduce immigration the Government are promoting a New Labour open door policy as part of their long term economic plan. At the same time they have banned councils from building new schools and this means existing schools need to be expanded to meet growing demand.

In the circumstances expansion of existing schools is unavoidable, but a zealous approach that ignores local opinion by creating East London super-size primary schools in Havering should be avoided as they will set a precedent for the whole borough.

Thus to help protect the suburban character of our borough, educational standards and local amenity will the Conservative Group rule out supporting the creation of 4th form entry super-size primary schools of 840+ pupils in Havering?

Response:

Just last week, it was agreed by cabinet that school expansion would be limited to a maximum of four forms of entry – and we already have good schools in the borough which have four forms of entry.

Cllr Durant is right to say we cannot build new schools – but it's important to also say we are legally bound to provide a school place for every local child who needs one.

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We are all aware of the pressure in this area, and what we are facing in the years to come, but not providing the places is simply not an option.

A four-form of entry school is certainly not super-sized, or uncommon in neighbouring authorities, as well as our own, now.

As part of our on-going expansion plans we have looked closely at the impact on existing pupils and the school community as a whole and there is no evidence of any impact on standards.

We work closely with headteachers at any schools we expand to ensure they have the right support in place, and the resources to deal with more pupils.

In fact, when expanded, our schools are benefitting from enhanced, more modern facilities, including better technology in the classroom, new kitchens and refurbished dining areas.

In response to a supplementary question, the Cabinet Member confirmed she had visited all schools in the Rainham area and added that a Cabinet decision had already been taken about the expansion of Parsonage Farm School. It would be necessary to consider in the future the rising demand for places at all schools within Havering.

**10) To the Cabinet Member for Regulatory Services & Community Safety,
Councillor Osman Dervish**

From Cllr Jeffrey Tucker

The last Council meeting passed a Conservative amendment calling on the Metropolitan Police Commissioner and the London Mayor to provide the Havering Borough Commander with the resources needed to implement the New Policing Model. Please provide the date and details of the messages sent and responses received.

Response:

In line with the Metropolitan Police approach to 'total policing', a Local Policing Model was implemented from Spring 2013.

The Mayor's Office for Policing and Crime (MOPAC) Police and Crime Plan 2013-16, identified proposed numbers of police officers working at Safer Neighbourhood level. Havering's officer numbers were projected to increase from 53 to 107, an increase of 54 officers, or more than 100 per cent. As of 19 November, Havering has 160 officers at SNT level. This comprises three Inspectors, eighteen Sergeants (fifteen Sergeants aligned to eighteen wards, two Town Centre Team Sergeants and one Detective Sergeant) a hundred and two Police Constables and thirty-seven Police Community Support Officers.

There are various opportunities for discussion between the Borough Commander and a number of representatives of the Council. On a monthly basis, the Tactical Intelligence Meeting takes place between the Police and our Community Safety officers, which looks

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at emerging issues and trends affecting the borough, and the resources that need to be employed. Minutes of these meetings are restricted under data protection legislation.

I meet with the Borough Commander on a fairly regular basis, both formally and informally, where many relevant issues are discussed. The Leader of the Council and others are also in contact with him and his office.

In September this year, the Community Safety Team Leader contacted the Borough Commander asking about staffing levels. The response from the Commander's office was that there were no particular resource issues that required additional support from the Council. The statement by the Chancellor earlier that day had also confirmed that there would not be any cuts to Police budgets.

In response to a supplementary question, the Cabinet Member stated that the Metropolitan Police Service served the community with extreme distinction. Partnership working between the Council and Havering Police had recently won an international award and further improvements were expected.

**11) To the Cabinet Member for Regulatory Services & Community Safety,
Councillor Osman Dervish**

From Cllr Keith Darvill

When is it anticipated that the Article 4 Direction and the proposed Licensing Scheme Relating to Homes of Multiple Occupation will be implemented and how many properties is it estimated will have to apply for a Licence?

Response:

The Article 4 Directions in relation to HMOs are due to come into force on 13 July 2016. From this date planning permission will be required to change the use of any dwelling to a HMO in Gooshays, Heaton, Brooklands and Romford Town Ward and to change from any dwelling, except a detached house, to a HMO in the rest of the Borough.

The proposed licensing scheme will relate to all private rented housing, not just HMOs. The Council must take reasonable steps to consult those likely to be affected by the proposal; the minimum period is 10 weeks. A business case to scope resources and costs is being undertaken, following which a project plan would be developed setting out consultation timings and a projected implementation date.

For numbers, the most reliable estimate comes from the 2011 census which put total households at 97,000 and private rentals at 11%; which equates to 10,760 properties. However, this is now likely to be an underestimate.

In response to a supplementary question, the Cabinet Member agreed to confirm specific dates for the start of the consultation period and added that he did not want any slippage in the timetable for introduction of the Licensing Scheme.

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**12)To the Cabinet Member for Regulatory Services & Community Safety,
Councillor Osman Dervish**

From Cllr Ian de Wulverton

Earlier this month a KFC opened at Gallows Corner, since then it has caused chaos for drivers coming off the roundabout heading up the A12. What traffic impact studies were made prior to granting planning consent?

Response

Planning permission was granted for this site in 2013 as a restaurant/drive through. KFC submitted supporting documents with their application including a transport assessment. This assessment included information on the likely number of vehicles that would use the site during peak periods, based on data from other comparable sites.

Transport for London is responsible for the A12 and Gallows Corner and was also consulted on the planning application. TfL did not raise any particular concerns. The application was considered by the Regulatory Services Committee in July 2013, where it was resolved to grant planning permission, subject to conditions. All details of the decision and the plans are available on the Council's website.

The approved scheme included 44 car parking spaces, including two spaces at the end of the drive-through lane where customers can wait if their order if it is not ready for immediate collection. Officers will check whether these spaces have been provided. There was an initial rush in the first few days of opening, however the traffic appears to have died down since. We will continue to monitor the situation.

I agree that the general situation with traffic at Gallows Corner is a cause for concern.

In response to a supplementary question, the Cabinet Member confirmed that he would work with KFC and officers to manage traffic issues at Gallows Corner at peak times.

13)To the Cabinet Member for Housing, Councillor Damian White

From Cllr John Glanville

What impact does the council foresee on the availability of social housing in Havering, if and when the legislation extending the right to buy to housing associations comes into effect?

Response

The extension of the Right to Buy could potentially affect around 1.3m Housing Association tenants. Much of the detail as to how RTB will operate will come from the regulations once the Housing and Planning Bill (2015) becomes law. The extended RTB scheme for Housing association tenants is closely aligned to the sale of high value

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vacant Council stock. Final values have yet to be set out in the regulations. The values at which any of our Council stock could be considered high, has only up until now been an estimate of the likely figures to be used.

When the policies were announced in the Chancellor's Summer Budget, officers here used the figures being considered as the likely values and concluded that if these values remained, Havering would not have any properties which would meet the proposed definition of 'high value'. Once a decision is made by the Government on what the proposed values will be, Housing Services will then be able to work closely with Property Services to establish if this position has changed. We also intend to liaise with Housing Association colleagues, who provide social housing in the Borough, to ascertain how many HA tenants they anticipate will take up the extended RTB. This will to enable us to predict the true impact on social housing in Havering.

What is very clear is that we, as a local authority, have a responsibility to do what we can to increase the number of affordable homes for local people. So far, the Council has built 121 new homes in Havering and, at the September Cabinet, we agreed to build a further 1,000 homes for local people at affordable prices. We are also lobbying Government in a bid to be allowed to raise more funding to build more homes.

In response to a supplementary question, the Cabinet Member confirmed the Council was trying to encourage and increase social housing in the Havering. The Council was however no longer in a position to be responsible for all social housing units in the borough.

14)To the Cabinet Member for Housing Company Development and oneSource Management, Councillor Ron Ower

From Cllr Lawrence Webb

If as is likely that the TTIP will be agreed in the EU parliament what risk impact assessments have the council undertaken on how this could affect decisions around planning and procurement?

Response:

We believe that Transatlantic Trade and Investment Partnership (TTIP) will give us a wider pool of suppliers for Council business, which is likely to be helpful in getting a better deal both in terms of price and quality. Assuming it is passed by the European Parliament, we would review the implications for procurement, financial and risk elements in light of the guidance notes that haven't yet been issued. It isn't realistic to look at running impact assessments without those guidance notes. We would then make any necessary changes to our procedures, as we did recently with the changes to the EU Public Contract Regulations 2015.

Council, 25 November 2015

**15) To the Cabinet Member for Regulatory Services & Community Safety,
Councillor Osman Dervish**

From Cllr Philip Martin

The Council are making a substantial financial investment in the Dover's Corner development to ensure that the target of affordable homes is met. If the recent exposure of the performance of the company Persimmon on the TV programme Watchdog is to be believed there is a risk that the poor standard of construction reported from its many sites over the UK could be repeated in this major development in South Hornchurch. What safeguards are being put in place to ensure this does not happen in the Dover's Corner site?

Response:

The council has no power to refuse planning permission or building regulations consent on defects in the final quality of what is built on any housing development. These issues are controlled through warranty schemes that house builders are required to provide.

House builders may use warranty schemes available through the National House Builders Federation (NHBC) or Local Authority Building Control (LABC). These are usually 10 year schemes and during at least the first two years the house builder is legally obliged to address any defects reported to them.

There are Persimmon schemes in the borough already and we are not aware of any significant complaints about quality defects.

In response to a supplementary question, the Cabinet Member agreed to seek to persuade Persimmon to put oversight of their work under the auspices of the Council's building control section. He added however that Persimmon could not be forced to do this.

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Beam River	Main River	EA weir removal Routine maintenance	Summer 2013
Blacks Brook	Main River	Routine maintenance	All 2015
Broxhill Drain	Ordinary Water course	Tree root mass removal. Dredging /clearance of channel. Routine maintenance	Autumn 2014 All 2015
Carter Brook	Main River	Routine maintenance	All 2015
Emerson Park Stream	Main River	Dredging on main river. 25 tonnes of silt removed. Routine maintenance	Summer 2015 All 2015
Havering Country Park -	LBH / Riparian Owner	Complete clearance of channel and new pond introduced. Routine maintenance	Autumn 2014 All 2015
Pinewood Road		Culvert renewal/upsized under private road. Routine maintenance	Autumn 2014 All 2015
Ingrebourne Branch Drain	Main River	EA completed culvert survey. Requires clearance. Programmed for 2016.	Spring 2014 Quote obtained

Council, November 2015, Answer to Question 7 - LIST OF WORKS.

Ingrebourne River	Main River	Dredged from Bridge Road to sewerage works by EA. Water level investigation and survey by EA underway Routine maintenance	Autumn 2014 On going All 2015
Orange Tree Hill	LBH / Riparian Owner, Culvert and open ditch. Ordinary Water Course	Clearance of blockages by LBH by privately owned. Requires enforcement action. Routine maintenance	Spring 2014 All 2015
Paines Brook	Main River	Fallen trees removed. Routine maintenance	Spring 2015 All 2015
Rainham Creek	Main River	Routine maintenance	All 2015
Ravensbourne River	Main River	Mass silt trap cleared Routine maintenance	Sept 2015 All 2015
Rise Park Drain	LBH Ordinary Water course	Collapse Sewer repair (repair by LBH). Tree root mass removal. Dredging /clearance of channel. Routine maintenance	Summer 2014 All 2015

Rom River	Main River	Invasive species treatment at Cedar Close. Blockages removed. Fallen trees removed. Routine maintenance	Sept 2015 Summer 2014 Summer 2014 All 2015
Roneo Corner Bridge	Main River	New development channel realignment. Routine maintenance	Oct 2015 All 2015
Upminster Bridge	Main River	Routine maintenance	All 2015
Warley-D-Brook	Riparian Owner	Routine maintenance	All 2015
Weald Brook	Riparian. Ordinary water course	Routine maintenance	All 2015
Garland Way	Surface water balance tank LBH	Routine maintenance	All 2015
Marshall Drive,	Stream LBH and land owner	Routine maintenance Outstanding works to clear debris. Entrance now gated by residents due to ASB.	Unable to gain access due to residents

Routine maintenance involves physical inspection then subsequent removal of any blockages, fly tipping removed, bank repairs and silt depth assessment and foliage assessment/cut back.
Assessment of evasive species.

TWU headwall clearance if necessary and liaison with all external partners

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VOTING RECORD

<i>DIVISION NUMBER:</i>	1	2
The Mayor [Cllr. Brian Eagling]	✓	✓
The Deputy Mayor [Cllr. Philippa Crowder]	✓	✓
<u>CONSERVATIVE GROUP</u>		
Cllr Roger Ramsey	✓	✓
Cllr Robert Benham	✓	✓
Cllr Ray Best	✓	✓
Cllr Wendy Brice-Thompson	✓	✓
Cllr Joshua Chapman	✓	✓
Cllr John Crowder	✓	✓
Cllr Meg Davis	✓	✓
Cllr Osman Dervish	✓	✓
Cllr Jason Frost	✓	✓
Cllr Steven Kelly	✓	✓
Cllr Robby Misir	✓	✓
Cllr Garry Pain	✓	✓
Cllr Dilip Patel	✓	✓
Cllr Viddy Persaud	✓	✓
Cllr Carol Smith	✓	✓
Cllr Frederick Thompson	✓	✓
Cllr Linda Trew	✓	✓
Cllr Melvin Wallace	✓	✓
Cllr Roger Westwood	✓	✓
Cllr Damian White	✓	✓
Cllr Michael White	✓	✓
<u>RESIDENTS' GROUP</u>		
Cllr Ray Morgon	✓	✓
Cllr June Alexander	✓	✓
Cllr Nic Dodin	✓	✓
Cllr Jody Ganly	✓	✓
Cllr Barbara Matthews	✓	✓
Cllr Barry Mugglestone	A	A
Cllr John Mylod	✓	✓
Cllr Stephanie Nunn	✓	✓
Cllr Reg Whitney	✓	✓
Cllr Julie Wilkes	✓	✓
Cllr John Wood	✓	✓
<u>EAST HAVERING RESIDENTS' GROUP</u>		
Cllr Clarence Barrett	✓	✓
Cllr Alex Donald	✓	✓
Cllr Gillian Ford	✓	✓
Cllr Linda Hawthorn	✓	✓
Cllr Ron Ower	✓	✓
Cllr Linda Van den Hende	✓	✓
Cllr Darren Wise	✓	✓
<u>UK Independence Party</u>		
Cllr Lawrence Webb	✓	O
Cllr Ian De Wulverton	✓	O
Cllr John Glanville	✓	O
Cllr David Johnson	✓	O
Cllr Phil Martin	✓	X
Cllr Patricia Rumble	✓	O
<u>INDEPENDENT LOCAL RESIDENTS' GROUP</u>		
Cllr Jeffrey Tucker	✓	✓
Cllr Michael Deon Burton	✓	✓
Cllr David Durant	✓	✓
Cllr Keith Roberts	✓	✓
Cllr Graham Williamson	✓	✓
<u>LABOUR</u>		
Cllr Keith Darvill	✓	✓
<u>INDEPENDENT</u>		
Cllr Philip Hyde	A	A
<u>TOTALS</u>		
✓ = YES	52	46
X = NO	0	1
O = ABSTAIN/NO VOTE	0	5
ID = INTEREST DISCLOSED/NO VOTE	0	0
A = ABSENT FROM MEETING	2	2
	54	54

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COUNCIL, 27 January 2016

REPORT OF CABINET

LOCAL COUNCIL TAX SUPPORT SCHEME 2016/17

Cabinet, at its meeting on 20 January 2016 will consider proposals for the Council's financial strategy a part of which relates to the Council Tax Scheme. Cabinet received reports on the 4th November 2015 and the 16th December 2015 that provided an update on developments at the national level and the consequential impact on local government funding and set out information on the financial position within Havering.

The November report set out the Council's financial strategy to manage the implications of funding reductions and cost pressures over the next three years. It contained specific proposals which would enable the Council to set a balanced budget for 2016/17 and 2017/18 but would leave a shortfall of £2.4 m in 2018/19.

The December report provided some initial feedback on the Government's Autumn Statement and in particular sought the Cabinet's views on the proposal to give Councils the power to raise an additional 2% in Council Tax precept for the sole purposes of funding Adult Social Care.

The approved financial strategy assumed an increase of 1.97% in Council Tax, although no decisions about Council tax levels will be made until the February Cabinet meeting. This proposal should be seen in the context of the overall financial strategy and the pressures faced by the Council to reduce expenditure and the consequential pressure on service priorities.

As reported to Cabinet in December the 2016/17 settlement enables Council's to levy an additional 2% precept in Council Tax specifically for the purposes of funding the increasing cost pressures in Adult Social Care.

THE AUTUMN BUDGET STATEMENT, THE SETTLEMENT AND GENERAL FINANCIAL PROSPECTS

Autumn Budget Statement (ABS)

The Chancellor of the Exchequer presented his Autumn Statement to the House of Commons on 25th November 2015. The ABS has had considerable national exposure since its announcement, through the national press and from various national organisations. The underlying message of deficit reduction continues; however the government plans of a surplus in its spending by 2019/20 still exists.

Council Tax Base

The estimated base for next year has been set at 85,474. The calculation includes a reduction in the provision for bad debt and a significant increase in new

properties since last year's tax base calculation. Further reduction in the number of people claiming council tax support has also contributed.

This is higher than previously assumed and gives an increase of 2.8% in the tax base compared with the assumed level of 1%. This should result in an additional approximate £1.9m of income.

Local Council Tax Support Scheme

The Local Council Tax Support Scheme (CTS) was revised with effect from April 2015 as a result of reductions in the settlement funding for 2015/16 which included the rolled-in CTS scheme grant.

It was the intention to maintain the same CTS Scheme in 2016/17 as for 2015/16. A challenge was made to the High Court seeking a review of the 2015/16 scheme. In June 2015, permission was given for a Judicial Review of the CTS Scheme and this was heard at the High Court in September 2015.

The CTS claimant who challenged the scheme by way of Judicial Review was an individual with disabilities who received maximum CTS in 2015/16 which discharged 85% of his council tax bill. The remaining 15% of council tax was discharged by a discretionary payment made under S13 (A)(1)(c) of the Local Government Finance Act 1992 therefore, the CTS claimant had no council tax to pay in 2015/16.

The issues in the Judicial Review centred on equalities, particularly alleged age and disability discrimination.

The High Court Judge concluded that:

- There was no discrimination on the grounds of age or disability.
- While the Equalities Impact Assessment was not defective, there was insufficient evidence to conclude that due regard had been given to the Public Sector Equality Duty because Council had not been provided with the Equality Impact Assessment when approving the Scheme..

In accordance with paragraph 5 of Schedule 1A of the Local Government Finance Act 1992, each billing authority must consider whether to revise its scheme or to replace it with another scheme. Council is recommended to agree its continuation through to 2016/17.

A summary of the draft CTS Scheme 2016 which is the same as the current CTS Scheme is appended to this report at **Appendix B**. A full version of the draft CTS scheme 2016 can also be found online at:

www.havering.gov.uk/Pages/Category/Council-tax-support.aspx

The Equalities Impact Assessment (EIA) for 2015 has been reviewed and is attached at **Appendix A**. While the CTS Scheme was revised in 2015 to make all

working age claimants liable for 15% of their Council Tax, Council Tax collection rates remain comparable to 2014/15 which implies that working age CTS claimants are paying their Council Tax. However, an EIA for 2016 has also been prepared and is attached at **Appendix C** for Members' perusal.

While the CTS Scheme is designed to assist people on low income pay their Council Tax, further discretionary assistance can be considered for those who cannot pay the remaining balance of their council tax bill.

Equalities Implications:

The existing Council Tax Support (CTS) Scheme 2015 assists many people on low income pay their Council Tax bills and it is proposed that the same Scheme continues to be used in 2016/17.

