



FULL COUNCIL, Wednesday 21 March 2018

## MEMBERS' QUESTIONS

### Solar Park Proposals

1) **To the Cabinet Member for Housing (Councillor Damian White)**  
**From Councillor Ray Morgon**

Would the Cabinet Member confirm how much money was spent on the work in relation to the Solar Park proposals and what changed in the business case that would see a £1 million income for the Council turn into being financially unviable?

#### **Answer**

Initial feasibility work on the scope to develop solar park proposals took place in 2015/16. It considered development of solar parks on two sites in Havering (at Dagnam Park and Gerpins Lane) and two sites in Thurrock. The aim was to generate income to help deliver essential Council services.

There was engagement with the community for the Havering sites. The Leader met with Friends of Dagnam Park on several occasions and visited the park with them.

The total cost of the feasibility work was £142K after the fee for grid connections had been returned to the Council.

It was concluded that the Dagnam Park site was not suitable as there were a number of changes to the business case assumptions that supported the proposals. This took account of matters such as wider economic circumstances (such as the fall in oil prices from over \$100 a barrel to less than half of that), the reduction in income from Government subsidies through payments such as Feed in Tariffs, the land remediation costs for the Gerpins Lane site and energy prices were not expected to rise as much as initially expected.

In response to a supplementary question, the Cabinet Member stated that he could meet with Councillor Morgon separately to discuss in more detail why the Gerpins Lane site was not considered a viable option for the solar park.

### Applications for Places in Junior Schools

2) **To the Cabinet Member for Children and Learning (Councillor Robert Benham)**  
**From Councillor Patricia Rumble**

Why do parents now have to apply for a pupil place in junior schools, when the child already attends the infant section of the same school? Is this not just adding another layer of bureaucracy?

**Answer**

Infant and Junior Schools are not the same school. In Havering, we have some Infant schools that are maintained by the Local Authority, with Junior schools that are operated by Academy Trusts.

The 2014 School Admissions Code requires that Admissions Authorities set admissions arrangements for all schools, and that the priority must be awarded to Looked After Children and Previously Looked After Children.

Prior to the 2018 intake of pupils, Havering stated that all pupils currently attending an infant school in year 2 would have an automatic entitlement to transfer to the partner junior school, however in October 2017 we were contacted by the DfE following a complaint to them from a Junior academy.

The DfE were concerned about the use of the term 'automatic entitlement' because it is not possible under admissions law to give a child in school 'A' automatic entitlement to a place in school 'B'. DfE concluded that our admissions arrangements were unlawful.

Following on from this we immediately amended our processes and published a brief document on the Havering website titled "Transferring to a Havering Junior School in September 2018".

In response to a supplementary question, the Cabinet Member stated that he did not feel that the DfE was correct in its judgement but that this could not be changed.

**Tri-Borough Police Project**

**3) To the Leader of the Council (Councillor Roger Ramsey)  
From Councillor Jeffrey Tucker**

Did the Council Leader agree to Havering taking part in the Tri-borough police pilot?

**Answer**

There is no formal agreement in place between the local authority and either the Metropolitan Police Service or the Mayor's Office for Policing and Crime (MOPAC) with regard to the tri-borough policing pathfinder. The Leader and the Chief Executive were consulted with and informed by the MPS that the tri-borough footprint was one of the preferred sites, but were not required to consent formally to the pilot taking place in this borough.

In response to a supplementary question, the Leader of the Council explained that pilots of these models were the responsibility of the Police and public and the Council could not dictate these. The Council had been told that the pilot would be reversible, would be for six months duration and that the council could influence

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the service but none of this had been the case. In addition, the Council had been advised during the pilot period that Havering Police Offices and Hornchurch police station would close which had led to the Council taking legal action to challenge the Police Station closure.

**Parking Areas on the Briar Road Estate**

**4) To the Cabinet Member for Environment and Community Safety (Councillor Damian White)**

**From Councillor Keith Darvill**

Have all of the planned new car parking spaces and reconfigured parking areas in the Briar Road Estate, Harold Hill been constructed and marked out thus delivering the spaces promised to residents during the consultation phase and meetings which commenced in November 2012 and relate to the 33 sites disposed of for development of 102 properties (being the subject of an executive decision made on 6/3/2013).

**Answer**

The scheme was complete as per the agreed planning application with all of the car parking and landscaping work being undertaken by the developer, Notting Hill Housing Association.

In response to a supplementary question, the Cabinet Member agreed to take up with the estate developers any lack of parking spaces delivered.

**CCTV Camera Charges**

**5) To the Cabinet Member for Housing (Councillor Damian White)**  
**From Councillor Nic Dodin**

Would the Cabinet Member confirm why Council tenants are being charged the higher rate CCTV charge when they are nowhere near a fixed CCTV camera?

