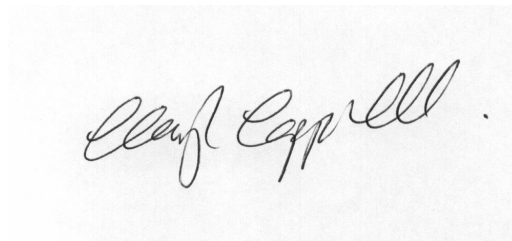


# COUNCIL

**7.30pm WEDNESDAY, 25 MARCH 2009  
AT HAVERING TOWN HALL  
MAIN ROAD, ROMFORD**

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

A rectangular box containing a handwritten signature in black ink. The signature is cursive and appears to read 'Ian Buckmaster'.

**Chief Executive**

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



**COUNCIL, 25 MARCH 2009**

# 11A

This report is submitted with the agreement of the Mayor as an urgent matter, pursuant to Section 100B(4) of the Local Government Act 1972

## **REPORT OF THE MONITORING OFFICER**

**SUBJECT: JOINT REPORT OF THE PARLIAMENTARY & HEALTH SERVICE OMBUDSMAN AND THE LOCAL GOVERNMENT OMBUDSMAN**

### **SUMMARY**

The Council has received from the Local Government Ombudsman and the Health Ombudsman a joint report into complaints relating to the care of an individual, Mr Cannon, in a unit managed by an external contractor on behalf of the Council under contractual arrangements, and his subsequent hospital treatment. The report, a copy of which has been provided to all members, concludes that the Council was guilty of maladministration in the way that Mr Cannon was cared for, and in relation to the subsequent handling of his parents' complaint about that.

### **RECOMMENDATIONS**

1. That the Council receives the Ombudsman's report into the complaint about the care of Mr Cannon
2. That a formal apology is given to the parents of Mr Cannon and that an ex-gratia payment of £10,000 is made to each parent.
3. That Council refer to Cabinet consideration of a report into the actions taken or to be taken to improve the provision of provider care plans and risk assessment for all persons coming into respite care commissioned by the Council.

<b>REPORT DETAIL</b>
----------------------

- 1 Mr Cannon suffered from epilepsy, learning difficulties and osteoporosis and sustained a broken femur while receiving respite care in a care home. The exactly how this injury was sustained has yet to be fully ascertained. He was admitted to hospital following this injury. This set of a series of medical interventions that led to his death, issues which the Health Service Ombudsman has considered in the joint report.
- 2 The Local Government Ombudsman has provided a very detailed report on the Council's actions and omission which runs to 282 paragraphs. The Introduction and Summary is set out in paragraphs 1 to 42, with the complaint against the Council set out at paragraph 12 and the Ombudsman's conclusion at paragraph 36. Paragraphs 43 to 125 set out the background context, e.g. legislation and guidance. Paragraphs 126 to 282 contain the details of the investigation with the detailed conclusions set out at paragraphs 243 to 282. The Ombudsman's final comments are set out at paragraphs 479 to 498.
- 3 As well as maladministration in the way Mr Cannon was cared for, the Ombudsman has concluded that the way in which the Council handled the complaint by Mr Cannon's parents amounted to maladministration and that the maladministration caused injustice to Mr Cannon's parents.
- 4 The Ombudsman has made 3 recommendations to the Council:
  1. To formally apologise to Mr Cannon's parents for its failings.
  2. To make to each parent an ex gratia payment of £10,000
  3. To take all necessary steps to ensure that provider care plans and risk assessments are properly in place for all persons in receipt of respite care commissioned by the Council.
- 5 Under the provisions of the Local Government Act 1974 (as amended) the Council has to formally receive and consider the report and within 3 months notify the Ombudsman of the actions it has taken or proposes to take. If the Ombudsman is not notified of the Council's action or is not satisfied with them he can issue a further report. The Council also has to give a notice in a local newspaper of receipt of the report and have it available for inspection at least 3 weeks after publication of the public notice.

**Council, 25 March 2009**

- 6 Following consultation with the Administration it is proposed that the Council should accept the 3 recommendations. If this is agreed by the Council the formal apology will be sent by the Chief Executive on behalf of the Council and the required payments will be made to the parents. Substantial work has already been done to improve the provision of provider care plans and risk assessments for all persons coming into respite care, including revised assessments and plans for each admission. It is proposed that a detailed report on the improvement being made is presented to the Cabinet for approval before forwarding to the Ombudsman as required by the Local Government Act 1974.

Staff Contact: Ian Burns  
Designation Deputy Monitoring Officer  
Telephone No: 01708 43 2442  
Email: [ian.burns@havering.gov.uk](mailto:ian.burns@havering.gov.uk)

**CHRISTINE DOOLEY**  
**Monitoring Officer**

**Background paper List**

The Joint Report of the Parliamentary & Health Service Ombudsman and the Local Government Ombudsman with appendices entitled "Six lives: the provision of public services to people with learning disabilities"

**Note: the copy of the Joint Report appended to this report differs in format and layout from that published on the Ombudsmen's behalf by The Stationery Office but has the same text.**

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**Havering**  
LONDON BOROUGH

## **COUNCIL - 25 March 2009**

### **THIRD SUPPLEMENTARY AGENDA**

#### **5A PROCEDURAL MOTION - ORDER OF QUESTIONS**

**The Administration will move:**

That, in order to give every Group and those members not attached to a Group the opportunity to ask questions within the time allowed, the order of business at this meeting be varied so that questions at agenda item 12 are taken in rounds, with each Group and unattached member being allowed to ask in the first round the first question listed for that Group or Member starting with the Residents' Group, followed by a second and subsequent rounds using the same principle.

**[Note. Should this procedural motion be agreed, the order of questions will be – Q11, Q1: Q12, Q2; Q13, Q3; Q14, Q4; Q15, Q5; Q16, Q6; Q17; Q7; Q18, Q8; Q19; Q9; Q20, Q10; Q21]**

**The attached reports are submitted as urgent reports, with the agreement of the Mayor under s.100B(4) of the Local Government Act 1972**

#### **11A REPORT OF LOCAL GOVERNMENT OMBUDSMAN ON A COMPLAINT, FINDING MALADMINISTRATION BY THE COUNCIL**

To consider the report of the Monitoring Officer on the findings of the Local Government Ombudsman following a complaint relating to an application for a transfer of accommodation

**Note: The Ombudsman's report and the report of the Monitoring Officer are attached.**

**The pages specifically relevant to the Council are:**

**Report pages 7 – 9 Introduction and Summary, in particular, paragraph 12; page 14, paragraph 36; pages 36 – 80, noting paragraphs 243 - 282 in particular and pages 127 – 130.**



**Havering**  
LONDON BOROUGH

**COUNCIL**  
**25 March 2009**

**SECOND**  
**SUPPLEMENTARY**  
**AGENDA**

**9 MEMBERS' ALLOWANCES SCHEME, 2009/10**

To consider a report of the Chief Executive

**9A Amendment by the Residents' Group**

That the Special Responsibility Allowance for Overview & Scrutiny Chairmen be £10,000 (from the proposed £14,418).

## **NOTES ABOUT THE MEETING**

### **1. HEALTH AND SAFETY**

**The Council is committed to protecting the health and safety of everyone who attends its meetings.**

**At the beginning of the meeting, there will be an announcement about what you should do if there is an emergency during its course. For your own safety and that of others at the meeting, please comply with any instructions given to you about evacuation of the building, or any other safety related matters.**

### **2. MOBILE COMMUNICATIONS DEVICES**

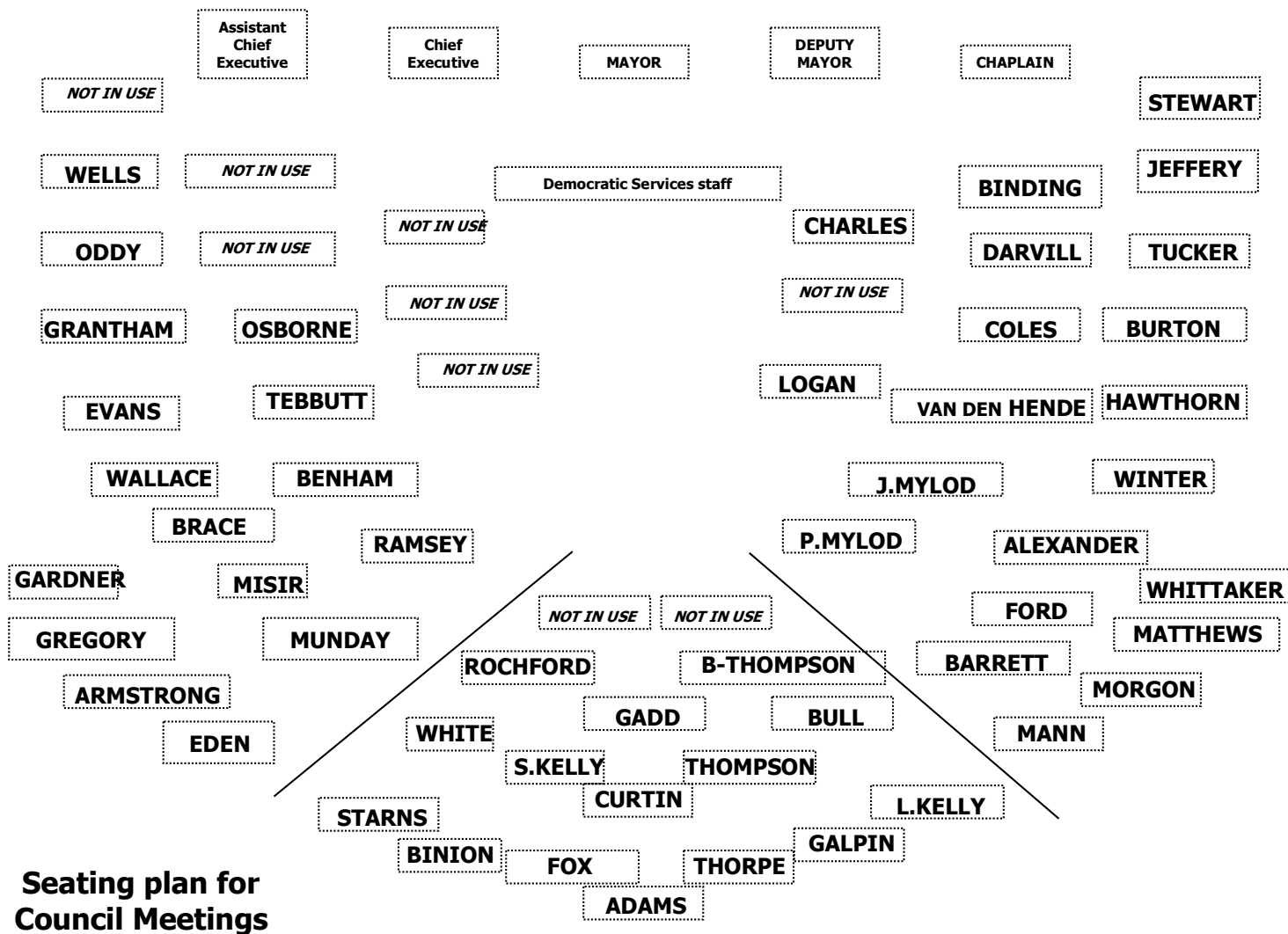
Although mobile phones, pagers and other such devices are an essential part of many people's lives, their use during a meeting of the Council can be disruptive and a nuisance. Everyone attending is asked therefore to ensure that any device is switched to silent operation or switched off completely.