Equalities Impact Assessments for 2015 and 2016 along with the Council Tax Support 2016 Summary are attached at Appendices A, B and C for consideration. A number of actions have been identified and taken to mitigate the impact of the Scheme which are contained within these Assessments.

While the CTS Scheme is designed to assist people on low income pay their Council Tax, further discretionary assistance can be considered for those who cannot pay the remaining balance of their council tax bill.

Voluntary Grants and Commissioning Review

An update on the review of Voluntary Grants including an update on the savings to be achieved is included at Appendix C.

Cabinet accordingly refers to Council the following recommendation:

That the Local Council Tax Support Scheme (CTS) 2016/17 be approved.

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EXTRACT FROM REPORT TO CABINET ON THE COUNCIL'S FINANCIAL STRATEGY, 20 JANUARY 2016

Cabinet received reports on the 4th November 2015 and the 16th December 2015 that provided an update on developments at the national level and the consequential impact on local government funding and set out information on the financial position within Havering.

The November report set out the Council's financial strategy to manage the implications of funding reductions and cost pressures over the next three years. It contained specific proposals which would enable the Council to set a balanced budget for 2016/17 and 2017/18 but would leave a shortfall of £2.4 m in 2018/19.

The December report provided some initial feedback on the Governments Autumn Statement and in particular sought the Cabinet's views on the proposal to give Councils the power to raise an additional 2% in Council Tax precept for the sole purposes of funding Adult Social Care.

RECOMMENDATIONS

That Cabinet:

1. **Recommend to Full Council** that the CTS Scheme 2016 is approved. (appendices D, E, F apply)

REPORT DETAIL

1. INTRODUCTION

- 1.1. The approved financial strategy assumes an increase of 1.97% in Council Tax, although no decisions about Council tax levels will be made until the February Cabinet meeting. This proposal should be seen in the context of the overall financial strategy and the pressures faced by the Council to reduce expenditure and the consequential pressure on service priorities.
- 1.2. As reported to Cabinet in December the 2016/17 settlement enables Council's to levy an additional 2% precept in Council Tax specifically for the purposes of funding the increasing cost pressures in Adult Social Care.

2. THE AUTUMN BUDGET STATEMENT, THE SETTLEMENT AND GENERAL FINANCIAL PROSPECTS

Autumn Budget Statement (ABS)

- 2.1. The Chancellor of the Exchequer presented his Autumn Statement to the House of Commons on 25th November 2015. The ABS has had considerable

national exposure since its announcement, through the national press and from various national organisations. The underlying message of deficit reduction continues; however the government plans of a surplus in its spending by 2019/20 still exists.

Council Tax Base

- 2.7. The estimated base for next year has been set at 85,474. The calculation includes a reduction in the provision for bad debt and a significant increase in new properties since last year's tax base calculation. Further reduction in the number of people claiming council tax support has also contributed.
- 2.8. This is higher than previously assumed, and gives an increase of 2.8% in the tax base compared with the assumed level of 1%. This should result in an additional approximate £1.9m of income.

Local Council Tax Support Scheme

- 5.51 The Local Council Tax Support Scheme (CTS) was revised with effect from April 2015 as a result of reductions in the settlement funding for 2015/16 which included the rolled-in CTS scheme grant.
- 5.52 It is the intention to maintain the same CTS Scheme in 2016/17 as for 2015/16 however a challenge was made to the Court seeking a review of the scheme. In June 2015, permission was given for a Judicial Review of the CTS Scheme which was heard at the High Court in September 2015.
- 5.53 The CTS claimant who challenged the scheme at Judicial Review was an individual with disabilities who received maximum CTS in 2015/16 which discharged 85% of their council tax bill. The remaining 15% of council tax was discharged by a discretionary payment made under S13 (A)(1)(c) of the Local Government Finance Act 1992 therefore, the CTS claimant had no council tax to pay in 2015/16.
- 5.54 The issues in the Judicial Review centred on equalities, age and disability discrimination. These matters were considered in detail by the High Court in September 2015.
- 5.55 The outcome of the Judicial Review has now been released and the High Court Judge concluded that:
 - There was no discrimination on the grounds of age or disability.
 - While the Equalities Impact Assessment was not defective, there was insufficient evidence to conclude that due regard was given to the Public Sector Equalities Duty.

Cabinet 20 January 2016

- 5.56 In accordance with Schedule 1A of the Local Government Finance Act 1992, Council is asked to consider the current CTS scheme and agree its continuation through to 2016/17.
- 5.57 A summary of the draft CTS Scheme 2016 which is the same as the current CTS Scheme is appended to this report at Appendix E. A full version of the draft CTS scheme 2016 can also be found online at:
www.havering.gov.uk/Pages/Category/Council-tax-support.aspx
- 5.58 The Equalities Impact Assessment (EIA) for 2015 has been reviewed and is attached at Appendix D. While the CTS Scheme was revised in 2015 to make all working age claimants liable for 15% of their Council Tax, there does not appear to be an adverse inference on this group. Council Tax collection rates remain comparable to 2014/15 which implies that working age CTS claimants are paying their Council Tax. However, an EIA for 2016 has also been prepared and is attached at Appendix F for Members' perusal.
- 5.59 While the CTS Scheme is designed to assist people on low income pay their Council Tax, further discretionary assistance can be considered for those who cannot pay the remaining balance of their council tax bill.

Equalities Implications:

- 5.60 The existing Council Tax Support (CTS) Scheme 2015 assists many people on low income pay their Council Tax bills and it is proposed that the same Scheme continues to be used in 2016/17.
- 5.61 Equalities Impact Assessments for 2015 and 2016 along with the Council Tax Support 2016 Summary are attached at Appendix D, E and F for consideration. A number of actions have been identified and taken to mitigate the impact of the Scheme which are contained within these Assessments.
- 5.62 While the CTS Scheme is designed to assist people on low income pay their Council Tax, further discretionary assistance can be considered for those who cannot pay the remaining balance of their council tax bill.

Voluntary Grants and Commissioning Review

- 5.63 An update on the review of Voluntary Grants including an update on the savings to be achieved is included at Appendix G.

5. EXPENDITURE RESTRICTIONS AND BUDGET ROBUSTNESS

Expenditure Restriction by Government

- 6.1 The Government has previously stated that it will use its capping powers where necessary. As part of the settlement announcement last year, and following on from previous announcements, a referendum process would be triggered if the Council set a Council Tax increase of 2% or higher.

6.2 The latest settlement enables an additional increase of up to 2% to be levied for Adult Social Care precept. This does not require a referendum.

7 FINANCIAL STRATEGY

8.1 At the meeting of 4th November 2015 Cabinet approved its long term financial strategy for the three year period commencing 2016/2017. The revised financial model is set out below and incorporates a number of significant changes which have arisen since that time.

	16/17 £000's	17/18 £000's	18/19 £000's	Total £000's
	£'m	£'m	£'m	£'m
Original Budget Gap	0	0	2.4	2.4
Pressures				
RSG Reduction	4.7	2.4	-0.6	6.4
Apprenticeships		0.5		0.5
Housing Pressures - homelessness	1.3	0.9	0.9	3.0
Adults - demographic pressures	3.0	2.0	2.0	7.0
Additional Pressures	0.4			0.4
Unachievable Savings:				0.0
Private sector leasing and other housing	0.2	0.2	0.2	0.5
Loss in Grants:				
ESG reduction	0.3			0.3
Re-phasing Previous savings items				0.0
Interest on borrowing delay 1 year	0.9	-0.9		0.0
delay reduction in Contingency	1.0		-1.0	0.0
Additional Income:				0.0
Adult Social Care (2%) precept	-2.1	-2.0	-2.0	-6.1
Council Tax Base	-2.0	0.0	0.0	-2.0
New Homes Bonus	-2.1		2.1	0.0
				0.0
Revised Budget Gap	5.6	2.9	4.0	12.5

Additional Income

7.2.1 As explained in the December report to Cabinet the Council may increase Council Tax by an additional 2% precept to meet the growing cost of Adult Social care. The Government have also built an assumed increase of 2% per annum in their assessment of the Council's spending powers; used to calculate the level of cuts. Given this assumption and the pressures faced by the Council the precept has been built into the model although the final decision will rest with full Council.

- 7.2.2 The increase in Council Tax base reflects the growth in the number of properties in the borough.
- 7.2.3 As discussed in paragraph 2 above the government have announced the New Homes Bonus for 2016/17 as £6.9m. The additional grant will be included in the draft budget although this is expected to reduce in future years.
- 7.2.4 It is recommended that consideration of further savings proposals and the possible use of reserves be included in the February Council Tax report.

10. SUMMARY OF FINANCIAL POSITION

- 10.1 Based on the factors that are set out in this report, the Council will need to make additional savings of approximately £12.5m in order to balance its financial strategy over the next three years. Of this sum £5.6m will need to be found as part of the budget setting process for 2016/17.
- 10.2 The financial strategy included an assumption that the Council will increase Council Tax by 1.97% in 2016/17. The budget is being developed with that assumption in mind. The Government have also allowed Councils to increase Council Tax by a further 2% precept in order to meet the growing costs of Adult Social Care. This increase has also been assumed within the updated model and by the government in allocating funding cuts. Final decisions about Council Tax increases will not be made until the February Cabinet meeting.

12. GREATER LONDON AUTHORITY (GLA)

- 12.1 The announcement of the Mayor's draft budget proposals were made on 21st December. This indicated an intention to make a slight reduction in the GLA's Council Tax level, from the current £295 to £276 – a reduction of £19, or around 6.44%. Consultation on the budget proposals ends on 12th January. The final draft budget proposals will be considered by the London Assembly on 27th January and the budget is due to be approved by 28th February.
- 12.2 The Mayor's draft budget consists of – Mayor's Office for Policing and Crime, Transport for London, London Fire and Emergency Planning Authority, the London Legacy Development Corporation and core Greater London Authority. The total budget (capital and revenue) is £16.2 billion.
- 12.3 The Mayor's 2016/17 draft net revenue expenditure budget is £4,755 million. Under the proposal the total GLA precept will be cut from £295 a year to £276 (for a Band D household). The Mayor's proposed council tax precept draft budget comprises of £206.79 to support the Mayor's Office for Policing & Crime (principally the Metropolitan Police), £50.35 for the London Fire Brigade, £14.63 for the Mayor and GLA assembly and £4.23 for transport and other services.
- 12.4 The Mayor's 2015/16 budget assumptions assumed the removal of the Olympic Levy (£12 for Band D equivalent) and this is included in the proposed reduction of £19 for 2016/17.

Equality Impact Assessment (EIA)

Document control

Title of activity:	Proposal to amend the Council Tax Support Scheme 2015
Type of activity:	This is a scheme which provides assistance to people on low incomes to help them pay their Council Tax.
Lead officer:	Chris Henry, Head of Council Tax & Benefits, Exchequer & Transactional Services, oneSource
Approved by:	Sarah Bryant, Director of Exchequer & Transactional Services
Date completed:	January 2015
Scheduled date for review:	September 2016

Did you seek advice from the Corporate Policy & Diversity team?	Yes
Does the EIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	No

1. Equality Impact Assessment Checklist

The Equality Impact Assessment (EIA) is a tool to ensure that your activity meets the needs of individuals and groups that use your service. It also helps the Council to meet its legal obligation under the [Equality Act 2010 and the Public Sector Equality Duty](#).

Please complete the following checklist to determine whether or not you will need to complete an EIA. Please ensure you keep this section for your audit trail. If you have any questions, please contact the Corporate Policy and Diversity Team at diversity@havering.gov.uk

About your activity

1	Title of activity	Proposal to amend the Council Tax Support Scheme 2015
2	Type of activity	This is a scheme which provides assistance to people on low incomes to help them pay their Council Tax.
3	Scope of activity	<p>Many people on low incomes can get Council Tax Support to help them pay their council tax bills. The Council Tax Support Scheme is mainly funded by the Government although the Council help pay towards the scheme as well.</p> <p>The Government plan to reduce the money to pay for the scheme from 2015/2016. The CTS grant has been rolled into the Settlement Funding Allocation which has been reduced in 14/15 in-line with core funding reduction. The Council's budget cannot cover a further shortfall in Government funding. Therefore, a proposal has been submitted for consultation to change the current scheme to help bridge the funding gap.</p> <p>The proposed scheme will continue to protect pensioners who will get the same level of council tax support as they do now.</p> <p>The proposals for 2015/2016 are to:</p> <ol style="list-style-type: none"> 1. Reduce Council Tax Support for working age claimants by 15%. This means that every working age household would have to pay a minimum charge of 15% of their Council Tax Bill. 2. Reduce the amount of savings and investments people are allowed to have and still be entitled to claim from £16,000 to £6,000. 3. Abolish Second Adult Rebate. Second Adult

		Rebate supports working age tax payers whose income is too high in their own right for Council Tax Support but who have other adults living in the household whose income is low.
4a	Is the activity new or changing?	Yes – changing
4b	Is the activity likely to have an impact on individuals or groups?	Yes
5	If you answered yes:	

Completed by:	Chris Henry, Head of Council Tax & Benefits
Date:	January 2015

2. Equality Impact Assessment

Background/context:

The Council proposes to amend the Council Tax Support (CTS) Scheme from April 2015. The scheme provides assistance to people on low incomes to help them pay their Council Tax.

The Council needs to make savings in order to balance its budget due to large reductions in government grant and changing funding regimes.

The CTS grant has been rolled into the Settlement Funding Allocation which has been reduced in 14/15 as part of the core funding reduction. The Council's budget cannot cover a further shortfall in Government funding without using reserves, increasing the Council Tax or reducing Services.

The Council has consulted on a range of options including which service to protect and which to reduce and whether residents would wish to pay increases above 2% council tax rather than see service reductions. Changes to the CTS scheme form part of the Council's overall strategy to balance the budget.

The proposed scheme will continue to protect pensioners who will get the same level of Council Tax Support as they do now.

The proposals for 2015/2016 are to:

4. Reduce Council Tax Support for working age claimants by 15%. This means that every working age household would have to pay a minimum charge of 15% of their Council Tax Bill.
5. Reduce the amount of savings and investments working age claimants are allowed to have and still be entitled Council Tax Support from £16,000 to £6,000.
6. Abolish Second Adult Rebate. Second Adult Rebate supports working age tax payers whose income is too high in their own right for Council Tax Support but who have other adults living in the household whose income is low.

At any one time, approximately 10,000 working-age claimants are in receipt of Council Tax Support.

To contextualise the changes, all working age claimants (approx. 10,000) will be affected by the 15% reduction. Currently only 89 working age claimants have capital in excess of £6,000 and 177 working-age claimants receive Second Adult Rebate.

The proposed changes will have disproportionate impact on low income working age households because Council Tax Support is designed for low income working age

households. This is with the exception of the removal of the Second Adult Rebate where the taxpayer's income is too high for Council Tax Support and a rebate is paid in respect of another low-earning adult in the household. 177 claimants are affected by the removal of Second Adult Rebate.

The proposals to change the current CTS scheme to help bridge the funding gap were subject to a three-month consultation, and formed part of a wider package of proposals.

All 10,000 working-age CTS claimants were posted a questionnaire to share their views. A corresponding number of questionnaires were not posted to other residents not in receipt of Council Tax Support. However, the public were invited to comment on the Council's proposals via an online survey.

396 responses were received of which 309 were from paper questionnaires. This represents 4% of the working-age population on CTS or 0.003% of the population in Havering. The responses are summarised as follows:

- 38.4% (152) agree everyone of working age should pay at least 15 per cent of their Council Tax. 58.3% (231) disagree.
- 46.5% (184) agree working age Council Tax payers with more than £6,000 savings or investments should be disqualified from claiming Council Tax Support. 51% (202) disagree
- 55.3% (219) agree second Adult Rebate should be removed from the scheme for working age Council Tax payers whose income is too high to receive Council Tax support. 40.9% (162) disagree

In the overall budget consultation the following results were received from 1987 responses.

To clarify this, please tick your top three priority services:	Count	Percentage
Crime reduction & public safety	1007	17%
Rubbish & recycling collection	726	12%
Road & pavement repairs	682	12%
Cleaning the streets	613	10%
Social Services for adults (inc. older people)	448	8%
Parks & green spaces	405	7%
Public health	370	6%
Libraries	355	6%
Social Services for children	245	4%
Sports & leisure facilities	222	4%
Young people's Activities	212	4%
Support for schools	177	3%
Attracting businesses and jobs	131	2%
Environmental health & trading standards	125	2%
Public events & activities	98	2%
Housing services & advice	67	1%
Planning services & advice	36	1%
Total	5919	100%

CTS changes were catered for within the package of priorities and it can therefore be seen that in general respondents were in favour of the overall priorities change and a majority of residents were not in favour of raising council tax above 2% in order not to make up reductions proposed.

<u>Council Tax Support Case Group Descriptions</u>	<u>Count</u>
Elderly - Non-Passported - Carer	165
Elderly - Non-Passported - Child Under 5	1
Elderly - Non-Passported - Enhanced Disability	2
Elderly - Non-Passported - Family Premium	6
Elderly - Non-Passported - Family Premium - 1 Child	9
Elderly - Non-Passported - Family Premium - 2 Child	2
Elderly - Non-Passported - Family Premium - 4 Child	1
Elderly - Non-Passported - Non Dependant	378
Elderly - Non-Passported - Other	2130
Elderly - Non-Passported - Severe Disability	388
Elderly - Non-Passported - War Pensioners	29
Elderly - Non-Passported - Working	92
Elderly - Passported - Carer	160
Elderly - Passported - Child Under 5	3
Elderly - Passported - Enhanced Disability	1
Elderly - Passported - Family Premium	16
Elderly - Passported - Family Premium - 1 Child	25
Elderly - Passported - Family Premium - 2 Child	4

Elderly - Passported - Family Premium - 3 Child	2
Elderly - Passported - Family Premium - 4 Child	1
Elderly - Passported - Non Dependant	544
Elderly - Passported - Other	3120
Elderly - Passported - Severe Disability	821
Elderly - Passported - Working	11
TOTAL (Elderly) = 7,911 (43%)	
Working Age - Non-Passported - Carer	71
Working Age - Non-Passported - Child Under 5	469
Working Age - Non-Passported - Disability	211
Working Age - Non-Passported - Disabled Child Premium	20
Working Age - Non-Passported - Enhanced Disability	226
Working Age - Non-Passported - Family Premium	175
Working Age - Non-Passported - Family Premium - 1 Child	778
Working Age - Non-Passported - Family Premium - 2 Child	508
Working Age - Non-Passported - Family Premium - 3 Child	160
Working Age - Non-Passported - Family Premium - 4 Child	39
Working Age - Non-Passported - Family Premium - 5 and above	6
Working Age - Non-Passported - Lone Parent Child Under 5	470
Working Age - Non-Passported - Non Dependant	88
Working Age - Non-Passported - Other	131
Working Age - Non-Passported - Severe Disability	79
Working Age - Non-Passported - War Pensioners	4
Working Age - Non-Passported - Working	535
Working Age - Passported - Carer	314
Working Age - Passported - Child Under 5	206
Working Age - Passported - Disability	261
Working Age - Passported - Disabled Child Premium	31
Working Age - Passported - Enhanced Disability	996
Working Age - Passported - Family Premium	143
Working Age - Passported - Family Premium - 1 Child	620
Working Age - Passported - Family Premium - 2 Child	354
Working Age - Passported - Family Premium - 3 Child	120
Working Age - Passported - Family Premium - 4 Child	29
Working Age - Passported - Family Premium - 5 and Above	2
Working Age - Passported - Lone Parent Child Under 5	1229
Working Age - Passported - Non Dependant	351
Working Age - Passported - Other	1432
Working Age - Passported - Severe Disability	425
Working Age - Passported - Working	25
TOTAL (Working Age) = 10,508 (57%)	
Grand Total Working Age & Elderly)	18419

Age: Consider the full range of age groups	
<i>Please tick (✓) the relevant box:</i>	Overall impact:

Positive		<p>Whilst the proposed changes will impact negatively on working age Council Tax Support claimants, based on the findings from other London authorities who have implemented the same or higher reductions, we do not anticipate the impact to be significant. Within the scope of the scheme there is a Council Tax Discretionary policy to enable us to consider cases of hardship which will help mitigate any negative impacts.</p>
Neutral		
Negative	✓	

Evidence:

At present approximately 57% of Council Tax Support claimants are working age and 43% are pension age.