**Answer**

Tenants are charged the higher rate for CCTV if there is a permanent camera within the locality of where they live. This is generally within a half mile radius.

I understand that the Councillor is referring to Bevan Way, which is in a half mile radius of a camera sited by Hacton Parade. However, if the Councillor has a specific address which is of concern I will ask officers to investigate this further and respond directly.

In response to a supplementary question, the Cabinet Member confirmed that it was the policy of the housing department to charge tenants for CCTV within the service charge.

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## **Homeless Reduction Act 2017**

### **6) To the Cabinet Member for Housing (Councillor Damian White) From Councillor John Glanville**

Is the Council confident that it has sufficient resources to meet its obligations under the Homeless Reduction Act 2017 which comes into force on 3 April 2018?

#### **Answer**

With the support of the Senior Leadership Team and Members, there will be an increase in the staffing resource within the Housing Solutions Service to help prevent and relieve residents from homelessness in line with the Act. As a result, a new service delivery model is being implemented which will focus on improving access, information and advice for residents and strengthening residents' independence and resilience of the community.

Business processes have been streamlined. For example we have introduced an online income and expenditure assessment that will help residents with budget management. The information on affordability will also help them make informed decisions about where they want to live. We will also continue to support residents with rent deposits where this is needed.

We have been working with the voluntary and statutory partners, supported by Homeless Link and Shelter, to put in place effective pathways and referral mechanisms to enable residents to get help at the right time. As a result we are setting up Homelessness Forum to continue with the engagement.

Over the past year, we have worked closely and built on our well established relationship with the private landlord sector in order to access good quality and affordable accommodation.

In response to a supplementary question, the Cabinet Member explained that the Housing Service had been very robust in ensuring that it could deal with demand. Work had been undertaken with the Chartered Institute of Housing and other stakeholders to ensure that demand predictions were accurate and that unforeseen events could be coped with.

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## **Flag Flying Policy**

### **7) To the Leader of the Council ( Councillor Roger Ramsey)**

#### **From Councillor David Durant**

Was the Council Leader aware of the flag protocols before agreeing to fly a LGBT flag in front of the Town Hall for a month?

#### **Answer**

Yes. Councillor Durant should refer to a recent response sent via email on this matter.

In response to a supplementary question, the Leader of the Council apologised for any offence that had been inadvertently caused by the LGBTQ flag being displayed incorrectly in a recent photocall outside the Town Hall.

## **Out of Hours Service**

### **8) To the Cabinet Member for Housing (Councillor Damian White)**

#### **From Councillor Stephanie Nunn**

Would the Cabinet Member explain why a resident of Thomas Sims Court rang the out of hours telephone number (01708 756699) to report an overflowing toilet and was told to ring back at 9am?

#### **Answer**

The resident concerned had called in and the response provided did not conform to our agreed protocols with our out of hours company General Dynamics IT Ltd, (GDIT). The call handler did not act in line with our standards which clearly identify this requiring an urgent response.

After speaking directly with the resident, Sheltered scheme staff have apologised and seen whether more could have been done. The sheltered facility had other toilet and shower facilities available which could have been offered as an alternative provision. The Telecare and Out of Hours Managers have reinforced the need for strict adherence to protocols and for monitoring against contract terms.

There are also issues with the Out of Hours Contractors which have been addressed.

The AD for Housing Services is fully sighted on this, is currently reviewing both contracts and offers his apology.

In response to a supplementary question, the Cabinet Member agreed that there were further problems with the out of hours service as he had been approached by another resident who had been given the same advice. The Council Chief Executive was personally involved in reviewing the service and it was likely that changes would be proposed at the next Cabinet meeting.

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**Global Legal Identifier**

- 9) **To the Cabinet Member for Financial Management, Transformation and IT (Councillor Clarence Barrett)**  
**From Councillor Lawrence Webb**

Why has the Council found it necessary to apply for a Global Legal Identifier?

**Answer**

The Pension Fund renewed its LEI (Legal Entity Identifier) in February 2018.

From 3 January 2018 our fund managers subject to MiFID II (Markets in Financial Instruments Directive) transaction reporting obligations would not be able to execute a trade on our behalf if we are eligible for a Legal Entity Identifier (LEI) and didn't have one.

The LEI number was previously maintained by our Fund Manager RUFFER. It was no longer necessary for them to maintain this once the mandate transferred to the London CIV\* (Collective Investment Vehicle) so ownership and subsequent renewal transferred to the Havering Pension Fund.

\*The London CIV is a mandatory investment asset pooling vehicle which, in line with regulations, Pension Fund assets are required to commence transferring assets into the pool from April 2018.