### **3. CONDUCT AT THE MEETING**

**Although members of the public are welcome to attend meetings of the Council, they have no right to speak at them. Seating for the public is, however, limited and the Council cannot guarantee that everyone who wants to be present in the public areas of the Council Chamber can be accommodated. When it is known in advance that there is likely to be particular public interest in an item the Council will endeavour to provide an overspill room in which, by use of television links, members of the public will be able to see and hear most of the proceedings.**

**PLEASE REMEMBER THAT THE MAYOR MAY REQUIRE ANYONE WHO ACTS IN A DISRUPTIVE MANNER TO LEAVE THE MEETING AND THAT THE MEETING MAY BE ADJOURNED IF NECESSARY WHILE THAT IS ARRANGED.**

If you need to leave the meeting before its end, please remember that others present have the right to listen to the proceedings without disruption. Please leave quietly and do not engage others in conversation until you have left the Council Chamber.





# INFORMATION FOR MEMBERS

## Commencement of Meeting

As an aid to Members, a single ring of the division bell will sound 5 minutes before the meeting is due to begin, followed by a double ring at 2 minutes before, at which time Members are asked please to take their seats for the commencement of the meeting.

## Control of microphones

Members are reminded that, at Council meetings, the microphones are controlled centrally under the direction of the Mayor. Consequently, Members do not need to press the **MIC ON** button in order to speak, nor to turn off the microphone when they have finished.

The Mayor would find it helpful, however if Members would press the **MIC ON** button to indicate that they wish:

- to speak in the course of debate on any motion (including movers and seconders)
- to rise to a point of order, of information or in personal explanation

## Voting

When the Mayor calls a division, the division bell will sound briefly. In order to ensure that votes are recorded correctly, Members are asked to wait until the division bell has finished ringing before pressing the appropriate voting button.

Members are, of course, free to change their vote as they choose at any time until the Mayor directs that the votes be counted. Once a count has been called, however, no further change is possible. In the event that a Member's vote appears not to have been recorded, the clerks should be informed immediately, before the result is declared, so that account can be taken of the vote.

Council, 25 March 2009

## **AGENDA**

**1 PRAYERS**

2 To receive apologies for absence (if any)

**3 MINUTES**

To sign as a true record the minutes of the Meeting of the Council held on 25 February 2009

**4 DECLARATION OF INTERESTS**

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

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

**5 ANNOUNCEMENTS BY THE MAYOR, BY THE LEADER OF THE COUNCIL OR BY THE CHIEF EXECUTIVE (if any)**

**5A PROCEDURAL MOTIONS**

To consider any procedural motions that may be proposed

**6 PETITIONS**

Councillor John Mylod has given notice of an intention to present a petition pursuant to Council Procedure Rule 24.

**Council, 25 March 2009**

<p><b>REPORTS FOR CONSIDERATION</b></p>
---

**NOTE: The deadline for amendments to reports published after this final agenda is when the report is considered by the Council**

**7 AMENDMENTS TO THE CONSTITUTION**

To consider a report of the Governance Committee

**8 DATES OF COUNCIL MEETINGS, 2009/10**

To consider a report of the Chief Executive

**9 MEMBERS' ALLOWANCES SCHEME, 2009/10**

To consider a report of the Chief Executive

**10 HAVERING LOCAL DEVELOPMENT FRAMEWORK: PROPOSED SUBMISSION  
JOINT WASTE PLAN DPD**

To consider a report of Cabinet (to follow, as an urgent report, with the agreement of the Mayor under s.100b(4) of the Local Government Act 1972)

**11 HAVERING SUSTAINABLE COMMUNITY STRATEGY**

To consider a report of Cabinet (to follow, as an urgent report, with the agreement of the Mayor under s.100b(4) of the Local Government Act 1972)

**Council, 25 March 2009**

**MEMBERS'  
QUESTIONS**

**12 MEMBERS' QUESTIONS**

**Questions will be listed in the agenda by order of receipt  
(but the order in which they are taken at the meeting may differ from that)**

**MOTIONS  
FOR DEBATE**

**13 OVERVIEW & SCRUTINY COMMITTEES**

**Motion on behalf of the Residents' Group**

This Council recognises the importance of scrutiny committees in reviewing policies and actions of the Council. In order to fulfil the role effectively, it is crucial that scrutiny committees remain independent of the Executive of the Council. As such, this Council resolves that the scrutiny process should adopt the following measures:

- a) Chairmanship of the scrutiny committees should better reflect the composition of the whole Council and draw on the ability and experience of all members.
- b) Scrutiny members, who also come from the same party as the Executive, should be fully free to express opinion of policy and decisions without being subject to party whip.
- c) When and where appropriate, at the discretion of Chairmen and Vice-Chairmen, to create ad hoc specialist "select committees", drawing on the wide scope of skills and experience of all members, to deal with specific items.

**13A Amendment by the Administration**

This Council recognises the importance of scrutiny committees in reviewing policies and actions of the Council. In order to fulfil the role effectively, it is crucial that scrutiny committees remain independent of the Executive of the Council.

**Council, 25 March 2009****14 USE OF PROCEDURAL MOTIONS****Motion on behalf of the Independent Local Residents' Group**

This Council deprecates the use of procedural motions in ways that could be perceived as seeking to stifle legitimate debate

**14A Amendment by the Administration**

This Council recognises the need to refer appropriate motions to Overview & Scrutiny Committee for detailed examination by way of procedural motions and that this provides a wider and more informed debate.

**15 AIR TRANSPORT - FLIGHT INCREASES AT LONDON CITY AIRPORT****Motion on behalf of the Labour Group**

This Council condemns the Administration's dereliction of its representative duty: -

- (a) In not informing or consulting Council Members or local residents about the significant increases in flights proposed from the London City Airport ; and
- (b) In its failure to consult with or inform local residents, or provide any response to the flight path changes proposed by the National Air Traffic Service(NATS), which will together with the increase in flights will have a substantial and detrimental environmental impact particularly in respect of noise and air pollution in many parts of the Borough.

**16 SURVEY OF COUNCIL TENANTS AND LEASEHOLDERS****Motion on behalf of the Labour Group**

This Council calls upon the Administration and Homes in Havering to improve its consultation arrangements with Tenants and Leaseholders and in particular to conduct in the near future an extensive survey to ascertain the views and opinions of residents in Council owned accommodation about the additional services and the charges payable for such services. It also calls upon the Administration and Homes in Havering to consult with Tenant and Leaseholder representatives before conducting the survey about the content of the survey questionnaire and the information to be provided to recipients.

**16A Amendment by the Administration**

This council calls upon the Labour government to give fair funding for Havering's tenants and leaseholders.



**MINUTES OF A MEETING OF THE COUNCIL OF THE  
LONDON BOROUGH OF HAVERING  
Havering Town Hall, Romford  
25 February 2009 (7.30pm – 10:30pm)**

**Present:** The Mayor (Councillor John Clark) in the Chair

Councillors June Alexander, Michael Armstrong, Clarence Barrett, Robert Benham, Tom Binding, Sandra Binion, Jeff Brace, Wendy Brice-Thompson, Dennis Bull, Michael Deon Burton, David Charles, Jonathan Coles, Andrew Curtin, Keith Darvill, Ted Eden, Roger Evans, Gillian Ford, Chris Fox, Mark Gadd, Georgina Galpin, David Grantham, Kevin Gregory, Linda Hawthorn, Coral Jeffery, Lesley Kelly, Steven Kelly, Pam Light, Andrew Mann, Barbara Matthews, Robby Misir, Ray Morgon, Eric Munday, John Mylod, Pat Mylod, Barry Oddy, Fred Osborne, Roger Ramsey, Paul Rochford, Geoff Starns, Mark Stewart, Barry Tebbutt, Frederick Thompson, Lynden Thorpe, Jeffrey Tucker, Melvin Wallace, Keith Wells, Michael White and Mike Winter

A representative of the press also attended.

Apologies were received for the absence of Councillors Gary Adams, Peter Gardner, Linda Van den Hende and Steve Whittaker

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

The Mayor led those present in saying the Lord's Prayer.

The meeting closed with the singing of the National Anthem.