For comparison, the working age population (18 – 64 years) in Havering is 76% and the pension age population (65 and over) is 24%.

The proposed changes mean that all working age Council Tax Support claimants will have to pay at least 15% towards their Council Tax.

Sources used:

Council Tax Support caseload data

Diversity Profile for EIAs August 2014

Demographic, Diversity and Socio-economic Profile of Havering’s Population March 2014

Disability: Consider the full range of disabilities; including physical mental, sensory and progressive conditions		
<i>Please tick (✓) the relevant box:</i>		Overall impact:
Positive		<p>If the proposals are approved, disabled people who are of working age will also be negatively affected This is because they are disproportionately represented amongst working age claimants who will receive a reduction in Council Tax support.</p> <p>In addition, disabled people are less likely to have the same opportunities and access to work and employment that would improve their financial situation.</p> <p>Support is in place through the Council Tax Discretionary policy for</p>
Neutral		
Negative	✓	

	<p>those who suffer hardship as a result of these proposals in order to mitigate any negative impacts.</p> <p>Pension age Council Tax Support claimants are not affected by these proposals.</p>
--	--

Evidence:

In terms of Council Tax Support, disabled household are those where the claimant (or any partner, or child) receives a state disability benefit payment or is seriously sick or disabled.

Approximately 24% of working age Council Tax Support claimants meet the above definition compared with 21% of the working age population of Havering.

The Council recognizes the barriers disabled people face and seek to assist address them by disregarding Disability Living Allowance and Attendance Allowance in the calculation of Council Tax Support. This often increases the amount of Council Tax Support a disabled person is entitled to. Havering has also chosen to disregard all Armed Forces compensation income from Veterans and Members of the Armed Forces.

In addition to the above, the Council seeks to maximize Council Tax Support for disabled people by increasing the applicable amount for them through premiums. Currently, there are premiums for severe disability, enhanced disability and a disabled child rate. Such premiums are granted when Council Tax Support applicants receive a relevant disability related benefit granted and administered by the Department of Work & Pensions.

Disabled people are historically disadvantaged and face greater barriers when accessing (information about) services and therefore disabled households are considered to be more vulnerable than other households. Disabled people who are unable to work receive higher levels of state benefits and while based on the proposals they will be subject to the 15% liability reduction, disabled working age claimants are likely to have a higher income than other unemployed, working age claimants whose council tax support will also be reduced.

Sources used:

Council Tax Support caseload data

Diversity Profile for EIAs August 2014

Demographic, Diversity and Socio-economic Profile of Havering's Population March 2014

Sex/gender: Consider both men and women

<i>Please tick (✓) the relevant box:</i>	Overall impact:
--	------------------------

Positive		It is difficult to fully consider the implications the proposals will have on this protected characteristic due to the fact that only one claim is submitted per household.
Neutral		
Negative	✓	

However, equalities monitoring indicates that the majority of claims (63%) are made by females (married and single titles) compared with males. We also know that lone parents, part-time workers and carers are more likely to be women.

The proposals are therefore considered to have a disproportionate impact on women.

Support is in place through the Council Tax Discretionary policy for those who suffer hardship as a result of these proposals in order to mitigate any negative impacts.

Evidence:

Council Tax Support caseload data:

Title on claim	No.	Percentage
Mr Count	2153	37%
MRS Count	1327	23%
MS/Miss Count	2346	40%
Other	8	0%

From the above table it is seen that in total 63% of the household claims are made by women.

Sources used:

Council Tax Support caseload data

Diversity Profile for EIAs August 2014

Demographic, Diversity and Socio-economic Profile of Havering's Population March 2014

Ethnicity/race: Consider the impact on different ethnic groups and nationalities

Please tick (✓) the relevant box:

Overall impact:

Positive

Neutral

There could be a negative impact of the proposals on people from Black and Minority Ethnic (BME) groups. As our data shows that BME claimants are slightly over-represented amongst working age claimants receiving Council Tax Support. This could imply that BME groups

Negative	✓	experience more difficulty in finding employment.
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Evidence:

The tables below show the projected figures for the breakdown of Havering by ethnicity/race and for Benefits claimants where they have supplied this information. The data is difficult to compare due to the different classifications of ethnicity used.

2014 (projection)	Number	Percentage of population (%)
All ethnicities	246,269	100.00
White	211,126	85.7
Black Caribbean	3,335	1.4
Black African	9,485	3.9
Black Other	4,524	1.8
Indian	5,813	2.4
Pakistani	1,820	0.7
Bangladeshi	1,205	0.5
Chinese	1,662	0.7
Other Asian	4,467	1.8
Other	2,833	1.2
<i>BAME¹ Total</i>	<i>35,144</i>	<i>14.3</i>

Council Tax Support/Housing Benefit Claimants where Equalities information provided

	Number	Percentage of claimants who provided information
White/British	4249	72.8%
White/Irish	91	1.6%
White/Other	381	6.5%
White & Black Caribbean	66	1.1%
White & Black African	43	0.7%
White & Asian	16	0.3%
Mixed/Other	43	0.8%
Asian/Asian British Indian	71	1.2%
Asian/Asian British Pakistan	69	1.2%
Asian/Asian British Bangladesh	54	0.9%
Asian/Asian British: Any Other	32	0.6%
Asian/Other	14	0.2%
Black/Black British Caribbean	154	2.6%
Black/Black British African	381	6.5%
Black/Black British Other	53	0.9%
Chinese	8	0.1%
Gypsy/Traveller	1	0.1%

¹The GLA define BAME differently to the ONS. The GLA does not include a 'White Other' Group. Instead they have one category 'White' that includes 'White British' and 'White Other'.

Other Ethnic Group	86	1.5%
Declined	22	0.4%
Total	5834	100%

From the data provided above, it would appear that there is a disproportionate impact on BME claimants. 85.7% of Havering's population are defined as White (including the 'White: Other' category such as Eastern Europeans), compared to 80.9% of benefit claimants who define themselves as White (including 'White: Other').

Sources used:

Council Tax Support caseload data

Diversity Profile for EIAs August 2014

Demographic, Diversity and Socio-economic Profile of Havering's Population March 2014 *

Religion/faith: Consider people from different religions or beliefs including those with no religion or belief

Please tick (✓) the relevant box:

Positive	<input type="checkbox"/>
Neutral	<input type="checkbox"/>
Negative	<input type="checkbox"/>

Overall impact:

Not known

There is no information available to make an assessment on the impact of the proposals on this protected characteristic.

Evidence:

Sources used:

Sexual orientation: Consider people who are heterosexual, lesbian, gay or bisexual

Please tick (✓) the relevant box:

Positive	<input type="checkbox"/>
Neutral	<input type="checkbox"/>
Negative	<input type="checkbox"/>

Overall impact:

Not known

There is no information available to make an assessment on the impact of the proposals on this protected characteristic.

Evidence:
Sources used:

Gender reassignment: Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth	
<i>Please tick (✓) the relevant box:</i>	Overall impact:
Positive	Not known
Neutral	There is no information available to make an assessment on the impact of the proposals on this protected characteristic.
Negative	
Evidence:	
.	
Sources used:	

Marriage/civil partnership: Consider people in a marriage or civil partnership	
<i>Please tick (✓) the relevant box:</i>	Overall impact:
Positive	Not known
Neutral	There is insufficient information available to make an assessment on the impact of the proposals on this protected characteristic.
Negative	

Evidence:
Sources used:

Pregnancy, maternity and paternity: Consider those who are pregnant and those who are undertaking maternity or paternity leave

<i>Please tick (✓) the relevant box:</i>		Overall impact:
Positive	<input type="checkbox"/>	<p>There is insufficient information available to make an assessment on the impact of the proposals on this protected characteristic. However, working mothers on maternity leave and women with caring responsibilities tend to have less income and/or reduced access to the labour market.</p> <p>It is perceived that there may also be equality implications for parents with young children and babies, particularly lone parents who may experience a negative impact. Support is in place through the Council Tax Discretionary policy for those who suffer hardship as a result of these proposals in order to mitigate any negative impacts.</p>
Neutral	<input type="checkbox"/>	
Negative	<input checked="" type="checkbox"/>	

Evidence:
Sources used:

Socio-economic status: Consider those who are from low income or financially excluded backgrounds

<i>Please tick (✓) the relevant box:</i>	Overall impact:
--	------------------------

Positive		<p>Council Tax Support is a means tested scheme available to households on low incomes. Therefore all recipients would be considered to be at a socio-economic disadvantage, particularly lone parents (most likely to be women), part-time workers (most likely to be women), working-age couples on low income, large households (more likely to be from BME backgrounds) and carers (most likely to be women).</p>
Neutral		
Negative	✓	
		<p>Support is in place through the Council Tax Discretionary policy for those who suffer hardship as a result of these proposals in order to mitigate any negative impacts.</p> <p>Pension age Council Tax Support claimants will not be affected and will continue to receive similar levels of support with their council tax bills as they do at present.</p>
<p>Evidence:</p> <p>Please refer to breakdowns of Council Tax Support claimants available above.</p>		
<p>Sources used:</p> <p>Council Tax Support caseload data</p> <p>Diversity Profile for EIAs August 2014</p> <p>Demographic, Diversity and Socio-economic Profile of Havering's Population March 2014</p>		

Action Plan

In this section you should list the specific actions that set out how you will address any negative equality impacts you have identified in this assessment.

Protected characteristic	Identified negative impact	Action taken to mitigate impact*	Outcomes and monitoring**	Timescale	Lead officer
All	✓	We consulted on the proposed changes in October, November & December 2014 and will report the results to Cabinet in January 2015	Individual households will have access to formal appeal and review arrangements should they have complaints or concerns about the assessment criteria and method used to identify the Council Tax Support they need.	January 2015	Chris Henry
		All affected CTS applicants to be contacted in advance to advise of change if agreed prior to annual billing	Customers will have time to adjust and make appropriate payment arrangements	February 2015	Debbie Wheatley
		Monitor implication of change in Council Tax	We will monitor the impact of the changes and take-up of hardship funds as part of our performance	Ongoing	Debbie Wheatley

		<p>Support.</p> <p>The Council actively supports Apprenticeships. Meetings and events are arranged with Training Providers and Apprentices to keep them up to date with new initiatives and creating opportunities and promotion of</p>	<p>and quality checking systems. The performance data collated, including satisfaction surveys and community profile monitoring will form part of regular reporting arrangements to senior management and members.</p> <p>Citizens' Advice Bureau commissioned to assist provides debt counselling and advice.</p>		
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		Apprenticeships. Regeneration also work with small and medium business enterprises to encourage growth and opportunities			
--	--	---	--	--	--

* You should include details of any future consultations you will undertake to mitigate negative impacts

** Monitoring: You should state how the negative impact will be monitored; how regularly it will be monitored; and who will be monitoring it (if this is different from the lead officer).

Review

In this section you should identify how frequently the EIA will be reviewed; the date for next review; and who will be reviewing it.

The EIA will be reviewed at bi-annual intervals or earlier if the Council Tax Support scheme is reviewed earlier than September 2016.

**London Borough of Havering
Summary:
Draft Council Tax Support Scheme 2016**

Introduction

Council Tax Benefit was abolished from 1 April 2013. In its place each local authority was required by Section 9 of the Local Government Finance Act 2012 (the Act) to produce its own scheme to reduce the liability of working age applicants whom it considers to be in financial need.

This document summarises the proposed Council Tax Support Scheme (2016 scheme) from April 2016 which the Council has produced in accordance with of Schedule 4 of the Act.

The Council adopted its own local scheme from April 2013 which has due regard to the Department for Communities and Local Government's policy intentions and unequivocally protects pensioners.

Havering's Local Council Tax Support scheme has been interpreted and applied in accordance with the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 which set out what must be included in the scheme.

Summary of Council Tax Support Scheme from April 2016

The 2016 scheme will adopt the existing Council Tax Support scheme in place at 31 March 2016 as summarised in this document.

In this document 'the current scheme' means Havering's existing Council Tax Support scheme which was adopted in January 2013 and then amended with effect from April 2014 and again with effect from April 2015.

Unless expressly stated otherwise, the provisions outlined below relate solely to working age applicants under the current scheme.

No amendments are proposed to the draft 2016 scheme which effectively adopts the current scheme.

This document summarises the Council's proposed Scheme for eligible working age Council Tax payers to receive council tax support.

The scheme applicable to pensioners is defined in The Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012, Part 3, and Schedules 1 to 6, which is adopted within the 2016 scheme.

The procedure for the application and calculation of the 2016 scheme is summarised below and is made in accordance with Schedules 7 and 8 of the Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012.

The principles embodying the Local Council Tax Support Scheme include:

- Local authorities will be expected to manage significant reductions in subsidised expenditure.
- Regulations have been set to protect claimants of state pension credit age.
- Local authorities will consult on their schemes with precepting authorities and the public.
- The Council will adopt the final scheme before 31 January 2013 or the default scheme will apply.
- Local authorities should aim to protect vulnerable groups.
- In developing schemes, local authorities should consider incentivising claimants into work.

The Local Council Tax Support Scheme includes the following:

- Introduction and definitions
- Prescribed of persons
- Provisions relating to entitlement under the scheme
- Applicable amounts
- Maximum Council Tax Reduction
- Amount of reduction under the scheme
- Assessment of Income and Capital under the scheme
- Students
- Applications
- Extended reductions
- Period of entitlement and changes of circumstances
- Schedules

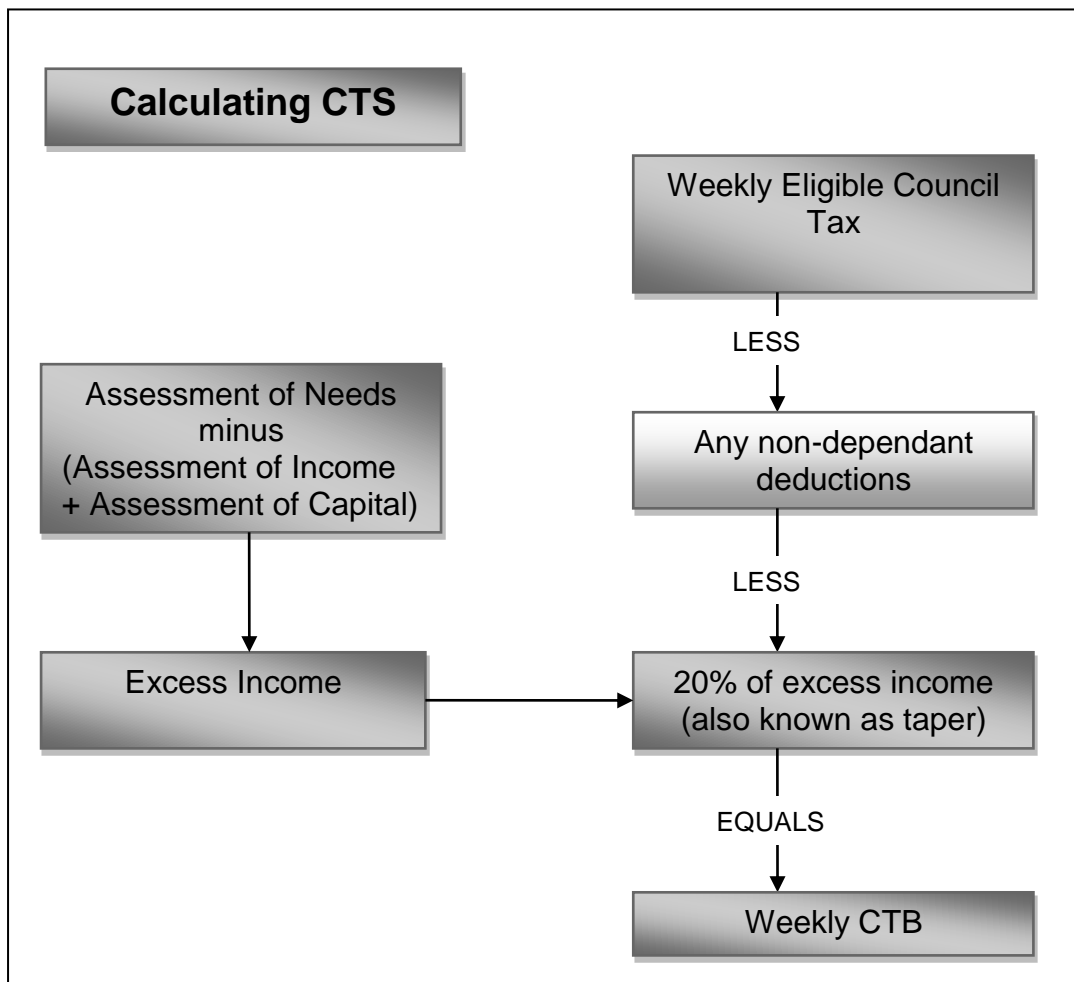
The Council Tax Support Calculation

The starting point for all calculations of Council Tax Support is the claimant's 'maximum benefit'. This is the claimant's weekly eligible Council Tax less any non-dependant deductions that apply. From April 2015 the maximum benefit figure for working age claimants is 85% of council tax liability. This means that every working age household must pay a minimum charge of 15% of their Council Tax Bill.

Income and capital are compared to the claimant's applicable amount. Any income over the applicable amount is known as the Excess Income.

The claimant qualifies for maximum support less 20% of any excess income figure. The 20% reduction to the maximum benefit is known as a taper.

Claimants in receipt of Job Seeker's Allowance and Income Support have already been assessed by the Department for Work and Pensions (DWP) as having income lower than their applicable amount and so will receive maximum council tax support less any non-dependant deductions.



Non-dependant deductions from April 2013

A non-dependant deduction is an amount of council tax that is due from the CTS claimant because there is another adult (non-dependant), who is not the claimant's partner, living in the household who receives an income. This reduces the amount of CTS a claimant will receive which is described in paragraph 58 of the draft 2016 scheme as follows:

- (1) Subject to the following provisions of this regulation, the non-dependant deductions in respect of a day referred to in regulation 57 (maximum council tax benefit) shall be—
 - (a) in respect of a non-dependant aged 18 or over in remunerative work, $\text{£}20.00 \times \frac{1}{7}$;
 - (b) in respect of a non-dependant aged 18 or over to whom sub-paragraph (a) does not apply, $\text{£}6.00 \times \frac{1}{7}$.

- (2) In the case of a non-dependant aged 18 or over to whom paragraph (1)(a) applies, where it is shown to the appropriate authority that his normal gross weekly income is—
 - (a) Less than $\text{£}183.00$, the deduction to be made under this regulation shall be that specified in paragraph (1)(b);
 - (b) Not less than $\text{£}183.00$ but less than $\text{£}316.00$, the deduction to be made under this regulation shall be $\text{£}9.00$;
 - (c) Not less than $\text{£}316.00$ but less than $\text{£}394.00$, the deduction to be made under this regulation shall be $\text{£}15.00$. **Page 61**

From April 2014 onwards, the eligible weekly council tax used to calculate council tax support shall be no higher than the weekly Council Tax Band D value for a property in Havering.