The Council applied for a LEI (Legal Entity Identifier) number in November 2017. MiFID II regulation that came into effect on 3 January 2018 and required the Council to make applications using the LEI number for the retention of professional investor status to institutions that offer investments in non-standard treasury investments such as bonds which remain a key part of the council's treasury management strategy.

In response to a supplementary question, the Cabinet Member stated that the address for the Council Identifier was probably given as the Central Library building as this was where the finance staff were based. The Cabinet Member would however check this if Councillor Webb could provide him with details of the relevant Identifier number.

**“Everyone Active” Scheme**

- 10) **To the Cabinet Member for Culture and Community Engagement (Councillor Melvin Wallace)**  
**From Councillor Michael Deon Burton**

Is the Council involved in the pricing policy of SLM 'Everyone Active' to ensure our publicly funded leisure centres are widely used by the public, including those on low incomes?

**Answer**

Within the contract between the Council and SLM there are a number of 'protected prices' for which SLM have to seek the approval of the Council. These include, for example, junior swimming and swimming lessons, adult swimming lessons, pool hire

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by clubs and ice rink hire for London Raiders and Romford Ice Dance and Figure Skating Club.

There is also a discounted pricing policy for concessions that includes;

- Aged 16 years and over and in full time education
- Registered disabled (a carer accompanying a registered disabled person shall be admitted free of charge, providing they can reasonably demonstrate in the view of the Contractor that they are a carer of the registered disabled person)
- Aged 60 or over
- Individuals receiving job seeker/incapacity benefit
- Individuals on low income and receiving income support
- Looked after children and their siblings

SLM are able to charge a maximum of 65% of the standard price, fee or charge for all categories of use for the above concessions.

Over the duration of the Contract SLM pay the Council to operate and manage the Council's leisure centres. In order to generate the income to pay the Council, the business model dictates that SLM are reliant on use by the public. Pricing is a key factor in a very competitive market place. If pricing is set too high by SLM, the public will not use the leisure centres and SLM will not realise the revenue required to pay the contractual sums to the Council.

In response to a supplementary question, the Cabinet Member confirmed that he would send to Councillor Deon Burton full details of the leisure centres pricing structure as well as publicise this more widely.

## **Charging Points for Electric Cars in Havering**

### **11) To the Cabinet Member for Environment and Community Safety (Councillor Osman Dervish)**

#### **From Councillor Jody Ganly**

Would the Cabinet Member confirm why there are so few charging points for electric cars in Havering and whether Havering Council have applied for any government grants available to install more?

#### **Answer**

Electric Vehicle charging point infrastructure can be found in a number of locations across Havering including Gidea Park and Harold Wood station car parks, CEME, and the Britannia Multi-Storey car park in Market Place (off Ducking Stool Court), Romford.

Electric Vehicle infrastructure also gets installed in new developments as part of the planning process. Examples include the "Reflections" development in Romford and Kings Park development in Harold Wood and Orchard Village in Rainham.

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Havering has one of the highest levels of car ownership in London and one of the highest modal splits for people travelling by car. In comparison the number of registered electric vehicle users in the borough is very small. To date there have been only a small number of enquiries made to the Council concerning electric vehicle infrastructure provision.

Provision of electric vehicle charging infrastructure has also been included as a long term action in the Council's Draft Air Quality Action Plan and will be carried out based on a feasibility assessment, in order to improve air quality within the borough.

The Council will continue to review the electric vehicle charging infrastructure in the borough and will consider the merits of further funding opportunities should they arise.

In response to a supplementary question, the Cabinet Member confirmed that he was aware of Government grants being available for part of the cost of installing electric charging points but added that there had been low interest from residents so far in electric cars.

## **Viability Statement on Affordable Housing**

### **12) To the Cabinet Member for Housing (Councillor Damian White) From Councillor Phil Martin**

How long, on average, does it take for a viability statement on affordable housing submitted with a planning application, to be assessed and ratified?

#### **Answer**

On average it can take between 4 to 6 weeks for a statement to be assessed and ratified by an external consultant. This timeframe applies in most cases. The timeframe varies from development to development depending upon the nature of what is being proposed, the complexity of the viability case and the quality and accuracy of the information contained within the submitted statement.

There may be cases where the conclusions of the viability consultant are queried by officers and in such cases, further work on viability, in order to reach a firm conclusion may be necessary. The time taken to do additional work again varies on a case by case basis. The longest delays occur where the argument for reducing the affordable housing requirement is weak and officers seek to argue for more affordable housing. In these cases discussions can become more protracted. Officers are unable to complete their report or make a recommendation until a conclusion on all material planning matters has been reached.

In response to a supplementary question, the Cabinet Member stated that the Council enforced planning procedures in accordance with the law and this was certainly not done for the financial gain of the Council. The Cabinet Member was



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offended by this suggestion and offered to refer any specific concerns of Members to the Head of Planning.