**79 MINUTES (Agenda Item 3)**

It was **RESOLVED:**

**That the minutes of the Meeting of the Council held on 4 February 2009 be signed as a true record.**

**80 DECLARATIONS OF INTEREST (Agenda Item 4)**

Councillors Michael Armstrong, Robert Benham, Sandra Binion, Jeff Brace, Wendy Brice-Thompson, Andrew Curtin, Ted Eden, Leslie Kelly, Steven Kelly, Robby Misir, Eric Munday, Barry Oddy, Roger Ramsey, Paul Rochford, Geoff Starns, Barry Tebbutt and Michael White each declared a personal interest in the matters referred to in minute 83 following (agenda item 7: Corporate Plan and Medium Term Financial Strategy: 2009/10 Budget) as recipients of Special Responsibility Allowances as a Cabinet Member or Chairman of an Overview & Scrutiny Committee.

Councillor Michael Deon Burton made a declaration that s.106 of the Local Government Finance Act 1992 applied to him.

There were no other declarations of interest

**81 ANNOUNCEMENT BY THE MAYOR (Agenda Item 5)**

On behalf of the Council, the mayor expressed condolences to the family of Mr David Cameron MP, Leader of HM Opposition, on the death of his son Ivan.

**82 PROCEDURAL MOTIONS (Agenda Item 6)**

No procedural motion was proposed.

**83 CORPORATE PLAN AND MEDIUM TERM FINANCIAL STRATEGY: 2009/10 BUDGET (Agenda Item 7)**

Council had before it a report of the Cabinet and reports of the Chief Executive setting out the Chief Financial Officer's advice in accordance with Council Procedure Rules 13.8 (vi) and 13.9 (ii) as to the robustness and other aspects of the amendments proposed to the Cabinet report.

**7A Amendment to budget proposals by the Residents' Group**

To amend the budget by incorporation of the items attached\* thereby reducing the Council Tax by 0.15% on Band D to 1.75% overall.

**\* Note: see the tables at the end of these minutes**

## **7B Amendment to budget proposals by the Independent Local Residents' Group**

That this Council invest immediately some of its funds in silver bullion in view of the current and anticipated increase in value whilst considering other precious metals for investment to enable this Council to reduce future Council Tax levels.

Following debate, the Residents' Group amendments were **LOST** by 33 votes to 15 (see voting division 1) and the Independent Residents' Group amendment was **LOST** by 45 votes to 1 (see division 2). The report of the Cabinet was then **AGREED** and the recommendations therein were **ADOPTED** by 32 votes to 12 (see division 3), and it was –

### **RESOLVED:**

- 1 That the following as submitted in the report to Cabinet be approved:**
  - a) The revenue budget for 2009/10.**
  - b) The capital programme for the period from 2009/10 to 2016/17, as set out in Appendix L.**
  
- 2 That it be noted that under delegated powers the Chief Finance Officer has calculated the amount of 88,683 (called T in the Act and Regulations) as its Council Tax base for the year 2009/2010 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) made under Section 33(5) of the Local Government Finance Act 1992.**
  
- 3 That the following amounts be now calculated by the Council for the year 2009/2010 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:**
  - a) £480,570,642** being the aggregate of the amounts which the Council estimates for the items set out in section 32(2)(a) to (e) of the Act.
  - b) £319,701,393** being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.
  - c) £160,869,249** being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with section



32(4) of the Act, as its budget requirement of the year.

This figure is R in the Act and Regulations.

d) £54,345,003

being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant or additional grant in accordance with Section 33 of the Local Government Finance Act 1992 (as amended) increased by the amount of the sums which the Council estimates will be transferred in the year from its collection fund to its general fund in accordance with Section 97 (3) of the Local Government Finance Act 1988 and increased by the amount of any sum which the Council estimates will be transferred from its collection fund to its general fund pursuant to the directions under Section 98(4) of the Local Government Finance Act 1988

e) £106,524,246

being the amount at 3(c) above less the amount at 3(d) above, which is then divided by the amount at 2 above, calculated by the Council, in accordance with Section 33(1) of the Local Government Finance Act 1992, as the basic amount of its Council Tax for the year.

f) London Borough of Havering

Valuation Bands	£ p
A	800.78
B	934.25
C	1,067.71
D	1,201.18
E	1,468.11
F	1,735.04
G	2,001.96
H	2,402.36

being the amount given by multiplying the amount at 3(e) above by the number which, in the proportion set out in Section 5(1) of the 1992 Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36 (1) of the Local Government Finance Act 1992, as the amounts to be taken into account for the year in respect of categories of dwellings listed in differing valuation bands.

- 4 That it be noted for the year 2009/10 the major precepting authority (the GLA) has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below as agreed by the Mayor and the London Assembly at its meeting on 11 February 2009.

<b>Greater London Authority</b>	
<b>Valuation Bands</b>	<b>£ p</b>
<b>A</b>	<b>206.55</b>
<b>B</b>	<b>240.97</b>
<b>C</b>	<b>275.40</b>
<b>D</b>	<b>309.82</b>
<b>E</b>	<b>378.67</b>
<b>F</b>	<b>447.52</b>
<b>G</b>	<b>516.37</b>
<b>H</b>	<b>619.64</b>

- 5 That, having calculated the aggregate in each case of the amounts at 3(f) and 4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2009/10 for each of the categories of dwellings shown below:

<b>Valuation Bands</b>	<b>£ p</b>
<b>A</b>	<b>1,007.33</b>
<b>B</b>	<b>1,175.22</b>
<b>C</b>	<b>1,343.11</b>
<b>D</b>	<b>1,511.00</b>
<b>E</b>	<b>1,846.78</b>

<b>F</b>	<b>2,182.56</b>
<b>G</b>	<b>2,518.33</b>
<b>H</b>	<b>3,022.00</b>

- 6** That any Council Tax payer who is liable to pay an amount of Council Tax to the Authority in respect to the year ending on 31 March 2010, who is served with a demand notice under Regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 and who makes payment to the Authority of the full balance of the estimated amount shown on that demand by 1 April 2009, may deduct a sum equivalent to 1.5% of and from the estimated amount and such reduced amount shall be accepted in full settlement of that estimated amount.
- 7** That the Capital Programme be expanded for schemes during the year which are funded via external funding under the authority of the Cabinet Member Finance and Commerce and other relevant Cabinet Member.
- 8** That in respect of Treasury Management as set out in the report to Cabinet, the Council:
- (i)** Re-affirms the Treasury Policy Statement set out in paragraph 5.2.
  - (ii)** Approves the Treasury Management Strategy set out in Appendix M.
  - (iii)** Approves the Annual Investment Strategy set out in Appendix M.
  - (iv)** Approves the Minimum Revenue Provision Strategy set out in Appendix M.
  - (v)** Notes the Treasury Management budget for 2009/10 set out in of Appendix M, which has been included in the overall Council budget.
  - (vi)** Agrees that the Group Director Finance and Commerce amends the Annual Investment Management Strategy set out in Appendix M in the light of any new information and that such changes be reported to the Cabinet Member Finance and Commerce.
- 9** That in respect of the Prudential Indicators as set out in the report to Cabinet, the Council approves the Prudential Indicators for Treasury Management Capital Finance and External Debt as set out in Appendix M as required under the Regulations.

## 2009/10 COUNCIL TAX PROPOSAL

<b>ADMINISTRATION PROPOSAL</b>	<b>Estimate 2009/10 £</b>	<b>Band D Rate 2009/10 £</b>	
<b>Expenditure</b>			
<b>Precepts</b>			
London Borough of Havering	106,524,246		
Greater London Authority	27,475,767		
Contribution to NNDR Pool	71,214,090		
Cost of NNDR collection	286,475		
	<u>205,500,578</u>		
<b>Income</b>			
NNDR receivable	<u>-71,500,565</u>		% Increase
Council Tax per Band D property	<u>134,000,013</u>	<b>1,511.00</b>	<b>1.9%</b>

<b>RA PROPOSAL</b>	<b>Estimate 2009/10 £</b>		
<b>Expenditure</b>			
<b>Precepts</b>			
London Borough of Havering	106,364,246		
Less contingency adjustment*	-17,400		
Greater London Authority	27,475,767		
Contribution to NNDR Pool	71,214,090		
Cost of NNDR collection	286,475		
	<u>205,323,178</u>		
<b>Income</b>			
NNDR receivable	<u>-71,500,565</u>		% Increase
Council Tax per Band D property	<u>133,822,613</u>	<b>1,509.00</b>	<b>1.75%</b>

<u>RA Budget Calculation</u>	
Administration LBH Budget	106,524,246
RA LBH Amendments (see summary)	<u>-160,000</u>
RA LBH Budget	106,364,246

Band D Rate in 2008/09	1,483.00
------------------------	----------

\* Note - This figure represents an adjustment of -£17,400 to the contingency sum shown in the Administration proposals to achieve a whole pounds Council Tax Band D figure. The revised contingency sum would therefore become £1,982,600. This adjustment is in accordance with recommendation 8 of the report to Cabinet 11th Feb 2009.