Paragraph 57 of the draft CTS scheme 2016 provides that:

- (1) Subject to paragraphs (2) to (5), the amount of a person's maximum council tax benefit in respect of a day for which he is liable to pay council tax, shall be 100 per cent of the amount A/B where—
 - (a) A is the amount set by the appropriate authority as the council tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to any discount which may be appropriate to that dwelling under the 1992 Act; and
 - (b) B is the number of days in that financial year, less any deductions in respect of non-dependants which fall to be made under regulation 58 (non-dependant deductions).
- (2) In calculating a person's maximum council tax benefit any reduction in the amount that person is liable to pay in respect of council tax, which is made in consequence of any enactment in, or made under, the 1992 Act, shall be taken into account.
- (3) The level of any Council Tax Support awarded shall be restricted to the level of band D
- (4) Subject to paragraph (5), where a claimant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons but excepting any person so residing with the claimant who is a student to whom regulation 45(2) (students who are excluded from entitlement to council tax benefit) applies, in determining the maximum council tax benefit in his case in accordance with paragraph (1), the amount A shall be divided by the number of persons who are jointly and severally liable for that tax.
- (5) Where a claimant is jointly and severally liable for council tax in respect of a dwelling with only his partner, paragraph (4) shall not apply in his case.

From April 2015 onwards, Maximum Council Tax Support for working age claimants will reduce by 15%.

This means that every working age household has to pay a minimum charge of 15% of their Council Tax Bill.

Paragraph 29A of the draft CTS scheme 2016 provides that:

- (1) Subject to sub-paragraphs (2) to (4), for persons in classes D to E in this scheme a person's maximum council tax reduction amount in respect of a day is 85 per cent of the amount A/B where—
 - (a) A is the amount set by the authority as the council tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to any discount which may be appropriate to that dwelling under the 1992 Act; and
 - (b) B is the number of days in that financial year,

less any deductions in respect of non-dependants which fall to be made under paragraph 30A (non-dependant deductions: persons who are not pensioners) and any award restricted to the level of Band D

From April 2015 onwards, the amount of savings and investments people are allowed to have and still be entitled to claim CTS was reduced from £16,000 to £6,000.

The CTS scheme 2013/14 and 2014/15 did not accept claims from applicants who have savings and investments of more than £16,000. These individual were not entitled to any CTS.

From April 2015, applicants who have more than £6,000 in savings or investments will not be eligible to claim and will therefore have no entitlement to CTS.

Paragraph 23 of the draft CTS scheme states that:

- (1) The class of person described in this paragraph consists of -
 - (a) Persons in class A and B whose capital exceeds £16,000
 - (b) Persons in class D and E whose capital exceeds £6,000.

From April 2015 onwards, Second Adult Rebate was abolished.

Second Adult Rebate supports working age council tax payers whose income is too high in their own right for Council Tax Support but who have other adults living in the household whose income is low.

Applications for Council Tax Support

This part applies to both pension-age and working-age applicants

The following procedure has been set in accordance with the Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012, referred to as 'the Regulations' below.

Entitlement to CTS is dependent on an application being made in the following way:

An application may be made:

- (a) In writing
- (b) By means of an electronic communication or
- (c) By telephone following publication by the Council of a number for this purpose.

The form provided by the Council for this purpose must be properly completed, and the Council may require the applicant to complete the form in the proper manner, and may further require that further information and evidence is provided by the applicant.

An application will be made defective if the applicant does not provide all of the information the Council requires.

Applications made by telephone will only be accepted if the applicant provides a written statement of their circumstances in the format required by the Council.

The Council will allow a certain length of time for applicants to correct any defects in their application.

The Regulations provide for which classes of people are eligible to make application for Council Tax Support.

Evidence and information

Any person who makes an application or any person to whom a reduction under the CTS scheme 2016 has been awarded shall furnish such certificates, documents, information and evidence in connection with the application or award, or question arising out of it as may reasonably be required by the Council in order to determine the person's entitlement. Where the Council requests information it shall inform the applicant or person of their duty to notify the Council of any change of circumstances and shall indicate the kind of changes of circumstances which are to be notified.

Matters related to the electronic communication of information, proof of delivery and content of information will be determined in accordance with Part 4 of Schedule 7 of the Regulations.

Where the person is a pensioner paragraph 7(4) (5) (6) and (7) of Schedule 8 of the Regulations apply which specify matters relevant to evidence and information related to pensioners.

Amendment and withdrawal of applications

Any person who has made an application may amend it at any time before a decision had been made by serving a notice in writing to the Council in accordance with paragraph 8 of Schedule 8 of the Regulations.

Decisions by the Council

The Council will make a decision in respect of any application for a reduction under this scheme in accordance with the criteria set out within the CTS scheme 2016 rules.

The decision will be made within 14 days or as soon as reasonably practicable of the Council receiving at its designated office the properly completed application or the information requested to complete it or the evidence required. The date upon which the Council is deemed to have received the properly completed application shall be determined in accordance with paragraphs 6 of Schedule 1, paragraph 7 and Part 1 of Schedule 7 of the Regulations being satisfied, or as soon as reasonably practicable thereafter.

The Council will notify the applicant or any person affected by its decision under the scheme in writing forthwith, or as soon as reasonably practicable.

Any person affected to whom the Council sends or delivers a notification of a decision to may, within one month of the notification of the decision, request in writing from the Council a statement setting out the reasons for its decision on any matter set out in the notice.

Following receipt of a request for a written statement the Council will provide this within 14 days or as soon as reasonably practicable thereafter.

Where an award or payment of reduction is made the time and manner of granting the reduction under the scheme will be in accordance with Part 5 of Schedule 8 of the Regulations.

Change of circumstances

For persons who are not pensioners the date on which changes of circumstances are to take effect will be determined in accordance with paragraph 4 of Part 2 of Schedule 8 of the Regulations.

Procedure for making an appeal

Any applicant who is not in agreement with the decision of the Council taken under this scheme may service a notice in writing on the Council setting out their reasons and grounds upon which they believe the Council has made the wrong decision.

Following receipt of an appeal in writing the Council will:

- (1) Consider the appeal
- (2) Notify the applicant in writing of the following:
 - (i) Any decision not to uphold the appeal and the reasons for that; or
 - (ii) That steps are being taken to proceed with the appeal and set out what steps.

Where an applicant remains dissatisfied following receipt of any written notice sent by the Council in response to their appeal, they may within two months of the service of that notice, appeal to the valuation tribunal.

Applications for further discretionary reductions

Under Section 13A(1)(c) of the Local Government Finance Act 1992 and The Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012, the Authority will consider applications for a further reduction in Council Tax.

There will be financial implications in that the cost of any reduction will be a direct cost to the Council. The cost of any discretionary reduction will, therefore, have to be met by the rest of the council taxpayers.

Applications must be made in writing or by prescribed electronic communications.

The Council will, in making decisions for further discretionary reductions, have due regard to its duties under The Child Poverty Act 2010, The Housing Act 1996, and The Equality Act 2010.

The Council will review all relevant matters when deciding whether to award a reduction including, but not limited to:

- The circumstances of any other person with whom the applicant is jointly and severally liable for Council Tax.

- The overall financial situation of the applicant and the applicant's family.
- The effect the council believes making an award will have on the applicant and any members of the applicant's family.
- Protecting the public purse and maintaining financial budgets.

A person who applies for a discretionary reduction may request that the Council review its decision. Any such request must be made in writing and be received within one month of the date the notification of the decision.

If practicable, another more senior officer, will reconsider the decision in light of all available evidence and, if appropriate amend it. Any change may lead to either a reduction or an increase in any award.

A further right of review will be available against the decision as reviewed which will be considered by a manager but only against the legality of the decision and not the actual outcome.

Equality Impact Assessment (EIA)

Document control

Title of activity:	The Council Tax Support Scheme 2016
Type of activity:	This is a scheme which provides assistance to people on low incomes to help them pay their Council Tax.
Lead officer:	Chris Henry, Head of Council Tax & Benefits, Exchequer & Transactional Services, oneSource
Approved by:	Sarah Bryant, Director of Exchequer & Transactional Services
Date completed:	December 2015
Scheduled date for next review:	September 2016

Did you seek advice from the Corporate Policy & Diversity team?	Yes
Does the EIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	No

1. Equality Impact Assessment Checklist

The Equality Impact Assessment (EIA) is a tool to ensure that your activity meets the needs of individuals and groups that use your service. It also helps the Council to meet its legal obligation under the [Equality Act 2010 and the Public Sector Equality Duty](#).

Please complete the following checklist to determine whether or not you will need to complete an EIA. Please ensure you keep this section for your audit trail. If you have any questions, please contact the Corporate Policy and Diversity Team at diversity@havering.gov.uk

About your activity

1	Title of activity	The Council Tax Support Scheme 2016
2	Type of activity	This is a scheme which provides assistance to people on low incomes to help them pay their Council Tax.
3	Scope of activity	<p>Many people on low incomes can get Council Tax Support (CTS) to help them pay their council tax bills. The Council Tax Support Scheme is mainly funded by the Government although the Council help pay towards the scheme as well.</p> <p>The Government have been reducing the money to pay for the scheme since its inception in 2013. The CTS grant has been rolled into the Settlement Funding Allocation which has been reduced in-line with core funding reduction. While it is likely the core funding reduction will continue for 2016/17, there are no plans to make further savings from the CTS scheme in 2016. Therefore, a consultation of the 2016 CTS scheme is not required.</p> <p>The draft CTS scheme 2016 will continue to protect pensioners who will get the same level of council tax support as they do now.</p>
4a	Is the activity new or changing?	No
4b	Is the activity likely to have an impact on individuals or groups?	Yes
5	If you answered yes:	

Completed by:	Chris Henry, Head of Council Tax & Benefits
Date:	December 2015

2. Equality Impact Assessment

Background/context:

The draft Council Tax Support Scheme 2016 will provide assistance to people on low incomes to help them pay their Council Tax.

The Council has a continuous need to make savings in order to balance its budget due to large reductions in government grant and changing funding regimes. The CTS Scheme was revised for 2015/16 to assist make savings. There are, therefore, no plans to revise the CTS Scheme for 2016/17.

Accordingly, the draft CTS Scheme 2016 will essentially remain the same as the CTS Scheme 2015.

The proposed scheme will continue to protect pensioners who will get the same level of Council Tax Support as they do now.

At any one time, approximately 9,000 working-age claimants are in receipt of Council Tax Support.

Additional financial assistance continues to be provided under S13a of the Local Government Finance Act 2012 for all groups below should anyone continue to experience financial hardship in paying their remaining council tax after council tax support has been awarded.

CTS Claimants of Pensionable Age

Elderly-Passported-Severe Disability	945
Elderly-Passported-Enhanced Disability	0
Elderly-Passported-Carer	182
Elderly-Passported-Disabled Child Premium	1
Elderly-Passported-Child Under 5	3
Elderly-Passported-Family Premium - 4 Child	1
Elderly-Passported-Family Premium - 3 Child	2
Elderly-Passported-Family Premium - 2 Child	4
Elderly-Passported-Family Premium - 1 Child	27
Elderly-Passported-Family Premium	134
Elderly-Passported-Working	11

Elderly-Passported-Non Dependant	583
Elderly-Passported-Other	3015
Elderly-Non-Passported-War Pensioners	28
Elderly-Non-Passported-Severe Disability	44
Elderly-Non-Passported-Enhanced Disability	2
Elderly-Non-Passported-Carer	199
Elderly-Non-Passported-Child Under 5	2
Elderly-Non-Passported-Family Premium - 4 Child	2
Elderly-Non-Passported-Family Premium - 2 Child	3
Elderly-Non-Passported-Family Premium - 1 Child	11
Elderly-Non-Passported-Family Premium	6
Elderly-Non-Passported-Working	109
Elderly-Non-Passported-Non Dependant	429
Elderly-Non-Passported-Other	2182
Elderly Total	7925

CTS Claimants of Working Age

Working Age-Passported-War Pensioners	
Working Age-Passported-Severe Disability	702
Working Age-Passported-Enhanced Disability	1380
Working Age-Passported-Disability	251
Working Age-Passported-Carer	467
Working Age-Passported-Disabled Child Premium	39
Working Age-Passported-Lone Parent Child Under 5	1438
Working Age-Passported-Child Under 5	251
Working Age-Passported-Family Premium - 5 & A	5
Working Age-Passported-Family Premium - 4 Child	1
Working Age-Passported-Family Premium - 3 Child	121
Working Age-Passported-Family Premium - 2 Child	400
Working Age-Passported-Family Premium - 1 Child	701
Working Age-Passported-Family Premium	134
Working Age-Passported-Working	83
Working Age-Passported-Non Dependant	365
Working Age-Passported-Other	1518
Working Age-Non-Passported-War Pensioners	4
Working Age-Non-Passported-Severe Disability	156
Working Age-Non-Passported-Enhanced Disability	339
Working Age-Non-Passported-Disability	202
Working Age-Non-Passported-Carer	142
Working Age-Non-Passported-Disabled Child Premium	33
Working Age-Non-Passported-Lone Parent Child U 5	747
Working Age-Non-Passported-Child Under 5	677
Working Age-Non-Passported-Family Premium - 5 & A	14
Working Age-Non-Passported-Family Premium - 4 Child	68

Working Age-Non-Passported-Family Premium - 3 Child	264
Working Age-Non-Passported-Family Premium - 2 Child	692
Working Age-Non-Passported-Family Premium - 1 Child	1002
Working Age-Non-Passported-Family Premium	265
Working Age-Non-Passported-Working	630
Working Age-Non-Passported-Non Dependant	75
Working Age-Non-Passported-Other	316
Working Age Total	13482

Age: Consider the full range of age groups	
<i>Please tick (✓) the relevant box:</i>	
Positive	Overall impact: Working age taxpayers from age 18 can make a claim for CTS. There are exceptions and these are laid down by statute. Pension age claimants (currently men and women aged 62½ and over) will not be affected by the change.
Neutral	
Negative	
Evidence: At present approximately 55% of Council Tax Support claimants are working age and 45% are pension age. For comparison, the working age population (18 – 64 years) in Havering is 76% and the pension age population (65 and over) is 24%.	
Sources used: Council Tax Support caseload data Diversity Profile for EIAs August 2014 Demographic, Diversity and Socio-economic Profile of Havering’s Population March 2014	

Disability: Consider the full range of disabilities; including physical mental, sensory and progressive conditions

<i>Please tick (✓) the relevant box:</i>		Overall impact: If the Scheme is approved, disabled people who are of working age will be negatively affected. This is because they are disproportionately represented amongst working age claimants who will receive a reduction in Council Tax support. In addition, disabled people are less likely to have the same opportunities and access to work and employment that would improve their financial situation. Support is in place through the Council Tax Discretionary policy for those who suffer hardship as a result of these proposals in order to mitigate any negative impacts. Pension age Council Tax Support claimants are not affected by these proposals.
Positive		
Neutral		
Negative	✓	

Evidence:

In terms of Council Tax Support, disabled household are those where the claimant (or any partner, or child) receives a state disability benefit payment or is seriously sick or disabled.

Approximately 24% of working age Council Tax Support claimants meet the above definition compared with 21% of the working age population of Havering.

The Council recognizes the barriers disabled people face and seek to assist address them by disregarding Disability Living Allowance and Attendance Allowance in the calculation of Council Tax Support. This often increases the amount of Council Tax Support a disabled person is entitled to. Havering has also chosen to disregard all Armed Forces compensation income from Veterans and Members of the Armed Forces.

In addition to the above, the Council seeks to maximize Council Tax Support for disabled people by increasing the applicable amount for them through premiums. Currently, there are premiums for severe disability, enhanced disability and a disabled child rate. Such premiums are granted when Council Tax Support applicants receive a relevant disability related benefit granted and administered by the Department of Work & Pensions.

Disabled people are historically disadvantaged and face greater barriers when accessing (information about) services and therefore disabled households are considered to be more vulnerable than other households. Disabled people who are unable to work receive higher levels of state benefits and while based on the proposals they will be subject to the 15% liability reduction, disabled working age claimants are likely to have a higher income than other unemployed, working age claimants whose council tax support will also be reduced.

Sources used:

Council Tax Support caseload data 2014

Diversity Profile for EIAs August 2014

Demographic, Diversity and Socio-economic Profile of Havering's Population March 2014

Sex/gender: Consider both men and women*Please tick (✓)
the relevant box:***Positive****Neutral****Negative**

✓

Overall impact:

Only one claim is submitted per household.

However, equalities monitoring indicates that the majority of claims (63%) are made by females (married and single titles) compared with males. We also know that lone parents, part-time workers and carers are more likely to be women.

The scheme therefore is considered to have a disproportionate impact on women.

Support is in place through the Council Tax Discretionary policy for those who suffer hardship as a result of these proposals in order to mitigate any negative impacts.

Evidence:

Council Tax Support caseload data:

Title on claim	No.	Percentage
Mr Count	2153	37%
MRS Count	1327	23%
MS/Miss Count	2346	40%
Other	8	0%

From the above table it is seen that in total 63% of the household claims are made by women.

Sources used:

Council Tax Support caseload data

Diversity Profile for EIAs August 2014

Demographic, Diversity and Socio-economic Profile of Havering's Population March 2014

Ethnicity/race: Consider the impact on different ethnic groups and nationalities		
<i>Please tick (✓) the relevant box:</i>		Overall impact: Our data shows that BME claimants are slightly over-represented amongst working age claimants receiving Council Tax Support. This could imply that BME groups experience more difficulty in finding employment.
Positive		
Neutral	✓	
Negative		

Evidence:
The tables below show the projected figures for the breakdown of Havering by ethnicity/race and for Benefits claimants where they have supplied this information. The data is difficult to compare due to the different classifications of ethnicity used.

2014 (projection)	Number	Percentage of population (%)
All ethnicities	246,269	100.00
White	211,126	85.7
Black Caribbean	3,335	1.4
Black African	9,485	3.9
Black Other	4,524	1.8
Indian	5,813	2.4
Pakistani	1,820	0.7
Bangladeshi	1,205	0.5
Chinese	1,662	0.7
Other Asian	4,467	1.8
Other	2,833	1.2
<i>BAME¹ Total</i>	<i>35,144</i>	<i>14.3</i>

Council Tax Support/Housing Benefit Claimants where Equalities information provided

Grouping	Number	Percentage of claimants who provided information %
White/British	5700	69.2
White/Irish	118	1.4
White/Other	582	7.0
White & Black Caribbean	57	0.7
White & Black African	108	1.3
White & Asian	29	0.4
Mixed/Other	112	1.4
Asian/Asian British Indian	106	1.3
Asian/Asian British Pakistan	122	1.5
Asian/Asian British	102	1.2

¹The GLA define BAME differently to the ONS. The GLA does not include a 'White Other' Group. Instead they have one category 'White' that includes 'White British' and 'White Other'.

Bangladesh		
Asian/Asian British: Any Other	69	0.8
Asian/Other	14	0.3
Black/Black British Caribbean	218	2.6
Black/Black British African	615	7.5
Black/Black British Other	87	1.0
Chinese	14	0.3
Gypsy/Traveller	6	0
Other Ethnic Group	126	1.5
Arab	13	0.3
Declined	29	0.3
Total	8227	100

From the data provided above, it would appear that there is a disproportionate impact on BME claimants. 85.7% of Havering's population are defined as White (including the 'White: Other' category such as Eastern Europeans), compared to 80% of benefit claimants who define themselves as White (including 'White: Other').

Sources used:

Council Tax Support caseload data 2015

Diversity Profile for EIAs August 2014

Demographic, Diversity and Socio-economic Profile of Havering's Population March 2014 *

Religion/faith: Consider people from different religions or beliefs including those with no religion or belief

Please tick (✓) the relevant box:

Positive

Neutral

Negative

Overall impact:

Not known

There is no information available to make an assessment on the impact of the scheme on this protected characteristic.