## **Hazardous Waste**

### **13) To the Cabinet Member for Environment and Community Safety (Councillor Osman Dervish)**

#### **From Councillor Reg Whitney**

Whilst it is understood that the Council are not responsible for the removal of dumped waste in private alleyways, would the Cabinet Member agree that there are some situations where hazardous or potentially hazardous waste should be removed in the interest of residents' health and safety at the earliest possible opportunity by the Council?

#### **Answer**

The Council is not required to undertake the clearance of dumped waste from private land including service roads. Clearance is the responsibility of the land owner. However the Council will support land owners and those living nearby who may be affected by this type of problem.

Our enforcement team would investigate to establish the owner of the land, the nature of the waste and the identity of those responsible for dumping it. Depending on the type of waste the removal may need to be made promptly by the Council to reduce the impact on local people.

We will always endeavour to recover our costs from the land owner or those responsible for dumping the waste.

In response to a supplementary question, the Cabinet Member added that cases of hazardous waste dumped on private land would be investigated. The Cabinet Member was happy to look at specific cases raised by the councillor.

## **Housing Development in the Borough**

### **14) To the Leader of the Council (Councillor Roger Ramsey)**

#### **From Councillor Barbara Matthews**

Would the Leader of the Council confirm what he is doing to resist the Conservative Government and Labour Mayor of London's plan to overdevelop Havering by both setting similarly high and unsustainable housing targets?

#### **Answer**

Havering has taken a very robust stance on the proposals from the Government and the Mayor of London to impose housing targets on Havering that are unrealistic, unachievable and unsustainable. The underlying preparation of the figures was also badly flawed.

The Government's paper 'Planning for the right homes in the right places' (autumn 2017) and the draft London Plan (winter 2017) both identified annual housing targets for Havering that would be completely out of character with its suburban

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setting and appearance (1,821 and 1,875 new homes per year, respectively). These targets are significantly different to the Council's own assessments supporting its Local Plan.

The Government's target is a 'need' based figure whilst that from the Mayor of London in his draft London Plan is derived from a strategic housing land availability assessment and is a 'capacity' based figure. The Mayor of London has also done his own 'need' based assessment and has identified a London-wide need for an additional 66,000 new homes each year.

Havering's Local Plan must be in 'general conformity' with the London Plan. If it is formally adopted, the London Plan target of 1,875 new homes per year will become the target that Havering is expected to achieve and secure through our planning policies.

Havering responded very firmly to both consultations stressing the harm that they would do to Havering by destroying its established character. Furthermore, we highlighted that development on this scale would be completely out of step with existing and planned provision of the infrastructure needed to support change.

The Council has supported the robust collective response from Local London which represents several east London boroughs.

Havering is bringing forward its new Local Plan to ensure that it has robust planning policies to safeguard Havering and to make sure that we secure development (including the right numbers of homes) well suited to the borough that is well planned, high quality and creates places where people want to live, work and visit.

Members and officers will continue to highlight to the Mayor of London that his draft London Plan will be harmful to Havering and that the housing targets need to be revised considerably.

In response to a supplementary question, the Leader of the Council added that the Government was requiring 1,800 new homes per year to be built in Havering whilst the Council's own study had indicated that approximately 1,362 homes per year were needed. The Council was also challenging the targets in the Mayor of London's housing plan. The Mayor had indicated that some 9,000 homes in Havering could be built on small sites but the Council had not been consulted on this.

**15) To the Cabinet Member for Environment and Community Safety (Councillor Osman Dervish)**  
**From Councillor Barry Mugglestone**

In response to a supplementary question at January Council on why a high number of parking ticket appeals were being lost by the Council, the Cabinet Member indicated he would investigate and report back to me. Can he confirm why I am still waiting?

**Answer**

Thank you for your question. You are quite right that one of the follow-up actions from our last Council meeting was for me to investigate reasons behind the apparent

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64% of lost appeals when parking tickets were contested at the independent adjudicator that you flagged at the meeting.

I have had the opportunity to discuss it with officers and understand that perhaps there was an initial misunderstanding. The Council are actually winning 64% of appeals cases it contests and this is a good improvement on last year's figures when we won just over half of cases and compare favourably against many other London boroughs. We should also keep in mind that the vast majority of PCNs issued do not go to London Tribunals and typically less than 1% of cases are decided by the independent adjudicator.

The figures are good and improving and make sure that the Council's parking enforcement operations keep on top of their appeals processes, particularly as the borough continues to grow over the coming years. The increased success at defending appeals shows the efforts are starting to pay off.

In response to a supplementary question, the Cabinet Member agreed that there could be errors in the appeals process. He was happy to investigate any specific cases if the Councillor could supply details.