## RA BUDGET AMENDMENTS 2009-12 SUMMARY OF PROPOSALS

		2009/10	2010/11	2011/12
		£'000	£'000	£'000
<b>SAVINGS</b>				
RA1s	Civic Pride	-150	-150	-150
RA2s	Furniture & Equipment	-120	0	0
RA3s	Publicity & Information	-24	-24	-24
RA4s	Overview & Scrutiny Positions	-101	-101	-101
RA5s*	Capitalise Road Mtce Works	-75	-75	-75
RA6s	Graffiti Removal (Probation Links)	-50	-100	-100
		-520	-450	-450
<b>PRESSURES</b>				
RA1p	Historic Buildings	20	20	20
RA2p	Car Parking	250	300	300
RA3p	Tree Management	50	75	100
RA4p	Street Cleaners	30	30	30
RA5p	School Uniform Grants	10	10	10
		360	435	460
NET BUDGET COST:		<b>-160</b>	<b>-15</b>	<b>10</b>

\*Options RA5s would be set against the additional £8m capital programme in 2009/10

## RA BUDGET AMENDMENTS 2009-12

### SAVINGS

Ref	Description	2009/10 £'000	2010/11 £'000	2011/12 £'000
RA1s	<p><b>Build Civic Pride</b> Delete £150k budget pressure agreed in 2008/09. Sufficient budgetary provision exists to promote awareness of the Council and other services. Civic Pride is better enhanced through greater enforcement against environmental offences and anti-social behaviour.</p>	-150	-150	-150
RA2s	<p><b>Furniture &amp; Equipment</b> 7% efficiency cut on budget across Council by deferring non-essential expenditure for one year only.  Based on 2008/09 budget of £1.702K 1% efficiency = £17k ; 10% efficiency =£170k.</p>	-120	0	0
RA3s	<p><b>Publicity &amp; Information</b> 10% efficiency cut on budget across council  Better use of website for publicity &amp; information to provide information.  Based on specific budget of £237k in 2008/09.</p>	-24	-24	-24
RA4s	<p><b>Special Responsibility Allowances</b> Reduction to allowances for Cabinet and Overview &amp; Scrutiny positions by reviewing structure and streamlining number of positions - for example, through reduction in the number of Cabinet posts, allowance level paid to OVS chairs.</p>	-101	-101	-101
RA5s	<p><b>Capitalise Road Maintenance Works</b> Additional routine works identified by inspection regime to be capitalised</p>	-75	-75	-75
RA6s	<p><b>Graffiti Removal (Probation links)</b> Increase and utilise links with probation service to undertake programmed graffiti removal in the community</p>	-50	-100	-100
<b>TOTAL PROPOSED SAVINGS:</b>		<b>-520</b>	<b>-450</b>	<b>-450</b>

## RA BUDGET AMENDMENTS 2009-12

### PRESSURES

Ref	Description	2009/10 £'000	2010/11 £'000	2011/12 £'000
RA1p	<b>Historic Buildings in Havering</b> <i>This represents a 25% increase in resources to support the upkeep and maintainance of Historic Buildings in Havering</i>	20	20	20
RA2p	<b>Reinstate free car parking in our outlying centres</b> <i>To respond to resident and trader demand for the return of free parking in out of town centres to promote and stimulate local economies and enhance resident convenience. In the first year legal notices and consultation processes would need to be instigated, thus leading to a lead in time which is reflected in the 2009/10 figure</i>	250	300	300
RA3p	<b>Tree Management Programme</b> <i>Incremental increase in the tree management budget</i>	50	75	100
RA4p	<b>Mechanised Street Cleaner x2</b> <i>Maintenance and running costs of two mechanised street cleaners which will be capital purchases (£160k capital cost)</i>	30	30	30
RA5p	<b>Introduce enhanced facility for School Uniform Grants</b> <i>Central fund accessible by schools to provide support for families unable to provide adequate uniform</i>	10	10	10
<b>TOTAL PROPOSED PRESSURES:</b>		<b>360</b>	435	460

## VOTING RECORD

<i>DIVISION NUMBER:</i>	1	2	3
The Mayor [Cllr. John Clark]	x	x	✓
The Deputy Mayor [Cllr. Pam Light]	x	x	✓
<b>CONSERVATIVE GROUP</b>			
Cllr. Michael White	x	x	✓
Cllr. Gary Adams	A	A	A
Cllr. Mike Armstrong	x	x	✓
Cllr. Robert Benham	x	x	✓
Cllr. Sandra Binion	x	x	✓
Cllr. Jeff Brace	x	x	✓
Cllr. Wendy Brice-Thompson	x	x	✓
Cllr. Dennis Bull	x	x	✓
Cllr. Andrew Curtin	x	x	✓
Cllr. Ted Eden	x	x	✓
Cllr. Roger Evans	x	x	✓
Cllr. Christine Fox	x	x	✓
Cllr. Mark Gadd	x	x	✓
Cllr. Georgina Galpin	x	x	✓
Cllr. Peter Gardner	A	A	A
Cllr. David Grantham	x	x	✓
Cllr. Kevin Gregory	x	x	✓
Cllr. Lesley Kelly	x	x	✓
Cllr. Steven Kelly	x	x	✓
Cllr. Robby Misir	x	x	✓
Cllr. Eric Munday	x	x	✓
Cllr. Barry Oddy	x	x	✓
Cllr. Frederick Osborne	x	x	✓
Cllr. Roger Ramsey	x	x	✓
Cllr. Paul Rochford	x	x	✓
Cllr. Geoffrey Starns	x	x	✓
Cllr. Barry Tebbutt	x	x	✓
Cllr. Frederick Thompson	x	x	✓
Cllr. Lynden Thorpe	x	x	✓
Cllr. Melvin Wallace	x	x	✓
Cllr. Keith Wells	x	x	✓
<b>RESIDENTS' GROUP</b>			
Cllr. Clarence Barrett	✓	x	O
Cllr. June Alexander	✓	O	O
Cllr. Gillian Ford	✓	x	O
Cllr. Linda Hawthorn	✓	x	O
Cllr. Andrew Mann	✓	x	O
Cllr. Barbara Matthews	✓	x	O
Cllr. Raymond Morgon	✓	x	O
Cllr. John Mylod	✓	x	O
Cllr. Patricia Mylod	✓	x	O
Cllr. Linda van den Hende	A	A	A
Cllr. Steve Whittaker	A	A	A
Cllr. Mike Winter	✓	x	O
<b>INDEPENDENT LOCAL RESIDENTS' GROUP</b>			
Cllr. Jeffery Tucker	x	✓	x
Cllr. Michael Deon Burton	ID	ID	ID
<b>LABOUR GROUP</b>			
Cllr. Keith Darvill	✓	x	x
Cllr. Tom Binding	✓	x	x
<b>RAINHAM RESIDENTS' GROUP</b>			
Cllr. Coral Jeffrey	✓	x	x
Cllr. Mark Stewart	✓	O	O
<b>Liberal Democrat Member</b>			
Cllr. Jonathan Coles	✓	x	O
<b>British National Party Member</b>			
Cllr. Mark Logan	A	A	A
<b>Independent Member</b>			
Cllr. David Charles	x	x	✓
<b>TOTALS</b>			
<b>YES</b>	15	1	32
<b>NO</b>	33	45	4
<b>ABSTAIN/NO VOTE</b>	0	2	12
<b>DECLARATION OF INTEREST/NO VOTE</b>	1	1	1
<b>ABSENT FROM MEETING</b>	5	5	5

IN FAVOUR ✓                      AGAINST X  
NOT VOTING O                      ABSENT A  
INTEREST DECLARED ID







**COUNCIL, 25 MARCH 2009**

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**REPORT OF GOVERNANCE COMMITTEE, 11 MARCH 2009**

**SUBJECT: AMENDMENTS TO THE CONSTITUTION**

**1. PLANNING PERFORMANCE AGREEMENTS**

Guidance issued by DCLG in April 2008 in relation to Planning Performance Agreements (PPA) defines a PPA as a framework agreed between a local planning authority and a planning applicant for the management of complex development proposals within the planning process. A PPA allows both the developer and the local planning authority to agree a project plan and programme which will include the appropriate resources necessary to determine the planning application to a firm timetable.

A PPA is a voluntary agreement between the Council and developer and has no statutory or legal status but seeks an agreed commitment by both parties to deal with a planning application in a certain way. It can also include agreement over the way in which any pre-application process will take place.

For the local planning authority, entering into a PPA on certain complex major proposals has a number of advantages:

- Resource requirements can be identified at an early stage
- Pre-application consultation can be agreed enabling community comments to be considered as part of the formal proposal, rather than a reaction post-submission
- The scope of material required for a planning application and who will be consulted can be agreed in advance
- The developer can be made aware of the importance of achieving a high quality development that meets the Council's stated priorities at an early stage of the process
- Applications subject to PPA are excluded from performance returns in relation to NI57; PPA applications are complex, requiring extensive consultation and consideration of issues such that it would be advantageous to work to an agreed determination period, rather than the current arbitrary 13 week target for major planning applications.

For developers, entering into a PPA on certain complex major proposals has a number of advantages:

- Certainty in regard to when a planning application will be determined
- Assurance that adequate resources are available to the Council to deal with the proposal
- Agreement over type and extent of pre-application consultation
- Agreement over what material needs to be submitted to make the application valid
- Meaningful pre-application discussion
- Ability to identify the main milestones in the planning application process and more realistically incorporate these into the overall project and concentrate resources accordingly.

In entering into a PPA, no guarantee over the recommendation or decision is made. If the agreement fails there is no recourse and the time taken to determine the application forms part of the NI157 return to government. To date, three PPA's have been entered into, two for new primary schools and one for the Mardyke Estate redevelopment. Experience of both staff and applicants is positive, that the PPA has been helpful in the planning application process.

**Accordingly, the Governance Committee RECOMMENDS that the Head of Development and Building Control be authorised to negotiate, complete and sign Planning Performance Agreements and that the Monitoring Officer be authorised to make all necessary consequential amendments to the Constitution.**

## **2. OVERVIEW & SCRUTINY: ADDITIONAL POWERS**

From 1 April, provisions in the Local Government & Public Involvement in Health Act 2007 (the Act) to enhance the powers of Committees (OSCs) will be brought into force. Compliance with the new provisions will be mandatory, although it will be for each OSC to determine in any particular circumstance whether to invoke them.

### Scrutiny of local area agreement activity

The Act extends scrutiny to local area agreement (LAA) activity. Hitherto, scrutiny would only have been possible of a local authority's own activity on LAA matters: the new legislation enables (but does not oblige) OSCs to examine the contributions made by partner authorities within the LAA to the achievement of local improvement targets (Havering's "partner authorities" in this context are set out in the Appendix to this report).