Evidence:

Sources used:

Sexual orientation: Consider people who are heterosexual, lesbian, gay or bisexual

Please tick (✓) the relevant box:

Positive

Overall impact:

Not known

Neutral		There is no information available to make an assessment on the impact of the scheme on this protected characteristic.
Negative		
Evidence:		
Sources used:		

Gender reassignment: Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth		
<i>Please tick (✓) the relevant box:</i>		Overall impact:
Positive		Not known
Neutral		From the data that we hold currently, we do not have sufficient evidence to determine the impact on this protected characteristic
Negative		However, people considering or undergoing the process of gender reassignment are a hard to reach groups. At present gender reassignment will not be a factor in any part of the assessment of Council Tax Support and it is not considered to be a characteristic which requires a higher applicable amount when assessing benefit. For these reasons, it is expected that Council Tax Support will not adversely affect transgendered people as a specific group.
Evidence:		

Sources used:

Marriage/civil partnership: Consider people in a marriage or civil partnership

<i>Please tick (✓) the relevant box:</i>		Overall impact:
Positive	<input type="checkbox"/>	Not known
Neutral	<input type="checkbox"/>	There is insufficient information available to make an assessment on the impact of the scheme on this protected characteristic.
Negative	<input type="checkbox"/>	

Evidence:

People considering or undergoing the process of gender reassignment are a hard to reach groups. At present gender reassignment will not be a factor in any part of the assessment of Council Tax Support and it is not considered to be a characteristic which requires a higher applicable amount when assessing benefit. For these reasons, it is expected that Council Tax Support will not adversely affect transgendered people as a specific group.

Sources used:

Pregnancy, maternity and paternity: Consider those who are pregnant and those who are undertaking maternity or paternity leave

<i>Please tick (✓) the relevant box:</i>		Overall impact:
Positive	<input type="checkbox"/>	There is insufficient information available to make an assessment on the impact of the proposals on this protected characteristic. However, working mothers on maternity leave and women with caring responsibilities tend to have less income and/or reduced access to the labour market.
Neutral	<input type="checkbox"/>	
Negative	<input type="checkbox"/>	However, the Equality Act 2010 provides for protection against maternity discrimination for 26 weeks after giving birth, including as a result of breastfeeding. Pregnancy and maternity should be considered as two separate characteristics as while the claimant is pregnant, her applicable amounts and personal allowances are lower Pregnancy is not a factor

	<p>in the current assessment of Council Tax Benefit and will not be a factor in the assessment of Council Tax Support. It is therefore expected that pregnant women will not be adversely affected by Council Tax Support. Once a child is born, it becomes part of the household composition and increased allowances apply</p> <p>It is perceived that there may also be equality implications for parents with young children and babies, particularly lone parents who may experience a negative impact. Support is in place through the Council Tax Discretionary policy for those who suffer hardship as a result of these proposals in order to mitigate any negative impacts.</p>
<p>Evidence:</p>	
<p>Sources used:</p>	

<p>Socio-economic status: Consider those who are from low income or financially excluded backgrounds</p>	
<p><i>Please tick (✓) the relevant box:</i></p>	<p>Overall impact:</p>
<p>Positive</p>	<p>Council Tax Support is a means tested scheme available to households on low incomes. Therefore all recipients would be considered to be at a socio-economic disadvantage, particularly lone parents (most likely to be women), part-time workers (most likely to be women), working-age couples on low income, large households (more likely to be from BME backgrounds) and carers (most likely to be women).</p>
<p>Neutral</p>	<p>✓</p>
<p>Negative</p>	<p>Support is in place through the Council Tax Discretionary policy for those who suffer hardship as a result of these proposals in order to mitigate any negative impacts.</p> <p>Pension age Council Tax Support claimants will continue to receive similar levels of support with their council tax bills as they do at present.</p>

Evidence:

Please refer to breakdowns of Council Tax Support claimants available above.

Sources used:

Council Tax Support caseload data

Diversity Profile for EIAs August 2014

Demographic, Diversity and Socio-economic Profile of Havering's Population March 2014

Action Plan

In this section you should list the specific actions that set out how you will address any negative equality impacts you have identified in this assessment.

Protected characteristic	Identified negative impact	Action taken to mitigate impact*	Outcomes and monitoring**	Timescale	Lead officer
All	✓	We consulted on the proposed changes in October, November & December 2014 and will report the results to Cabinet in January 2015	Individual households will have access to formal appeal and review arrangements should they have complaints or concerns about the assessment criteria and method used to identify the Council Tax Support they need.	In place for April 2016	Chris Henry
		All affected CTS applicants to be contacted in advance to advise of change if agreed prior to annual billing	Customers have been given time to adjust and make appropriate payment arrangements	In place for April 2016	Ian Johnson
		Monitor implication of change in Council Tax	We are monitoring the impact of the changes and take-up of hardship funds as part of our	In place for April 2016	Debbie Wheatley

<p>Ethnicity/Race</p>	<p><i>Whilst there is no negative impact identified there is some action that is required to ensure that communities are made aware of their entitlements under the scheme .The figures indicate that BME communities are overrepresented in the claimant figures</i></p>	<p>A range of targeted outreach and communication methods will be used to promulgate these messages which include but are not limited to outreach at places of worship ,schools and media streams or social interaction sites</p>	<p>BME communities that are able to access benefits to which they are entitled. Uptake will be monitored through our current E+D monitoring processes</p>	<p>Ongoing</p>	
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The CTS scheme will be reviewed every year along with the EIA.

Review

The EIA will be reviewed at bi-annual intervals or earlier if the Council Tax Support scheme is reviewed earlier than September 2016.



COUNCIL, 27 January 2016

REPORT OF CABINET

ROMFORD MARKET TRANSFORMATION PROGRAMME

Cabinet, at its meeting on 18 November considered proposals (report attached) for the transformation of Romford Market. Those fell under four main headings: branding identity and vision; operational management, business development and the physical transformation and improved use of space.

Cabinet approved the recommendations which were, essentially, to apply to the London Development Fund for funding, but the decision was called-in and considered by the Overview and Scrutiny Board on 8 December. The Board upheld the requisition and the report was reconsidered by Cabinet at its meeting on 16 December.

Cabinet acknowledged the concerns of the Board but re-stated its decision to proceed on the basis of the original recommendations as the report was essentially to apply for funding at this stage and that more detailed reports would follow concerning specific details as they became available.

Cabinet acknowledged that Overview and Scrutiny would have a significant contribution to make on this project which would define the Market for the future as the transformational plan would see a fundamental change in the way Romford Market looked, felt, was managed and operated as well as changes to the Market Place itself and how it would be used on both market and non-market days.

Cabinet accordingly refers to Council for its approval the following recommendation:

The appointment of architects to cost and develop full proposals for the physical development of the Market Place be approved along with the allocation of £1m Council capital funding of the programme subject to securing sufficient match-funding from other sources and subject to a business case being signed-off by the Finance Business Partner and Group Director, Communities & Resources in consultation with the Cabinet Member for Environment.

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Cabinet

16 DECEMBER 2015

Subject Heading:

Requisition of Cabinet Decision - Romford Market Transformation Programme

Cabinet Member:

Cllr Robert Benham Cabinet Member for the Environment

CMT Lead:

Andrew Blake-Herbert
Group Director for Communities & Resources

Report Author and contact details:

Richard Cursons, Committee Officer, Legal and Democratic Services, 01708 432430, richard.cursons@onesource.co.uk

Policy context:

Havering Council Corporate Plan 2015-16: Using our influence to 'Regenerate Romford Market to bring in new traders and attract more shoppers'

Financial summary:

As shown in the Cabinet report attached at Appendix B

Is this a Key Decision?

Decision to requisition Cabinet is not in itself a Cabinet decision.

When should this matter be reviewed?

November 2018 (Original Cabinet decision)

Reviewing OSC:

Towns and Communities

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for	[X]
People will be safe, in their homes and in the community	[X]
Residents will be proud to live in Havering	[X]

SUMMARY

This report advises the outcome of the consideration by the Overview & Scrutiny Board of the requisition of the decision of the Cabinet at its meeting on 18 November in relation to the Romford Market Transformation Programme.

The Overview and Scrutiny Board UPHELD the requisition and the Cabinet is therefore invited to review the matter.

RECOMMENDATIONS

That Cabinet:

Reviews the decision of 18 November in the light of the Overview and Scrutiny Board upholding the requisition of it.

REPORT DETAIL

1. At its meeting on 18 November 2015, Cabinet was presenting before it a report which outlined proposals for the transformation of Romford Market. These fell under four main headings: branding identity and vision; operational management and business development; physical transformation and improved use of space.
2. Work on the first three had been initiated. The full physical interventions proposed were subject to the successful award of external funding to match the Council's proposed investment.
3. The transformational plan would see a fundamental change in the way Romford Market looked, felt, was managed and operated as well as changes to the Market Place itself and how it would be used on both market and non-market days.

Cabinet:

1. Endorsed the main proposals developed with the assistance of consultants 20:20 Ltd, as identified in section 4 of the report and tasked officers to progress implementation.
2. Authorised officers to engage with traders, retailers and partners in the delivery of the changes described in the report.
3. Delegated authority to the Group Director of Communities and Resources in consultation with the Cabinet Member for Environment to finalise the grant application for capital investment in the market to the Mayor of London's London Regeneration fund.
4. Delegated authority to the Cabinet Member for Environment and the Group Director of Communities and Resources to submit further funding applications (e.g. Veolia and HLF) or to other funding sources relating to the market and Market Place consistent with the programme outlined in the report.
5. Noted the appointment of architects to cost and develop full proposals for the physical development of the Market Place and to recommend to Council the allocation of £1m Council capital funding of the programme subject to securing sufficient match-funding from other sources subject to a business case being

signed off by the Finance Business Partner and Group Director, Communities & Resources, in consultation with the Cabinet Member for Environment.

6. Agreed to utilise transformational funding to support the market transformation programme as part of the Council's 'invest to save' model and authorised the Group Director of Communities and Resources to release funds accordingly, subject to both the Group Director and Finance Business Partner signing-off a business case in consultation with the Cabinet Member for Environment.
4. The Cabinet decision was subsequently requisitioned and placed before the Overview and Scrutiny Board for consideration. At its meeting on 9 December 2015 the Overview & Scrutiny Board upheld the requisition of the call-in of the Cabinet decision taken on 18 November 2015 regarding the Romford Market Transformation Programme.
5. The Overview & Scrutiny Board expressed several concerns regarding the proposals and associated financial expenditure proposed within the report and agreed that Cabinet should be asked to review its original decision. The draft minutes of the meeting of the Overview and Scrutiny Board where the requisition was considered are appended to this report.

REASONS AND OPTIONS

Due to the timescale associated with the application for external funding for the proposals, a consideration of the requisition of the original Cabinet decision has to be dealt with at this meeting of Cabinet as delaying the process would preclude the previously delegated authority to the Group Director of Communities and Resources, in consultation with the Cabinet Member for Environment, to finalise an application for capital investment from the Mayor of London's London Regeneration Fund.

IMPLICATIONS AND RISKS

As shown in the Cabinet report attached as appendix B. There are no implications or risks associated with this covering report.

BACKGROUND PAPERS

There are none

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**MINUTES OF A MEETING OF THE
OVERVIEW & SCRUTINY BOARD
Havering Town Hall, Main Road, Romford
9 December 2015 (7.00 - 9.25 pm)**

Present:

COUNCILLORS

Conservative Group +Ray Best, Steven Kelly, Robby Misir, Dilip Patel,
Viddy Persaud and Carol Smith

Residents' Group June Alexander, Nic Dodin and Barbara Matthews

**East Havering
Residents' Group'** Gillian Ford (Chairman) and Linda Hawthorn

UKIP Group Lawrence Webb (Vice-Chair)

**Independent Residents'
Group** +Michael Deon Burton and Graham Williamson

An apology for absence was received from Councillor Linda Trew.

+Substitute Members: Councillor Ray Best (for John Crowder) and Councillor Michael Deon Burton (for David Durant).

Unless shown all decisions were taken with no votes against.

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

**33 CALL-IN OF CABINET DECISION OF ROMFORD MARKET
TRANSFORMATION PROGRAMME**

Councillors Ray Morgon and Keith Darvill addressed the Board and gave the reasons for the call-in of the Cabinet decision.

Councillor Morgon commented that the report lacked considerable detail and did not show that the money would be well spent. Councillor Morgon also commented that the Market continued to decline as shopping habits were changing with more purchases now made online rather than from bricks and mortar stores.

Councillor Darvill commented that the aim was to achieve a successful market and Members needed to sure that the proposals represented value for money. Councillor Darvill also commented that the timescale for the implementation of the proposals appeared to be fairly rapid and that the report did not contain a lot of important information. Councillor Darvill

concluded by commenting that the surveys that had been carried out appeared not to show where respondents had come from and showed a lack of engagement with the current traders. Improvement to the Market was needed but Members needed to see more detail of the proposals.

The Chairman advised that she had submitted a number of questions to officers which had been responded to and Members would be emailed a copy of the replies following the meeting.

The Council's Head of Economic Development and Business Development Manager then took members through a presentation of the proposals for the transformation of the Market.

The presentation highlighted the current market profile and the opportunities that were available for members to consider. The presentation also highlighted how the Market could establish a brand identity and vision for the future and also how the operational management of the Market would be handled in the future and how the market could attract new traders.

The requisition had stated that no evidence had been provided that clearly demonstrated that changes to the Market would attract new shoppers and traders and in response officers provided statistics that had been compiled from surveys that had been carried out in the town centre.

The presentation showed that the statistics had been taken from 690 face to face interviews and Members questioned as to why the number of respondents was so low from a borough with a population of nearly a quarter of a million people. Members also wished to know how many of the respondents lived within the borough as it had previously been stated in similar surveys that approximately seventy percent of visitors to the town centre were from outside of the borough.

Officers advised that from surveys carried out by Cosgrave Property Group, the owners of the Liberty Shopping Centres, showed that the town centre received approximately 22 million visitors a year and that the aim of the transformation was to get visitors into the Market from the town centre. The presentation also showed Members examples of transformations that had taken place at other markets across the country.

The requisition had queried that there was little evidence that the consultants employed by the Council, 20.20, had a track record in improving markets and footfall.

Officers advised that 20.20 was a leading strategic design consultancy with experience of working with a number of commercially successful growth strategies, particularly in the retail and leisure sector. 20.20 had been chosen because of their experience and strong track record in retail and because there had been a need for a "fresh pair of eyes" on the Market to bring it into the 21st century.

Officers also advised that they had wanted an independent evaluation of 20.20's report and had employed Alan Ottey to be a "critical friend" of the recommendations put forward by 20.20. The report had been shown to be fully validated and included very robust proposals.

In response to questions regarding the costs of employing the two consultants, officers replied that 20.20's work had cost £60,000 and that Mr Ottey's work had cost the Council £3,500. Members again questioned as to whether there was a need for 20.20 to be involved in the process as they had very little experience of working within a market environment. Officers advised that the process had gone out to tender and tenderers with experience in retail and some with experience in markets had expressed their interests.

Members questioned whether traders from other markets across the country would have been better placed to give their views on what made a good market and how they attracted new traders.

Mr Ottey had reviewed the 20.20 report and had mostly agreed with what had been said, save for a couple of changes regarding the dwell space and layout of the market stalls.

Cabinet had previously agreed to officers continuing their work on attracting GLA grant for additional funding to progress the scheme.

In response to the requisition question highlighting that no evidence had been provided to show that market places in London boroughs were growing in demand the presentation gave several examples of London markets where transformations had taken place and those markets were now going concerns.

In response to the statement that no evidence had been provided that new socio-economic classes would be attracted to the Market, the presentation detailed the key consumer or "Mosaic" groups in the Romford area. The presentation highlighted the target groups that needed to be attracted to the town centre and although there were large populations of these groups in Romford the report had found that these groups were currently under represented within the Market.

Some Members commented that the market had historically had a poor record of ethic trading and that there had been examples of new traders being bullied by existing traders.

Officers responded by advising that a new pledge would be introduced that ensured new traders would be well treated which would help attract existing traders that were currently trading elsewhere. Introductory rent free periods would also be introduced to encourage new traders onto the Market although some Members felt that reduced/free rents would harm the revenue generation figures that had been quoted in the report.

The report had also suggested the possibility of seven day trading and members questioned whether the loss of parking revenue from the Market Place would be offset by the additional trading. Officers replied by commenting that one of the extra proposed trading days was Sunday and that at present no parking charges were levied on Sundays. Other additional trading days may see only part of the market Place being used therefore allowing some parking.

In response to a question regarding the use of consultants previously the Council's Property Services Manager advised that the Council had previously employed Quarterbridge Project Management Limited who had had experience of transforming markets but their recommended improvements had not really worked and regular health-checks of the Market had borne this out. 20.20's work had looked at the Market from a different approach and suggested a different proposal to take the Market forward.

New traders were needed, as unlike in the past where there had been a history of trader succession, this was no longer the case. Traders that traded in the right commodities tended to trade well on Romford Market.

The introduction of this year's Christmas trading village, which was an in-house idea, had provided a buzz around the Market and the traders but it had long been felt that if no long term improvements were made then the Market would be lost.

The presentation also highlighted the costs, both Revenue and Capital investment, that would be required to introduce the project. Members were advised that the Capital investment would need to be costed along with possible loss of parking revenue and brought back to Cabinet for its approval.

Discussions were on-going with catering providers to ascertain what fees they would be willing to pay to secure places on the Market.

The presentation concluded with a brief business case for the proposals that included proposals for the increase in traders and financial margins.

Some Members felt that the money was being spent in the wrong areas such as the "dwell area" and that more money should be spent on encouraging catering ventures into the area.

Officers advised that meetings had taken place with Cosgrave Property Group who had shown interest in re-developing areas of the town centre particularly in Western Road and Swan Walk following the Council's pledge to invest in the Market Place and on the new leisure centre.

Councillor Morgon commented that he had still not heard compelling evidence that the transformation was the right thing to do and that the report had been poorly written and still lacked clarity.

During discussions Members discussed previous attempts to rejuvenate the Market which had been met with opposition from traders who had sometimes shown an appalling attitude and were resistant to any form of change yet complained that the Market was disappearing.

Members felt that the current provision of merchandise was very poor and that all age groups needed to be targeted in encouraging people to use the Market not just the ones highlighted in the presentation.

Member's general feelings were that the investment in the "quiet/dwell" areas was inappropriate and that attracting traders that would sell a wide

range of quality merchandise and the additional provision of quality catering facilities was more suitable towards a successful transformation of the Market.

Member's comments also included that the report had no substance and showed that the proposals were unfunded, uncosted and un-defined. The report also claimed that external funding played a large part in the transformation and Members expressed concerns that if such funding was not forthcoming then what back-up plans were in place for the future of the Market.

Members commented that the loss of parking revenue needed to be shown more clearly in the report and again criticised the report for being vague in areas to the point that the report probably needed re-writing and that it needed to be re-presented in a more persuasive and measured way.

Members also questioned why the proposals had not been considered by the Towns & Communities Overview and Scrutiny Sub-Committee as it fell within its Terms of Reference.

Members felt that there needed to be greater interaction with the current traders but acknowledged the engagement issues that had previously hindered attempts to develop the Market.

Councillor Darvill commented that other markets particularly those on the continent, particularly those in countries such as France, Belgium and Germany which were seen as shopping experiences and attracted shoppers from all over Europe.

Councillor Darvill also commented on the scant information that was available on Romford in the promotional material and advised that all Councillors needed to promote Romford and that the proposals in the report needed to be researched more thoroughly before any money was spent. Councillor Darvill concluded that call-in was felt to be justified and that the call-in should be upheld and the matter referred back to Cabinet for re-consideration.

Members commented that all Councillors wanted to see a more vibrant Market as if the Market declined then Romford declined but the report needed more detail in how this would be achieved and at what cost to the Council.

Generally Members felt that something needed to be done to improve the Market experience however more detail was required to know if the proposals agreed by Cabinet were the right way forward. In some support of the proposals it was commented that change was needed and that procrastination would only lead to a further decline of the current Market provision.

Members also questioned whether a more holistic approach could have been taken to see whether the retail element of Romford was significant enough to attract visitors to the town centre and subsequently to the Market.

In a brief summation the Cabinet Member for Environment commented that a little more research was perhaps required but overall the proposals would ensure that the Market would move forward and prove to be a valuable asset to the Council. The Cabinet member also echoed an earlier comment that procrastination would only lead to a further decline of the current Market provision and possibly lead to a loss of GLA funding.