Partner authorities are obliged by the Act to co-operate with OSCs in reviews of LAA/local improvement targets. Not only is there an obligation on them to provide information but they also have an obligation to have regard to the OSC findings in exercising their functions.

Reports to Council and Cabinet

From time to time, individual OSCs report to Cabinet (usually on topic group review outcomes) and, more rarely, to Council. Currently, the arrangements for such reports are governed by the Overview & Scrutiny Rules in the Council's Constitution, but the new statutory provisions over-ride that and require reports to be considered within two months.

For reports to Cabinet, this should not present any insuperable difficulty; although the statutory period allowed for consideration is marginally shorter than that provided by the Council's Rules, as Cabinet meets monthly in practice no great problem is anticipated.

There may, however, be difficulty if an OSC reports directly to Council on a matter; although OSCs rarely report to Council, it does not meet at an even frequency. There is no meeting at which ordinary business is conducted between late March and mid-late July, nor between mid-late July and mid-late October – but between October and March meetings occur within two months of each other. That can be overcome to some extent by carefully managing the submission dates from OSCs but that may not always be possible. Accordingly, there is the a chance that, from time to time, extraordinary meetings of Council will be required to consider specific referrals from OSCs.

The provision in the Act that introduces a potentially onerous process is that Council and Cabinet must not only consider the OSC report within two months but agree a response to it, which must indicate what (if any) action the Council or Cabinet propose to take as a result. This contrasts with current practice whereby Cabinet receives and considers an OSC report, and then agrees, in full or in part, or rejects, the findings and they are then incorporated into policy or practice as appropriate.

The Act prescribes a somewhat bureaucratic process for that purpose that is at odds with Havering's current (rather more pragmatic) practice; the principal difference is that the response of the Council or Cabinet will now need to be more fully considered and formally reported to the OSC. Procedures will need to be reviewed but the aim will be to retain as much of the current method as is practicable and simply graft on what is needed to comply with the Act.

It should be noted that, as the new procedure is mandatory, failure to follow it would be good grounds for a finding of maladministration by the Ombudsman if a decision were challenged by an aggrieved party.

**The Governance Committee accordingly recommends that the Assistant Chief Executive Legal & Democratic Services be authorised to make any necessary consequential adjustments to the Overview & Scrutiny Procedure Rules in the Constitution on an interim basis, pending wider review of those Rules.**

**Partner authorities**

**The “partner authorities” specified in the Local Government & Public Involvement in Health Act are, in the Havering context:**

<b>Authority</b>	<b>Relevant OSC(s)</b>
(a) the London Fire and Rescue Authority;	Crime & Disorder; Environment
(b) the Metropolitan Police Authority;	Crime & Disorder; Environment; Corporate
(c) the Metropolitan Police;	Crime & Disorder; Environment
(d) the East London Waste Authority;	Environment; Corporate
(e) Transport for London;	Crime & Disorder; Environment; Adult Services
(f) the Havering Primary Care Trust (NHS Havering);	Crime & Disorder; Health; Children’s Services; Adult Services
(g) the London Development Authority;	Environment; Culture & Regeneration
(h) the local probation board;	Crime & Disorder; Children’s Services; Adult Services
(i) the Havering Youth Offending Team;	Crime & Disorder; Children’s Services
(j) the Barking, Havering and Redbridge Hospitals National Health Service Trust;	Health; Crime & Disorder
(k) the London Ambulance Service National Health Service Trust;	Health; Crime & Disorder
(l) the North East London NHS Foundation Trust.	Health; Crime & Disorder
(m) the Arts Council of England;	Culture & Regeneration
(n) the English Sports Council;	Culture & Regeneration; Children’s Services
(o) the Environment Authority;	Environment;
(p) the Health and Safety Executive;	Crime & Disorder; Corporate
(q) the Historic Buildings and Monuments Commission;	Environment; Culture & Regeneration
(r) the Learning and Skills Council for England;	Culture & Regeneration; Children’s Services; Adult Services
(s) the Museums, Libraries and Archives Council;	Culture & Regeneration
(t) Natural England;	Culture & Regeneration

(u) the Secretary of State, but only in relation to—		
(i) his functions under section 2 of the Employment and Training Act 1973 (c. 60) (arrangements with respect to obtaining etc employment or employees);	Adult Services; Culture & Regeneration	
(ii) functions which he has as highway authority by virtue of section 1 of the Highways Act 1980 (c. 66); and		Environment
(iii) functions which he has as traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (c. 27).		Environment

**Council, 25 March 2009**



**COUNCIL, 25 MARCH 2009**

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## **REPORT OF THE CHIEF EXECUTIVE**

### **DATES OF COUNCIL MEETINGS, 2009/10 AND BEYOND**

- 1.1 In accordance with the Constitution, meetings of the Council are fixed by the Council itself.
- 1.2 It has been the practice that dates for the whole of the next Municipal Year are agreed in the March of each municipal year with dates for the balance of the remainder of the following calendar year being agreed on a provisional basis for the purposes of the Council Diary.
- 1.3 It is proposed that the pattern of meetings for the coming year should generally continue to follow past practice and so the Council would meet as follows (all Wednesdays) –

#### **2009** (already shown in the current diary as provisional)

22	July
21	October
9	December

#### **2010**

3	February
24	February (Council tax Setting)
24	March
26	May (Annual Meeting)
28	July (provisional)
20	October (provisional)
8	December (provisional)

- 1.4 The meetings shall begin at the time agreed by the Council or by the Mayor, or at 7.30pm if no other time is agreed.



- 1.5 It should be noted that 2010 is the year of the next local elections, on 6 May. Accordingly, as the last meeting before the elections, the Annual Reports of Committees and Member Champions will be submitted at the Council meeting on 24 March.

### **Other meetings**

- 2.1 In accordance with the Constitution, the Manager of Committee and Overview & Scrutiny Support is preparing the schedule of meetings for the coming year on the basis that, so far as possible and practicable:
- (i) Area Committees shall meet quarterly, in July, October, January and April
  - (ii) The Regulatory Services Committee shall meet every three weeks (except around the Christmas/New Year period and, in 2010 only, during the period immediately before the elections and following the Annual Meeting)
  - (iii) The Audit, Governance, Investment and Standards Committees and the Overview & Scrutiny Committees shall generally meet once during each period between ordinary Council meetings
  - (iv) Meetings will only be arranged for Monday or Friday evenings in exceptional circumstances.

There are no identified, direct **financial, legal, Human Resources or equalities implications and risks** associated with selection of these dates.

### **RECOMMENDATION**

That the Council fixes the date of its meetings for the Municipal Year 2009/10 and, on a provisional basis, the balance of 2010.

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**CHERYL COPPELL**  
**Chief Executive**

### **Background Papers**

None.



**COUNCIL, 25 MARCH 2009**

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**REPORT OF CHIEF EXECUTIVE**

**SUBJECT: MEMBERS' ALLOWANCES**

**SUMMARY**

The Council is obliged to make a scheme annually, before the 1<sup>st</sup> of April each year.

This report proposes no changes and that the existing scheme effectively continues and is adopted as the new scheme for 2009. In establishing the scheme which has operated within the Council, regard was given to the report of the Independent Remuneration Panel of London Councils' and the allowances in the scheme were set within their bands of recommendations.

**RECOMMENDATION**

It is recommended:

1. That the Members' Allowances scheme becomes effective from 1<sup>st</sup> April 2009, and the existing scheme be revoked with effect from the same date.
2. That, subject to the decision of Members with regard to recommendation 1, the total number of SRAs may exceed the recommended 50% and, in the event of exceeding the 50% level, Council endorse the justification set out in the report.

**REPORT DETAIL**

**1. BACKGROUND INFORMATION – THE CURRENT SCHEME**

1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 provides that a Local Authority shall make a scheme in accordance with these Regulations in respect of each year. Regulation 10 provides that such a scheme shall be made before the beginning of each year commencing on 1<sup>st</sup> April. Such a scheme may be amended during the year, but only revoked with effect from the beginning of a year.

In establishing the Members' Allowances scheme which has operated within the Council, regard has been given to the report of the (then) ALG (now London Councils') Independent Remuneration Panel on Members' allowances, and the allowances in the Havering scheme have been set within their bands of recommendations.

1.2 The scheme implemented from 1<sup>st</sup> April 2008 was as follows:

<b>Category of Allowance</b>	<b>Amount Member £</b>	<b>Per</b>
Basic Allowance	10,208	
<b>Special Responsibility Allowances:</b>		
Leader of the Council	51,191	
Deputy Leader of the Administration	35,705	
Cabinet members	32,705	
Leader of Principal Opposition	18,000	
Deputy Leader of Principal Opposition	3,825	
Leader of Principal Minority Opposition	6,390	
Leader of Minority Opposition	2,227	
Mayor	14,418	
Deputy Mayor	7,650	
Area Committee Chairmen	4,260	
Overview and Scrutiny Committees Chairmen	14,418	
Licensing and Regulatory Services Committee Chairmen	20,430	
Audit, Pension, Governance, Appointments, Adjudication and Review Committee Chairmen	7,650	

*Note:* In accordance with paragraph 4(c) of the Members' Allowance scheme, when a Councillor would otherwise be entitled to more than one special responsibility allowance, then the entitlement shall be to only one, that being the one attracting the higher rate.

### **1.3 Basic Allowance**

Each Member of the Council currently receives a Basic Allowance of £10,208. This will be increased for inflation for 2009/10 in line with the annual Local Government Pay Settlement of the Joint Negotiating Committee for Chief Officers of Local Authorities or its replacement in accordance with the scheme once the level of increase is agreed.

If the Councillor becomes entitled to any allowance during the year, he/she is entitled to the relevant proportion of that allowance as set out in the Constitution.

The basic allowance covers all intra-Borough travel costs and subsistence.

Where a Member is suspended or partially suspended from his responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000, or Regulations made under that part, the part of basic allowance payable to him in respect of the period for which he is suspended or partially suspended could be withheld by the Council by decree of the Standards Committee.

### **1.4 Special Responsibility Allowance**

1.4.1 When a Councillor would otherwise be entitled to more than one special responsibility allowance, then the entitlement shall be to only one, that being the one attracting the higher rate.

Where a Member is suspended or partially suspended from his responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000, or Regulations made under that part, the part of Special Responsibility allowance payable to him in respect of the period for which he/she is suspended or partially suspended could be withheld by the Authority on the decision of the Standards Committee.

The Scheme provides that only basic allowances will be increased from 1<sup>st</sup> April in line with the annual Local Government Pay Settlement of the Joint Negotiating Committee for Chief Officers of Local Authorities or its replacement.

1.4.2 The Panel does recommend that only a maximum of 50% SRA should be paid, the scheme assuming single occupancy provides for 44 SRA's as compared to 54 Councillors (81%). This exceeds the recommended level of 50% and whilst there may be some reduction in this proportion where a Member has two positions and can only receive a single SRA, this is unlikely to change the proportion so it is in line with the panel recommendation. The Council justify this on the basis of:

- (a) The number of Overview and Scrutiny Committees.
- (b) To facilitate a diverse and meaningful contribution to decision making and governance of the Council.
- (c) To develop Member skills and roles to enable seamless succession into senior roles.
- (d) Maximise the skills, experience and contributions brought to the borough by its Members.
- (e) To enable sufficient Area Committees to be established to maintain a truly local forum for community engagement.

1.4.3 The Mayor and Deputy Mayor allowance covers the cost of all Mayoral activities such as clothing and personal expenses plus sundry expenses including items such as attendance at dinners and raffle tickets, sponsorship and donations. The Mayor and Deputy Mayor are responsible for all such payments via the SRA which will be taxed. The Council meet the cost of the Mayor's "At Home" and other Havering Civic receptions, award pins and certificates at the civic award ceremony; the medals, certificates and frames in the event of there being any ceremony associated with Honorary Alderman/Freeman of the Borough awards, gifts given on behalf of the Council in reciprocation or gifts initiated by the Council for promotional purposes, the cost of maintaining and provisioning the beverage machine in the Parlour, postage costs and all costs associated with the Mayoral transport, robes etc.

#### **1.5 Dependent Carers Allowance**

Any costs arising from being a Dependent Carer should be met by the Basic Allowance.

#### **1.6 Travelling and Subsistence Allowance**

Subject to the conditions set out below, the Travelling and Subsistence Allowances are only payable for official Council business outside the Borough.

Travel and subsistence arrangements for key events, e.g. Town Twinning will be set in line with the above. However, taking account of the practicalities of arrangements, these will be set out and documented by the Group Director, Finance and Commerce prior to each event and be agreed with the Cabinet Member for Resources.

The rules and entitlements for reimbursement of travel expenses outside of the Borough are the same for Officers, Members and co-opted Members and, hence, are currently as follows:

### 1.6.1 **Public Transport**

The rate for travel by public transport shall not exceed the amount of the ordinary (second class) fare or any available cheap fare.

### 1.6.2 **Private Motor Vehicle**

The current rates for travel in a Member's own private motor vehicle, or one belonging to a member of their family or otherwise used by the Member based on casual user rates of up to 8,500 miles per annum are:

Cylinder capacity up to 999cc 42.9p per mile  
Cylinder capacity over 1,000cc 46.9p per mile

### 1.6.3 **Taxi/Mini-cabs**

The rates for travel by taxi or mini-cab shall not exceed:

- In cases of urgency or where no public transport is reasonably available the amount of the actual fare and any reasonable gratuity paid.
- In any other case, the amount of the fare which would have been paid for travel by appropriate public transport.

### 1.7 **Subsistence Allowance**

Under the Building a Healthy Organisation, a change agreed for subsistence is "to limit the entitlement to claims for meals under the subsistence allowance arrangement for staff undertaking duties away from their normal place of work to where those duties entail an overnight stay or working outside normal office hours".

In respect of these subsistence allowances, the amounts payable shall not exceed the following rates, other than normal inflationary increases agreed as part of pay settlements:

<b>Breakfast Allowance</b> – More than 4 hours away from normal place of residence before 11 a.m.	£4.48
<b>Lunch Allowance</b> – More than 4 hours away from normal place of Residence including lunchtime between 12.00 and 14.00 hours.	£6.17
<b>Tea Allowance</b> - More than 4 hours away from normal place of residence including the period 15.00 to 18.00 hours.	£2.43
<b>Evening Meal Allowance</b> – More than 4 hours away from normal place of residence after 19.00 hours.	£7.64

Overnight absence for the purpose of attendance at an annual conference (with or without an annual meeting) e.g. the Local Government Association or such other association of bodies as the Secretary of State may, from time to time, approve or other Professional Institute Bodies	The full cost of accommodation as arranged and agreed by the Council and the reasonable cost of meals taken at the place of accommodation (where provision for meals is available).
Other overnight absence which arises from Council business will be based on the Officer rate as detailed here. If, however, in a particular case, accommodation cannot be found then other arrangements will be approved by the Group Director Finance and Commerce prior to booking and be in line with the above.	£50.97

Allowances are payable on the basis of expenditure incurred and Members will be reimbursed actual expenditure incurred up to a maximum of the rates set out above. Receipts must be submitted to support claims for subsistence allowance and travel costs.

#### **1.8 Co-Optees' Allowance**

In respect of Statutory Co-optees:

- (a) Reimbursement is based on £117 per meeting with the exception of the Independent Chairman of the Standards Committee whose rate is set at £240 per meeting.
- (b) Reimbursing all travel costs whether within or outside the Borough but not paying subsistence.

#### **1.9 Pensions**

These are not available.

#### **1.10 Election to Forgo Allowances**

A person may, by notice in writing given to the proper officer of the authority, elect to forgo his/her entitlement or any part of his/her entitlement to allowances.

### **1.11 Claims and Payments**

A time limit of three months exists for Havering in line with the rules for Officers for the making of claims.

### **1.12 Other Requirements of a Scheme**

There are a number of other requirements of a scheme and Havering complies with these by:

- Maintaining the scheme subject to any amendments agreed.
- Publishing the scheme once approved or amended in a newspaper in the area and for copies to be available for inspection by the public.
- Providing that if the Council amends the scheme mid year to change the amount of any allowance, a Councillor entitled to that allowance will receive the allowance at the new level from the date the amendment takes effect.
- Ensuring a further scheme is in place before any revocation of the scheme takes place.
- Including the scheme provision to ensure that where a member is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.
- Maintaining records of allowances and payments made and publishing these annually.

### **Financial Implications and Risks:**

The cost of the existing scheme on the basis of single occupancy of SRA positions is £1,256k. The cost on the basis of the existing occupancy is £1,175k. These figures exclude any inflation increase for 2009/10 as this has yet to be agreed.

The 2009/10 budget provision is £1,059k and any fluctuations in year are met by or drawn into the central contingency as appropriate given that occupancy of positions does vary.



**Human Resource Implications and Risks:**

None arising directly. Travel, subsistence and allowance increases are in line with those of Officers.

**Legal Implications and Risks:**

The 2003 Regulations provide for an allowance scheme to be made each year prior to and with effect from 1st April and the revocation of a scheme with effect from the same date. It is permissible to amend the scheme during a year but not to make a new scheme other than at 1st April.

The Regulations set out various detailed requirements in respect of:

- publicity
- categories of special responsibility allowances
- basic allowances being the same for all members
- co-optees' allowances, etc.

In addition the Regulations provide that an Independent Remuneration Panel's report shall as soon as reasonably practicable after it is received, be made available for public inspection and the main features of the report be published in one or more newspapers circulating in its area.

Regulation 19 provides that before a local authority makes or amends a scheme, the authority shall have regard to the recommendations made to it by an independent remuneration panel. This does not mean that a local authority has to adopt only those recommendations but it does mean that if an authority is going to depart from those recommendations it should objectively justify those departures and the rationale for them so that if the decision making of the authority is called in to challenge there are both reasoned and reasonable grounds for its decision taking into account all the material factors in issue.

Payments for greater than 50% of Special Responsibility Allowances might be justified as set out in paragraph 1.4.2.

**Staff Contact: Rita Greenwood**  
**Title: Group Director, Finance and Commerce**  
**Telephone: 01708 432218**

**CHERYL COPPELL**  
**Chief Executive**

**Background Papers**

The Remuneration of Councillors in London: 2006 Review.

## APPENDIX A

# Members' Allowances Scheme

*Agreed at the meeting of the Council on 25 March 2009. The new Scheme is agreed with effect from 1<sup>st</sup> April 2009 and the revocation of the Members' Allowance Scheme (2008) is effective from 1<sup>st</sup> April 2009.*

The Council of the London Borough of Havering in exercise of the powers conferred by the Local Authorities (Members Allowances) (England) Regulations 2003 hereby makes the following scheme:

1 This scheme may be cited as the Havering London Borough Council Members' Allowance Scheme. The new scheme shall have effect from 1<sup>st</sup> April 2009.

2 In this scheme, "councillor" means a councillor of the London Borough of Havering and "year" means the period ending on 31<sup>st</sup> March 2010 and any period of 12 months ending on 31<sup>st</sup> March in any year after 2010.

3 **Basic allowance (Schedule 1)**

Subject to paragraphs 7 and 12, for each year a basic allowance of £10,208 shall be paid to each councillor.

4 **Special responsibility allowance (Schedule 1)**

(a) For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the Council that are specified in schedule 1 to this scheme.

(b) Subject to paragraph 7, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.