At this point the Cabinet Member for Environment left the room whilst the Board voted on the decision as to uphold or dismiss the call-in of the Cabinet decision taken on 18 November 2015.

The vote for the decision as to whether to uphold or dismiss the call-in was carried by 8 votes to 4 with 2 abstentions.

Councillors Ford, Hawthorn, Williamson, Deon Burton, Webb, Dodin, Alexander and Matthews voted to uphold the call-in.

Councillors Misir, Smith, Persuad and Patel voted to dismiss the call-in.

Councillors Best and Kelly abstained from voting.

It was **RESOLVED** that the call-in of the Cabinet decision taken on 18 November 2015 be upheld and referred back to Cabinet for its re-consideration.

Chairman



Cabinet

18 NOVEMBER 2015

Subject Heading:

Romford Market Transformation Programme

Cabinet Member:

Cllr Robert Benham Cabinet Member for the Environment

CMT Lead:

Andrew Blake-Herbert
Group Director for Communities & Resources

Report Author and contact details:

Rebecca Davey, Business Development Manager, Economic Development, 01708 432868, rebecca.davey@havering.gov.uk

Policy context:

Havering Council Corporate Plan 2015-16:
Using our influence to 'Regenerate Romford Market to bring in new traders and attract more shoppers'

Financial summary:

The proposal is to develop a business case to establish whether it is appropriate to invest in Romford Market, with a view to regenerating it.

Is this a Key Decision?

Yes. Expenditure or saving (including anticipated income) of £500,000 or more

When should this matter be reviewed?

November 2018

Reviewing OSC:

Towns and Communities

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for	[X]
People will be safe, in their homes and in the community	[X]
Residents will be proud to live in Havering	[X]

SUMMARY

This report outlines proposals for the transformation of Romford Market, these fall under four main headings: branding identity and vision; operational management, business development; physical transformation and improved use of space.

Work on the first three is being initiated; the full physical interventions proposed are subject to the successful award of external funding to match Havering Council's proposed investment.

The transformational plan will see a fundamental change in the way Romford Market looks, feels, is managed and operated as well as changes to the Market Place itself and how it is used on both market and non market days.

RECOMMENDATIONS

That Cabinet:

1. **Endorse** the main proposals developed with the assistance of consultants 20:20 Ltd, as identified in section 4 of this report and task officers to progress implementation.
2. **Authorise** that officers engage with traders, retailers and partners in the delivery of the changes described in the report.
3. **Delegate** authority to the Group Director of Communities and Resources in consultation with the Cabinet Member for Environment to finalise the grant application for capital investment in the market to the Mayor of London's London Regeneration fund.
4. **Delegate** authority to the Cabinet Member for Environment and the Group Director of Communities and Resources to submit further funding applications (eg Veolia and HLF) or to other funding sources relating to the Market and Market Place consistent with the programme outlined in this report.
5. **Note** the appointment of architects to cost and develop full proposals for physical development of the Market Place and to **recommend to Council** the allocation of £1m Council Capital funding of the programme subject to securing sufficient match funding from other sources, and subject to a business case being signed off by the Finance Business Partner and Group Director, Communities & Resources, in consultation with the Cabinet Member for Environment.
6. **Utilise** transformational funding to support the market transformation programme as part of the Council's 'invest to save' model and **authorise** the Group Director of Communities and Resources to release funds accordingly, subject to both the Group Director and Finance Business Partner signing off a business case, in consultation with the Cabinet Member for Environment.

REPORT DETAIL

1. Background

- 1.1. The Corporate Plan sets out the Council's new goals Clean | Safe | Proud and the activities that the Council will undertake to 'support our community', 'use our influence and 'lead by example'. To ensure the borough's residents will be proud to live in Havering the Council has committed to 'Energise towns to improve quality of life' and to 'Regenerate Romford Market to bring in new traders and attract more shoppers'.
- 1.2. The Cabinet approved in July 2015 the Romford Development Framework which presented proposals to strengthen the distinct character and fabric of the town-centre bringing new vibrancy and activity to Romford's historic crossroads and market area whilst respecting and capitalising on its heritage
- 1.3. The Market Place is situated in the historic core which incorporates the Conservation Area and the historic cross roads, retains a number of listed and locally listed buildings and the largest public space in the town-centre.
- 1.4. At its peak, the Market had more than 300 regular traders and was the focal point of the town attracting customers from around London and beyond. There are now less than 90 licensed traders, the product offer is not unique or interesting and there is stiff competition from value chain stores surrounding the market. If the decline continues the market may well reach a critical point where we will not be in a position to turn around its fortunes.
- 1.5. Although Romford Town-Centre is the largest shopping centre in the sub region, one of London's ten metropolitan "centres", the lack of a distinct retail offer in Romford provides little to differentiate itself from other centres. There is potential for the Market to enhance the local economy, contribute to building a diverse independent retail offer, create new public space, and attract new food and beverage uses.
- 1.6. Proximity to London makes Romford town-centre a suitable location for commuters, with comparatively more affordable (for London) house prices for first time buyers. Crossrail is likely to reinforce the attraction of residential living in Romford. This will support the town's economic performance which a revitalised market would benefit from.
- 1.7. Other inner and outer London Boroughs are investing heavily into their market propositions such as Kingston, Chrisp Street and Barking, markets. In these

cases this investment is being undertaken in part as a catalyst for re-branding and revitalising of their town-centres.

- 1.8. To assist the Council in January 2015 the Council commissioned 20:20 Ltd, retail and branding consultants, to review the potential of Romford Market to attract new traders and shoppers, to be managed more effectively and to become a more vibrant part of Romford's retail offer. Their conclusions and recommendations have now been incorporated into a Business Transformational Programme.
- 1.9. 20:20 carried out a full audit of the market and adjacent retail in the town, and undertook research to understand the growth in markets and best practice in other locations in order to understand the challenges and potential of Romford's market.
- 1.10. To inform this work the Council undertook market research in March 2015 interviewing 690 individuals, a synopsis of this is attached as appendix 1 of this report. 20:20 then carried out a further 35 in depth customer interviews with both users and non-users of the market to understand the aspirations of existing customers and potential customers.
- 1.11. Throughout their work they engaged with traders, other retail stakeholders within the town and the Council, to understand unmet needs and requirements of the market as well as collective ambitions

2. 20:20 Ltd findings

- 2.1 Many of Romford Market's challenges are universal such as the rise in internet shopping and the increase in low cost grocery retailers, pound shops and cheap high street fashion retailers. In addition there has been a change in consumer habits who are increasingly time poor, who save browsing time for value-added experiences. Many challenges are also specific to Romford market itself.
- 2.2 The main findings of 20:20 are outlined below, with most relating to the market and some to Romford as a Town.
 - 2.3.1 Romford Market mainly appeals to low income, ageing demographic with limited disposal income. There is strong potential for the market amongst Experian groups 'settled extended families'; 'Young Families with children' and '65plus with disposable income'.
 - 2.3.2 Across the Town as a whole there is a good mix of retail, leisure caters for the over 50s and under 21s but gaps for other customer groups particularly families, young professionals and affluent 65 plus.
 - 2.5.3 The branding, marketing and events programme for the Market does not encourage these customer groups through interesting events,

variety of product and experience, discounts and elements that build loyalty.

- 2.5.4 There has been a significant loss of trader numbers over the last few years with an average of 136 licensed and casual traders in 2011/12 against a current average of 98. Whilst traders would have usually sold or passed their business onto another family, now it is usual for stalls to be returned to the Council. With the reduction of traders Romford Market has had a reduced revenue income, for the past three years.
- 2.5.5 There is inadequate existing resources with a sole responsibility to source new traders for the market.
- 2.5.6 There is a lack of quality products, a limited diversity of traders providing a limited mix of and poor representation in both key retail drivers such as men's fashion and leisure food and beverage offer.
- 2.5.7 Odd adjacencies and product groupings makes some products less desirable.
- 2.5.8 Despite previous studies in 2012 that showed a very strong demand for a hot food offer within the market, efforts to deliver this have been ineffective and Romford market is woefully under-represented in food.
- 2.5.9 A wider review of retail and commercial offer in Romford concluded (in line with the findings identified in the work to develop the Romford Framework) that there was a lack of quality A3 (restaurants and cafés) and a wider variety of food and beverage provision in Romford. They believed the Market Place could provide such an opportunity.
- 2.5.10 Current stall positions leave gaps, reduce density and bustle, add to the feeling that 'the market is dwindling'. There is a disparity of stall treatments and the lack of standards leaves the market feeling unloved and shabby in parts.
- 2.5.11 Current management resource is not very visible to both traders and customers and there is a need for better control of key operational components such as erecting and breakdown of stalls, pitch locations, flashing and visual merchandising.
- 2.5.12 Romford Market currently lacks any areas for the local community to sit and dwell and it presents very few opportunities for families to relax

The London Retail Street Market Study shows that the number of consumer visits per stall per day for food is 161 and non-food is 38.

Market research undertaken in early 2015 indicates that 76 per cent of respondents visit Romford Market but that 44 per cent of would like to see 'better quality and more variety

and enjoy themselves. Successful town-centres benefit increasingly from dwell space to improve dwell time' (the length of time a customer spends in the town-centre), Experian research and evidence from private car park statistics show dwell time is low, again this is consistent with the findings of the analysis behind the Romford Framework. To increase dwell time the leisure, food and beverage and amenity space requires improvement.

2.5.13 There is a lack of connection to the other retail zones in town including good way-finding. The market appears isolated and the location of stalls into North Street dilutes the core market.

2.5.14 The Market Place itself is a 'huge asset' that the Council controls which isn't performing as well as it could in terms of public amenity, car park, or market and it could generate more income for the council and more importantly add value to the town-centre.

3. Key 20:20 recommendations

- 3.1. Re-establish the importance of the market and Market Place as the core and historic heart of Romford. There is an opportunity to strengthen Romford's identity by providing a civic focal point for leisure and cultural activities. Through investing in play provision, revamped market, creation of dwell space.
- 3.2. The changing demographics of the town with more residential living the market suggest we should aim to target more town-centre dwellers such as young professionals and commuters and weekends and evenings. During the week, target discerning over 65 and younger families whilst seeking to retain its 65 plus loyal customer base
- 3.3. Develop a new brand concept around the theme 'An Everyday Adventure' to appeal to these new target customer groups of young families, affluent 65 plus and young professionals.
- 3.4. Move and improve current stalls e.g. frames and coverings and better visual merchandising and better represent the everyday adventure brand.
- 3.5. Invigorate the secondary events programme with regular visiting markets, seasonal and cultural events.
- 3.6. Improve the visibility of the Market management team to traders and customers.
- 3.7. Establish a Market Pledge which outlines the responsibilities of both the council and the traders – expectations in terms of behaviour, customer services, maintenance, product and visual merchandising standards, within the market, help establish an elected market committee.

- 3.8. Consider timings and trading days in order to attract new target customer's and increase the number of traders.
- 3.9. Balance and further populate the product offering to better reflect the Romford population's shopping patterns and provide a unique product experience.
- 3.10. Increase the proportion of premium products (approximately 10%-25%) especially in food and gifts to lift the overall standard of the market and compliment key offer currently available on the Market which is food and fashion.
- 3.11. Focus product categories to appeal to the key family demographic such as home-ware, family apparel, children's-wear, artisan foods, toys and gifts, woman's accessories and arts and craft.
- 3.12. In line with other markets and the high street more generally, increase cold packaged, fresh and hot food offer 40% of overall market offer.
- 3.13. Zone the market to create a natural 'buzz' and bustle.
- 3.14. Connect Market Place with the rest of Romford with signage, graphics, design and way-finding creating tangible links.
- 3.15. Introduce a public space improve customer satisfaction, increase dwell time and help change perceptions of the market place.
- 3.16. Introduce permanent and semi-permanent food and beverage units to allow the Council to influence and enhance the core leisure town-centre offer.

4. The Transformation Programme

Following 20:20 findings and recommendations, the Council has prepared a transformation programme under the headings below:

- a) Branding, identity and vision
- b) Operational management
- c) Business growth and development of market offer
- d) Physical transformation and improved use of space

4.1. Branding, identity and vision

- 4.1.1. We will implement the 'an everyday adventure concept' celebrating ordinary, sense of discovery, multipurpose, multi-occasion – always worth a visit.
- 4.1.2. We will establish a new mission to deliver a best in class market experience that regenerates Market Place and acts as a catalyst for growth in visitor numbers and retail spend across Romford and a focus on becoming more family friendly and appealing to discerning Shoppers.

4.1.3. The branding will support subsequent changes outlined below to ensure the market is fit for our new target customer market, appealing to a new type of trader and underpins the market's new ethos of an 'everyday adventure'. To achieve this a visual realisation of the 'Everyday Adventure' will be developed with the creation of brand including logo, stall covers, uniforms and signage. An enhanced seasonal events programme and entertainment will be curated together with a refreshed website and use of social media and marketing campaigns.

4.2. Operational management

4.2.1. In order to create a positive environment for trading and improve operational efficiency to reduce costs, generate sales and improve our relationships with our traders we propose to:

4.2.2. Introduce a 'Trader Pledge' and management service level agreement *which will* include: a commitment to trade on all market days; adhere to flash presentation and customer service guidelines; respect all diversity customers and co-workers. It is proposed to introduce a new elected trader organisation to ensure management is visible, available and accessible to customers and traders by installing a market management facility on the Market.

4.2.3. We will consider interventions to better manage and control the shape of the market, improve the efficiency of the erection and dismantling of stalls as well as improve capacity and quality of market maintenance, cleanliness and waste management.

4.2.4. We will significantly improve digital capacity, e-commerce and service delivery by introducing superfast Wi-Fi, contactless/card payments and trader digital marketing. This will be supported through training for managers and traders to ensure delivery and uptake.

4.3. Business growth and development of market offer

4.3.1. Increasing the number of traders on the market is a priority in order to improve the quality and diversity of the offer within existing commodities and introduce new 'interest' categories that appeal to our target customer groups.

4.3.2. A new business development resource will focus on encouraging existing traders to expand and diversify product offer, recruiting and incentivising new experienced traders, and supporting new traders/micro businesses with an incubation strategy.

4.3.3. Plans for the new shape of the market will be developed and designed to ensure it can contract and expand, removing gaps and allowing clustering of complementary traders. If funding permits a new look with high quality, modern fixed stalls will be trialed to radically improve the appearance of the market.

- 4.3.4. It is proposed to consider new market days with a different focus to attract different traders to meet the requirements of the target customer groups, these traders can then be dispersed through traditional market days and the market adapt to current shopping patterns e.g. early evening and Sunday hours.
- 4.3.5. Initially this could include a Thursday market focusing on food and beverage and higher end wares with slightly later trading times to attract young professionals, strengthen late night opening and improve early evening leisure offer. A Sunday market could be a themed vintage and pre-loved (flea market) offer that attracts, boutique casual traders and capitalise on increasing number of shoppers and free parking on a Sunday.

4.4. Physical transformation and improved use of space

- 4.4.1. It is proposed to create a flexible, multifunctional public space with sensitive public art, design, way-finding and lighting linked to the heritage of the market place that enhances the Conservation Area (which is currently on Heritage England's 'At Risk' register.)
- 4.4.2. The key features would include: semi-permanent canopies for year round weather proof activity; Semi-permanent catering installations utilising the public realm for Food and Beverage concessions; Community and dwell space including multi-functional family friendly area incorporating children's play. Car parking would be rationalised as part of the design process and this loss of car parking space would need to be evaluated.
- 4.4.3. The costs of undertaking this work have been scoped and could be above £2m. Through discussions with officers and Cabinet members such investment by the Council on its own it is believed could not be justified. However, if other funding can be secured it is recommended that the Council match that funding.
- 4.4.4. A consultant project team has subsequently been appointed in October to lead on designing Market Place as a multi-function space, with lead consultant DK-CM Architects and specialist team comprising market, food and beverage and quantity surveying expertise. Stakeholders, traders, members and the public will be consulted as the appointed team develop full proposals.

5. Strategic Rationale for the Council's investment

- 5.1. The objectives for this project are to transform Romford Market, create a new heart of the town in the Market Place and act as a catalyst for the town's future growth.
- 5.2. These initiatives fit well with the government's devolution agenda and the ability of the Council to use its influence and funding to support the growth and

retention of businesses in its area and support its business rate income. Romford Town Centre currently accounts for £33 million in business rates this is 40% of the total business rates collected by the borough.

- 5.3. Ensuring Romford remains a viable metropolitan centre will be vital to protecting and retaining the business rate base. Developing and building on the existing retail offer and key assets, such as the market place, will be key to cementing and growing Romford's position as a retail and leisure destination.
- 5.4. The results of the transformational programme will be higher quality and more diverse product offer on the market with an increase number of traders. Our target is an increase of 50 over 4 years and more trading days as described. This could lead to an increase in income.
- 5.5. Capital investment would create a new civic area for the town, with semi-permanent cafe offer. It will be a location for Romford residents and visitors to dwell. Partial covering of the square will improve the trading environment and ensure this space is used throughout the year.
- 5.6. Once external and match funding is secured for a capital investment a full economic impact assessment will be done, however, studies show that for every £1 spend in a market, normally a town benefits from £1.7 additional spend elsewhere. Therefore based on average spend per stall per day 25 new traders could bring in c£1.2 million of additional spend into Romford town-centre.
- 5.7. The investment in the market could be the catalyst for additional investment in the town including the Liberty, who have, for a long time owned the empty premises immediately adjacent to the Market Place at Swan Walk, this could bring in in excess of £500K business rates to the borough.

6. Financial investment

- 6.1. Achievement of these outcomes is dependent on investment from the Council and other sources. These are outlined in broad terms below.
- 6.2. Creating a brand with new covers/website/branded uniforms/marketing campaign will require one off investment and continued funding to maintain marketing campaigns and events programmes out of existing budgets.
- 6.3. Increasing the range and number of traders will require investment in business development resource and a business support package. This may be self-funding within two years.
- 6.4. Funding would be required to deliver wifi in the town together with a digital training and support package for traders. There may be commercial revenue opportunities from this which we are exploring.

- 6.5. We will need new stalls; this may in part be delivered through monies secured through the LEP New Homes Bonus fund.
- 6.6. The significant reshaping of the Market Place to deliver covered areas, catering units and children's/family friendly area would cost upwards of £2m which would only take place if we secured match funding (see section 7 below).
- 6.7. It is proposed that consideration be given for an experienced transformation manager, who could assist the Council in the delivery of this programme of change. This post would need to be funded.
- 6.8. A detailed business case is under preparation. Recommendations 5 and 6 are dependent on a business case being signed off by the Finance Business Partner and the Group Director of Communities and Resources, in conjunction with the Cabinet Member for Environment.

7. External funding sources

Mayor's London Regeneration Fund

- 7.1. The London Regeneration Fund has been established by the London Enterprise Panel (LEP), using funding secured as part of its 'Growth Deal'. There is £20m capital funding available, between April 2016 and April 2018, to specifically help London's high streets and places of work by supporting innovative and place-based projects throughout the city (across 32 London Boroughs).
- 7.2. An outline application has been submitted to the Mayor's regeneration fund to attract and establish new retail and catering businesses, create a covered section of the Market, install new stalls, catering facilities, and a feature play space. Proposals submitted are being assessed and successful ones finalised in December 2015.
- 7.3. It is proposed in recommendation 3 of this Cabinet report to give delegated authority to the Group Director of Communities and Resources in consultation with the Lead Member for Environment to finalise the grant application for capital investment in the market to the Mayor's London Regeneration fund

Other funding sources

- 7.4. Heritage England have indicated that they would support the council in an application to the Heritage Lottery Fund Townscape Heritage programme which helps communities regenerate deprived towns and cities across the UK by improving their built historic environment. Grants range from £100,000 to £2million.

- 7.5. We have begun discussions with Veolia North Thames Trust about the exciting plans to transform the Market Place for public dwell and play space and whether this would meet Entrust criteria around the provision, maintenance or improvement of a public park or public amenity.
- 7.6. Other funding sources to invest in the public realm include Transport for London.
- 7.7. Recommendation 4 proposes to delegate the authority to Lead Member for Environment and the Group Director of Communities and Resources to submit further funding applications (eg Veolia and HLF), or to other funding sources relating to the Market and Market Place and consistent with the programme outlined in this report.

8. Governance

- 8.1. A Project Board will be established to oversee this programme of change, this will include the Group Director of Communities and resources in conjunction with the Cabinet Member for Environment.
- 8.2. A transformation manager will be employed to oversee the programme reporting to the Head of Property Services to oversee the transformational programme and ensure all relevant internal and external stakeholders are engaged.
- 8.3. The Service Heads of Economic Development and Streetcare will form part of the delivery group to support the proposed changes and ensure the market both fits in and is supported by the other investments in the town.

9 Next Steps

Engage with traders and other stakeholders over proposals	Nov/Dec 2015
Develop full business case and transformation programme	Nov/Dec 2015
Recruit new staff:	
e.g. Transformation and Business Development Manager	Nov/Dec 2015
Development of brand concept	Nov 2015
Public/trader/stakeholder consultation on Physical design	Nov 2015
Christmas Village	Dec 2015
Introduce market pledge and trader organisation	Jan 2016
New covers, and generators (to move stalls)	March 2016
Launch of new brand and layout	March 2016

REASONS AND OPTIONS

Reasons for the decision:

A revamped market will bring income to the council and will spur economic activities elsewhere in the town. The Romford Development Framework indicates Romford is poised for significant future growth with the potential of 3,400 homes, and 23,000 m² of office and retail space leading to 480 new jobs over the next 10 years. The RDF and findings of the 20:20 study show that to reach this potential, Romford needs to improve, and this Market Transformation Programme is fundamental to cementing and growing Romford's position as a retail and leisure destination.

Other options considered:

Do nothing. Without intervention the market will continue to decline and underperform as a commercial proposition but also as an asset for the Town.

IMPLICATIONS AND RISKS

Financial implications and risks:

The market generates in excess of £500K gross income for the council per annum, and the fortunes of the market can be changed. The projected increase in net profit from the transformational programme is in the order of £130,000 on an annual basis.

To achieve this improvement transformational funding 'invest to save' monies will be needed. These will be released as per the recommendations in the report.

Capital investment as described in the report can be factored into the Council's future programme and will need to be approved by full Council. Release of capital funds is dependent on receiving match funding from external sources.

There would be a loss of car park income depending on the physical interventions and expanding the number of market days.

Legal implications and risks:

The London Borough of Havering owns the market rights to operate a market, and to licence any other markets within a 6 and 2/3 mile radius of Romford Market. These market rights were granted by the Crown in 1247. Under the Royal Charter of the Liberty of Havering, granted by King Henry III no other market is permitted to set up within a 6 and 2/3 miles radius of the Romford market. Any market within this radius shall be deemed to be a Rival Market. . The effect of this is that the council as owner of a franchise is able to grant or refuse permission for rival markets. Under the charter, a Wednesday market is operated.

A Friday and Saturday market on the same site is held under powers conferred by the Food Act 1984. The same Licensing Rights referred to above apply to the Friday and Saturday market other than in respect of a directly operated local authority

market. Any additional market trading days (Thursday and or Sunday) may be established under S.50 of the Food Act, or optionally operated under the London Local Authorities act 1990.

S.50 of the Food Act provides local authorities with the power to establish markets within their area, subject to the proviso that a market may not be established so as to interfere with any rights, powers or privileges enjoyed in respect of a market within the area without the consent of the person with the benefit of such rights. Should there be any market operators falling within this group, the council will require their consent. S.52 of the Act provides that a market authority may appoint days on which, and hours during which, market days are to be held. S.53 allows charges to be demanded in respect of the market and S.60 allows byelaws to be made, dealing with matters including, the regulation of the Market Place and prevention of nuisances or obstructions in the market place.

Trading at the Romford market does not constitute 'street trading' for the purposes of the London Local Authorities Act 1990 (the Act) S.41 of the Act provides an exemption for "anything done in a market or fair the right to hold which was acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of an enactment or order. Markets established by Charter or statute are therefore exempt from the street trading regime under the Act. This means that a street trading licence is not required under the Act.

Development within Romford market or a variation to trading days may require the grant of planning permission before being implemented.

The proposals are likely to impact on car parking arrangements in the market. Any proposals to change an existing Traffic Management Order would require advertisement and consultation before a decision can be taken on their implementation.

The council should also conduct an Equalities Impact assessment on the proposals to improve the market offer and environment.

The proposed delegations are ones which can be made by Cabinet.

Further legal issues may arise as the proposals are developed.

Human Resources implications and risks:

There will be a requirement to recruit new resources to oversee the Market transformation project, undertake the business development aspects of delivery and deliver a programme of activities to ensure Romford market becomes an experience and destination. As market operational issues are developed and changes there may be further human resource implications.

Equalities implications and risks:

A strategic Equalities Impact Assessment covering all of the work streams comprising the market transformation programme will need to be undertaken. Completing this analysis will assist the organisation to identify practical steps to address any negative effects and to highlight positive interventions. It will ensure we have record of our

decision making processes and activities we have completed to ensure that no groups are adversely affected by the implementation of this project. The EIA will be updated regularly and a full and final EIA will be published upon completion of the project.

BACKGROUND PAPERS

There are none

Appendix 1

Romford Market Research




Methodology

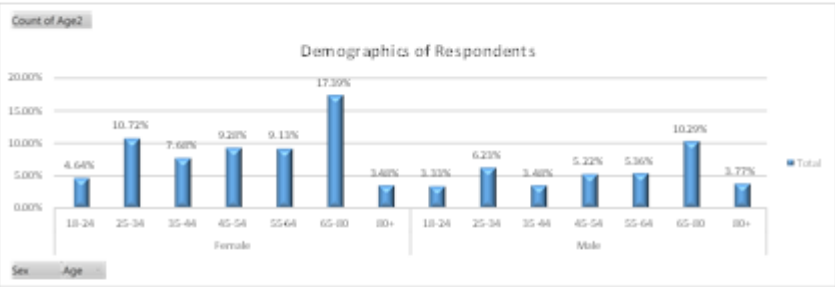
- Assosia were commissioned to conduct face to face research / questionnaires with members of the public about Romford Town Centre . Surveys were conducted in 6 separate locations within Romford as follows:
 - Liberty Shopping Centre
 - Mercury Shopping Centre
 - Market Place – Near Debenhams
 - South Street/ Market Place Cross Roads
 - Visitor centre on South Street
 - Arcade Place – Near Brewery
- The research was conducted on the following dates:
 - Saturday 21st March (Market Day)
 - Tuesday 24th March (Non-Market Day)
 - Wednesday 25th March (Market Day)
 - Thursday 26th March (Non-Market Day)
- This Appendix shows the information gathered that relates to Romford Market



Demographics




➤ A total of 690 surveys were completed in Romford Town Centre across all days, with the following percentage split by Gender and Age:



Gender	Age Group	Percentage
Female	10-24	4.64%
	25-34	10.72%
	35-44	7.68%
	45-54	9.28%
	55-64	9.13%
	65-80	17.39%
	80+	3.40%
Male	10-24	3.33%
	25-34	6.23%
	35-44	3.40%
	45-54	5.22%
	55-64	5.30%
	65-80	10.29%
	80+	3.77%

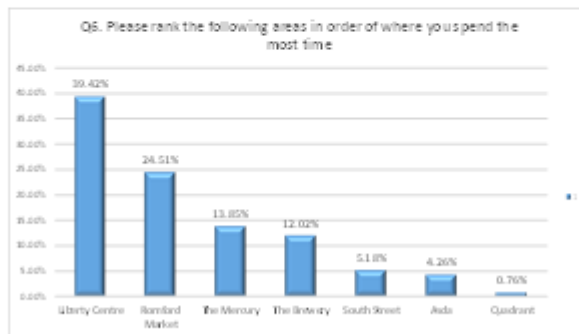
- The feedback captured was fairly evenly split between male and female respondents (38% vs 62%).
- The highest responses from both Genders being aged 65–80years (28% total).



In which area of Romford do you spend the most time?



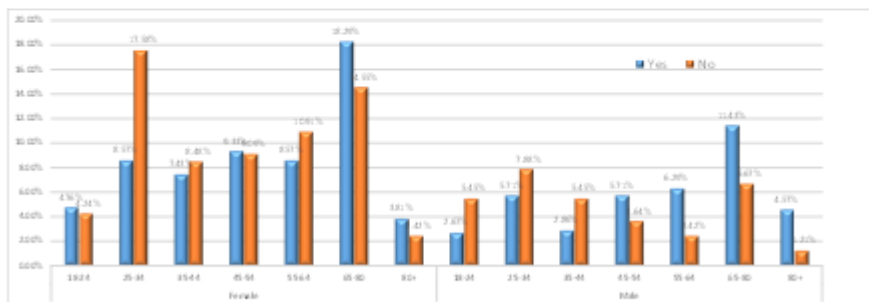
- Respondents were asked to rank 7 areas of Romford Town Centre in order of where they spend the most time – 39% of respondents (259) stated that 'The Liberty' was where they spent the most time, followed by 'Romford Market' with 25% (161) and 'The Mercury' at 14% (91).
- 'The Quadrant' was where shoppers spent the least time with only 1% selecting this area. During the face to face surveys, many shoppers were unaware of this area at all.



Do you ever visit Romford Market?



- Overall, 76% of respondents confirmed that they did visit Romford Market.
- Of those that confirmed they did visit Romford Market, there was a 60/40% split between Female and Male respondents. The highest percentage by age across both genders was those aged 65–80 years.
- Of those that did not visit Romford Market, the highest percentage was those aged 25–34 years.



If you do visit Romford Market: What do you enjoy the most?

Assosia
Quality Assured

- 22% of respondents confirmed that the thing they liked most about Romford Market was 'The Atmosphere', this was followed by 19% that liked 'The Variety of Stalls' and 16% that liked 'The Cheap Products'.
- Other enjoyable factors accounting for less than 1% of the overall feedback (not displayed in the below graph) were;
 - The Layout, Christmas Time, Convenience, Sweet Stalls, Indoor Market, Speciality Shops & Pubs & Bars.

Category	Percentage
The Atmosphere	21.56%
Variety of food stalls	18.18%
Cheap products	16.49%
Fruit & Veg stalls	7.82%
Renovating	7.27%
Christmas/history	6.11%
The people	4.54%
Not remembering I went	4.27%
Christmas and January stalls	3.69%
Flower stalls	3.01%
Indoor/food stalls	2.43%
Fresh food	2.43%
Manufacturers	1.44%
Meat stall	1.05%
Comments	0.45%

Havering
LONDON BOROUGH

If you do visit Romford Market: What do you enjoy the least?

Assosia
Quality Assured

- 35% of respondents (178) confirmed that the thing that they liked least about Romford Market was that 'It has deteriorated & there are not enough stalls', thereafter 30% (153) confirmed that the Market 'Lacked Variety'.

Category	Percentage
It has deteriorated / Not enough stalls	34.50%
Lack of variety	29.65%
Dirty / Lots of litter	6.25%
Crowds of People / Too Busy	5.00%
Road people	4.20%
No atmosphere/lost character	3.60%
Being outside	3.10%
Lack of toilets	2.71%
Poor Quality	2.33%
No dressing rooms	1.74%
I feel unsafe	1.52%
It needs upgrading	1.16%
The layout	0.97%
Non-English people	0.70%
Cashiers make it difficult to walk	0.70%
Only opens 3 days a week	0.70%
No Vegan Cafe	0.39%
Fish stall	0.19%

Havering
LONDON BOROUGH

If you could make any changes to Romford Market, what would those changes be?

Assosia
Quality Assured

- > Almost half of all respondents asked (45%) confirmed that 'Increasing the Number of Stalls' would be the main change they would like to see. This was followed by 20% of respondents that would like to see 'More Variety of Stalls'
- > Other suggested changes accounting for less than 1% of the overall feedback (not displayed in the below graph) were;
 - A Better Atmosphere, More Food Stalls (including Vegan options), Lower Parking Fees, More Seating Areas, More Family Entertainment, More Book Stalls & More Fabric Stalls.

Change	Percentage
Make it bigger / more stalls needed	45.00%
More variety of stalls	20.00%
Put it back to how it used to be	8.00%
Keep it clean & tidy	4.00%
More toilets	3.00%
Needs upgrading / refurbishing	3.00%
Make it undercover	3.00%
Improve quality of products	2.00%
Increase security	2.00%
Offer dressing rooms	1.00%
More Market Days	1.00%
More items available	1.00%
Reduce prices	1.00%
More English produce	1.00%

Havering
LONDON BOROUGH

If you do not visit Romford Market: Why do you not?

Assosia
Quality Assured

- > Excluding 24% that had 'No interest in Markets', almost half of respondents (48%) confirmed that they do not shop on Romford Market because they 'Can buy the same items in the shops'.
- > 13% do not shop on Romford Market because 'It has gone downhill and there are only very few stalls left'.

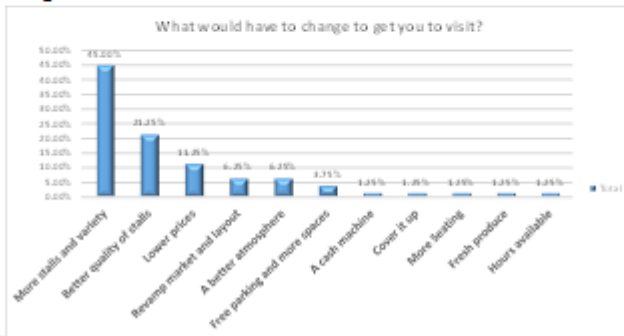
Reason	Percentage
Can buy the same in shops	48.42%
Some downhill / Only a few stalls left	13.76%
Not enough variety	11.66%
Out of the way	8.54%
Dirty/Other	4.26%
Poor quality	3.87%
Too busy	3.37%
I don't have time	2.88%
No cover and lack of seating	1.50%
Not enough English speaking people	1.50%

Havering
LONDON BOROUGH

If you do not visit Romford Market: What would have to change to get you to visit?



- Excluding those again that had 'No interest in Markets', 45% claimed that there would need to be 'More Stalls and More Variety' to get them to visit.
- Thereafter 21% of respondents would want 'Better quality stalls' and 11% would want 'Lower Prices'.
- Other requests included; 'A Revamp / Layout Change', 'A Cash Machine' & 'More Seating'.



COUNCIL, 27 JANUARY 2016

REPORT OF THE GOVERNANCE COMMITTEE

SEALING OF COUNCIL DOCUMENTS AND DELEGATION TO LEGAL OFFICERS

At its meeting on 13 January 2016 a report (attached) was presented to Governance Committee which proposed a number of minor refinements to the Constitution and asked Members to recommend to Council a change in the arrangements in relation to the sealing of Council legal documents and the delegation of legal powers to legal officers to enable more efficient management of the respective legal processes.

Article 10.05 of the Constitution requires that *“the seal shall be attested by two individuals from a prescribed list which must (except in exceptional circumstances) include either the Mayor or Deputy Mayor.”*

The inclusion of the Mayor or Deputy Mayor was an historical requirement and it was unclear what purpose this additional requirement served given the complex nature of these documents and the governance processes that were undertaken before such documents were sealed. The inclusion of Mayor or deputy Mayor as signatory had inevitably led to delays in completion of contractual agreements. In addition, most of the documents would have been prepared by legal services which were now based at Stratford and consequently there was a requirement for engrossed documentation to be couriered to the Town Hall for the Mayor to complete his element of the process. It had been noted that many contracting third parties found this process overly bureaucratic and frustrating, particularly where tight dead-lines were in place and it was difficult to justify this cumbersome approach or identify the risk which this process was designed to control.

It was therefore suggested that the requirement for the Mayor or Deputy Mayor to attest the sealing of documents is removed and that at the same time, the base-line for documents which would require sealing should be raised from the current £100,000 – where it has been for some considerable time – to £150,000 and the Constitution be amended.

The Governance Committee accordingly recommends to Council that the following changes be incorporated into the Constitution:

1. The second paragraph of Article 10.4 of the Constitution be amended to read:
“Contracts must be made under the common seal of the Council in accordance with rule 16 of the Contract Procedure Rules. Contracts under £150,000 may, in most circumstances, be signed by the Chief Executive or the appropriate Group Director, Director of Legal and

Governance or Head of Service in accordance with the Contracts Procedure Rules set out in Part 4.

2. The monetary threshold for the sealing of contracts as set out in rule 16 of the Contract Procedure Rules be raised to £150,000.
3. Article 10.5 of the Constitution be amended to read

“The common seal of the Council may be affixed to any document on the authority of any either of the Chief Executive, a Group Director, the Director of Legal and Governance, the Deputy Director of Legal and Governance, a Principal or Senior Lawyer.

“The seal shall be attested by that individual and an entry of every sealing of a document shall be made and consecutively numbered in a register to be provided for the purpose and shall be signed by the person who has attested the seal.”



GOVERNANCE COMMITTEE

13 January 2016

Subject Heading:

The sealing of Council documents and delegation to legal officers

CMT Lead:

Daniel Fenwick, Director of Legal and Governance

Daniel.fenwick@onesource.co.uk

01708 432714

Report Author and contact details:

Anne Brown Interim Deputy Director Law and Governance, 01708 432091

anne.brown@onesource.co.uk

Policy context:

The Monitoring Officer is authorised to propose changes to the Constitution as from time to time seem appropriate

Financial summary:

To lessen the Council's exposure to financial loss and to increase operational efficiency.

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for

People will be safe, in their homes and in the community

Residents will be proud to live in Havering

SUMMARY

The report proposes a number of minor refinements to the Constitution and asks that members recommend to Council a change in the arrangements in relation to the sealing of Council legal documents and the delegation of legal powers to legal officers to enable more efficient management of the respective legal processes.

RECOMMENDATIONS

The Committee recommends to Council that:

1. The second paragraph of Article 10.4 of the constitution be amended to read
“Contracts must be made under the common seal of the Council in accordance with rule 16 of the Contract Procedure Rules. Contracts under £100,000 may, in most circumstances, be signed by the Chief Executive or the appropriate Group Director, Director of Legal and Governance or Head of Service, in accordance with the Contracts Procedure Rules set out in Part 4.
2. The monetary threshold for the sealing of contracts as set out in paragraph 16 of the Contract Procedure Rules be raised to £150,000.
3. Article 10.5 of the Constitution be amended to read

“The common seal of the Council may be affixed to any document on the authority of any either the Chief Executive, a Group Director, the Director of Legal and Governance, the Deputy Director of Legal and Governance, a Principal or Senior Lawyer.

The seal shall be attested by the individual and an entry of every sealing of a document shall be made and consecutively numbered in a register to be provided for the purpose and shall be signed by a person who has attested the seal.”

REPORT DETAIL

SEALING OF DEEDS

- 1 Certain agreements, namely land transfers and contracts over an agreed monetary value, are required to be executed as deeds. This enables enforcement action to be commenced after the usual time limitation period of 6 years. In such instances the agreements are not completed by the signature of an authorising officer but by affixing the councils seal.
- 2 The Council constitution at Article 10.04 provides:-
“Contracts with a value exceeding £100,000 must be made under the common seal of the Council in accordance with rule 16 of the Contract Procedure Rules.”

- 3 However rule 16 of the Contract Procedure Rules adopts a more pragmatic and flexible approach providing:-

“16 Execution of contracts

Contracts over £100,000 to be sealed

Contracts with a total value of more than £100,000 will be executed under seal in accordance with Article 10.04 of the Constitution unless the Director of Legal & Governance approves otherwise.

Contracts under £100,000

Unless the Director of Legal & Governance approves otherwise, contracts with a total value of less than £100,000 will be executed by the signature of the duly authorised Head of Service or more senior staff as appropriate, in accordance with the functions delegated to staff under section 3 of Part 3 of this constitution.