(c) When a councillor would otherwise be entitled under the scheme to more than one special responsibility allowance, then the entitlement shall instead be only to one of them, being the one attracting the higher rate.

(d) Where a member is also a Member of another Authority, that Member may not receive allowances from more than one Authority in respect of the same duties.

5 **Child and dependent care allowance**

These expenses are expected to be met from the Basic Allowance.

6 **Renunciation**

A councillor may by notice in writing given to the Group Director Finance and Commerce elect to forego any part of his/her entitlement to an allowance under this scheme.

7 **Part-year entitlements**

(a) The provisions of this paragraph shall have effect to regulate the entitlements of a councillor to basic and special responsibility where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.

- (b) If an amendment to this scheme changes the amount to which a councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:
  - (i) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
  - (ii) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year.

The entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- (c) Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a basic allowance shall be to the payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her terms of office subsists bears to the number of days in that year.
- (d) Where this scheme is amended as mentioned in paragraph 7(b), and the term of office of a councillor does not subsist throughout the period mentioned in paragraph 7(b)(i), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that paragraph) as bears to the whole the same proportion as the number of days during which his/her term of office as a councillor subsists bears to the number of days in that period.
- (e) Where a councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he or she has such special responsibilities bears to the number of days in that year.
- (f) Where this scheme is amended as mentioned in paragraph 7(b), and a councillor has during part, but does not have throughout the whole, of any period mentioned in paragraph 7(b)(i) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

**8 Travelling and Subsistence (Schedule 2)**

- (a) Members can claim travelling expenses for travelling outside of the Borough on official Council business as set out in Schedule 2.
- (b) Members can claim subsistence expenses on official Council business when outside of the Borough as set out in schedule 2.

**9 Claims and payments**

## **Council, 25 March 2009**

- (a) Payments shall be made in respect of basic and special responsibility allowances, subject to paragraph 8(b), in instalments of one-twelfth of the amount specified in this scheme on the last working day of each month.
- (b) Where a payment of one-twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more than the amount to which, by virtue of paragraph 7, he or she is entitled, then payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.
- (c) Payments in respect of Travel and Subsistence shall be made to the Councillor on receipt of a claim form with supporting receipts/vouchers. Claims must be made within three months of the claim arising.

### **10 Pension Scheme**

No Member in the scheme is entitled to apply for inclusion in the Pension Scheme.

### **11 Financial Limits**

The Group Director Finance and Commerce will arrange for the budget for members Allowances to be monitored to ensure that budgetary issues are reported to Members.

### **12 Increases in Allowances**

Basic Allowances as quoted will be updated for 2009/10 by the % increase as agreed under the annual Local Government Pay Settlement of the Joint Negotiating Committee for Chief Officers of Local Authorities or its replacement under the local pay agreement. The amounts so calculated are to be rounded up to be divisible for payment purposes.

The amended basic allowance will be found on the Internet once any annual % uplift has been agreed.

The Travelling and Subsistence allowances will be increased in line with the increase in Officer rates.

### **13 Suspension of Basic and Special Responsibility Allowance**

Where a Member is suspended or partially suspended from his responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000, or Regulations made under that part, the part of Basic and Special Responsibility allowance payable to him in respect of the period for which he is suspended or partially suspended may be withheld by the Authority if the Standards Committee so determines.

### **14 Mayor and Deputy**

The Mayor and Deputy Mayor allowance covers the cost of all Mayoral activities such as clothing and personal expenses plus sundry expenses including items such as attendance at dinners and raffle tickets, sponsorship and donations. The Mayor and Deputy Mayor will be responsible for all such payments via the SRA, which will be taxed. The Council will meet the cost of the Mayor's "At Home" and other Havering Civic receptions, award pins and certificates at the civic award ceremony; the medals, certificates and frames in the event of there being any ceremony associated with Honorary Alderman/Freeman of the Borough awards, gifts given on behalf of the Council in reciprocation or gifts initiated by the Council for promotional purposes, the

cost of maintaining and provisioning the beverage machine in the Parlour, postage costs and all costs associated with the Mayoral transport, robes etc.

**15 Co-Optees Allowances**

The standard rate of allowance for statutory co-optees is £117 per meeting attended except for the Independent chair of the Standards Committee where the rate will be £240 per meeting.

Co-optees will be reimbursed for all travel costs in accordance with the above, whether the travel is within or outside the Borough, but co-optees should not be paid subsistence.

**16 Note**

- (a) The Council is required to keep a record of the payments made by it in accordance with this scheme.
- (b) The record is required to be available for inspection at all reasonable times free of charge by any local government elector for the borough who may make a copy of any part of it.
- (c) The Council is also required to arrange publication of the total sums paid in each year to each member in respect of basic and special responsibility allowances.
- (d) The Council is required to arrange publication of the Scheme when approved.

## Schedule 1: Members' allowances

Category of Allowance	Amount Member £	Per
Basic Allowance	10,208	
<b>Special Responsibility Allowances:</b>		
Leader of the Council	51,191	
Deputy Leader of the Administration	35,705	
Cabinet members	32,705	
Leader of Principal Opposition	18,000	
Leader of Principal Minority Opposition	6,390	
Leader of Minority Opposition	2,227	
Deputy Leader of Principal Opposition	3,825	
Mayor	14,418	
Deputy Mayor	7,650	
Area Committees Chairmen	4,260	
Overview and Scrutiny Committees Chairmen	14,418	
Licensing and Regulatory Services Committee Chairmen	20,430	
Audit, Pension, Governance, Appointments, Adjudication and Review Committee Chairmen	7,650	

**NOTES:** The basic allowance will be uplifted each year in accordance with paragraph 12.

## Schedule 2: Travel and Subsistence

Travelling expenses can only be claimed for travel outside of the borough on official Council business. The rules and entitlements for reimbursement of travel outside the Borough are the same as those for Officers

Subsistence allowances are only payable for official Council business outside the Borough where the duties entail an overnight stay or working outside 'normal office hours'. Members will be reimbursed actual expenditure incurred up to the maximum of the rates set for Officers

Allowances are payable on the basis of expenditure incurred and receipts must be submitted to support claims for subsistence allowances and travel costs

Travel and subsistence arrangements for key events, e.g. Town Twinning will be set in line with the above. However, taking account of the practicalities of arrangements, these will be set out and documented by the Group Director Finance and Commerce, prior to each event and be agreed with the Cabinet for Finance and Commerce.

**Council, 25 March 2009**



**COUNCIL, 25 MARCH 2009**

# 10

This report is submitted with the agreement of the Mayor as an urgent matter, pursuant to Section 100B(4) of the Local Government Act 1972

## **REPORT OF CABINET**

### **SUBJECT: HAVERING LOCAL DEVELOPMENT FRAMEWORK: PROPOSED SUBMISSION JOINT WASTE PLAN DPD**

The Joint Waste Plan is a key part of the Havering Local Development Framework and is being prepared jointly by the four East London Waste Authority member councils of Havering, Redbridge, Barking & Dagenham and Newham.

Initial consultation on the Joint Waste DPD was undertaken in Spring 2007 and, from that, a Preferred Options Report was prepared on which public consultation was undertaken in Spring 2008. The Proposed Submission DPD (circulated to all Members as Appendix 1 of item 12 of the agenda for the Cabinet meeting on 18 March 2009) was produced taking into account comments received during this consultation. A proposed Consultation Statement was set out in Appendix 2.

The main focus of the Joint Waste DPD is to identify sufficient capacity to manage the levels of waste set out in the London Plan to 2020. The Proposed Submission Joint Waste DPD aims to use existing facilities as far as possible. A limited number of new sites were put forward in the Preferred Options Report, including three in Havering (at Ferry Lane North, Gerpins Lane and Hall Farm). These have been retained in the Proposed Submission document. No further additional sites are identified in the Proposed Submission DPD following the Preferred Options consultation.

As the Joint Waste DPD is being prepared jointly with Barking & Dagenham, Newham and Redbridge, it has to be approved by all four Councils before consultation can be undertaken and then submitted to the Secretary of State.

Subject to all necessary Member approvals by the respective authorities, the Proposed Submission Joint Waste DPD will be published in summer 2009 for a six week period of consultation to be undertaken in accordance with each Borough's Statement of Community Involvement. It will then be submitted to the Secretary of State for examination. It is envisaged that the Joint Waste DPD will be formally adopted in Summer 2010.



Council, 25 March 2009

**Cabinet recommends that the Council APPROVE the Proposed Submission Joint Waste Plan Development Plan Document and the Consultation Statement for public consultation.**

*Note: in the interests of economy, the documents appended to the report to Cabinet have not been reproduced with this report. A copy of the Cabinet report was previously sent to all Members.*



**COUNCIL, 25 MARCH 2009**

# 11

This report is submitted with the agreement of the Mayor as an urgent matter, pursuant to Section 100B(4) of the Local Government Act 1972

## **REPORT OF CABINET**

### **SUBJECT: HAVERING SUSTAINABLE COMMUNITY STRATEGY**

The “Havering Sustainable Community Strategy” (a copy of which has been circulated separately to all Members) has been prepared in accordance with Section 4 of the Local Government Act 2000, which requires every local authority to prepare a Sustainable Community Strategy for promoting or improving the economic, social, environmental well being of their area and contributing to the achievement of sustainable development in the UK. statutory guidance to.

The Strategy is intended to be a “living” document, setting out a long term vision and priorities for the borough, which will be reviewed and amended on a regular basis to ensure that it reflects changes in the economy, environment and society.