Contracts with a total value of less than £100,000 may be executed under seal where the Head of Service or Member of CMT and the Director of Legal & Governance deem this appropriate.

Care & Consultancy Contracts

Contracts for the provision of personal social services to an individual (eg residential care) and educational placements may be signed by the relevant approved officer (as formally designated by the Head of Service or more senior staff and lodged with the Director of Legal & Governance) provided that the annual value of the contract does not exceed £200,000. If it will exceed £200,000 then the contract must be signed by the Director of Legal & Governance.

Contracts for consultancy services and specialist advice (other than those that form part of a larger contract or project) may be signed by the relevant Head of Service or more senior staff provided that the total value of the contract does not exceed £200,000. If it will exceed £200,000 then the contract must be signed by the Director of Legal & Governance.”

- 4 The baseline monetary threshold has not been revised for a number of years and it is suggested that the threshold be raised from £100,000 to £150,000 and that the contract procedure rules be amended accordingly. In order that there is no confusion between the Articles and the contract procedure rules it is also suggested that Article 10.4 be amended to read:

“Contracts must be made under the common seal of the Council in accordance with rule 16 of the Contract Procedure Rules. “

- 5 Article 10.05 of the constitution requires that “the seal shall be attested by two individuals from a prescribed list which must (except in exceptional circumstances) include either the Mayor or Deputy Mayor.
- 6 The inclusion of the Mayor or Deputy Mayor is an historical requirement and it is unclear what purpose this additional requirement

serves given the complex nature of these documents and the governance processes that are undertaken before such documents are sealed. The inclusion of Mayor or deputy Mayor as signatory has inevitably led to delays in completion of contractual agreements. In addition most of the documents are prepared by legal services, currently based at Stratford and consequently there is a requirement for engrossed documentation to be couriered to the Town Hall for the Mayor to complete his element of the process. Many contracting third parties find this process overly bureaucratic and frustrating, particularly where tight dead lines are in place and it is difficult to justify this cumbersome approach or identify the risk which this process is designed to control.

- 7 It is therefore suggested that the requirement for the Mayor or Deputy Mayor to attest the sealing of documents is removed.
- 8 The Leader has indicated his support for these proposed changes. Anecdotally this is now the common practice of local authorities and a survey of the procedures adopted by other London Borough Councils and of their sealing monetary thresholds is currently underway and will be available at the meeting for members to use as a comparator.
- 9 There is a process for urgent attestations which enables officers to attest the sealing of the document in the absence of the Mayor or deputy Mayor and the subsequent reporting of the exercise of that power to the next meeting of Council . If members are minded to accept the officer proposals set out below this provision will no longer be necessary.
- 10 It is also suggested that the designation of authorised officers who attest the affixing of the seal be amended to reflect the new titles of legal services personnel following the legal services restructure.
- 11 The reference to Head of Legal Services should now refer to Deputy Director of Legal and Governance and reference to Legal Manager be changed to Principal Solicitor or Senior Lawyer.
- 12 If members agree with these proposals, Article 10.05 will read as follows:-

"The common seal of the Council may be affixed to any document on the authority of either the Chief Executive, Group Director, Director of Legal and Governance, Deputy Director of Legal and Governance, Principal Lawyer or Senior Lawyer.

The seal shall be attested by that individual ..."

Reasons for the proposed changes:

- 13 The selection of persons to attest the sealing of council documents is usually based on an assessment of risk and appropriate control. There is a limited risk that affixing of the seal could be used for fraudulent

purposes or that the documents to be sealed are inappropriate. There are in both instances a number of controls in place to manage these risks and unless the Mayor or Deputy Mayor was either legally qualified or extremely experienced in this area it is unlikely that they would possess the skill set to review those controls at the point of sealing. Moreover the logistics around the current process arguably involve unnecessary delay and expense.

- 14 The raising of the monetary threshold reflects the changing value of contracts against their complexity and the need for sealing with many contracts above £100000 being routine and standardised in nature yet requiring affixing of the Councils seal. Moreover the Director of Legal and Governance retains the power to require contracts below the monetary threshold to be made under seal where appropriate.

Other options considered:

- 15 The status quo continues with the inherent logistical difficulties described earlier within the report.
- 16 That the monetary threshold for sealing of documents be raised to a higher level for instance £200,000. It was felt that whilst anecdotally many councils operate at this level the Council should take an incremental step change based on its current experience.

IMPLICATIONS AND RISKS

Financial implications and risks:

None given that the Director of Legal and Governance retains the right to require documents under the monetary threshold to be sealed where appropriate.

Legal implications and risks:

Most of the legal implications relating to the substance of the issues are contained within the body of the report. Article 11 of the Constitution provides it is the responsibility of the Governance Committee to monitor and review the operation of the Constitution to ensure that the aims and principles of the constitution are given full effect and to make recommendations to Council on its possible amendment.

Human Resources implications and risks:

None

Equalities implications and risks:

None

BACKGROUND PAPERS

None

COUNCIL, 27 January 2016

REPORT OF THE CHIEF EXECUTIVE

**SUBJECT: OVERVIEW AND SCRUTINY RULES – EXCEPTIONS TO
THE CALL-IN (REQUISITION) PROCEDURE**

SUMMARY

Under paragraph 18e of the Overview and Scrutiny Procedure Rules, the Leader of the Council is required to submit reports to Council on decisions taken by himself, Cabinet or individual Cabinet members, or key decision made by a member of staff in the circumstances set out in Rule 18 (exemption to the call-in (requisition) procedure) in the preceding three months.

This report deals with 3 such decisions:

- 1) Implementation of the Nursery Class at Crownfield Infants School – whether to proceed
- 2) London Borough of Havering 2016/17 LIP Annual Spending Submission – Approval of submission to Transport for London
- 3) Romford Leisure Development – Award of contract

RECOMMENDATIONS

That the report be noted.

REPORT DETAIL

- 1 Rule 18 of the Overview and Scrutiny Committee Procedure Rules provides that:
 - (a) The call-in procedure shall not apply where a decision being taken by Cabinet or an individual Cabinet member, or a key decision made by a member of staff is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interests. The record of the decision and notice by which it is made shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in.**
 - (b) The decision making person or body can only take an urgent decision under (a) above and avoid the call-in procedures after obtaining agreement from the Chairman of the Board that the decision be treated as urgent.**
- 2 On behalf of Cabinet, Isobel Cattermole, Interim Deputy Chief Executive Children, Adults & Housing, sought agreement from the Chairman of the Board to exempt from call-in a non-key decision by the Cabinet Member for Children & Learning concerning the implementation of a Nursery Class at Crownfield Infants School.
 - 2.1 The Chairman of the Overview & Scrutiny Board, Councillor Gillian Ford, gave her agreement to the exemption from call-in for the following reason:
 - 2.2 The decision on whether to proceed had to be made within a period of 2 months of the end of the representation period otherwise the matter would be referred to the Schools Adjudicator. The end of the representation period was 3 July, hence the decision needed to be published by 3 September. The decision by the Schools Adjudicator would likely take between 6-8 weeks which meant that the Council would not receive a decision in time for the school to commence the enrolment process, recruit staff, etc. in order for the Nursery to open in January 2016.
3. London Borough of Havering 2016/17 LIP Annual Spending Submission – Approval of submission to Transport for London
 - 3.1 On behalf of Cabinet, Andrew Blake-Herbert, Deputy Chief Executive Resources and Communities, sought agreement from

the Chairman of the Board to exempt from call-in a Key decision by the Cabinet Member for Environment concerning the approval for the submission to Transport for London of the London Borough of Havering's 2016/17 Local Implementation Plan Annual Spending.

- 3.2 In the absence of the Chairman of the Board the Vice-Chairman, Councillor Lawrence Webb, gave his agreement to the exemption from call-in for the following reason:
- 3.3 An exemption is required in order to meet a statutory deadline set by TfL. The level of funding put at risk should the Council fail to meet this deadline is in the order of £3m in 2016/17 (and similar amounts in the following years). The decision is required urgently as any delay likely to be caused by the call-in process would seriously prejudice the Council's interests.
- 4 Romford Leisure Development – Award of contract
 - 4.1 On behalf of Cabinet, Andrew Blake-Herbert, Deputy Chief Executive Resources and Communities, sought agreement from the Chairman of the Board to exempt from call-in a Key decision by the Leader of the Council; Cabinet Member for Financial Management and the Cabinet Member for Culture & Community Engagement concerning the contract award for the Romford Leisure Development.
 - 4.2 The Chairman of the Overview & Scrutiny Board, Councillor Gillian Ford, gave her agreement to the exemption from call-in for the following reason:
 - 4.3 The financial risk to the Authority was such that immediate action was required to prevent a significant escalation in price. A letter of intent needed to be with Wilmott Dixon for orders to be placed before 17 December 2015, for the contract price to hold.

Financial Implications and Risks:

While there were financial implications around the decisions described in this report, there are none directly associated with this report.

Legal Implications and Risks:

There are no immediate legal implications directly associated with this report.

Human Resource Implications and Risks:

There are none directly associated with this report.

Equalities and Social Inclusion Implications and Risks:

There are none directly associated with this report.

Staff Contact:	Andrew Beesley
Designation	Committee Administration & (Interim) Member Services Manager
Telephone No:	01708 432437
Email:	andrew.beesley@onesource.co.uk

Background paper List

1. Non-key decision by the Cabinet Member for Children & Learning concerning the implementation of a Nursery Class at Crownfield Infants School, dated 3 September 2015.
2. Key Decision by the Cabinet Member for Environment concerning the London Borough of Havering's 2016/17 LIP Annual Spending Submission – Approval of submission to Transport for London, dated 6 October 2015
3. Key decision by the Leader of the Council; Cabinet Member for Financial Management and the Cabinet Member for Culture & Community Engagement concerning the contract award for the Romford Leisure Development, dated 16 December 2015



FULL COUNCIL, Wednesday 27 January

MEMBERS' QUESTIONS

1) To the Leader of the Council, Councillor Roger Ramsey

From Councillor David Durant

How much do Havering residents give the GLA every year via the GLA levy and as an estimate how is it proportioned between TfL, Police, emergency services and others?

2) To the Cabinet Member for the Environment, Councillor Robert Benham

From Councillor Keith Roberts

Following a site visit with a Council Officer it was clear action was needed to reduce flood risk and improve amenity by further maintenance and improvement of the River Ingrebourne by historical Rainham Village.

In recognition of a shortage of council funds can the Council:

- a) contact Veolia Environmental Trust with a request they fund reed and culvert clearance and improve the public area by/behind the New Angel Inn and
- b) contact Tesco with a request they assist with clearing the culverts by their Rainham store as this would reduce the risk of flooding by an estimated 20%.

3) To the Cabinet Member for the Environment, Councillor Robert Benham

From Councillor Nic Dodin

Would the Cabinet Member confirm:-

- a) what income has so far been generated from Moving Traffic Contraventions.
- b) whether consideration has been given to taking on any other police activities such as enforcement against motorists who exceed the speed limits for example within 20 mph zones.

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4) To the Cabinet Member for Regulatory Services and Community Safety, Councillor Osman Dervish

From Councillor Jody Ganly

Would the Cabinet Member confirm what processes are in place to ensure that applicants are advised of the council's decision on their planning application within the statutory period.

5) To the Cabinet Member for Housing, Councillor Damian White

From Councillor Graham Williamson

I welcome the Council's desire to ensure that rented Council and Housing Association properties are prioritised for Havering residents to give meaning to the term Local Homes for Local People, but can you confirm however that, unlike other Councils, we have not insisted that Associations give us 100% nomination rights and that, for example in my South Hornchurch ward, we turned down just under 20% of the properties in the new Passive Close development because they were 4 bedrooms.

Given the increasing number of new properties being built can we not ensure that our borough's waiting list is at least cleared first before any non-Havering tenants can move into such developments?

6) To the Cabinet Member for the Environment, Councillor Robert Benham

From Councillor Jeffrey Tucker

Outside our modern new Rainham library is a bus stop on a wide pavement by a green area next to a refurbished station, but with only one litter bin which often results in this expensively redeveloped area looking a mess. I know people shouldn't drop litter but it would help if more bins were provided to help reduce the litter problem.

Please can some more bins be provided by the library/bus stop/station and by the shops and other bus stops in the Rainham Village Conservation Area.

7) To the Cabinet Member for the Environment, Councillor Robert Benham

From Councillor Lawrence Webb

Where someone lives within a controlled parking zone are they permitted to give visitor parking permits to all and any of their friends and relatives in advance of them coming to visit them?

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8) To the Cabinet Member for Housing Company Development and oneSource Management, Councillor Ron Ower

From Councillor David Johnson

I and a fellow Councillor visited Bradford School recently, although we had an excellent overall impression of the school and how it was run there were many issues that were brought to our attention.

One in particular as it is something I am very interested in having recently installed solar panels on my domestic property, my first impression was to congratulate the Council on installing solar panels on the roof of the School to cut the electricity bill and make money on the 'feed in tariff' payments, my enthusiasm was then dashed by being informed although installed in December 2011 the system had never been commissioned/connected.

How is it that the council go to the trouble of installing solar panels and not actually get them connected? What was the cost of the installation and how much has been lost from the feed in tariff by them not being connected.

9) To the Cabinet Member for Children and Learning, Councillor Meg Davis

From Councillor John Mylod

Given the current Government's desire to move all schools to academies, would the Cabinet Member confirm what steps are in place to protect any council assets being lost to the private sector and to ensure any services provided to academies are fully reimbursed.

10) To the Cabinet Member for Regulatory Services & Community Safety, Councillor Osman Dervish

From Councillor Reg Whitney

Would the Cabinet Member confirm for the past 5 financial years the income and expenditure on the council's Licensing activities.

11) To the Leader of the Council, Councillor Roger Ramsey

From Councillor Ray Morgon

Would the Leader of the Council confirm what checks are in place to ensure that:-

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- a) All contractors have fully documented contracts in place.
- b) Their business continuity plans have been checked.
- c) Their financial stability has been checked.

12) To the Cabinet Member for Regulatory Services & Community Safety, Councillor Osman Dervish

From Councillor Barry Mugglestone

Would the Cabinet Member confirm how many more years will pass before a comprehensive plan is put together for Bretton Manor House and grounds.

13) To the Cabinet Member for Housing, Councillor Damian White

From Councillor June Alexander

Would the Cabinet Member confirm what steps are being taken by the council to ascertain the number of properties in Havering used by other local authorities to house their residents.

14) To the Cabinet Member for Adult Social Services and Health, Councillor Wendy Brice-Thompson

From Councillor Philip Hyde

Is it possible to force the CCG to reduce patient to GP ratios to a level more consistent with the London wide averages. The average in London is around 950 but in Havering it is nearer 1250.

The average for our borough masks some practices which are over 2,500 per GP. I ask this in light of recent national press reports of GPs closing their books to new patients. Given the extensive population growth in some wards, this situation will only go from bad to worse.

15) To the Cabinet Member for the Environment, Councillor Robert Benham

From Councillor Julie Wilkes

Would the Cabinet Member confirm what steps are taken by Havering Council to check that businesses, and restaurants in particular, appropriately dispose of their waste.

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COUNCIL, 27 January 2016

MOTIONS FOR DEBATE

A LEISURE CENTRES

Motion on behalf of the Independent Residents' Group

As we await the promised new Romford Leisure Centre it is still vital to maintain and enhance the existing borough wide provision of leisure facilities that serve all our residents. Presently the borough wide leisure centre contract is held by "Sports and leisure Management Limited" and operates at a loss requiring a council subsidy. To cut costs there has been a contractual variation to reduce hours and presumably improvements at Chafford, Rainham and no doubt the Central Park, Romford and Hornchurch Leisure Centres face potential cutbacks too!

Following Academy status and a Land Tribunal Adjudication the Chafford Leisure Centre will be owned by the school when the council contract ends in Oct 1st 2016 and without financial help will close, because their priority is educational rather than leisure spending. The existing facility needs significant investment and if it were to close there is planning permission in place for a new swimming pool at Chafford when funding becomes available. But will the Council allow an existing Leisure Centre, as well as an Ice Rink, to close as we await a second and 'state of the art' leisure centre in Romford that includes a promised £2 million funding from reserves?

Thus this Council calls on the Administration to maintain and enhance the existing borough wide provision of leisure facilities at Rainham, Romford and Hornchurch Leisure Centres in the healthy interests of all Havering residents.

Amendment on behalf of the Conservative Group

Amend motion to read:

Noting with approval the imminent commencement of the construction of the Romford Leisure Centre in Romford Town Ward, the letting of the contract for the first phase of the £3 million Broxhill Sports Park in Heaton Ward, the recent opening of the Visitors Centre at Hornchurch Country Park in Elm Park Ward, the recent opening of the new library and establishment of a new park in Rainham Ward, the current construction of a new library in Gooshays Ward, the achievement of Green Flags in parks across the borough and noting that the Council's Leisure Management Contract, the negotiation of which is currently in progress, is likely to provide an enhancement of leisure facilities rather than cutbacks, this Council welcomes the Administration's intention to continue to maintain and enhance the existing borough wide provision of leisure facilities in the healthy interests of Havering residents.

B PARKING CHARGES IN PARKS

Motion on behalf of the Residents' Group

Parking charges in the four parks where charges currently apply are not meeting their income targets. In light of this, together with the optimistic visitor numbers and viable alternatives to parking in parks, this council calls upon the Administration to abandon its plans to add further parks and open spaces to the list where parking charges will apply.

Amendment by the Conservative Group

Amend motion to read:

Recognising that the proposal to extend car park charging in parks (at rates reduced following full public consultation and feedback) was one of the measures in the financial strategy and budget savings plan agreed by the Council following public consultation in February of last year, and that a further updated cost benefit analysis has been undertaken, this Council supports a review by the Administration of the proposal before a final decision is taken in the near future.

C INGREBOURNE HILL LANDFILL APPEAL

Motion on behalf of the Independent Residents' Group

The Inspector has now cancelled the Ingrebourne Hill Public Hearing in favour of a Public Inquiry, date to be arranged, which provides time for the Council to review its approach to this indefinite landfill application to ensure its effectively opposed.

Local councillors, Friends of the Earth, Friends of Ingrebourne Hill & Hornchurch Country Park, residents and planning officers attended the Hearing.

Thus this Council calls on the Executive to effectively oppose the Ingrebourne Hill/Hornchurch Country Park landfill Appeal by ensuring all relevant council departments attend the Public Inquiry to highlight the many reasons why the Appeal should be refused.

Amendment by the Conservative Group:

Amend motion to read:

This Council notes that its policy as articulated by the Executive is that in each and every planning appeal the decision of the Regulatory Services Committee shall be supported effectively by all relevant council departments.

D EUROPEAN UNION

Motion on behalf of the United Kingdom Independence Party Group

Due to the negative impact that EU directives such as the agency working time directive and EU procurement rules have on the ability and cost of Havering Council to fulfil its obligations, this council agrees that Britain would be better off outside the European Union.

Amendment by the Independent Residents Group

Amend motion to read:

To restore the sovereignty of Parliament and strengthen our borders and local democracy and safeguard against joining the Euro-currency and protect the NHS this Council recommends Britain leaves the EU so that Havering Council has the powers and funding to fulfil its obligations on behalf of all Havering residents.

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And in particular, to avoid the costs to Havering Council of EU procurement and competition rules and the EU-USA TTIP trade deal that threatens the future of the NHS on which Havering residents depend.

Amendment by the East Havering Residents' Group

As has been widely communicated, the opportunity to decide on the continued UK membership of the European Union will be subject to a Public Referendum by the end of 2017.

Given the many implications of remaining in the European Union or leaving, it is important that voters are equipped with as much information as possible in order to make an informed choice.

As representatives of the whole borough, this Council therefore notes that it is for individuals to decide for themselves, rather than as a Council, as to whether or not Britain would be better off outside the European Union and to express that choice, should they choose to do so, at the aforementioned Referendum.