In addition to the Act, further statutory guidance was issued in July 2008 “Creating strong, safe and prosperous communities”. This states that:

***“The purpose of a Sustainable Community Strategy is to set the overall strategic direction and long-term vision for the economic, social and environmental well-being of a local area – typically 10-20 years – in a way that contributes to sustainable development in the UK. It tells the ‘story of the place’ – the distinctive vision and ambition of the area, backed by clear evidence and analysis. The Local Government White Paper, Strong and Prosperous Communities set out that the Sustainable Community Strategy will provide ‘a vehicle for considering and deciding how to address difficult and cross cutting issues such as the economic direction of an area, cohesion, social exclusion and climate change”***

As an “over-arching” document, the Strategy establishes joint key priorities for the area, setting the direction for other key strategies and hence for resource allocation but does not have any direct financial implications .

**Council, 25 March 2009**

The jointly agreed priorities identified in the Strategy will ensure that resources are focussed on the key issues in the Borough and that risk and inefficiencies are minimised.

**Cabinet RECOMMENDS that the Council adopt the Havering Sustainable Community Strategy.**

*Note: in the interests of economy, the Strategy has not been reproduced with this report as a copy of it has been sent to all Members.*



COUNCIL, 25 MARCH 2009

# 12

## QUESTIONS

**NOTE: Questions are listed in order of receipt.  
This is not necessarily the order in which they will be dealt with at the meeting**

**1 Investment of Council Tax and other monies**

**To the Cabinet Member for Finance & Commerce  
(Councillor Roger Ramsey)**

By Councillor Michael Deon Burton

According to the Mail on Sunday of 28 September 2008:

"Town Halls have emerged as surprise winners from the credit crunch, thanks to sky-high interest rates on the cash starved money markets".

The article goes on to suggest that Local Authorities are earning millions of pounds in extra interest by lending funds to banks and building societies.

Specifically has, and is, Havering Council engaged in such activity with council tax monies or any funds in their charge. Yes or no?

**2 Electoral Services: Delivery of letters**

**To the Cabinet Member for Community Safety, Standards & Electoral Services**

**(Councillor Peter Gardner)**

By Councillor Michael Deon Burton

With reference to the register of electors/confirmation of names letters which were hand delivered by Council staff to residents' homes to save postage

- 1 what grades of staff were used specifically
- 2 their modes of transport
- 3 how many letters were involved
- 4 please provide a rationale supporting the conclusion that this reduces cost

3 **Tenants' Mobile CCTV Charge**

**To the Cabinet Member for Housing, Public Protection & Regeneration  
(Councillor Michael Armstrong)**

By Councillor Jeffrey Tucker

How much is raised by the tenants mobile CCT charge and how much (and%) is needed to administer the scheme?

4 **Members expressing views on planning applications**

**To the Chairman of the Regulatory Services Committee  
(Councillor Roger Evans)**

By Councillor Jeffrey Tucker:

At the 4 February Council meeting, Councillor Evans criticized me for giving evidence to a public inquiry against a Regulatory Services Committee decision.

Would he have criticized me if I had given evidence against the Essex Road flats planning decision?

5 **Housing Revenue Account restrictions**

**To the Cabinet Member for Finance & Commerce  
(Councillor Roger Ramsey)**

By Councillor Jeffrey Tucker

I know that previous Conservative Governments have put restrictions on Council access to money in the Housing Revenue Account.

But, at the 4 February Council meeting, Councillor Ramsey said that, 'only Labour Governments have actually taken money from the Housing Revenue Account!'

Is this true?

6 **Clockhouse School – proposed rebuilding: publication of proposal**

**To the Cabinet Member for Education & Children’s Services  
(Councillor Geoffrey Starns)**

By Councillor Jeffrey Tucker

Friday 13 June 2008 – Romford Recorder published an article stating Clockhouse Primary is to be rebuilt at a cost in the region of £10 million and that the money would come from a total of £65 million investment from the DCSF

Can the Councillor explain why the decision to rebuild this school was publicised prior to full Cabinet approval, which was on 18 June 2008?

7 **Clockhouse School – proposed rebuilding: consultation arrangements**

**To the Cabinet Member for Education & Children’s Services  
(Councillor Geoffrey Starns)**

By Councillor Jeffrey Tucker

Can the Councillor explain how Clockhouse School was identified for re-building when it had never been included within the Modernisation of Havering Primary Schools’ Consultation Document, issued to stakeholders on 30 May 2007 and reported to Cabinet on 14 November 2007 & 16 April 2008?

8 **Schools rebuilding programme – criteria for inclusion of particular schools**

**To the Cabinet Member for Education & Children’s Services  
(Councillor Geoffrey Starns)**

By Councillor Jeffrey Tucker

Can the Councillor explain why schools (Hildene, Pyrgo Priory, St Patricks and St Edwards) that have a lower matrix score than Parsonage Farm Primary School, have been included within the Primary Capital Programme for 2009/2014?

Was Cabinet Authority given to change the agreed criteria methodology?

9 **Investment in Parsonage Farm School**

**To the Cabinet Member for Education & Children's Services  
(Councillor Geoffrey Starns)**

By Councillor Jeffrey Tucker

Can the Councillor please indicate what "substantial investment" has been allocated to Parsonage Farm from the Local Authority that has made a "substantial difference to the running of the school" (as stated in Councillor Starns' letter dated 11 March 2009) following the amalgamation of the Infant and Junior Schools in 2003?

10 **Correspondence between School Governing Body and Cabinet Member**

**To the Cabinet Member for Education & Children's Services  
(Councillor Geoffrey Starns)**

By Councillor Jeffrey Tucker

Can the Cabinet Member explain why the Chair of Governors of Parsonage Farm School did not receive a full response to correspondence sent to him on October 20 until March 2009?

11 **Pay & Display machines in car parks**

**To the Cabinet Member for StreetCare & Customer Services  
(Councillor Barry Tebbutt)**

By Councillor Ray Morgon

Since the introduction of the new parking strategy, and specifically in respect of pay and display machines in car parks, would the Cabinet Member confirm:

- a) the number of ticket machines installed in across the borough?
- b) the total costs of installing the machines?
- c) the total annual maintenance cost of the machines?
- d) the total revenue raised from the machines up to the end of February 2009?
- e) the total cost of additional parking restrictions as a result of the implementation of the new parking strategy?

12 **Pay & Display machines for on-street parking**

**To the Cabinet Member for StreetCare & Customer Services**  
**(Councillor Barry Tebbutt)**

By Councillor Ray Morgon

Since the introduction of the new parking strategy, and specifically in respect of on-street pay & display machines, would the Cabinet Member confirm:

- a) the number of ticket machines installed at locations across the borough?
- b) the total costs of installing the machines?
- c) the total annual maintenance cost of the machines?
- d) the total revenue raised from the machines up to the end of February 2009?
- e) the total cost of additional parking restrictions as a result of the implementation of the new parking strategy?

13 **Insurance claims for vehicle damage resulting from carriageway defects**

**To the Cabinet Member for Finance & Commerce**  
**(Councillor Roger Ramsey)**

By Councillor Clarence Barrett

Would the Cabinet Member provide information on insurance claims for vehicle damage as a result of potholes and other carriageway defects in the following format for each of the last three years (ie 2006/07, 2007/08 and 2008/09 to date):

- a) Number of claims per year
- b) Number of claims refused per year
- c) Number of claims agreed per year
- d) Value of claims per year

14 **Payment of local businesses' invoices**

**To the Cabinet Member for Finance & Commerce**  
**(Councillor Roger Ramsey)**

By Councillor Clarence Barrett

Would the Cabinet Member confirm the average turnaround period for payment of invoices to small and medium local businesses for each of the last six months (ie September 2008 to February 2009) compared with the same period in 2007/08?



15 **Vacancies for permanent qualified social worker posts**

**To the Cabinet Member for Social Care & Learning  
(Councillor Steven Kelly)**

By Councillor Pat Mylod

Would the Cabinet Member confirm the current number of vacancies for qualified social workers and how many are covered by temp/agency staff?

16 **References to Members in Council newspapers**

**To the Cabinet Member for Legal & Democratic Services  
(Councillor Eric Munday)**

By Councillor Ray Morgon

Does the Cabinet Member agree with Conservative Councillor Terry Justice (LBB&D, Chadwell Heath, Conservative) who earlier this month appeared on Time FM saying that a council newspaper that only ever included councillors from the administration was wrong, undemocratic and detrimental to the local media?

17 **Misuse of “blue badge” parking concessions**

**To the Cabinet Member for StreetCare & Customer Services  
(Councillor Barry Tebbutt)**

By Councillor Andy Mann

Would the Cabinet Member set out the current policy and practice in respect ‘blue badge’ misuse and how many enforcement actions have been undertaken in each of the last three years?

18 **Removal of plastic bags and litter snagged in trees**

**To the Cabinet Member for StreetCare & Customer Services  
(Councillor Barry Tebbutt)**

By Councillor Linda Hawthorn

Would the Cabinet Member confirm what policies and practices are in place to remove plastic bags and other items of litter that become snagged up in highway trees?

**19 Freedom of Information requests**

**To the Cabinet Member for Finance & Commerce  
(Councillor Roger Ramsey)**

By Councillor Clarence Barrett

In respect of Freedom of Information requests would the Cabinet Member advise for each of the last three years (including 2008/09 to date) :

- a) number of FOI requests made?
- b) number of FOI requests declined?
- c) cost of dealing with FOI requests?

**20 Environmental protection**

**To the Cabinet Member for StreetCare & Customer Services  
(Councillor Barry Tebbutt)**

By Councillor Andy Mann

For each of the following years; 2006/07, 2007/08 and 2008/09 (to date), would the Cabinet Member advise how many Section 34 (Environmental Protection Act) notices have been issued and how many Fixed Penalty Notices have been issued for failure to supply duty of care documents?

**21 Issue of Fixed Penalty Notices by CCTV enforcement vehicles**

**To the Cabinet Member for StreetCare & Customer Services  
(Councillor Barry Tebbutt)**

By Councillor Andy Mann

In respect of the CCTV enforcement vehicles, how many Fixed Penalty Notices have been issued in 2008/09 to date?

**Council, 25 March 2009**